

# Tipton Elementary School District

## AGENDA

### REGULAR BOARD MEETING

Tuesday, November 1, 2022  
7:00 p.m. District Board Room

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** on BP 6146.1 Independent Study & AR 6158 Independent Study
  - 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.
  - 3.1 Community Relations/Citizen Comments-
  - 3.2 Reports by Employee Units CTA/CSEA-
4. **CONSENT CALENDAR: Action items:**
  - 4.1 Minutes of the Regular Board Meeting, October 4, 2022
  - 4.2 Minutes of the Special Board Meeting, October 18, 2022
  - 4.3 Conference, Field Trip, Fund Raiser and Facilities Requests
  - 4.4 Technology Surplus
5. **ADMINISTRATIVE: Action items:**
  - 5.1 Setting Date for Annual Organizational Meeting
  - 5.2 SY2023-24 Annual Renewal of Services Super Co-Op Joint Powers Authority
6. **FINANCE: Action items:**
  - 6.1 Vendor Payments
7. **INFORMATION: (Verbal Reports & presentations)**
  - 7.1 MOT--FOOD SERVICE—PROJECTS
8. **ANY OTHER BUSINESS:**
  - 8.1 Review Board Policy for September
9. **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.**

**9.1** Government Code Section 54957

Public Employee Appointment/Employment

Title: Temporary Stem Teacher for the 2022-2023 School Year

**9.2** Employee Organization:

Government Code Section 54957.6

Conference with labor negotiators

Agency designated representatives: Superintendent

Employee Organization: Principal, Business Manager, and Management Employees

**9.3** Government Code Section 54957.6

Conference with labor negotiators

Agency designated representatives: Board President

Employee Organization: Superintendent

**10. Reconvene to Open Session**

**11. Report out from Closed Session**

**12. Adjournment**

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

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

**Agenda posted October 28, 2022**

# **Distrito Escolar Primario de Tipton**

## **AGENDA**

### **REUNIÓN ORDINARIA DE LA JUNTA**

martes, 1 de noviembre de 2022

7:00 pm. Sala de Juntas de Distrito

#### **1. Llamada al orden** - Saludo a la bandera

De conformidad con la Ley de Estadounidenses con Discapacidades y la Ley Brown, si necesita asistencia especial para participar en la reunión, incluida la recepción de la agenda y los documentos en el paquete de la agenda en un formato alternativo, comuníquese con la oficina del Distrito Escolar Primario de Tipton al (559) 752-4213. La notificación 48 horas antes de la reunión permitirá que el distrito haga arreglos razonables para garantizar la accesibilidad a esta reunión (28CFR35.102-35, 104 ADA Título II) y permitirá la preparación de documentos en formato alternativo apropiado

#### **2. Audiencia pública abierta** sobre el estudio independiente BP 6146.1 y el estudio independiente AR 6158

**2.1** Abierto para preguntas y comentarios públicos

**2.2** Audiencia pública cerrada

#### **3. Opinión pública:**

Con el fin de garantizar que los miembros del público tengan una oportunidad significativa de dirigirse a la junta sobre los puntos de la agenda que están dentro de la jurisdicción de la junta, los puntos de la agenda pueden abordarse en la parte de la agenda con aportes públicos o en el momento en que se trate el asunto. asumido por la Junta. Las presentaciones de la junta están limitadas a 3 minutos por persona y 15 minutos por tema.

**3.1** Relaciones comunitarias/Comentarios de ciudadanos-

**3.2** Informes por Unidades de Empleados CTA/CSEA-

#### **4. CALENDARIO DE CONSENTIMIENTO:** Elementos de acción:

**4.1** Acta de la Junta Ordinaria de Directorio del 4 de octubre de 2022

**4.2** Acta de la Reunión Extraordinaria de la Junta, 18 de octubre de 2022

**4.3** Solicitudes de conferencias, excursiones, recaudación de fondos e instalaciones

**4.4** Excedente de tecnología

#### **5. ADMINISTRATIVO:** Elementos de acción:

**5.1** Fijación de la fecha de la reunión organizativa anual

**5.2** SY2023-24 Renovación anual de servicios Super Co-Op Autoridad de poderes conjuntos

**6. FINANZAS:** Elementos de acción:

**6.1** Pagos a proveedores

**7. INFORMACIÓN:** (Informes verbales y presentaciones)

**7.1** MOT--SERVICIO DE ALIMENTOS-PROYECTOS

**8. CUALQUIER OTRO NEGOCIO:**

**8.1** Política de la Junta de Revisión para septiembre

**9. Aplazamiento a Sesión Cerrada:** La Junta considerará y podrá actuar sobre cualquiera de los siguientes puntos en sesión cerrada. Cualquier acción tomada será reportada públicamente al final de la sesión cerrada como lo requiere la ley.

**9.1** Código de Gobierno, sección 54957

Disciplina/despido/liberación de empleados públicos

**9.2** Organización de los empleados:

Código de Gobierno Sección 54957.6

Conferencia con negociadores laborales

Representantes designados de la agencia: Superintendente

Organización de empleados: director, gerente comercial y empleados administrativos

**9.3** Código de Gobierno Sección 54957.6

Conferencia con negociadores laborales

Representantes designados de la agencia: Presidente de la Junta

Organización de empleados: Superintendente

**9.4** Sección 54957 del Código de Gobierno

Nombramiento/empleo de empleado público

Título: Maestro Stem temporal para el año escolar 2022-2023

**10. Volver a reunirse para la sesión abierta**

**11. Informe de sesión cerrada**

**12. Aplazamiento**

**La Junta luego de una discusión y un voto de acuerdo puede convertir cualquier tema en un tema de acción.**

**Aviso: Si los documentos se distribuyen a los miembros de la junta con respecto a un tema de la agenda dentro de las 72 horas posteriores a una reunión regular de la junta, al mismo tiempo los documentos estarán disponibles para inspección pública en la oficina del distrito ubicada en 370 N. Evans Road, Tipton CA. 93272, teléfono 752-4213.**

**Agenda publicada el 28 de octubre de 2022**

**4. CONSENT CALENDAR: Action items:**

**4.1** Minutes of the Regular Board Meeting, October 4, 2022

# Tipton Elementary School District Minutes

## REGULAR BOARD MEETING

Tuesday, October 4, 2022

7:00 p.m. District Board Room

**1. Call to order- Flag Salute**

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

**2. Public Input:**

**2.1** Community Relations/ Citizen Comments

**2.2** Reports by Employee Units CTA/CSEA

**2.3** Correspondence

Review and Approval of Budget, Fiscal Year

*Mrs. Bettencourt shared the correspondence regarding the approval of the budget.*

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

**3.1** Minutes Regular Board Meeting September 6, 2022

**3.2** Conference, Field Trip, Fund Raiser and Facilities Requests

**3.3** Agreement with TCOE for Education Resource Service

**3.4** Library Surplus

*Motion to approve the consent calendar was made by Fernando Cunha and second by John Cardoza.*

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

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

*No – 0*

*Abstain –0*

*Absent –0*

**4. ADMINISTRATIVE: Action items:**

**4.1** Consulting Service Agreement with Air Quality Compliance Solutions (AQCS)

*Motion to approve Consulting Service Agreement with Air Quality Compliance Solutions (AQCS) was made by John Cardoza and second by Fernando Cunha.*

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

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

*No – 0*

*Abstain –0*

*Absent –0*

**5. FINANCE: Action items:**

**5.1 Vendor Payments**

*Motion to approve Vendor Payments was made by John Cardoza and second by Fernando Cunha.*

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

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

*No – 0*

*Abstain –0*

*Absent –0*

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

**6.1 MOT--FOOD SERVICE—PROJECTS**

*Mr. Fausto Martin updated the Board on the Fire Marshall and CHP inspections.*

*Mrs. Stacey Bettencourt shared with the Board activities happening on campus for the month of October. She also invited the Board to participate in the school carnival on the 28<sup>th</sup> from 5:30 – 7:45. Mrs. Bettencourt also shared the new dismissal changes for students that will take place starting on October 11, 2022.*

**7. Adjourn to Closed Session 7:21 pm**

**8. Reconvene to open session: 9:00 pm**

**9. Report out from Closed Session:**

**7.1 Government Code Section 54957**

Public Employee Appointment/Employment

Title: ASES Instructional Aide

*Motion to approve Iris Amaral as an ASES Instructional Aide was made by John Cardoza and second by Fernando Cunha.*

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

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

*No – 0*

*Abstain –0*

*Absent –0*

**7.2 Government Code Section 54957.6**

Conference with labor negotiators

Agency designated representatives: Superintendent

Employee Organization: CTA

*Discussion*



- 7.3** Government Code Section 54957.6  
Conference with labor negotiators  
Agency designated representatives: Superintendent  
Employee Organization: California School Employees Association and its Chapter 765

*Discussion*

- 7.4** Employee Organization:  
Government Code Section 54957.6  
Conference with labor negotiators  
Agency designated representatives: Superintendent  
Employee Organization: Principal, Business Manager, and Management Employees

*Discussion*

- 7.5** Government Code Section 54957.6  
Conference with labor negotiators  
Agency designated representatives: Board President  
Employee Organization: Superintendent

*Discussion*

**10. Adjournment 9:01 pm**

**Minutes approved November 1, 2022**

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Greg Rice, President

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Fernando Cunha, Clerk

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Stacey Bettencourt, Secretary

Distrito Escolar Primario de Tipton

Minutos

REUNIÓN ORDINARIA DE LA JUNTA

martes, 4 de octubre de 2022

7:00 pm. Sala de Juntas de Distrito

1. **Llamada al orden** - Saludo a la bandera

*El presidente de la junta, Greg Rice, abrió la reunión a las 7:00 pm y dirigió el saludo a la bandera. Consejeros presentes: Shelley Heeger, Iva Sousa, Fernando Cunha, John Cardoza y Greg Rice. Invitados: Megan Rice y Fausto Martín.*

2. **Opinión pública:**

2.1 Relaciones Comunitarias/ Comentarios Ciudadanos

2.2 Informes por Unidades de Empleados CTA/CSEA

2.3 Correspondencia

Revisión y Aprobación del Presupuesto, Año Fiscal

*La Sra. Bettencourt compartió la correspondencia sobre la aprobación del presupuesto.*

3. **CALENDARIO DE CONSENTIMIENTO:** Elementos de acción:

3.1 Acta Reunión Ordinaria de Directorio 6 de septiembre de 2022

3.2 Solicitudes de conferencias, excursiones, recaudación de fondos e instalaciones

3.3 Acuerdo con TCOE para el Servicio de Recursos Educativos

3.4 Excedente de la biblioteca

*La moción para aprobar el calendario de consentimiento fue hecha por Fernando Cunha y secundada por Juan Cardoza.*

*Voto Sí 5/ No 0 / Abstención 0 / Ausente 0*

*Sí - Iva Sousa, Shelley Heeger, Fernando Cunha, John Cardoza y Greg Rice*

*No-0*

*Abstención -0*

*Ausente -0*

4. **ADMINISTRATIVO:** Elementos de acción:

4.1 Acuerdo de servicios de consultoría con Air Quality Compliance Solutions (AQCS)

*Moción para aprobar el Acuerdo de servicios de consultoría con Air Quality Compliance Solutions (AQCS) fue realizado por John Cardoza y segundo por Fernando Cunha.*

*Voto Sí 5/ No 0 / Abstención 0 / Ausente 0*

*Sí - Iva Sousa, Shelley Heeger, Fernando Cunha, John Cardoza y Greg Rice*

*No-0*

*Abstención –0*

*Ausente –0*

**5. FINANZAS:** Elementos de acción:

**5.1 Pagos a proveedores**

*John Cardoza hizo la moción para aprobar los pagos a proveedores y la secundó Fernando Cunha.*

*Voto Sí 5/ No 0 / Abstención 0 / Ausente 0*

*Sí - Iva Sousa, Shelley Heeger, Fernando Cunha, John Cardoza y Greg Rice*

*No-0*

*Abstención –0*

*Ausente –0*

**6. INFORMACIÓN:** (Informes verbales y presentaciones)

**6.1 MOT--SERVICIO DE ALIMENTOS-PROYECTOS**

*El Sr. Fausto Martin actualizó a la Junta sobre las inspecciones de Fire Marshall y CHP.*

*La Sra. Stacey Bettencourt compartió con la Junta las actividades que suceden en el campus durante el mes de octubre. También invitó a la Junta a participar en el carnaval escolar el día 28 de 5:30 a 7:45. La Sra. Bettencourt también compartió los nuevos cambios de salida para los estudiantes que se llevarán a cabo a partir del 11 de octubre de 2022.*

**7. Aplazamiento a sesión cerrada 7:21 p. m.**

**8. Volver a convocar a la sesión abierta: 9:00 p. m.**

**9. Informe de sesión cerrada:**

**7.1 Código de Gobierno Sección 54957**

Nombramiento/empleo de empleado público

Título: Ayudante de Instrucción ASES

*La moción para aprobar a Iris Amaral como Ayudante de Instrucción de ASES fue hecha por John Cardoza y secundada por Fernando Cunha.*

*Voto Sí 5/ No 0 / Abstención 0 / Ausente 0*

*Sí - Iva Sousa, Shelley Heeger, Fernando Cunha, John Cardoza y Greg Rice*

*No-0*

*Abstención –0*

*Ausente –0*

7.2 Código de Gobierno Sección 54957.6

Conferencia con negociadores laborales

Representantes designados de la agencia: Superintendente

Organización de empleados: CTA

*Discusión*

7.3 Código de Gobierno Sección 54957.6

Conferencia con negociadores laborales

Representantes designados de la agencia: Superintendente

Organización de Empleados: Asociación de Empleados Escolares de California y su Capítulo

765

*Discusión*

7.4 Organización de los empleados:

Código de Gobierno Sección 54957.6

Conferencia con negociadores laborales

Representantes designados de la agencia: Superintendente

Organización de empleados: director, gerente comercial y empleados administrativos

*Discusión*

7.5 Sección 54957.6 del Código de Gobierno

Conferencia con negociadores laborales

Representantes designados de la agencia: Presidente de la Junta

Organización de empleados: Superintendente

*Discusión*

10. Clausura 21:01

**Acta aprobada el 1 de noviembre de 2022**

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Greg Rice, presidente

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Fernando Cunha, secretario

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Stacey Bettencourt, secretaria

**4. CONSENT CALENDAR: Action items:**

**4.2** Minutes of the Special Board Meeting, October 18, 2022

# Tipton Elementary School District

## Minutes

### SPECIAL BOARD MEETING

Tuesday, October 18, 2022

6:00 p.m. District Board Room

**1. Call to order- Flag Salute**

*Board Member, Iva Sousa called the meeting to order at 6:03 pm and led the flag salute. Board Members present: Shelley Heeger, Iva Sousa and John Cardoza. Absent: 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. Adjourn to Closed Session: 6:04 pm**

**4. Reconvene to open session 6:20 pm**

**5. Report out from Closed Session**

**3.1** Government Code Section 54957.6

Conference with labor negotiators

Agency designated representatives: Superintendent

Employee Organization: CTA

*Discussion*

**3.2** Government Code section 54957

Public Employee Discipline/Dismissal/Release

*Motion to ratify employee 5256412983, instructional aides resignation effective October 18, 2022 and accepted by the Superintendent on October 3, 2022 was made by John Cardoza and second by Shelley Heeger.*

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

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

*No – 0*

*Abstain –0*

*Absent - Fernando Cunha and Greg Rice*

*Motion to ratify employee 2740546221, instructional aides resignation effective October 18, 2022 and accepted by the Superintendent on October 17, 2022 was made by John Cardoza and second by Shelley Heeger.*

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

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

*No – 0*

*Abstain –0*

*Absent - Fernando Cunha and Greg Rice*

6. **Adjournment 6:21pm**

**Minutes approved November 1, 2022**

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Greg Rice, President

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Fernando Cunha, Clerk

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Stacey Bettencourt, Secretary



**Distrito Escolar Primario de Tipton**  
**Minutos**  
**REUNIÓN ESPECIAL DE LA JUNTA**  
**martes, 18 de octubre de 2022**  
**18:00 Sala de Juntas de Distrito**

**1. Llamada al orden -**

*La miembro de la Junta, Iva Sousa, abrió la reunión a las 6:03 pm y encabezó el saludo a la bandera. Consejeros presentes: Shelley Heeger, Iva Sousa y John Cardoza. Ausentes: Fernando Cunha y Greg Rice.*

**2. Opinión pública:**

**2.1** Relaciones Comunitarias/ Comentarios Ciudadanos

**2.2** Informes por Unidades de Empleados CTA/CSEA

*Sin comentarios*

**3. Aplazamiento a Sesión Cerrada: 6:04 pm**

**4. Volver a reunirse para abrir sesión 6:20 pm**

**5. Informe de sesión cerrada**

**3.1** Government Code Section 54957.6

Conference with labor negotiators

Agency designated representatives: Superintendent

Employee Organization: CTA

*Discusión*

**3.2** Government Code section 54957

Public Employee Discipline/Dismissal/Release

*Moción para ratificar empleado 5256412983, renuncia de asistentes de instrucción a partir de octubre 18 de octubre de 2022 y aceptado por el Superintendente el 3 de octubre de 2022 fue hecho por John Cardoza y segundo por Shelley Heeger.*

*Voto Sí 3/ No 0 / Abstención 0 / Ausente 2*

*Sí - Iva Sousa, Shelley Heeger y John Cardoza*

*No-0*

*Abstención -0*

*Ausentes - Fernando Cunha y Greg Rice.*

*Moción para ratificar empleado 2740546221, renuncia de asistentes de instrucción a partir de octubre 18 de octubre de 2022 y aceptado por el Superintendente el 17 de octubre de 2022 fue hecho por John Cardoza y segundo por Shelley Heeger.*

*Voto Sí 3/ No 0 / Abstención 0 / Ausente 2*

*Sí - Iva Sousa, Shelley Heeger y John Cardoza*

*No-0*

*Abstención -0*

*Ausentes - Fernando Cunha y Greg Rice.*

**6. Aplazamiento 6:21pm**

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Greg Rice, presidente

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Fernando Cunha, secretario

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Stacey Bettencourt

**4. CONSENT CALENDAR: Action items:**

**4.3** Conference, Field Trip, Fund Raiser and Facilities Requests

# Field Trip Approval Form

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Gilbert, Ramirez, Valenzuela GRADE 5

CLASSES ATTENDING 5th

DATE OF TRIP 11/9/22 NUMBER OF PUPILS 61 ADULTS 3

DESTINATION Bowlero 1740W Caldwell Ave

BUS TO LEAVE SCHOOL AT 8:30 - RETURN AT 11:30

BUS ROUTING AND STOPS

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USE THE BACK OF THIS PAPER IF ROUTNING NEEDS MORE SPACE

PRELIMINARY STEPS: \_\_\_\_\_

TRIP RELEVENCY: Why Try

OTHER INFORMATION/STAFF CHAPARONE REQUEST:

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COST \$ 0

CAFETERIA LUNCHES NEEDED FOR STUDENTS: YES \_\_\_\_\_ NO  HOW MANY \_\_\_\_\_

CAFETERIA LUNCHES NEEDED FOR ADULTS: YES \_\_\_\_\_ NO  HOW MANY \_\_\_\_\_

SIGNATURE OF TEACHER IN CHARGE Debbie Gubert

TRIP AUTHORIZED BY SCHOOL BOARD YES \_\_\_\_\_ NO \_\_\_\_\_

SIGNATURE OF SUPERINTENDENT \_\_\_\_\_

Tulare County  
Office of Education

*Tim A. Hira, County Superintendent of Schools*

# CHILDREN OF PROMISE PROGRAM

INVITES YOU

**FREE!**

November 9, 2022

9:00am-11:00am

BOWLERO 1740 W. Caldwell Ave

FREE TO WHYTRY STUDENTS



Tipton Elementary School District

Name of Club: Sixth Grade SCICON

Request for Fundraiser Approval and Revenue Projection

School Year: 2022-2023

Date form submitted: 9/7/2022 Submitted by: Janet Uresti

PROPOSED ACTIVITY:

Name of activity or type of fundraiser: Nothing Bundt Cakes Sale

Location of activity: MPR

Facilities needed: MPR - to hand out cakes

Items to be sold: Nothing Bundt Cakes

Date of activity: 2/14/2023

Time of activity: From 6:45 a.m./p.m. To: 8:00 a.m./p.m.

Item/Ticket selling price: \$ 6 per cake (we make 30%, so \$1.80 per cake)

Cash Box required? Yes  No

Number of items purchased for sale: 1,000 @ \$ 6 each = \$ 6,000

ASB purchase order required? Yes  No

How much income is anticipated? \$ 1,800 how much expense is anticipated? \$ 4,200 (to pay company)

How will profit be used? To send sixth graders to SCICON.

Fundraiser Contact Person: Janet Uresti

Phone Number: 559-359-0338

Submit Form to Principal/Superintendent (Principal/Superintendent forward form to Business Office)

Approved by: [Signature]  
Principal/Superintendent:

Business Manager/ASB Administrator: [Signature]

Reason for disapproval, if applicable: \_\_\_\_\_

Note: Fundraising Event Profit form is due two weeks after close of activity/fundraiser.

Tipton Elementary School District

Name of Club: Library

Request for Fundraiser Approval and Revenue Projection

School Year: 2022-2023

Date form submitted: 10/3/22 Submitted by: Megan Rice

PROPOSED ACTIVITY:

Name of activity or type of fundraiser: Scholastic Book Fair

Location of activity: Library

Facilities needed: Library

Items to be sold: Books & supplies

Date of activity: 10/24-10/28

Time of activity: From 7:30 a.m./p.m. To: 4:00 a.m. /p.m.

Item/Ticket selling price: \$ Varies

Cash Box required?  Yes  No

Number of items purchased for sale: \_\_\_\_\_ @ \$ \_\_\_\_\_ each = \$ \_\_\_\_\_

ASB purchase order required?  Yes  No

How much income is anticipated? \$ \_\_\_\_\_ how much expense is anticipated? \$ \_\_\_\_\_

How will profit be used? Book and supplies for library

Fundraiser Contact Person: Megan Rice

Phone Number: (559) 752-4213

Submit Form to Principal/Superintendent (Principal/Superintendent forward form to Business Office)

Approved by:

Principal/Superintendent: [Signature]

Business Manager/ASB Administrator: [Signature]

Reason for disapproval, if applicable: \_\_\_\_\_

Starting \$ needed

25¢ = 40.00	\$1s = 35.00
10¢ = 30.00	\$5s = 40.00
5¢ = 16.00	\$10s = 30.00
1¢ = 6.00	
<hr/>	
\$ 92.00	\$ 105.00
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Rolls Total: \$ 197.00	

Note: Fundraising Event Profit form is due two weeks after close of activity/fundraiser.

# Field Trip Approval Form

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Mr. Rocha GRADE 4th / 5th

CLASSES ATTENDING 4th + 5th Grade Band

DATE OF TRIP 11/7/22 NUMBER OF PUPILS 38 ADULTS 2

DESTINATION Tulare Union High School

BUS TO LEAVE SCHOOL AT 5:30 pm RETURN AT appx. 8:45 pm

BUS ROUTING AND STOPS

No stops

USE THE BACK OF THIS PAPER IF ROUTING NEEDS MORE SPACE

PRELIMINARY STEPS: \_\_\_\_\_

TRIP RELEVENCY: Opportunity for band students to experience music at the High School level by attending the marching band Showcase

OTHER INFORMATION/STAFF CHAPARONE REQUEST:

Any administrator/teacher that wants to join is welcome

COST \$ 0

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 Derick A Rocha

TRIP AUTHORIZED BY SCHOOL BOARD YES \_\_\_\_\_ NO \_\_\_\_\_

SIGNATURE OF SUPERINTENDENT Stacy Buma



# Field Trip Approval Form

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Gilbert plus one other GRADE 4-8th

CLASSES ATTENDING 4-8

DATE OF TRIP 12-6-22 NUMBER OF PUPILS 50 ADULTS 3 <sup>2 teachers</sup> <sub>plus bus driver</sub>

DESTINATION Condors Hockey

BUS TO LEAVE SCHOOL AT 8:45 RETURN AT 3:45

BUS ROUTING AND STOPS

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USE THE BACK OF THIS PAPER IF ROUTING NEEDS MORE SPACE

PRELIMINARY STEPS: \_\_\_\_\_

\_\_\_\_\_

TRIP RELEVENCY: \_\_\_\_\_

\_\_\_\_\_

OTHER INFORMATION/STAFF CHAPARONE REQUEST:

\_\_\_\_\_

COST \$ 12 students pay - Student Council pays for adults

CAFETERIA LUNCHES NEEDED FOR STUDENTS: YES \_\_\_\_\_ NO  HOW MANY \_\_\_\_\_

CAFETERIA LUNCHES NEEDED FOR ADULTS: YES \_\_\_\_\_ NO  HOW MANY \_\_\_\_\_

SIGNATURE OF TEACHER IN CHARGE Debbie Gubar

TRIP AUTHORIZED BY SCHOOL BOARD YES \_\_\_\_\_ NO \_\_\_\_\_

SIGNATURE OF SUPERINTENDENT Steve Butten



BAKERSFIELD CONDORS HOCKEY · FIELD TRIP DAY · BAKERSFIELD CONDORS HOCKEY · FIELD TRIP DAY · BAKERSFIELD CONDORS HOCKEY · FIELD TRIP DAY · BAKERSFIELD CONDORS HOCKEY · FIELD TRIP DAY

# FIELD TRIP DAY IS BACK

## TUE, DEC 6 - 10:30AM

### ADMISSION INCLUDES:

- EDUCATIONAL BOOKLET\*
- MOTIVATIONAL MESSAGES FROM PLAYERS
- ACADEMIC PROMOTIONS THROUGHOUT THE GAME

\* CONDORS EDUCATIONAL BOOKLETS WILL BE PROVIDED TO ALL STUDENTS IN ATTENDANCE. THE HANDOUTS WILL RELATE THE GAME OF HOCKEY TO SPECIFIC SUBJECTS SUCH AS GEOGRAPHY, FOREIGN LANGUAGE, MATHEMATICS, SCIENCE, & PHYSICAL EDUCATION.

### WHO NEEDS TICKETS?

STUDENTS, TEACHERS  
BUS DRIVERS & CHAPERONES



**RESERVE YOUR SPOT BY FILLING OUT THE FORM BELOW ASAP!**

SCHOOL NAME: Tipton Elementary

CONTACT NAME: Debbie Gilbert PHONE NUMBER: 559-752-4213

EMAIL: dgilbert@tipton.k12.ca.us

PREFERRED LEVEL:  LOWER | \$12.00  UPPER | \$7.00

ESTIMATED AMOUNT OF TICKETS: 53

PLEASE FAX: 661.324.6929 OR EMAIL: TICKETS@BAKERSFIELDCONDORS.COM

324-PUCK [7825] | CONDORSTOWN.COM

**4. CONSENT CALENDAR: Action items:**

**4.4 Technology Surplus**



**Prepared for Board Meeting on: 11/01/22**

**Prepared on: 10/17/22**

<b>Make</b>	<b>Model</b>	<b>Type</b>	<b>Asset Tag</b>	<b>Serial Number</b>
HP	11 G8 EE	Chromebook	TSD-00000000157-20	5CD0177P49
3Com	Switch 4210 18-Port	Switch	-	9K3FBVPB95478
Dell	E1912H	Monitor	-	46NYG22227QS
Dell	E1912H	Monitor	-	46NYG222469S
Dell	E1912H	Monitor	-	46NYG2222Z2S
Dell	E1912H	Monitor	-	46NYG222466S
Dell	E1912H	Monitor	-	46NYG22227SS
Dell	E1912H	Monitor	-	46NYG2222YRS
Dell	E1912H	Monitor	-	46NYG222462S
Dell	E1912H	Monitor	-	46NYG22245YS
Dell	E1914H	Monitor	-	HDNH9427FDFB
Dell	E1912H	Monitor	-	46NYG222460S
Dell	E1914H	Monitor	-	HDNH9427FE8B
Dell	E1914H	Monitor	-	HDNH9427FE6B
Dell	E1912H	Monitor	-	46NYG222464S
Dell	E1912H	Monitor	-	46NYG22228SS
Dell	E1912H	Monitor	-	46NYG22246PS
Dell	E1912H	Monitor	-	46NYG22246AS
Dell	E1912H	Monitor	-	46NYG222309S
Dell	E1912H	Monitor	-	46NYG22228NS
Dell	E1912H	Monitor	-	46NYG222461S
Dell	E1912H	Monitor	-	46NYG22228RS
Dell	E1912H	Monitor	-	46NYG222465S
Dell	E1912H	Monitor	-	46NYG22245XS
Dell	E1912H	Monitor	-	46NYG22245ZS
Dell	E1912H	Monitor	-	46NYG222468S
Dell	E1912H	Monitor	-	46NYG22227NS
Dell	E1914H	Monitor	-	HDNH9427FEDB
Dell	E1912H	Monitor	-	46NYG22245SS
Dell	E1912H	Monitor	-	46NYG22228US
Dell	Optiplex 3010	Computer	-	5VRYNW1
Dell	Optiplex 380	Computer	-	52FKPL1
Dell	Optiplex 380	Computer	-	HFZ3JQ1
Dell	OptiPlex 390	Computer	-	4190LS1
Dell	Optiplex 380	Computer	-	B14ZPN1
Dell	Optiplex 380	Computer	-	52HDPL1
Dell	OptiPlex 390	Computer	-	4180LS1
Dell	OptiPlex 390	Computer	-	4183LS1
Dell	Optiplex 380	Computer	-	HFYZHQ1
Dell	Optiplex 380	Computer	-	52GJPL1
Dell	Optiplex 380	Computer	-	HFZ1JQ1
Dell	OptiPlex 3020	Computer	-	H6G7B42
Dell	OptiPlex 3020	Computer	-	CHB0F42
Dell	Optiplex 780	Computer	-	5HYZVN1
Dell	OptiPlex 3020	Computer	-	CHD0F42
Dell	OptiPlex 790	Computer	-	757J5V1
Dell	OptiPlex 390	Computer	-	418ZKS1
Dell	Optiplex 380	Computer	-	HFZ4JQ1

Dell	Optiplex 380	Computer	-	HFYXHQ1
Dell	Optiplex 380	Computer	-	52HHPL1
Dell	Optiplex 380	Computer	-	HFZ0JQ1
Dell	OptiPlex 790	Computer	-	759H5V1
Dell	OptiPlex 790	Computer	-	758J5V1
Dell	OptiPlex 790	Computer	-	75BD5V1
Dell	OptiPlex 390	Computer	-	4184LS1
Dell	Optiplex 380	Computer	-	HFYVHQ1
Dell	OptiPlex 7010	Computer	-	CLJWH02
Dell	OptiPlex 390	Computer	-	4181LS1
APC	SMX750	UPS	-	AS1233221222
APC	SMX48RMBP2U	UPS	-	5D1223T02574
HP	OfficeJet Pro 8710	Printer	-	CN857B3028
HP	11 G6 EE	Chromebook	-	5cd8445sp3
HP	11 G6 EE	Chromebook	-	5CD8445SR0
HP	11 G6 EE	Chromebook	-	5cd8445sr6
HP	11 G6 EE	Chromebook	-	5cd8445srx
HP	11 G6 EE	Chromebook	-	5cd8445stf
HP	11 G6 EE	Chromebook	TSD-00003-19	5CD8327XRN
HP	11 G6 EE	Chromebook	TSD-00005-19	5CD8327403
HP	11 G6 EE	Chromebook	TSD-00006-19	5CD8327XW8
HP	11 G6 EE	Chromebook	TSD-00009-19	5CD83271N8
HP	11 G6 EE	Chromebook	TSD-00010-19	5CD8327XTH
HP	11 G6 EE	Chromebook	TSD-00012-19	5CD832720W
HP	11 G6 EE	Chromebook	TSD-00013-19	5CD8327XRS
HP	11 G6 EE	Chromebook	TSD-00014-19	5CD83273VT
HP	11 G6 EE	Chromebook	TSD-00015-19	5CD83271M3
HP	11 G6 EE	Chromebook	TSD-00016-19	5CD8327XRW
HP	11 G6 EE	Chromebook	TSD-00018-19	5CD83543NR
HP	11 G6 EE	Chromebook	TSD-00020-19	5CD8327XTX
HP	11 G6 EE	Chromebook	TSD-00022-19	5CD8327XWG
HP	11 G6 EE	Chromebook	TSD-00024-19	5CD8354HWT
HP	11 G6 EE	Chromebook	TSD-00025-19	5CD8327XVY
HP	11 G6 EE	Chromebook	TSD-00026-19	5CD8327XWB
HP	11 G6 EE	Chromebook	TSD-00027-19	5CD8327XW2
HP	11 G6 EE	Chromebook	TSD-00028-19	5CD8327XWY
HP	11 G6 EE	Chromebook	TSD-00029-19	5CD8354HDM
HP	11 G6 EE	Chromebook	TSD-00030-19	5CD8354HLN
HP	11 G6 EE	Chromebook	TSD-00031-19	5CD8354HRB
HP	11 G6 EE	Chromebook	TSD-00033-19	5CD8354HC6
HP	11 G6 EE	Chromebook	TSD-00034-19	5CD8354JLP
HP	11 G6 EE	Chromebook	TSD-00035-19	5CD8354JKP
HP	11 G6 EE	Chromebook	TSD-00037-19	5CD8354HRK
HP	11 G6 EE	Chromebook	TSD-00038-19	5CD83254HS6
HP	11 G6 EE	Chromebook	TSD-00039-19	5CD8354HTR
HP	11 G6 EE	Chromebook	TSD-00040-19	5CD8354HV6
HP	11 G6 EE	Chromebook	TSD-00041-19	5CD83271Z4
HP	11 G6 EE	Chromebook	TSD-00042-19	5CD8327XYJ
HP	11 G6 EE	Chromebook	TSD-00043-19	5CD8327XZ4
HP	11 G6 EE	Chromebook	TSD-00044-19	5CD8327Y7R
HP	11 G6 EE	Chromebook	TSD-00048-19	5CD8326H3J
HP	11 G6 EE	Chromebook	TSD-00050-19	5CD8326GCD

HP	11 G6 EE	Chromebook	TSD-00051-19	5CD8327XRH
HP	11 G6 EE	Chromebook	TSD-00052-19	5CD8327XVI
HP	11 G6 EE	Chromebook	TSD-00053-19	5CD8327XSW
HP	11 G6 EE	Chromebook	TSD-00054-19	5CD8327XTK
HP	11 G6 EE	Chromebook	TSD-00055-19	5CD8327XV8
HP	11 G6 EE	Chromebook	TSD-00058-19	5CD83271TR
HP	11 G6 EE	Chromebook	TSD-00059-19	5CD832703V
HP	11 G6 EE	Chromebook	TSD-00060-19	5CD8327XTF
HP	11 G6 EE	Chromebook	TSD-00061-19	5CD8327XSS
HP	11 G6 EE	Chromebook	TSD-00062-19	5CD8327XR0
HP	11 G6 EE	Chromebook	TSD-00063-19	5CD8327006
HP	11 G6 EE	Chromebook	TSD-00064-19	5CD8327XSP
HP	11 G6 EE	Chromebook	TSD-00065-19	5CD8327XSM
HP	11 G6 EE	Chromebook	TSD-00066-19	5CD8327Y46
HP	11 G6 EE	Chromebook	TSD-00067-19	5CD8327XT5
HP	11 G6 EE	Chromebook	TSD-00068-19	5CD8327XT9
HP	11 G6 EE	Chromebook	TSD-00069-19	5CD8327XTD
HP	11 G6 EE	Chromebook	TSD-00070-19	5CD8327XTN
HP	11 G6 EE	Chromebook	TSD-00071-19	5CD8327XTR
HP	11 G6 EE	Chromebook	TSD-00073-19	5CD8327XTW
HP	11 G6 EE	Chromebook	TSD-00076-19	5CD83273RT
HP	11 G6 EE	Chromebook	TSD-00077-19	5CD8327XV5
HP	11 G6 EE	Chromebook	TSD-00078-19	5CD8327XVQ
HP	11 G6 EE	Chromebook	TSD-00079-19	5CD83271SJ
HP	11 G6 EE	Chromebook	TSD-00080-19	5CD8327XVK
HP	11 G6 EE	Chromebook	TSD-00081-19	5CD8327XVH
HP	11 G6 EE	Chromebook	TSD-00082-19	5CD8327XVF
HP	11 G6 EE	Chromebook	TSD-00083-19	5CD8327XVL
HP	11 G6 EE	Chromebook	TSD-00084-19	5CD8327XVD
HP	11 G6 EE	Chromebook	TSD-00085-19	5CD8327XTP
HP	11 G6 EE	Chromebook	TSD-00086-19	5CD8327XW9
HP	11 G6 EE	Chromebook	TSD-00087-19	5CD8327XTG
HP	11 G6 EE	Chromebook	TSD-00088-19	5CD8327XSF
HP	11 G6 EE	Chromebook	TSD-00089-19	5CD8327XVP
HP	11 G6 EE	Chromebook	TSD-00091-19	5CD83271S6
HP	11 G6 EE	Chromebook	TSD-00092-19	5CD8354JJ0
HP	11 G6 EE	Chromebook	TSD-00094-19	5CD8354J1H
HP	11 G6 EE	Chromebook	TSD-00095-19	5CD8354HSJ
HP	11 G6 EE	Chromebook	TSD-00096-19	5CD83543PF
HP	11 G6 EE	Chromebook	TSD-00097-19	5CD8354HRL
HP	11 G6 EE	Chromebook	TSD-00098-19	5CD8354HCX
HP	11 G6 EE	Chromebook	TSD-00099-19	5CD8354356
HP	11 G6 EE	Chromebook	TSD-00100-19	5CD8354HZH
HP	11 G6 EE	Chromebook	TSD-00101-19	5CD8354HFM
HP	11 G6 EE	Chromebook	TSD-00102-19	5CD8327XSY
HP	11 G6 EE	Chromebook	TSD-00103-19	5CD8327XRC
HP	11 G6 EE	Chromebook	TSD-00104-19	5CD8327XTL
HP	11 G6 EE	Chromebook	TSD-00105-19	5CD8327XSG
HP	11 G6 EE	Chromebook	TSD-00106-19	5CD8326ZKS
HP	11 G6 EE	Chromebook	TSD-00107-19	5CD8327XT2
HP	11 G6 EE	Chromebook	TSD-00108-19	5CD8327XSJ
HP	11 G6 EE	Chromebook	TSD-00109-19	5CD8327XR9

HP	11 G6 EE	Chromebook	TSD-00110-19	5CD83271RX
HP	11 G6 EE	Chromebook	TSD-00111-19	5CD8327XSH
HP	11 G6 EE	Chromebook	TSD-00112-19	5CD83271Q7
HP	11 G6 EE	Chromebook	TSD-00113-19	5CD8327XRV
HP	11 G6 EE	Chromebook	TSD-00114-19	5CD8327XWQ
HP	11 G6 EE	Chromebook	TSD-00115-19	5CD8327XWN
HP	11 G6 EE	Chromebook	TSD-00116-19	5CD8327XXJ
HP	11 G6 EE	Chromebook	TSD-00117-19	5CD8327XX3
HP	11 G6 EE	Chromebook	TSD-00118-19	5CD8327XWM
HP	11 G6 EE	Chromebook	TSD-00119-19	5CD83271R3
HP	11 G6 EE	Chromebook	TSD-00120-19	5CD8327XT1
HP	11 G6 EE	Chromebook	TSD-00121-19	5CD8327XVS
HP	11 G6 EE	Chromebook	TSD-00122-19	5CD8327XVZ
HP	11 G6 EE	Chromebook	TSD-00123-19	5CD832703P
HP	11 G6 EE	Chromebook	TSD-00124-19	5CD8327XW1
HP	11 G6 EE	Chromebook	TSD-00125-19	5CD832702Q
HP	11 G6 EE	Chromebook	TSD-00126-19	5CD8354HF4
HP	11 G6 EE	Chromebook	TSD-00127-19	5CD8354JLG
HP	11 G6 EE	Chromebook	TSD-00129-19	5CD8354HVJ
HP	11 G6 EE	Chromebook	TSD-00130-19	5CD8354HWX
HP	11 G6 EE	Chromebook	TSD-00132-19	5CD8327XY3
HP	11 G6 EE	Chromebook	TSD-00134-19	5CD8327XXD
HP	11 G6 EE	Chromebook	TSD-00135-19	5CD8327XXM
HP	11 G6 EE	Chromebook	TSD-00136-19	5CD8327XXP
HP	11 G6 EE	Chromebook	TSD-00137-19	5CD8327XX0
HP	11 G6 EE	Chromebook	TSD-00138-19	5CD8327XWS
HP	11 G6 EE	Chromebook	TSD-00139-19	5CD8326H53
HP	11 G6 EE	Chromebook	TSD-00140-19	5CD83273YN
HP	11 G6 EE	Chromebook	TSD-00141-19	5CD83271Z4
HP	11 G6 EE	Chromebook	TSD-00142-19	5CD8327XSR
HP	11 G6 EE	Chromebook	TSD-00143-19	5CD8326ZMB
HP	11 G6 EE	Chromebook	TSD-00148-19	5CD83273NL
HP	11 G6 EE	Chromebook	TSD-00150-19	5CD83271QK
HP	11 G6 EE	Chromebook	TSD-00151-19	5CD8327XTT
HP	11 G6 EE	Chromebook	TSD-00152-19	5CD8327XRP
HP	11 G6 EE	Chromebook	TSD-00153-19	5CD8327XTJ
HP	11 G6 EE	Chromebook	TSD-00154-19	5CD8327XVW
HP	11 G6 EE	Chromebook	TSD-00156-19	5CD8354JLK
HP	11 G6 EE	Chromebook	TSD-00157-19	5CD8327XRX
HP	11 G6 EE	Chromebook	TSD-00158-19	5CD83273YT
HP	11 G6 EE	Chromebook	TSD-00159-19	5CD8327XRK
HP	11 G6 EE	Chromebook	TSD-00160-19	5CD8327XS3
HP	11 G6 EE	Chromebook	TSD-00161-19	5CD83271T6
HP	11 G6 EE	Chromebook	TSD-00162-19	5CD8327XST
HP	11 G6 EE	Chromebook	TSD-00163-19	5CD8327XSX
HP	11 G6 EE	Chromebook	TSD-00164-19	5CD8327XSC
HP	11 G6 EE	Chromebook	TSD-00165-19	5CD8327XS0
HP	11 G6 EE	Chromebook	TSD-00166-19	5CD83273YF
HP	11 G6 EE	Chromebook	TSD-00167-19	5CD8327XRL
HP	11 G6 EE	Chromebook	TSD-00168-19	5CD83271X9
HP	11 G6 EE	Chromebook	TSD-00170-19	5CD8327XQW
HP	11 G6 EE	Chromebook	TSD-00171-19	5CD8327XSK



HP	11 G6 EE	Chromebook	TSD-00172-19	5CD8327XS6
HP	11 G6 EE	Chromebook	TSD-00173-19	5CD8327XR1
HP	11 G6 EE	Chromebook	TSD-00174-19	5CD8327XS2
HP	11 G6 EE	Chromebook	TSD-00175-19	5CD8327XRT
Gateway	ALR 7200	Server	-	1002383
Dell	C1660w Color Printer	Printer	-	ZGZ001111
Dell	1220	Projector	-	9GZGJ92
Dell	P318S	Projector	-	H2YQJ92
Dell	Precision Tower 7810	Server	S-0004	F6FRND2
BrilliantTech	3330	Document Camera	dc-002	-
ELMO	TT-12	Document Camera	dc-015	-
BrilliantTech	3330	Document Camera	dc-0027	-
Dell	1220	Projector	-	CZR0G22
Dell	1220	Projector	-	GZR0G22
HP	Officejet Pro 8600 N911g	Printer	-	CN35VB2GM205KD
Dell	1220	Projector	-	BLZGJ92
HP	LaserJet 400 M401n	Printer	-	PHGDD31492
Dell	Optiplex 380	Computer	-	HFY3JQ1
Dell	Optiplex 380	Computer	-	GL22MM1
Dell	Optiplex 980	Computer	-	3423MN1
Dell	Optiplex 780	Computer	-	HS2VMM1
Dell	Latitude E5520	Laptop	L-0006	47C5LQ1
Dell	Latitude E5540	Laptop	-	G5GYP32
Dell	Latitude 5590	Laptop	L-0032	4811ZM2
Dell	Latitude E5520	Laptop	L-0040	2XLX4S1
Dell	Latitude E5530 non-vPro	Laptop	-	FPKYXW1
Dell	Latitude E6540	Laptop	-	3XMBM72
Dell	Latitude E6540	Laptop	L-0051	247WP72
Dell	Latitude E6540	Laptop	-	8XDWP72
Dell	XPS 15 9550	Laptop	-	GDQNBG2
Dell	Latitude 3500	Laptop	L-0067	3FNFJX2
Dell	OptiPlex 3010	Computer	D-0055	J20SQW1
3Com	Super Stack II Dual Speed Hub 500	Switch	-	7ZBV1AA4AB6
3Com	Super Stack II Dual Speed Hub 500	Switch	-	7ZBV1AA78B2
3Com	Super Stack II Dual Speed Hub 500	Switch	-	7ZBV1AB20DF
3Com	Super Stack II Dual Speed Hub 500	Switch	-	7ZBV1AD5596
3Com	Super Stack II Dual Speed Hub 500	Switch	-	7ZBV1AD5596
HP	OfficeJet Pro 8710	Printer	-	CN776BT2GV
Dell	3115cn Color Laser Printer	Printer	-	25YTT1
Dell	Latitude E6400	Laptop	-	B29X3L1
Belkin	B2B114	iPad Keyboard	37	1414001346
Belkin	B2B114	iPad Keyboard	55	1414001103
Belkin	B2B114	iPad Keyboard	54	1414001102
Belkin	B2B114	iPad Keyboard	53	1414001101
Belkin	B2B114	iPad Keyboard	52	1414001100
Belkin	B2B114	iPad Keyboard	51	1414001108
Belkin	B2B114	iPad Keyboard	50	1414001107
Belkin	B2B114	iPad Keyboard	49	1414001106
Belkin	B2B114	iPad Keyboard	48	1414001105
Belkin	B2B114	iPad Keyboard	47	1414001104
Belkin	B2B114	iPad Keyboard	46	1414001099
Belkin	B2B114	iPad Keyboard	65	1414001259

Belkin	B2B114	iPad Keyboard	64	1414001258
Belkin	B2B114	iPad Keyboard	63	1414001257
Belkin	B2B114	iPad Keyboard	62	1414001256
Belkin	B2B114	iPad Keyboard	61	1414001254
Belkin	B2B114	iPad Keyboard	60	1414001255
Belkin	B2B114	iPad Keyboard	59	1414001250
Belkin	B2B114	iPad Keyboard	58	1414001251
Belkin	B2B114	iPad Keyboard	57	1414001252
Belkin	B2B114	iPad Keyboard	56	1414001253
Belkin	B2B114	iPad Keyboard	38	1414001347
Belkin	B2B114	iPad Keyboard	39	1414001352
Belkin	B2B114	iPad Keyboard	40	1414001134
Belkin	B2B114	iPad Keyboard	43	1414001333
Belkin	B2B114	iPad Keyboard	45	1414001129
Belkin	B2B114	iPad Keyboard	44	1414001136
Belkin	B2B114	iPad Keyboard	41	1414001135
Belkin	B2B114	iPad Keyboard	36	1414001337
Belkin	B2B114	iPad Keyboard	32	1414001335
Belkin	B2B114	iPad Keyboard	31	1414001689
Belkin	B2B114	iPad Keyboard	33	1414001348
Belkin	B2B114	iPad Keyboard	34	1414001351
Belkin	B2B114	iPad Keyboard	35	1414001350
MacSense	LeeHub-9C	Mac Hub	-	ET0007567
MacSense	LeeHub-9C	Mac Hub	-	ET0007585
Epson	PowerLite 83+	Projector	-	KM3F82B871L
Dell	1201S	Projector	-	31TL1S1
Dell	S500wi	Projector	Pro-013	5M9BW1
HP	Officejet Pro 9015	Printer	-	TH9BP571S8
Network Video Technologies (NVT)	NV-862R	Active Receiver Hub	-	27J-291781-E
Dell	Latitude E6420	Laptop	L-0023	28QVDV1
Dell	Latitude E5520	Laptop	L-0042	47BKLQ1
Dell	OptiPlex 990	Computer	D-0109	B4B17V1
Dell	XPS 2720	Computer	-	J50NTX1
Dell	Optiplex 7450 AIO	Computer	-	3246GK2
Lenovo	100e Gen 2 AST	Chromebook	tesd-Len-0082-20	MP1V4Q8N
Dell	Latitude 5590	Laptop	L-0014	CSZQSQ2

**5. ADMINISTRATIVE: Action items:**

**5.2 SY2023-24 Annual Renewal of Services Super Co-Op Joint Powers Authority**

**SY2023-24 Annual Renewal of Services  
Super Co-Op Joint Powers Authority**



**Participant District:** Tipton Elementary School District

Please check (✓) your response:

✓	We plan to CONTINUE membership with Super Co-Op JPA for SY2023-24.
	We do NOT plan to continue membership with Super Co-Op JPA for SY2023-24. What alternate USDA Foods delivery method do you plan to use? _____

**San Mateo-Foster City School District** is the Lead District of the Super Co-Op Joint Powers Authority and hereby given authority to contract for USDA Foods and related services on behalf of Member Districts and Participant Districts.

The parties agree as follows:

1. Both parties must remain eligible Recipient Agencies for receipt of United States Department of Agriculture (USDA) donated commodity foods (USDA Foods) as determined by the California Department of Education (CDE), Nutrition Services Division.
2. Through this written agreement, the Lead District is assigned control of the Participant District's fair share of USDA Foods entitlement for SY2023-24. The Lead District is responsible for ordering, receiving, storing, and distribution of Direct Delivery USDA Foods on behalf of Participant.
3. Lead District is responsible to maintain an inventory management system for all USDA Foods Direct Delivery items received and stored on behalf of Participant. Participant is responsible to maintain an inventory management system for all USDA Foods Direct Delivery or processed items after delivery to Participant District.
4. Both parties are responsible for compliance with USDA and the CDE, Nutrition Services Division policies and regulations.
5. SY2023-24 Fees:

Membership Fees are paid by Participant District directly to the Lead District, billed in July 2023.

Annual Renewal Fee beginning the 2nd year of membership shall be 0.3% of the current year USDA Foods estimated entitlement on July 1.

State Administrative Fee of \$0.90 per case/unit of USDA Foods direct delivery (brown box) and diverted to processors.

Delivery fees as per member district selected distributors.

All fees are subject to change, as approved by the Super Co-Op JPA Board of Directors.

Participant District agrees to remit all Super Co-Op JPA fees promptly upon receipt of invoice.

6. Participant District agrees to abide by the current Super Co-Op JPA Governing Rules, bylaws, conflict of interest cost and code of conduct, Brown Box Storage Policy, and other rules or policies as approved by the Board of Directors.
7. Should a loss of USDA Foods being held for the Participant District occur, due to/ but not limited to theft, spoilage, etc., the Lead District is responsible to the CDE, Nutrition Services Division and/or the USDA for the Fair Market Value of that food item(s). Both the Participant District and Lead District shall be responsible to maintain insurance coverage or contract provisions for insurance coverage with third party vendors that move or house USDA Foods at the fair market value.
9. Participant District shall respond to pre-planners and offerings promptly.
10. Participant District shall read all correspondence from the Super Co-Op JPA and respond promptly as indicated.
11. Participant District shall maintain accurate contact information with the Super Co-Op JPA to assure proper routing of invoices and correspondence.
12. Participant District agrees to complete the annual Food Distribution Program Annual Commodity Contract Packet in CNIPs when notified by the California Department of Education, typically in June of each year.
13. Participant District agrees to verify Value Pass Through (VPT) for all processed USDA Foods purchased and monitor entitlement balance ensuring that processed product is reported correctly by distributors or processors. Discrepancies shall be addressed promptly with USDA Foods distributor and/or processor.
14. In the event of a change in Lead District, this Agreement shall convey to the new Lead District.
15. Termination of the Assignment of USDA Foods shall be made in writing to the Lead District no later than December 10 to take effect the following June 30.
16. Provide current contact information for three (3) individuals at your district/agency:

Nutrition Services Director	
<b>Name</b>	<b>Connie Sanchez</b>
<b>Title</b>	<b>Food Service Manager</b>
<b>Telephone</b>	<b>(559) 752-4213 ext 712</b>
<b>Email</b>	<b>csanchez@tipton.k12.ca.us</b>


Accounts Payable Contact	
<b>Name</b>	<b>Cassandra Cunha</b>
<b>Title</b>	<b>Business Manager</b>
<b>Telephone</b>	<b>(559) 752-4213 ext 705</b>
<b>Email</b>	

<b>Additional Contact for USDA Foods management</b>	
<b>Name</b>	<b>Connie Sanchez</b>
<b>Title</b>	<b>Food Service Manager</b>
<b>Telephone</b>	<b>(559) 752-4213 ext 712</b>
<b>Email</b>	<b>csanchez@tipton.k12.ca.us</b>

17. Each individual executing this Annual Renewal of Services on behalf of Participant District represents, for the benefit of Lead District, that he or she is duly authorized to execute and deliver this Annual Renewal of Services on behalf of Participant District.
18. Lead District and Participant District acknowledge that this Annual Renewal of Services is subject to approval by the Participant District's Board and this Annual Renewal of Services shall not be effective until after the Participant District's Board approves this Annual Renewal of Services.

By signing this, I certify that I am an authorized representative of the Participant District and agree to adhere to the terms specified herein.

My execution of this Annual Renewal of Services was approved by the Participant District's Board of Education at a duly called and noticed Regular Board Meeting on Nov. 1, 2022.

Participant District	Tipton Elementary School
Signature	
Print Name	Stacey Bettencourt
Title	Superintendent
Date	

Lead District	San Mateo-Foster City School District
Signature	
Print Name	Fran Debost
Title	Director Child Nutrition Services
Date	

**Return signed copy by December 1, 2022** to Leylany Marquez at [lmarquez@smfcsd.k12.ca.us](mailto:lmarquez@smfcsd.k12.ca.us). A signed copy will be returned to you.

Fran Debost  
[fdebost@smfc.k12.ca.us](mailto:fdebost@smfc.k12.ca.us)  
 San Mateo-Foster City School District  
 1170 Chess Drive, Foster City, CA 94404  
 Phone (650) 312-7201

**6. FINANCE: Action items:**

**6.1 Vendor Payments**

## APY List

FISCAL YEAR 2022-  
2023

Date Paid between 09/28/2022 and 10/25/2022

Vendor No	Vendor Name	Reference Number	Payment Date	Invoice Number/Desc.	AccountCode	Amount	COVID Expenses
14446	95 PERCENT GROUP INC.	230570	09/30/2022	121324	010-74250-0-11100-10000-43000-0-0000	\$277.35	COVID /ELO
13670	AERIES,INC - EAGLE SOFTWARE	230473	09/30/2022	ACOMM-00351	010-07200-0-11100-10000-58000-0-0302	\$3,000.00	
14484	AIR QUALITY COMPLIANCE SOLUTIO	230540	09/30/2022	22-028	010-32130-0-00000-81000-58000-0-0000	\$1,798.00	COVID /ESSER III
13971	ALMEIDA, VIRGINIA	230562	09/30/2022	REIMB.STC.MILAGE	010-90336-0-11100-10000-52000-0-0000	\$47.75	
13036	AMERICAN FIDELITY	230620	10/14/2022	SEPTEMBER 2022	010-00000-0-00000-00000-95024-0-0000	\$321.11	
12788	ARAMARK UNIFORM SERVICES INC	230539	09/30/2022	5031044269	010-00000-0-00000-81000-56000-0-0000	\$556.17	
12788	ARAMARK UNIFORM SERVICES INC	230538	09/30/2022	5031040079	010-00000-0-00000-81000-56000-0-0000	\$578.70	
12788	ARAMARK UNIFORM SERVICES INC	230619	10/14/2022	5031049475	010-00000-0-00000-81000-56000-0-0000	\$522.17	
12788	ARAMARK UNIFORM SERVICES INC	230617	10/14/2022	5031057716	010-00000-0-00000-81000-56000-0-0000	\$584.49	
12788	ARAMARK UNIFORM SERVICES INC	230618	10/14/2022	5031053611	010-00000-0-00000-81000-56000-0-0000	\$522.17	
13904	AT&T	230537	09/30/2022	9391028858	010-00000-0-00000-81000-59000-0-0000	\$221.67	
13592	CENTRAL TULARE COUNTY SCHOOL	230615	10/14/2022	LIAB/JPA 21	010-00000-0-00000-72000-54500-0-0000	\$10,940.00	
14245	CENTRAL VALLEY REFRIGERATION	230474	09/30/2022	45123	010-00000-0-00000-81000-56000-0-0000	\$163.00	
14245	CENTRAL VALLEY REFRIGERATION	230475	09/30/2022	45121	010-00000-0-00000-81000-56000-0-0000	\$184.55	
14245	CENTRAL VALLEY REFRIGERATION	230476	09/30/2022	45122	010-00000-0-00000-81000-56000-0-0000	\$2,370.68	
14245	CENTRAL VALLEY REFRIGERATION	230477	09/30/2022	45839	010-26000-0-00000-37000-64000-0-0000	\$5,413.00	
14498	CINTAS	230622	10/14/2022	5124069704	010-07230-0-00000-36000-43000-0-0000	\$42.96	
13389	CLASSIC CHARTER	230681	10/25/2022	08.17.2022	010-07200-0-11100-10000-58000-0-0107	\$1,614.00	
13389	CLASSIC CHARTER	230483	09/30/2022	159597	010-26000-0-11100-10000-58000-0-0000	\$118.75	
13389	CLASSIC CHARTER	230621	10/14/2022	160680	010-26000-0-11100-10000-58000-0-0000	\$1,266.50	
13247	COALITION FOR ADEQ.SCH.HOUS.	230541	09/30/2022	300001565	010-00000-0-00000-72000-53000-0-0000	\$229.26	
14429	CUNHA CASSANDRA	230466	09/30/2022	REIMB.9/20.9/23	010-00000-0-00000-72000-52000-0-0000	\$78.77	
14429	CUNHA CASSANDRA	230467	09/30/2022	REIMB 9.20	010-00000-0-00000-72000-52000-0-0000	\$7.39	
12143	DEBRA GILBERT	230563	09/30/2022	REIMB.DANCE	010-07200-0-00000-24950-58000-0-0301	\$133.49	
13459	DELL MARKETING L.P.	230671	10/14/2022	10617037613	010-07200-0-11100-24900-44000-0-0102	\$903.64	
13459	DELL MARKETING L.P.	230625	10/14/2022	10614464150	010-07200-0-11100-24900-44000-0-0102	\$1,301.20	
14333	DISCOVERY EDUCATION, INC	230624	10/14/2022	CINV-067047	010-63000-0-11100-10000-42000-0-0000	\$1,827.50	
13796	E.M. THARP, INC.	230479	09/30/2022	01P56150	010-07230-0-00000-36000-56000-0-0000	\$225.44	
13796	E.M. THARP, INC.	230478	09/30/2022	01P56254	010-07230-0-00000-36000-56000-0-0000	\$20.42	
14374	ELAN FINANCIAL SERIVCES	230604	10/07/2022	9190 BETTENCOURT	010-00000-0-00000-31400-43000-0-0000	\$16.20	
14374	ELAN FINANCIAL SERIVCES	230594	10/07/2022	9190 BETTENCOURT	010-00000-0-00000-71000-58000-0-0000	\$179.88	
14374	ELAN FINANCIAL SERIVCES	230600	10/07/2022	9190 BETTENCOURT	010-00000-0-00000-72000-58000-0-0000	\$39.00	
14374	ELAN FINANCIAL SERIVCES	230598	10/07/2022	9190 BETTENCOURT	010-00000-0-00000-72000-58000-0-0000	\$295.00	
14374	ELAN FINANCIAL SERIVCES	230599	10/07/2022	9190 BETTENCOURT	010-07200-0-00000-24950-43000-0-0301	\$149.94	
14374	ELAN FINANCIAL SERIVCES	230596	10/07/2022	9190 BETTENCOURT	010-07200-0-11100-10000-43000-0-0405	\$50.92	
14374	ELAN FINANCIAL SERIVCES	230597	10/07/2022	9190 BETTENCOURT	010-26000-0-11100-10000-43000-0-0000	\$598.00	
14374	ELAN FINANCIAL SERIVCES	230595	10/07/2022	9190 BETTENCOURT	010-26000-0-11100-10000-43000-0-0000	\$150.79	
14374	ELAN FINANCIAL SERIVCES	230606	10/07/2022	9190 BETTENCOURT	010-26000-0-11100-10000-58000-0-0000	\$144.00	
14374	ELAN FINANCIAL SERIVCES	230605	10/07/2022	9190 BETTENCOURT	010-26000-0-11100-10000-58000-0-0000	\$330.00	
14375	ELAN FINANCIAL SERVICES	230584	10/07/2022	9281 SOLIAN	010-00000-0-00000-72000-58000-0-0000	\$39.00	
14375	ELAN FINANCIAL SERVICES	230647	10/14/2022	9281 SOLIAN	010-00000-0-00000-72000-58000-0-0000	\$39.00	
14375	ELAN FINANCIAL SERVICES	230581	10/07/2022	9281 SOLIAN	010-07200-0-11100-10000-43000-0-0405	\$47.74	
14375	ELAN FINANCIAL SERVICES	230593	10/07/2022	9281 SOLIAN	010-07200-0-11100-10000-58000-0-0201	\$689.70	
14375	ELAN FINANCIAL SERVICES	230583	10/07/2022	9281 SOLIAN	010-07200-0-11100-24900-43000-0-0102	\$208.50	
14375	ELAN FINANCIAL SERVICES	230609	10/07/2022	9281 SOLIAN	010-26000-0-11100-10000-43000-0-0000	\$82.88	
14373	ELAN FINANCIAL SERVICES	230607	10/07/2022	0461 MARTIN	010-26000-0-11100-10000-58000-0-0000	\$330.00	
14375	ELAN FINANCIAL SERVICES	230611	10/07/2022	9281 SOLIAN	010-26000-0-11100-10000-58000-0-0000	\$330.00	
14375	ELAN FINANCIAL SERVICES	230610	10/07/2022	9281 SOLIAN	010-26000-0-11100-10000-58000-0-0000	\$1,675.00	
14375	ELAN FINANCIAL SERVICES	230608	10/07/2022	9281 SOLIAN	010-26000-0-11100-10000-58000-0-0000	\$200.00	
14373	ELAN FINANCIAL SERVICES	230585	10/07/2022	0461 MARTIN	010-81500-0-00000-81000-43000-0-0000	\$38.94	
14375	ELAN FINANCIAL SERVICES	230582	10/07/2022	9281 SOLIAN	010-90111-0-11100-10000-52000-0-0000	\$1,424.52	
14459	ELAN FINANCIAL SERVICES	230590	10/07/2022	1091 CUNHA	010-00000-0-00000-72000-52000-0-0000	\$50.00	
14459	ELAN FINANCIAL SERVICES	230587	10/07/2022	1091 CUNHA	010-00000-0-00000-72000-52000-0-0000	\$775.00	
14459	ELAN FINANCIAL SERVICES	230586	10/07/2022	1091 CUNHA	010-00000-0-00000-72000-59000-0-0000	\$18.13	
14459	ELAN FINANCIAL SERVICES	230589	10/07/2022	1091 CUNHA	010-00000-0-11100-10000-59000-0-0000	\$300.00	
14459	ELAN FINANCIAL SERVICES	230588	10/07/2022	1091 CUNHA	010-00000-0-11100-10000-59000-0-0000	\$63.96	
14459	ELAN FINANCIAL SERVICES	230591	10/07/2022	1091 CUNHA	010-07200-0-11100-10000-43000-0-0103	\$59.20	
14459	ELAN FINANCIAL SERVICES	230592	10/07/2022	1091 CUNHA	010-07200-0-11330-10000-43000-0-0402	\$2,608.63	
5481	EMPLOYMENT DEVELOPMENT DEPT.	230654	10/14/2022	94238433 Q3.2022	010-00000-0-00000-00000-95025-0-0000	\$4,835.51	
14474	FOLLETT CONTENT SOLUTIONS, LLC	230627	10/14/2022	534309A	010-07200-0-11100-24203-43000-0-0114	\$1,968.14	



14474 FOLLETT CONTENT SOLUTIONS, LLC	230626	10/14/2022	534309	010-07200-0-11100-24203-43000-0-0114	\$7.00
14102 FOLLETT SCHOOL SOLUTIONS, INC.	230680	10/25/2022	1484790	010-00000-0-11100-10000-58000-0-0000	\$1,957.78
14146 GINA M. MAGANA	230657	10/14/2022	REIMB.LOTTERY	010-11000-0-11100-10000-43000-0-0000	\$59.00
11961 GIOTTOS ALARM TECH	230484	09/30/2022	141279	010-81500-0-00000-81000-58000-0-0000	\$215.79
11961 GIOTTOS ALARM TECH	230485	09/30/2022	140404	010-81500-0-00000-81000-58000-0-0000	\$948.00
12921 GOLD STAR FOODS INC.	230630	10/14/2022	5377396	010-60100-0-11100-10000-43000-0-0000	\$63.90
12921 GOLD STAR FOODS INC.	230629	10/14/2022	5306978	010-60100-0-11100-10000-43000-0-0000	\$639.23
12476 HOUGHTON MIFFLIN COMPANY	230472	09/30/2022	955675319	010-07200-0-11100-10000-43000-0-0103	\$7,774.80
12476 HOUGHTON MIFFLIN COMPANY	230471	09/30/2022	955675320	010-07200-0-11100-10000-43000-0-0103	\$4,165.08
12476 HOUGHTON MIFFLIN COMPANY	230470	09/30/2022	955672570	010-07200-0-11100-10000-43000-0-0103	\$2,221.37
12476 HOUGHTON MIFFLIN COMPANY	230469	09/30/2022	955668145	010-07200-0-11100-10000-43000-0-0103	\$2,776.72
14164 IEC POWER LLC	230571	09/30/2022	TESD-OM-INV38	010-99900-0-00000-81000-58000-0-0000	\$2,850.23
13957 INFINITY COMM. & CONSUL., INC.	230643	10/14/2022	14674	010-00000-0-00000-71000-58000-0-0000	\$3,375.00
13740 LAURA LANDEROS	230658	10/14/2022	REIMB.LOTTERY	010-11000-0-11100-10000-43000-0-0000	\$101.83
13961 LOWE'S	230672	10/14/2022	920684	010-81500-0-00000-81000-43000-0-0000	\$426.62
13961 LOWE'S	230673	10/14/2022	999496	010-81500-0-00000-81000-43000-0-0000	\$270.43
13961 LOWE'S	230674	10/14/2022	908912	010-81500-0-00000-81000-43000-0-0000	\$239.77
13961 LOWE'S	230675	10/14/2022	926153	010-81500-0-00000-81000-43000-0-0000	\$174.40
12270 LOZANO SMITH	230645	10/14/2022	2171610	010-00000-0-00000-72000-58000-0-0000	\$928.20
12270 LOZANO SMITH	230644	10/14/2022	2171609	010-00000-0-00000-72000-58000-0-0000	\$464.10
12270 LOZANO SMITH	230649	10/14/2022	2171611	010-00000-0-00000-72000-58000-0-0000	\$1,173.90
12270 LOZANO SMITH	230650	10/14/2022	2171612	010-00000-0-00000-72000-58000-0-0000	\$655.20
14381 MENDOZA,YVONNE	230616	10/14/2022	REIMB.MILAGE	010-00000-0-00000-72000-52000-0-0000	\$74.62
13882 MOBILE MODULAR MGT. CORP.	230568	09/30/2022	2322401	010-00000-0-00000-81000-56000-0-0000	\$640.00
13882 MOBILE MODULAR MGT. CORP.	230567	09/30/2022	2322195	010-00000-0-00000-81000-56000-0-0000	\$640.00
13882 MOBILE MODULAR MGT. CORP.	230569	09/30/2022	2322333	010-00000-0-00000-81000-56000-0-0000	\$640.00
13882 MOBILE MODULAR MGT. CORP.	230653	10/14/2022	2332910	010-00000-0-00000-81000-56000-0-0000	\$640.00
13882 MOBILE MODULAR MGT. CORP.	230652	10/14/2022	2332828	010-00000-0-00000-81000-56000-0-0000	\$640.00
13882 MOBILE MODULAR MGT. CORP.	230651	10/14/2022	2332963	010-00000-0-00000-81000-56000-0-0000	\$640.00
12836 OFFICE DEPOT, INC.	230522	09/30/2022	261500133001	010-00000-0-00000-81000-43000-0-0000	\$253.84
12836 OFFICE DEPOT, INC.	230502	09/30/2022	258825739001	010-07200-0-11100-10000-43000-0-0103	\$25.04
12836 OFFICE DEPOT, INC.	230501	09/30/2022	262375356001	010-07200-0-11100-10000-43000-0-0103	\$10.55
12836 OFFICE DEPOT, INC.	230500	09/30/2022	262374602001	010-07200-0-11100-10000-43000-0-0103	\$47.94
12836 OFFICE DEPOT, INC.	230499	09/30/2022	258823342001	010-07200-0-11100-10000-43000-0-0103	\$32.27
12836 OFFICE DEPOT, INC.	230492	09/30/2022	260976900001	010-07200-0-11100-24203-43000-0-0115	\$60.89
12836 OFFICE DEPOT, INC.	230491	09/30/2022	260976899001	010-07200-0-11100-24203-43000-0-0115	\$67.87
12836 OFFICE DEPOT, INC.	230490	09/30/2022	260826083001	010-07200-0-11100-24203-43000-0-0115	\$13.78
12836 OFFICE DEPOT, INC.	230486	09/30/2022	254292759001	010-07200-0-11100-24900-43000-0-0102	\$20.46
12836 OFFICE DEPOT, INC.	230495	09/30/2022	257789124001	010-11000-0-11100-10000-43000-0-0000	\$10.23
12836 OFFICE DEPOT, INC.	230494	09/30/2022	262638142001	010-11000-0-11100-10000-43000-0-0000	\$60.22
12836 OFFICE DEPOT, INC.	230493	09/30/2022	261180755001	010-11000-0-11100-10000-43000-0-0000	\$74.50
12836 OFFICE DEPOT, INC.	230487	09/30/2022	260482479004	010-11000-0-11100-10000-43000-0-0000	\$15.73
12836 OFFICE DEPOT, INC.	230488	09/30/2022	260482479003	010-11000-0-11100-10000-43000-0-0000	\$3.04
12836 OFFICE DEPOT, INC.	230518	09/30/2022	258047123001	010-11000-0-11100-10000-43000-0-0000	\$7.53
12836 OFFICE DEPOT, INC.	230516	09/30/2022	256887544001	010-11000-0-11100-10000-43000-0-0000	\$13.78
12836 OFFICE DEPOT, INC.	230513	09/30/2022	260648576001	010-11000-0-11100-10000-43000-0-0000	\$5.92
12836 OFFICE DEPOT, INC.	230520	09/30/2022	257964570001	010-11000-0-11100-10000-43000-0-0000	\$22.72
12836 OFFICE DEPOT, INC.	230519	09/30/2022	257964571001	010-11000-0-11100-10000-43000-0-0000	\$27.12
12836 OFFICE DEPOT, INC.	230521	09/30/2022	257964577001	010-11000-0-11100-10000-43000-0-0000	\$12.70
12836 OFFICE DEPOT, INC.	230517	09/30/2022	264748772001	010-11000-0-11100-10000-43000-0-0000	\$22.97
12836 OFFICE DEPOT, INC.	230515	09/30/2022	257142311001	010-11000-0-11100-10000-43000-0-0000	\$23.83
12836 OFFICE DEPOT, INC.	230514	09/30/2022	257142296001	010-11000-0-11100-10000-43000-0-0000	\$17.01
12836 OFFICE DEPOT, INC.	230512	09/30/2022	260645499001	010-11000-0-11100-10000-43000-0-0000	\$58.20
12836 OFFICE DEPOT, INC.	230510	09/30/2022	258149108001	010-11000-0-11100-10000-43000-0-0000	\$80.96
12836 OFFICE DEPOT, INC.	230509	09/30/2022	258149107001	010-11000-0-11100-10000-43000-0-0000	\$24.16
12836 OFFICE DEPOT, INC.	230511	09/30/2022	261061922001	010-11000-0-11100-10000-43000-0-0000	\$224.98
12836 OFFICE DEPOT, INC.	230497	09/30/2022	265071402001	010-11000-0-11100-10000-43000-0-0000	\$36.21
12836 OFFICE DEPOT, INC.	230508	09/30/2022	264716454001	010-11000-0-11100-10000-43000-0-0000	\$56.34
12836 OFFICE DEPOT, INC.	230507	09/30/2022	256149025001	010-11000-0-11100-10000-43000-0-0000	\$3.02
12836 OFFICE DEPOT, INC.	230013	09/30/2022	261648421001	010-11000-0-11100-10000-43000-0-0000	(\$95.15)
12836 OFFICE DEPOT, INC.	230506	09/30/2022	261186916001	010-11000-0-11100-10000-43000-0-0000	\$51.30
12836 OFFICE DEPOT, INC.	230505	09/30/2022	261186733001	010-11000-0-11100-10000-43000-0-0000	\$14.64
12836 OFFICE DEPOT, INC.	230504	09/30/2022	265117269001	010-11000-0-11100-10000-43000-0-0000	\$95.15
12836 OFFICE DEPOT, INC.	230503	09/30/2022	262490447001	010-11000-0-11100-10000-43000-0-0000	\$261.14
12836 OFFICE DEPOT, INC.	230498	09/30/2022	265071402002	010-11000-0-11100-10000-43000-0-0000	\$10.52
12836 OFFICE DEPOT, INC.	230496	09/30/2022	265070987001	010-11000-0-11100-10000-43000-0-0000	\$11.84
12836 OFFICE DEPOT, INC.	230489	09/30/2022	260043452001	010-30100-3-11100-10000-43000-0-0000	\$3.29
12836 OFFICE DEPOT, INC.	230532	09/30/2022	259692914001	010-60100-0-11100-10000-43000-0-0000	\$92.97
12836 OFFICE DEPOT, INC.	230523	09/30/2022	259698333001	010-60100-0-11100-10000-43000-0-0000	\$41.03

12836 OFFICE DEPOT, INC.	230534	09/30/2022	259078731001	010-60100-0-11100-10000-43000-0-0000	\$70.52
12836 OFFICE DEPOT, INC.	230533	09/30/2022	260522182001	010-60100-0-11100-10000-43000-0-0000	\$38.66
12836 OFFICE DEPOT, INC.	230531	09/30/2022	259078721001	010-60100-0-11100-10000-43000-0-0000	\$51.56
12836 OFFICE DEPOT, INC.	230530	09/30/2022	260373733001	010-60100-0-11100-10000-43000-0-0000	\$101.23
12836 OFFICE DEPOT, INC.	230529	09/30/2022	264932991001	010-60100-0-11100-10000-43000-0-0000	\$23.82
12836 OFFICE DEPOT, INC.	230528	09/30/2022	263189638001	010-60100-0-11100-10000-43000-0-0000	\$138.14
12836 OFFICE DEPOT, INC.	230527	09/30/2022	260522179001	010-60100-0-11100-10000-43000-0-0000	\$53.33
12836 OFFICE DEPOT, INC.	230526	09/30/2022	260522190001	010-60100-0-11100-10000-43000-0-0000	\$45.23
12836 OFFICE DEPOT, INC.	230525	09/30/2022	263189834001	010-60100-0-11100-10000-43000-0-0000	\$28.07
12836 OFFICE DEPOT, INC.	230524	09/30/2022	259078736001	010-60100-0-11100-10000-43000-0-0000	\$22.72
14324 PACIFIC WESTERN BANK PAYMENTS	230679	10/18/2022	04090109152-01000	010-99900-0-00000-91000-74380-0-0000	\$19,799.48
14348 PREMIER WALKIN MED CLINIC	230482	09/30/2022	46701	010-00000-0-00000-81000-58000-0-0000	\$440.00
14522 RAMIREZ, JESUS	230656	10/14/2022	REIMB.LOTTERY	010-11000-0-11100-10000-43000-0-0000	\$200.00
14523 R'S WELDING	230684	10/25/2022	10.6.2022	010-00000-0-00000-81000-44000-0-0000	\$3,800.00
14308 SHI INTERNATIONAL CORP	230663	10/14/2022	B15792122	010-07200-0-11100-24900-43000-0-0102	\$470.64
14308 SHI INTERNATIONAL CORP	230662	10/14/2022	B15678704	010-07200-0-11100-24900-58000-0-0102	\$4,494.38
14111 SISC	230602	10/07/2022	OCT HW RET.BRD.ACT	010-00000-0-00000-00000-95024-0-0000	\$74,986.74
14111 SISC	230603	10/07/2022	OCT HW RET.BRD.ACT	010-00000-0-00000-00000-95028-0-0000	\$2,596.20
14111 SISC	230601	10/07/2022	OCT HW RET.BRD.ACT	010-00000-0-00000-71000-34020-0-0000	\$7,648.65
14392 SOLIAN, CHERIE	230648	10/14/2022	REIMB.DONUTS	010-07200-0-00000-24950-43000-0-0301	\$899.40
14392 SOLIAN, CHERIE	230612	10/07/2022	REIMB.ASES/ELOP	010-26000-0-11100-10000-43000-0-0000	\$324.06
14392 SOLIAN, CHERIE	230613	10/11/2022	REIMB. ASE S ELOP TR	010-26000-0-11100-10000-43000-0-0000	\$706.84
14392 SOLIAN, CHERIE	230678	10/14/2022	REIMB.ZOO MILAGE	010-26000-0-11100-10000-52000-0-0000	\$93.00
14392 SOLIAN, CHERIE	230465	09/30/2022	REIMB.9/19-9/20	010-90111-0-11100-10000-52000-0-0000	\$191.25
5388 SOUTHERN CAL GAS	230536	09/30/2022	108 416 9100 8	010-00000-0-00000-81000-55000-0-0000	\$397.73
5383 SOUTHERN CALIF EDISON CO	230535	09/30/2022	700140798877	010-99900-0-00000-81000-55000-0-0000	\$17,425.85
5383 SOUTHERN CALIF EDISON CO	230659	10/14/2022	700142519619	010-99900-0-00000-81000-55000-0-0000	\$1,394.20
5383 SOUTHERN CALIF EDISON CO	230660	10/14/2022	700140798877	010-99900-0-00000-81000-55000-0-0000	\$21,149.35
14212 SPRIGEO INC	230661	10/14/2022	2133	010-07200-0-11100-24900-58000-0-0102	\$474.00
14369 THE HOME DEPOT PRO	230544	09/30/2022	703039594	010-81500-0-00000-81000-43000-0-0000	\$880.69
14369 THE HOME DEPOT PRO	230545	09/30/2022	697779023	010-81500-0-00000-81000-43000-0-0000	\$69.05
14369 THE HOME DEPOT PRO	230546	09/30/2022	698322153	010-81500-0-00000-81000-43000-0-0000	\$109.68
14369 THE HOME DEPOT PRO	230548	09/30/2022	705268720	010-81500-0-00000-81000-43000-0-0000	\$1,832.84
14369 THE HOME DEPOT PRO	230542	09/30/2022	696936202	010-81500-0-00000-81000-43000-0-0000	\$26.68
14369 THE HOME DEPOT PRO	230543	09/30/2022	703206151	010-81500-0-00000-81000-43000-0-0000	\$182.78
14369 THE HOME DEPOT PRO	230014	09/30/2022	698983046	010-81500-0-00000-81000-43000-0-0000	(\$378.23)
14369 THE HOME DEPOT PRO	230551	09/30/2022	696936194	010-81500-0-00000-81000-43000-0-0000	\$510.35
14369 THE HOME DEPOT PRO	230555	09/30/2022	706291374	010-81500-0-00000-81000-43000-0-0000	\$430.25
14369 THE HOME DEPOT PRO	230557	09/30/2022	706546058	010-81500-0-00000-81000-43000-0-0000	\$40.82
14369 THE HOME DEPOT PRO	230558	09/30/2022	704982032	010-81500-0-00000-81000-43000-0-0000	\$386.61
14369 THE HOME DEPOT PRO	230559	09/30/2022	704984574	010-81500-0-00000-81000-43000-0-0000	\$438.43
14369 THE HOME DEPOT PRO	230549	09/30/2022	697564672	010-81500-0-00000-81000-43000-0-0000	\$378.23
14369 THE HOME DEPOT PRO	230547	09/30/2022	695672519	010-81500-0-00000-81000-43000-0-0000	\$107.67
14369 THE HOME DEPOT PRO	230552	09/30/2022	697961464	010-81500-0-00000-81000-43000-0-0000	\$180.72
14369 THE HOME DEPOT PRO	230560	09/30/2022	705024214	010-81500-0-00000-81000-43000-0-0000	\$28.42
14369 THE HOME DEPOT PRO	230561	09/30/2022	704391879	010-81500-0-00000-81000-43000-0-0000	\$23.53
14369 THE HOME DEPOT PRO	230580	09/30/2022	696771922	010-81500-0-00000-81000-43000-0-0000	\$3,119.02
14369 THE HOME DEPOT PRO	230553	09/30/2022	698206455	010-81500-0-00000-81000-43000-0-0000	\$18.11
14369 THE HOME DEPOT PRO	230554	09/30/2022	697712107	010-81500-0-00000-81000-43000-0-0000	\$430.25
14369 THE HOME DEPOT PRO	230556	09/30/2022	706515616	010-81500-0-00000-81000-43000-0-0000	\$609.87
5760 TIPTON COMMUNITY SERVICES DIST	230676	10/14/2022	10040002	010-00000-0-00000-81000-55000-0-0000	\$1,207.64
14414 T-MOBILE USA INC.	230564	09/30/2022	970029235	010-32130-0-11100-10000-59000-0-0000	\$4,402.00
12324 TULE TRASH COMPANY	230665	10/14/2022	250325	010-00000-0-00000-81000-55000-0-0000	\$1,178.76
14424 U.S. BANK EQUIPMENT FINANCE	230669	10/14/2022	483323465	010-00000-0-00000-72000-58000-0-0000	\$270.82
14424 U.S. BANK EQUIPMENT FINANCE	230670	10/14/2022	483323465	010-00000-0-11100-10000-58000-0-0000	\$812.49
13496 VALLEY PACIFIC PET. SERV., INC	230572	09/30/2022	22-593156	010-07230-0-00000-36000-43000-0-0000	\$1,618.01
13496 VALLEY PACIFIC PET. SERV., INC	230481	09/30/2022	22-578020	010-07230-0-00000-36000-43000-0-0000	\$4,170.37
13496 VALLEY PACIFIC PET. SERV., INC	230677	10/14/2022	22-598316	010-07230-0-00000-36000-43000-0-0000	\$1,716.40
12229 VALLEYPBS	230480	09/30/2022	0000007409	010-07230-0-00000-36000-58000-0-0000	\$750.00
13333 VERIZON WIRELESS	230668	10/14/2022	9916235127	010-00000-0-00000-81000-59000-0-0000	\$508.29
14257 WILMINGTON TRUST	230614	10/14/2022	20220908-48482-A	010-00000-0-00000-72000-58000-0-0000	\$1,000.00

COVID /ESSER III

**010-General Fund Total Expenditures:**

**\$275,356.82**

14498 CINTAS	230623	10/14/2022	5124069794	130-53100-0-00000-37000-43000-0-0000	\$114.81
12921 GOLD STAR FOODS INC.	230639	10/14/2022	5363565	130-53100-0-00000-37000-58000-0-0000	\$66.08
12921 GOLD STAR FOODS INC.	230635	10/14/2022	5395749	130-53100-0-00000-37000-58000-0-0000	\$54.28
12921 GOLD STAR FOODS INC.	230638	10/14/2022	5306200	130-53100-0-00000-37000-58000-0-0000	\$66.08
12921 GOLD STAR FOODS INC.	230637	10/14/2022	5348070	130-53100-0-00000-37000-58000-0-0000	\$61.68
12921 GOLD STAR FOODS INC.	230636	10/14/2022	5395784	130-53100-0-00000-37000-58000-0-0000	\$111.30
12921 GOLD STAR FOODS INC.	230634	10/14/2022	5375515	130-53100-0-00000-37000-58000-0-0000	\$383.11

12921 GOLD STAR FOODS INC.	230631	10/14/2022	5377396	130-53100-0-00000-37000-58000-0-0000	\$23.95
12921 GOLD STAR FOODS INC.	230628	10/14/2022	5397732	130-53100-0-00000-37000-58000-0-0000	\$49.40
12921 GOLD STAR FOODS INC.	230640	10/14/2022	5272467	130-53100-0-00000-37000-58000-0-0000	\$273.00
12921 GOLD STAR FOODS INC.	230015	10/14/2022	1462659	130-53100-0-00000-37000-58000-0-0000	(\$51.82)
12921 GOLD STAR FOODS INC.	230642	10/14/2022	5307045	130-53100-0-00000-37000-58000-0-0000	\$270.90
12921 GOLD STAR FOODS INC.	230641	10/14/2022	5272364	130-53100-0-00000-37000-58000-0-0000	\$310.45
12921 GOLD STAR FOODS INC.	230632	10/14/2022	5377503	130-53100-0-00000-37000-58000-0-0000	\$25.03
12921 GOLD STAR FOODS INC.	230633	10/14/2022	5377382	130-53100-0-00000-37000-58000-0-0000	\$207.33
14287 P & R Paper Supply Company, In	230566	09/30/2022	11104777-00	130-53100-0-00000-37000-43000-0-0000	\$889.15
14287 P & R Paper Supply Company, In	230565	09/30/2022	11103875-00	130-53100-0-00000-37000-43000-0-0000	\$705.13
14287 P & R Paper Supply Company, In	230655	10/14/2022	11108940-40	130-53100-0-00000-37000-43000-0-0000	\$1,799.33
14287 P & R Paper Supply Company, In	230016	10/14/2022	11110962-00	130-53100-0-00000-37000-43000-0-0000	(\$19.00)
14427 R & L CROW DISTRIBUTING	230578	09/30/2022	9.16.22	130-53100-0-00000-37000-47000-0-0000	\$1,054.40
14427 R & L CROW DISTRIBUTING	230576	09/30/2022	9.9.22	130-53100-0-00000-37000-47000-0-0000	\$270.56
14427 R & L CROW DISTRIBUTING	230574	09/30/2022	9.2.22	130-53100-0-00000-37000-47000-0-0000	\$825.80
14427 R & L CROW DISTRIBUTING	230573	09/30/2022	8.30.22	130-53100-0-00000-37000-47000-0-0000	\$1,054.38
14427 R & L CROW DISTRIBUTING	230579	09/30/2022	9.20.22	130-53100-0-00000-37000-47000-0-0000	\$825.80
14427 R & L CROW DISTRIBUTING	230577	09/30/2022	9.13.22	130-53100-0-00000-37000-47000-0-0000	\$892.04
14427 R & L CROW DISTRIBUTING	230575	09/30/2022	9.6.22	130-53100-0-00000-37000-47000-0-0000	\$825.80
12324 TULE TRASH COMPANY	230664	10/14/2022	250324	130-53100-0-00000-81000-55000-0-0000	\$1,271.82
12650 VALLEY FOOD SERVICE	230667	10/14/2022	419023	130-53100-0-00000-37000-47000-0-0000	\$1,706.63

130-Cafeteria Fund Total Expenditures:

\$14,067.42

**Total Payments**

**\$289,424.24**

**8. ANY OTHER BUSINESS:**

**8.1** Review Board Policy for September

**Policy 7150: Site Selection And Development**

Status: DRAFT

Original Adopted Date: 04/05/2005

The Governing Board believes that a school site should serve the district's educational needs in accordance with the district's master plan, as well as show potential for contributing to other community needs.

The Board recognizes the importance of community input in the site selection process. To this end, the Board will solicit community input whenever a school site is to be selected and shall provide public notice and hold public hearings in accordance with law.

The Superintendent or designee shall establish a site selection process which complies with law and ensures that the best possible sites are acquired and developed in a cost-effective manner.

Before acquiring property for a new school or an addition to an existing school site, the Board, at a public hearing, shall either evaluate the property using state site selection standards specified in 5 CCR 14010 or, if a district advisory committee was appointed to evaluate the property, receive the committee's report of findings based on those standards. (Education Code 17211, 17251)

**Environmental Impact Investigation for the Site Selection Process**

The Superintendent or designee shall determine whether any proposed development project is subject to the requirements of the California Environmental Quality Act (CEQA) and shall ensure compliance with this Act, including any web site posting requirements. When evaluating district projects, the CEQA guidelines shall be used.

Environmental review documents, including a draft environmental impact report, environmental impact report, negative declaration or mitigated negative declaration, and public notice of the preparation and availability of such documents, shall be posted on the district's web site. (Public Resources Code 21082.1, 21092, 21092.2)

**Agricultural Land**

If the proposed site is in an area designated in a city, county, or city and county general plan for agricultural use and zoned for agricultural production, the Board shall determine all of the following: (Education Code 17215.5)

1. That the district has notified and consulted with the city, county, or city and county within which the prospective site is to be located
2. That the Board has evaluated the final site selection based on all factors affecting the public interest and not limited to selection on the basis of the cost of the land
3. That the district shall attempt to minimize any public health and safety issues resulting from the neighboring agricultural uses that may affect students and employees at the site

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

**State References**

14 CCR 15000-15285

5 CCR 14001-14036

CCP 1263.710-1263.770

Ed. Code 17006

**Description**

Implementation of California Environmental Quality Act of 1970

California Department of Education: school facilities construction

Remediation of hazardous substances on property to be acquired by school district

Definition of self-certifying district -

<https://simbli.eboardsolutions.com/SU/JyroSyXQrb4GnslshgVQuNx5A==>

Ed. Code 17024	Prior written approval of CDE for selection of school site or construction of building - <a href="https://simbli.eboardsolutions.com/SU/plusTy35OslshxGAtnD3w6eRJsIshxw==">https://simbli.eboardsolutions.com/SU/plusTy35OslshxGAtnD3w6eRJsIshxw==</a>
Ed. Code 17070.10-17077.10	Leroy F. Greene School Facilities Act of 1998 - <a href="https://simbli.eboardsolutions.com/SU/fu4PsUtUAb4qYYOY9breHg==">https://simbli.eboardsolutions.com/SU/fu4PsUtUAb4qYYOY9breHg==</a>
Ed. Code 17210-17224	School Sites; general provisions - <a href="https://simbli.eboardsolutions.com/SU/ur7JgL2vMeIWTCC3SCXTPA==">https://simbli.eboardsolutions.com/SU/ur7JgL2vMeIWTCC3SCXTPA==</a>
Ed. Code 17240-17245	New Schools Relief Act - <a href="https://simbli.eboardsolutions.com/SU/IEplus2NTUuiy0VslshfQbayySsQ==">https://simbli.eboardsolutions.com/SU/IEplus2NTUuiy0VslshfQbayySsQ==</a>
Ed. Code 17250.10-17250.55	Design-build contracts - <a href="https://simbli.eboardsolutions.com/SU/KyAwX1K9LOug3Oc4uUy4Rw==">https://simbli.eboardsolutions.com/SU/KyAwX1K9LOug3Oc4uUy4Rw==</a>
Ed. Code 17251-17256	CDE powers concerning buildings and building sites - <a href="https://simbli.eboardsolutions.com/SU/NwS3Om8nmJ04Yslsho0jqt8A==">https://simbli.eboardsolutions.com/SU/NwS3Om8nmJ04Yslsho0jqt8A==</a>
Ed. Code 17260-17268	Plans and specifications for school facilities - <a href="https://simbli.eboardsolutions.com/SU/K93eKC5SslshBGM5azLopZgig==">https://simbli.eboardsolutions.com/SU/K93eKC5SslshBGM5azLopZgig==</a>
Ed. Code 17280-17317	Field Act; approval of plans and supervision of construction
Ed. Code 17565-17592.5	Board duties; management and control of school property
Ed. Code 35271	Power to acquire and construct on adjacent property
Ed. Code 35275	New school planning; cooperation with recreation and park authorities
Gov. Code 53094	Authority to render zoning ordinances inapplicable
Gov. Code 65402	Acquisition or disposition of property
Gov. Code 65995-65997	Developer fees
Gov. Code 66455.9	Written notices of proposed public school site within development; investigation and report; conditions for acquisition
H&S Code 44360	Risk assessment
Pub. Res. Code 21000-21177	California Environmental Quality Act of 1970

**Management Resources References**

	<b>Description</b>
Attorney General Opinion	82 Ops.Cal.Atty.Gen. 130 (1999)
Website	Governor's Office of Planning and Research - <a href="https://simbli.eboardsolutions.com/SU/MyslshHMG1znUbWW5UoFHTUqQ==">https://simbli.eboardsolutions.com/SU/MyslshHMG1znUbWW5UoFHTUqQ==</a>
Website	Department of Toxic Substances Control - <a href="https://simbli.eboardsolutions.com/SU/POmXdiUm5t3RqP4HNX5AFA==">https://simbli.eboardsolutions.com/SU/POmXdiUm5t3RqP4HNX5AFA==</a>
Website	California Department of Education, School Site Selection and Approval Guide - <a href="https://simbli.eboardsolutions.com/SU/TToplusOF7QplusSl3WgZk3FBYig==">https://simbli.eboardsolutions.com/SU/TToplusOF7QplusSl3WgZk3FBYig==</a>
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==</a>
Website	Department of General Services, Office of Public School Construction - <a href="https://simbli.eboardsolutions.com/SU/UxUcDGuszWNedr16Dp8wuQ==">https://simbli.eboardsolutions.com/SU/UxUcDGuszWNedr16Dp8wuQ==</a>
Website	California Department of Education, School Facilities - <a href="https://simbli.eboardsolutions.com/SU/ATZTQPd7NwSB3FBNcFesIshYA==">https://simbli.eboardsolutions.com/SU/ATZTQPd7NwSB3FBNcFesIshYA==</a>

**Cross References**

	<b>Description</b>
1113	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/wy7J7Bd8GUelgMZcjYbzplsw==">https://simbli.eboardsolutions.com/SU/wy7J7Bd8GUelgMZcjYbzplsw==</a>
1113	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/NMbmX6V6de8MOj9eGTEqkQ==">https://simbli.eboardsolutions.com/SU/NMbmX6V6de8MOj9eGTEqkQ==</a>

1113-E PDF(1)	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/jskzaVzeFdryTVCWkSICfA==">https://simbli.eboardsolutions.com/SU/jskzaVzeFdryTVCWkSICfA==</a>
1113-E(1)	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/RzCJQw5aeaKdjTHHplusBoBMw==">https://simbli.eboardsolutions.com/SU/RzCJQw5aeaKdjTHHplusBoBMw==</a>
1220	Citizen Advisory Committees - <a href="https://simbli.eboardsolutions.com/SU/x8W4lr3D68bc6gJ2SBhQ2g==">https://simbli.eboardsolutions.com/SU/x8W4lr3D68bc6gJ2SBhQ2g==</a>
1220	Citizen Advisory Committees - <a href="https://simbli.eboardsolutions.com/SU/jGQlku3uuxcFZB6Hybl11A==">https://simbli.eboardsolutions.com/SU/jGQlku3uuxcFZB6Hybl11A==</a>
3311.2	Lease-Leaseback Contracts - <a href="https://simbli.eboardsolutions.com/SU/8daH3Wnu6rVNhgld9NM59w==">https://simbli.eboardsolutions.com/SU/8daH3Wnu6rVNhgld9NM59w==</a>
3510	Green School Operations - <a href="https://simbli.eboardsolutions.com/SU/8plusf21JdrwQNEvOI4f3pvA==">https://simbli.eboardsolutions.com/SU/8plusf21JdrwQNEvOI4f3pvA==</a>
3514	Environmental Safety - <a href="https://simbli.eboardsolutions.com/SU/yk6hF35VqplusoMMoJj4X1IDQ==">https://simbli.eboardsolutions.com/SU/yk6hF35VqplusoMMoJj4X1IDQ==</a>
3514	Environmental Safety - <a href="https://simbli.eboardsolutions.com/SU/YFWsR9UoJJI8cvyOrU474A==">https://simbli.eboardsolutions.com/SU/YFWsR9UoJJI8cvyOrU474A==</a>
7000	Concepts And Roles - <a href="https://simbli.eboardsolutions.com/SU/PLg7n6jkmCqPtJslshslshy9XKjw==">https://simbli.eboardsolutions.com/SU/PLg7n6jkmCqPtJslshslshy9XKjw==</a>
7110	Facilities Master Plan - <a href="https://simbli.eboardsolutions.com/SU/oPT9NOIOP39ZZz6blL7wJw==">https://simbli.eboardsolutions.com/SU/oPT9NOIOP39ZZz6blL7wJw==</a>
7131	Relations With Local Agencies - <a href="https://simbli.eboardsolutions.com/SU/slshX3ZUo8cfplusXfIXLGlDLzlg==">https://simbli.eboardsolutions.com/SU/slshX3ZUo8cfplusXfIXLGlDLzlg==</a>
7140	Architectural And Engineering Services - <a href="https://simbli.eboardsolutions.com/SU/i4PSNMwsp01il2slshWs3jplusQ==">https://simbli.eboardsolutions.com/SU/i4PSNMwsp01il2slshWs3jplusQ==</a>
7140	Architectural And Engineering Services - <a href="https://simbli.eboardsolutions.com/SU/slsh7o2xbDzFslshDnzMUS1S84IA==">https://simbli.eboardsolutions.com/SU/slsh7o2xbDzFslshDnzMUS1S84IA==</a>
7210	Facilities Financing - <a href="https://simbli.eboardsolutions.com/SU/kAE99Fk2FA4eqRbrXBGnplusw==">https://simbli.eboardsolutions.com/SU/kAE99Fk2FA4eqRbrXBGnplusw==</a>
9000	Role Of The Board - <a href="https://simbli.eboardsolutions.com/SU/uGujvwlmOzUlxNt8Xy0D4Q==">https://simbli.eboardsolutions.com/SU/uGujvwlmOzUlxNt8Xy0D4Q==</a>
9320	Meetings And Notices - <a href="https://simbli.eboardsolutions.com/SU/jWJhwYmImYuVrjkGYAbRwQ==">https://simbli.eboardsolutions.com/SU/jWJhwYmImYuVrjkGYAbRwQ==</a>
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9323.2-E PDF(1)	Actions By The Board - <a href="https://simbli.eboardsolutions.com/SU/QprGMNMYGplusidPIolybL3OA==">https://simbli.eboardsolutions.com/SU/QprGMNMYGplusidPIolybL3OA==</a>

**Regulation 7150: Site Selection And Development**

Status: DRAFT

Original Adopted Date: 09/25/2019 | Last Revised Date: 09/25/2019

As part of the district's site selection process, the Superintendent or designee shall:

1. Meet with appropriate local government recreation and park authorities to review all possible methods of coordinating the planning, design, and construction of new school facilities and school sites or major additions to existing school facilities and recreation and park facilities in the community. (Education Code 35275)
2. Notify the appropriate local planning agency in writing and request its report and recommendations regarding the proposed site or proposed addition's conformity with the adopted general plan. (Government Code 65402; Public Resources Code 21151.2)
3. Have the site investigated by competent personnel with regard to population trends, transportation, water supply, waste disposal facilities, utilities, traffic hazards, surface drainage conditions, and other factors affecting initial and operating costs. This investigation shall include geological and soil engineering studies to preclude locating the school on terrain that has the potential for earthquake or other geologic hazard damage as specified in Government Code 65302. (Education Code 17212-17212.5)
4. Make a written request for information necessary or useful to assess and determine the safety of a proposed school site, or an addition to an existing school site, from a person, corporation, public utility, locally publicly owned utility, or governmental agency regarding pipelines, electric transmission and distribution lines, railroads, and storage tanks in accordance with law. (Education Code 17212.2, 17251)
5. Ensure that the site meets state standards for school site selection as specified in 5 CCR 14010-14012.
6. Ensure compliance with the California Environmental Quality Act (CEQA) as required by law, including posting required notices to the district web site. (Public Resources Code 21000-21177)
7. Notify the California Department of Education in writing before acquiring title or leasing the site if the proposed site is within two miles of the air line of an airport runway or proposed runway. (Education Code 17215)
8. Conduct an air quality analysis pursuant to Health and Safety Code 44360 and Education Code 17213 if the proposed site is within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor and determine that the air quality at the proposed site is such that neither short-term nor long-term exposure poses significant health risks to students. (Education Code 17213)

In the selection and development of projects funded pursuant to the School Facilities Program of 1998 (Proposition 1A) as contained in Education Code 17070.10-17077.10, the Superintendent or designee shall:

1. Determine whether the proposed site is free of toxic contamination by ensuring that a Phase I environmental assessment and/or preliminary endangerment assessment is conducted as required by law (Education Code 17213.1)

The Superintendent or designee shall ensure that the preliminary endangerment assessment is made available for public review and comment in accordance with Education Code 17213.1.

2. Submit an annual summary report of expenditures to the State Allocation Board in accordance with law (Education Code 17076.10)
3. Include in the plans a hard-wired connection to a public switched telephone network or utilization of wireless technology (Education Code 17077.10)
4. Establish a participation goal of at least three percent, per year, of the overall dollar amount expended each year by the district for disabled veteran business enterprises (Education Code 17076.11)

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



**State References**

14 CCR 15000-15285

5 CCR 14001-14036

CCP 1263.710-1263.770

Ed. Code 17006

Ed. Code 17024

Ed. Code 17070.10-17077.10

Ed. Code 17210-17224

Ed. Code 17240-17245

Ed. Code 17250.10-17250.55

Ed. Code 17251-17256

Ed. Code 17260-17268

Ed. Code 17280-17317

Ed. Code 17565-17592.5

Ed. Code 35271

Ed. Code 35275

Gov. Code 53094

Gov. Code 65402

Gov. Code 65995-65997

Gov. Code 66455.9

H&amp;S Code 44360

Pub. Res. Code 21000-21177

**Description**

Implementation of California Environmental Quality Act of 1970

California Department of Education: school facilities construction

Remediation of hazardous substances on property to be acquired by school district

Definition of self-certifying district -

<https://simbli.eboardsolutions.com/SU/JyroSyXQrb4GnslshgVQuNx5A==>

Prior written approval of CDE for selection of school site or construction of building -

<https://simbli.eboardsolutions.com/SU/plusTy35OslshxGAtnD3w6eRJsishxw==>

Leroy F. Greene School Facilities Act of 1998 -

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School Sites; general provisions -

<https://simbli.eboardsolutions.com/SU/ur7JgL2vMelWTCC3SCXTPA==>

New Schools Relief Act -

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Design-build contracts -

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CDE powers concerning buildings and building sites -

<https://simbli.eboardsolutions.com/SU/NwS3Om8nmJ04Yslsho0jqlt8A==>

Plans and specifications for school facilities -

<https://simbli.eboardsolutions.com/SU/K93eKC5SslshBGM5azLOpZgig==>

Field Act; approval of plans and supervision of construction

Board duties; management and control of school property

Power to acquire and construct on adjacent property

New school planning; cooperation with recreation and park authorities

Authority to render zoning ordinances inapplicable

Acquisition or disposition of property

Developer fees

Written notices of proposed public school site within development; investigation and report; conditions for acquisition

Risk assessment

California Environmental Quality Act of 1970

**Management Resources References**

Attorney General Opinion

82 Ops.Cal.Atty.Gen. 130 (1999)

Website

Governor's Office of Planning and Research -

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Website

Department of Toxic Substances Control -

<https://simbli.eboardsolutions.com/SU/POmXdiUm5t3RqP4HNX5AFA==>

Website

California Department of Education, School Site Selection and Approval Guide -

<https://simbli.eboardsolutions.com/SU/TToplusOF7QplusSI3WgZk3FBYig==>

Website

CSBA District and County Office of Education Legal Services -

<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsishXk6R5akQ==>

Website

Department of General Services, Office of Public School Construction -

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

Website [California Department of Education, School Facilities -  
https://simbli.eboardsolutions.com/SU/ATZTQPd7NwSB3FBNcFeslshYA==](https://simbli.eboardsolutions.com/SU/ATZTQPd7NwSB3FBNcFeslshYA==)

**Cross References**

**Description**

- 1113 [District And School Web Sites -  
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- 1113 [District And School Web Sites -  
https://simbli.eboardsolutions.com/SU/NMbmX6V6de8MOj9eGTEqkQ==](https://simbli.eboardsolutions.com/SU/NMbmX6V6de8MOj9eGTEqkQ==)
- 1113-E PDF(1) [District And School Web Sites -  
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- 3311.2 [Lease-Leaseback Contracts -  
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- 3510 [Green School Operations -  
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- 3514 [Environmental Safety -  
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- 7110 [Facilities Master Plan -  
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- 7210 [Facilities Financing -  
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- 9320 [Meetings And Notices -  
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**Bylaw 9100: Organization**

Status: DRAFT

Original Adopted Date: 03/08/2005

Each year, the Governing Board shall hold an annual organizational meeting. In any year in which a regular election of district Board members is conducted, the organizational meeting shall be held within 15 days following the second Friday in December after the regular election. During all other years, the meeting may be held on any date in December, but no later than December 20th. (Education Code 35143)

During any year in which a regular election is conducted, the Board, at the regular meeting held immediately prior to the second Friday in December, shall select the day and time of the organizational meeting. For any other year, the day and time of the organizational meeting shall be selected at the last regular meeting held immediately before the annual meeting. On behalf of the Board, the Superintendent shall notify the County Superintendent of Schools of the day and time selected. Within 15 days prior to the date of the annual meeting, the Superintendent shall notify in writing all Board members and members-elect of the date and time selected for the meeting. (Education Code 35143)

At this meeting the Board shall:

1. Elect a president and a clerk and/or vice president from its members
2. Appoint the Superintendent as secretary to the Board
3. Authorize signatures
4. Approve a schedule of regular meetings for the year and a Board governance calendar stating the time when the Board will address important governance matters
5. Designate Board representatives to serve on committees or commissions of the district, other public agencies, or organizations with which the district partners or collaborates
6. Review and/or consider resources that define and clarify the Board's governance and leadership roles and responsibilities including, but not limited to, governance standards, meeting protocols, Board rules and bylaws, and other Board development materials

**Election of Officers**

The Board shall each year elect its entire slate of officers.

The election of Board officers shall be conducted during an open session of the annual organizational meeting.

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

**State References**

	<b>Description</b>
Ed. Code 35143	Annual organizational meetings; date and notice
Ed. Code 35145	Public meetings
Ed. Code 5017	Term of office
Gov. Code 54953	Meetings to be open and public; attendance

**Management Resources References**

	<b>Description</b>
Attorney General Opinion	59 Ops.Cal.Atty.Gen. 619 (1976)
Attorney General Opinion	68 Ops.Cal.Atty.Gen. 65 (1985)

Website

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>

**Cross References**

**Description**

9000

Role Of The Board -  
<https://simbli.eboardsolutions.com/SU/uGujvwlmOzUIxNt8Xy0D4Q==>

9005

Governance Standards -  
<https://simbli.eboardsolutions.com/SU/c9Hbhy6epOQd3Nr0RsmZRQ==>

9121

President -  
<https://simbli.eboardsolutions.com/SU/cWTP2xeO2slshE6bkMmNG23xw==>

9123

Clerk -  
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9140

Board Representatives -  
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9223

Filling Vacancies -  
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9223-E PDF(1)

Filling Vacancies -  
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9224

Oath Or Affirmation -  
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9230

Orientation -  
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Board Training -  
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9320

Meetings And Notices -  
<https://simbli.eboardsolutions.com/SU/jWJhwYmlmYuVrjkGYAbRwQ==>

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Meeting Conduct -  
<https://simbli.eboardsolutions.com/SU/358eO4Hyr5HnEY1pnY55JA==>

**Policy 4118: Dismissal/Suspension/Disciplinary Action**

**Status:** DRAFT

**Original Adopted Date:** 03/01/2022

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

Disciplinary action shall be based on the particular facts and circumstances involved and the severity of the conduct or performance. An employee's private exercise of personal beliefs and activities, including religious, political, cultural, social, or other beliefs or activities, or lack thereof, shall not be grounds for disciplinary action against the employee, provided that the beliefs or activities do not involve coercion of students or any other violation of law, Board policy, or administrative regulation.

In addition, an employee shall not be suspended, disciplined, reassigned, transferred, dismissed, or otherwise retaliated against solely for acting to protect a student engaged in exercising any free speech or press right authorized by, or for refusing to infringe upon a student's conduct protected pursuant to, Education Code 48907 or 48950.

Disciplinary actions may include, but are not limited to, verbal warnings, written warnings, reassignment, suspension, freezing or reduction of wages, compulsory leave, or dismissal.

The Superintendent or designee shall ensure that disciplinary actions are taken in a consistent, nondiscriminatory manner and are appropriately documented.

#### **Suspension/Dismissal Procedures**

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

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

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

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

Prior to serving a suspension or dismissal notice that includes a charge of unprofessional conduct, the district shall give the employee written notice that describes the nature of the unprofessional conduct with such specific instances of behavior and with such particularity as to furnish the employee an opportunity to correct the faults and overcome the grounds for any unprofessional conduct charges and, if applicable, that includes the evaluation made pursuant to Education Code 44660-44665. The written notice of the unprofessional conduct shall be provided at least 45 days prior to the filing of the suspension or dismissal notice. (Education Code 44938)

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

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

Pending suspension or dismissal proceedings for an employee who is charged with egregious misconduct, immoral conduct, conviction of a felony or of any crime involving moral turpitude, incompetency due to mental disability, or willful refusal to perform regular assignments without reasonable cause as prescribed by district rules and regulations, the Board may, if it deems it necessary, immediately suspend the employee from assigned duties. If the employee files a motion with the Office of Administrative Hearings for immediate reversal of the suspension based on a cause other than egregious misconduct, the Board may file a written response before or at the time of the hearing. (Education Code 44939, 44939.1, 44940)

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

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**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.

<b>State References</b>	<b>Description</b>
5 CCR 80303	Reports of change in employment status; alleged misconduct
5 CCR 80304	Notice of sexual misconduct
CA Constitution Article 1, Section 1	Inalienable rights
Ed. Code 44008	Effect of termination of probation
Ed. Code 44009	Conviction of specified crimes
Ed. Code 44010	Sex offense; definitions
Ed. Code 44011	Controlled substance offense
Ed. Code 44242.5	Reports and review of alleged misconduct
Ed. Code 44425	Conviction of a sex or narcotic offense
Ed. Code 44660-44665	Evaluation and assessment of performance of certificated employees
Ed. Code 44830.1	Criminal record summary certificated employees
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 44930-44988	Resignations, dismissals and leaves of absence
Ed. Code 45055	Drawing of warrants for teachers
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 51530	Advocacy or teaching of communism
Gov. Code 1028	Advocacy of communism

Gov. Code 11505-11506	Hearing
Gov. Code 3543.2	Scope of representation
H&S Code 11054	Schedule I; substances included
H&S Code 11055	Schedule II; substances included
H&S Code 11056	Schedule III; substances included
H&S Code 11357-11361	Marijuana
H&S Code 11363	Peyote
H&S Code 11364	Opium
H&S Code 11370.1	Possession of controlled substances with a firearm
Pen. Code 11165.2-11165.6	Child abuse or neglect; definitions
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 187	Murder
Pen. Code 291	School employees arrest for sex offense
Pen. Code 667.5	Prior prison terms; enhancement of prison terms

#### Federal References

U.S. Constitution

#### Description

Amendment 1, Free exercise, free speech, and establishment clauses

#### Management Resources References

Commission on Teacher Credentialing Publication

Court Decision

Court Decision

Court Decision

Website

Website

Website

Website

Website

Website

#### Description

California's Laws and Rules Pertaining to the Discipline of Professional Certificated Personnel, 2007

Kennedy v. Bremerton (2022) 142 S.Ct. 2407

Crowl v. Commission on Professional Competence, (1990) 225 Cal. App. 3d 334

Morrison v. State Board of Education (1969) 1 Cal.3d 214

Office of the Attorney General -

<https://simbli.eboardsolutions.com/SU/kYMplusPKVwKTngiVfOT4AD8Q==>

Office of Administrative Hearings -

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Department of General Services, About Teacher Dismissal Case Type -

<https://simbli.eboardsolutions.com/SU/9nslshuTpTNHO7OH14JlrLeA==>

CSBA District and County Office of Education Legal Services -

<https://simbli.eboardsolutions.com/SU/UdykszdmpETuDsIshXk6R5akQ==>

Commission on Teacher Credentialing -

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CSBA -

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

#### Cross References

1312.1

1312.1

1312.3

1312.3

#### Description

Complaints Concerning District Employees -

<https://simbli.eboardsolutions.com/SU/slshPBTshz2Ldy4w7SUJsBE0g==>

Complaints Concerning District Employees -

<https://simbli.eboardsolutions.com/SU/jvj2JLxeplusBym6gplusFbg4KKg==>

Uniform Complaint Procedures -

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Uniform Complaint Procedures -

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1312.3-E PDF(1)	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/mRYG8UhkShslshmbXlslsheHD3ug==">https://simbli.eboardsolutions.com/SU/mRYG8UhkShslshmbXlslsheHD3ug==</a>
1312.3-E PDF(2)	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/oHplusvkUIEOvE4q43jqdlcplusQ==">https://simbli.eboardsolutions.com/SU/oHplusvkUIEOvE4q43jqdlcplusQ==</a>
3230	Federal Grant Funds - <a href="https://simbli.eboardsolutions.com/SU/L2guQfV2xslshslshE7woITPX92A==">https://simbli.eboardsolutions.com/SU/L2guQfV2xslshslshE7woITPX92A==</a>
3230	Federal Grant Funds - <a href="https://simbli.eboardsolutions.com/SU/sXmNMgHof2ReqNPsIsh1OgFBw==">https://simbli.eboardsolutions.com/SU/sXmNMgHof2ReqNPsIsh1OgFBw==</a>
3512	Equipment - <a href="https://simbli.eboardsolutions.com/SU/CRsj1oEdBCcdk0e8hk7oYg==">https://simbli.eboardsolutions.com/SU/CRsj1oEdBCcdk0e8hk7oYg==</a>
3512-E PDF(1)	Equipment - <a href="https://simbli.eboardsolutions.com/SU/pfdPiZ9zArAl8ulxHx4yxg==">https://simbli.eboardsolutions.com/SU/pfdPiZ9zArAl8ulxHx4yxg==</a>
3513.3	Tobacco-Free Schools - <a href="https://simbli.eboardsolutions.com/SU/M92AXslgWyXICseF4XRksw==">https://simbli.eboardsolutions.com/SU/M92AXslgWyXICseF4XRksw==</a>
3513.3	Tobacco-Free Schools - <a href="https://simbli.eboardsolutions.com/SU/I9tCbSlrGFgTSoplusgNFvfAg==">https://simbli.eboardsolutions.com/SU/I9tCbSlrGFgTSoplusgNFvfAg==</a>
3513.4	Drug And Alcohol Free Schools - <a href="https://simbli.eboardsolutions.com/SU/QSAdCTplusl8x0ASU2herzagQ==">https://simbli.eboardsolutions.com/SU/QSAdCTplusl8x0ASU2herzagQ==</a>
3515.2	Disruptions - <a href="https://simbli.eboardsolutions.com/SU/jslshzslshQnXU6g1IQmJ3CIJ3Hw==">https://simbli.eboardsolutions.com/SU/jslshzslshQnXU6g1IQmJ3CIJ3Hw==</a>
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4000	Concepts And Roles - <a href="https://simbli.eboardsolutions.com/SU/uPvO8g1rvKzd2lrnVERucA==">https://simbli.eboardsolutions.com/SU/uPvO8g1rvKzd2lrnVERucA==</a>
4020	Drug And Alcohol-Free Workplace - <a href="https://simbli.eboardsolutions.com/SU/ioXusplusU58KwZEqfxsCjGXw==">https://simbli.eboardsolutions.com/SU/ioXusplusU58KwZEqfxsCjGXw==</a>
4030	Nondiscrimination In Employment - <a href="https://simbli.eboardsolutions.com/SU/7lvD5EZ4anxg3plusLeC9Ky9g==">https://simbli.eboardsolutions.com/SU/7lvD5EZ4anxg3plusLeC9Ky9g==</a>
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4040	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/dvUVkzslshsaDr5sEn9ifk2g==">https://simbli.eboardsolutions.com/SU/dvUVkzslshsaDr5sEn9ifk2g==</a>
4040	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/3Tpxg7UoLMV3pluseRxnHspg==">https://simbli.eboardsolutions.com/SU/3Tpxg7UoLMV3pluseRxnHspg==</a>
4112	Appointment And Conditions Of Employment - <a href="https://simbli.eboardsolutions.com/SU/hWlZFCplus2C3p4vJplusANRqMVg==">https://simbli.eboardsolutions.com/SU/hWlZFCplus2C3p4vJplusANRqMVg==</a>
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4112.4	Health Examinations - <a href="https://simbli.eboardsolutions.com/SU/wBEPvVYAVYoPGFJdYZTTYA==">https://simbli.eboardsolutions.com/SU/wBEPvVYAVYoPGFJdYZTTYA==</a>
4112.42	Drug And Alcohol Testing For School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/kweoG03CUJldhyI9bwwfslshQ==">https://simbli.eboardsolutions.com/SU/kweoG03CUJldhyI9bwwfslshQ==</a>
4112.42	Drug And Alcohol Testing For School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/RUpLdYxkV0FonLsglx8GvQ==">https://simbli.eboardsolutions.com/SU/RUpLdYxkV0FonLsglx8GvQ==</a>
4112.5	Criminal Record Check - <a href="https://simbli.eboardsolutions.com/SU/rVblBQslshIKGrsbXzo0GocKw==">https://simbli.eboardsolutions.com/SU/rVblBQslshIKGrsbXzo0GocKw==</a>



4112.6 Personnel Files - <https://simbli.eboardsolutions.com/SU/19oz1VfjHwVTw5DslshK84Y2w==>

4112.9 Employee Notifications - <https://simbli.eboardsolutions.com/SU/QUDaxp1xSB04UbplueE7cg==>

4112.9 Employee Notifications - <https://simbli.eboardsolutions.com/SU/Vh2plusZD04ceez2OYV8JWS6Q==>

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4112.9-E PDF(2) Employee Notifications - <https://simbli.eboardsolutions.com/SU/VuRQ4oLrkOWEgVMtxy3csw==>

4112.9-E PDF(4) Employee Notifications - <https://simbli.eboardsolutions.com/SU/cWxsRBW0wgTPmVDBwm8q5Q==>

4113.5 Working Remotely - <https://simbli.eboardsolutions.com/SU/1slshBslsh0Vfu50aoZg8UP8SKCw==>

4114 Transfers - <https://simbli.eboardsolutions.com/SU/W583AgxWplusnXXDOslsh4PyGlpw==>

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4115 Evaluation/Supervision - <https://simbli.eboardsolutions.com/SU/zfGv57OszhGuGL4qhh2lWw==>

4117.7 Employment Status Reports - <https://simbli.eboardsolutions.com/SU/psslshExOdOxpluszQFfplus3KsXuEQ==>

4119.1 Civil And Legal Rights - <https://simbli.eboardsolutions.com/SU/it4sPZtD8E3su0L4Rfplusy0A==>

4119.11 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/mFCj9uyTMsEVd5U0wUeiYA==>

4119.11 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/0SoxMwK0gtk1CXlqyijmcw==>

4119.12 Title IX Sexual Harassment Complaint Procedures - <https://simbli.eboardsolutions.com/SU/SKbx597EzOKc1YJxHagKg==>

4119.21 Professional Standards - <https://simbli.eboardsolutions.com/SU/i2GqRrv3ky3d0Z2uvGEQ9w==>

4119.21-E PDF(1) Professional Standards - <https://simbli.eboardsolutions.com/SU/WxGmpplus9gp7YqLoub3tuhKQ==>

4119.22 Dress And Grooming - <https://simbli.eboardsolutions.com/SU/mf41plusZS1HbYjYktW5JFYZQ==>

4119.23 Unauthorized Release Of Confidential/Privileged Information - <https://simbli.eboardsolutions.com/SU/oClryXiNWyF1HyLSkDUdfQ==>

4119.25 Political Activities Of Employees - <https://simbli.eboardsolutions.com/SU/7YfU817Q7rSV7tefJUlpzg==>

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4131.1 Teacher Support And Guidance - <https://simbli.eboardsolutions.com/SU/f2hcfHNDg64vslsh1LGyf3Utg==>

4136 Nonschool Employment - <https://simbli.eboardsolutions.com/SU/tlxJ0JwWj6cJnJBu3HatOQ==>

4141 Collective Bargaining Agreement -  
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4141.6 Concerted Action/Work Stoppage -  
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4154 Health And Welfare Benefits -  
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4154 Health And Welfare Benefits -  
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4157 Employee Safety -  
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4158 Employee Security -  
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4159 Employee Assistance Programs -  
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4161 Leaves - <https://simbli.eboardsolutions.com/SU/IEZT6QfIEZhNd03QwNpVpA==>

4161 Leaves -  
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4212.4 Health Examinations -  
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4212.4 Health Examinations -  
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4212.42 Drug And Alcohol Testing For School Bus Drivers -  
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4212.5 Criminal Record Check -  
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4212.6 Personnel Files -  
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4212.9 Employee Notifications -  
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4219.1 Civil And Legal Rights -  
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4219.11 Sexual Harassment -  
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4219.11 Sexual Harassment -  
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4219.12 Title IX Sexual Harassment Complaint Procedures -  
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4219.21 Professional Standards -  
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4219.21-E PDF(1) Professional Standards - Code Of Ethics -  
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4219.22 Dress And Grooming -  
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4219.23 Unauthorized Release Of Confidential/Privileged Information -  
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4219.25 Political Activities Of Employees -  
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4227 Temporary Athletic Team Coaches -  
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4236 Nonschool Employment -  
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4241 Collective Bargaining Agreement -  
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4241.6 Concerted Action/Work Stoppage -  
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4241.6 Concerted Action/Work Stoppage -  
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4254 Health And Welfare Benefits -  
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4257 Employee Safety -  
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4257 Employee Safety -  
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4258 Employee Security -  
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4259 Employee Assistance Programs -  
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4261 Leaves -  
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4312.4 Health Examinations -  
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4312.42 Drug And Alcohol Testing For School Bus Drivers -  
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4312.5 Criminal Record Check -  
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4312.6 Personnel Files -  
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4312.9 Employee Notifications -  
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4312.9-E PDF(2) Employee Notifications -  
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4313.5 Working Remotely -  
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4317.7 Employment Status Reports -  
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4319.1 Civil And Legal Rights -  
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4319.11 Sexual Harassment -  
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4319.11 Sexual Harassment -  
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4319.12 Title IX Sexual Harassment Complaint Procedures -  
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4319.21 Professional Standards -  
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4319.21-E PDF(1) Professional Standards -  
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4319.22 Dress And Grooming -  
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4319.23 Unauthorized Release Of Confidential/Privileged Information -  
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4336 Nonschool Employment -  
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4354 Health And Welfare Benefits -  
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4357 Employee Safety -  
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4359 Employee Assistance Programs - <https://simbli.eboardsolutions.com/SU/hl2s4hcXyydPdFWSiY7pWQ==>

4361 Leaves - <https://simbli.eboardsolutions.com/SU/sdjPcFeE6ACmW8WIXLoAxQ==>

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5144.2 Suspension And Expulsion/Due Process (Students With Disabilities) - <https://simbli.eboardsolutions.com/SU/HYR9bzI56SDT6slshh00PBAJQ==>

5145.2 Freedom Of Speech/Expression - <https://simbli.eboardsolutions.com/SU/aFMiYsKfqMXTpwlGN8rziA==>

5145.2 Freedom Of Speech/Expression - <https://simbli.eboardsolutions.com/SU/Zy2UqycFkzSVoLo1UhrQmA==>

5145.3 Nondiscrimination/Harassment - <https://simbli.eboardsolutions.com/SU/28eonrQzmTgJ18Og48hxEQ==>

5145.3 Nondiscrimination/Harassment - <https://simbli.eboardsolutions.com/SU/M3ZyGWygTsJ0yM1OsslshZtkQ==>

5145.7 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/LbMKGUJxxxplusXa2ITdt1vQA==>

5145.7 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/iV6qGngn8slshKlyMqonNCnWQ==>

5145.71 Title IX Sexual Harassment Complaint Procedures - <https://simbli.eboardsolutions.com/SU/uHiAwBfVslshAWL6islshi4knlrg==>

5145.71-E PDF(1) Title IX Sexual Harassment Complaint Procedures - <https://simbli.eboardsolutions.com/SU/SI0slshdsKp0f4wND0mQ96PCw==>

5145.9 Hate-Motivated Behavior - <https://simbli.eboardsolutions.com/SU/UCV7P7dmfdXxrzzslshYw9Ug==>

6145.2 Athletic Competition - <https://simbli.eboardsolutions.com/SU/4NnW9VPNI02szD4ibZ421A==>

6145.2 Athletic Competition - <https://simbli.eboardsolutions.com/SU/NPuhtbyrBQzIUHN5sbT3fA==>

6162.54 Test Integrity/Test Preparation - <https://simbli.eboardsolutions.com/SU/jW8slshpG52plusDmhMJvSdDZJqw==>

9000 Role Of The Board - <https://simbli.eboardsolutions.com/SU/uGujvwlmOzUlxNt8Xy0D4Q==>

9321 Closed Session - <https://simbli.eboardsolutions.com/SU/nfyDjzDXXH1SsPFRyZXT3w==>

**Regulation 4118: Dismissal/Suspension/Disciplinary Action**

Status: DRAFT

Original Adopted Date: 03/01/2022

**Causes for Suspension or Dismissal**

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

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

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

**Suspension/Dismissal of Permanent Employees**

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

1. The person preparing a written statement of charges that there is cause to suspend or dismiss an employee shall submit the signed statement to the Governing Board, or a written statement of charges shall be formulated by the Board that cause to suspend or dismiss the permanent employee exists (Education Code 44934, 44934.1)
2. The employee, upon receiving notice of the Board's intent to suspend or dismiss, may request a hearing on the matter. The hearing shall be conducted by the Commission on Professional Competence, except that any case involving only egregious misconduct shall be heard instead by an administrative law judge and, in any other case, the hearing may be conducted by an administrative law judge when both the district and the employee so stipulate. (Education Code 44943, 44944, 44944.05, 44944.1, 44944.3)
3. Except when the employee is charged solely with egregious misconduct, the district may amend the charges less than 90 days before the hearing only upon showing of good cause and upon approval of the administrative law judge. (Education Code 44934)
4. The employee shall be suspended or dismissed when the Commission on Professional Competence or

administrative law judge has issued its decision supporting suspension or dismissal or, if the employee did not request a hearing, at the expiration of 30 days after service of the notice of intent to suspend or dismiss. (Education Code 44941, 44943, 44944)

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

### **Suspension/Dismissal of Probationary Employees**

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

#### **OPTION 1:**

During the school year, a probationary employee who is in the first or second year of service may be dismissed only for one or more of the causes listed in Items #1-11 in the section "Causes for Suspension or Dismissal" above or for unsatisfactory performance determined pursuant to Education Code 44660-44665. (Education Code 44948.2, 44948.3)

Whenever a first- or second-year probationary employee is so charged, the following procedures shall apply for dismissing the employee during the school year: (Education Code 44948.3)

1. The Superintendent or designee shall give 30 days' prior written notice of dismissal, not later than March 15 in the case of second-year probationary employees. The notice shall include a statement of the reasons for the dismissal, notice of the opportunity to appeal, and, if the cause is unsatisfactory performance, a copy of the evaluation conducted pursuant to Education Code 44664.
2. Upon receipt of the notice of dismissal, the employee may be dismissed if no request for a hearing is submitted to the Board within 15 days.
3. If a hearing is requested, the district may arrange for the appointment of an administrative law judge to conduct the hearing and to recommend a decision to the Board.

A probationary employee may be suspended without pay for a specified period of time as an alternative to dismissal. (Education Code 44948.3)

### **Compulsory Leave of Absence**

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

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

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

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

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

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

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

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

State References	Description
5 CCR 80303	Reports of change in employment status; alleged misconduct
5 CCR 80304	Notice of sexual misconduct
CA Constitution Article 1, Section 1	Inalienable rights
Ed. Code 44008	Effect of termination of probation
Ed. Code 44009	Conviction of specified crimes
Ed. Code 44010	Sex offense; definitions
Ed. Code 44011	Controlled substance offense
Ed. Code 44242.5	Reports and review of alleged misconduct
Ed. Code 44425	Conviction of a sex or narcotic offense
Ed. Code 44660-44665	Evaluation and assessment of performance of certificated employees
Ed. Code 44830.1	Criminal record summary certificated employees
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 44930-44988	Resignations, dismissals and leaves of absence
Ed. Code 45055	Drawing of warrants for teachers
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 51530	Advocacy or teaching of communism
Gov. Code 1028	Advocacy of communism
Gov. Code 11505-11506	Hearing
Gov. Code 3543.2	Scope of representation
H&S Code 11054	Schedule I; substances included
H&S Code 11055	Schedule II; substances included
H&S Code 11056	Schedule III; substances included
H&S Code 11357-11361	Marijuana
H&S Code 11363	Peyote
H&S Code 11364	Opium



H&S Code 11370.1	Possession of controlled substances with a firearm
Pen. Code 11165.2-11165.6	Child abuse or neglect; definitions
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 187	Murder
Pen. Code 291	School employees arrest for sex offense
Pen. Code 667.5	Prior prison terms; enhancement of prison terms

### Federal References

U.S. Constitution

### Description

Amendment 1, Free exercise, free speech, and establishment clauses

### Management Resources References

Commission on Teacher Credentialing Publication

Court Decision

Court Decision

Court Decision

Website

Website

Website

Website

Website

Website

### Description

California's Laws and Rules Pertaining to the Discipline of Professional Certificated Personnel, 2007

Kennedy v. Bremerton (2022) 142 S.Ct. 2407

Crowl v. Commission on Professional Competence, (1990) 225 Cal. App. 3d 334

Morrison v. State Board of Education (1969) 1 Cal.3d 214

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<https://simbli.eboardsolutions.com/SU/kYMplusPKVwKTngiVfOT4AD8Q==>

Office of Administrative Hearings -

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Department of General Services, About Teacher Dismissal Case Type -

<https://simbli.eboardsolutions.com/SU/9nslshuTpTNHO70H14lJlrLeA==>

CSBA District and County Office of Education Legal Services -

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Commission on Teacher Credentialing -

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### Cross References

1312.1

1312.1

1312.3

1312.3

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1312.3-E PDF(2)

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3513.3	Tobacco-Free Schools - <a href="https://simbli.eboardsolutions.com/SU/M92AXslgWyXICseF4XRksw==">https://simbli.eboardsolutions.com/SU/M92AXslgWyXICseF4XRksw==</a>
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3515.2	Disruptions - <a href="https://simbli.eboardsolutions.com/SU/jslshzslshQnXU6g1lQmJ3ClJ3Hw==">https://simbli.eboardsolutions.com/SU/jslshzslshQnXU6g1lQmJ3ClJ3Hw==</a>
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4000	Concepts And Roles - <a href="https://simbli.eboardsolutions.com/SU/uPvO8g1rvKzd2lRnVERucA==">https://simbli.eboardsolutions.com/SU/uPvO8g1rvKzd2lRnVERucA==</a>
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4261 Leaves -  
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4312.4 Health Examinations -  
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4312.4 Health Examinations -  
<https://simbli.eboardsolutions.com/SU/owOITV7eiOJ6vssll5N1uQ==>

4312.42 Drug And Alcohol Testing For School Bus Drivers -  
<https://simbli.eboardsolutions.com/SU/VNkVS6V1txMa9yBP9rCyEA==>

4312.5 Criminal Record Check -  
<https://simbli.eboardsolutions.com/SU/t7xZplusj3MbslshDu2xEskvI2slshw==>

4312.6 Personnel Files -  
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4312.9 Employee Notifications -  
<https://simbli.eboardsolutions.com/SU/uEGYjEf0FbMGqu5bVI5R1g==>

4312.9 Employee Notifications -  
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4312.9-E PDF(1) Employee Notifications -  
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4312.9-E PDF(2) Employee Notifications -  
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4313.5 Working Remotely -  
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4317.7 Employment Status Reports - <https://simbli.eboardsolutions.com/SU/noOY0vLRNDIXslshK3Mg8ry5w==>

4319.1 Civil And Legal Rights - <https://simbli.eboardsolutions.com/SU/Ph76ZxBLCtch7Lq8odV5XQ==>

4319.11 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/9iYYXoLd2ArWFJLC5TH76Q==>

4319.11 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/AlIHQekEbnnV6K81IC28lg==>

4319.12 Title IX Sexual Harassment Complaint Procedures - <https://simbli.eboardsolutions.com/SU/GazLHqntfRSiKGviSf44g==>

4319.21 Professional Standards - <https://simbli.eboardsolutions.com/SU/S5DtgPHplusUThO0vMmPkNzCQ==>

4319.21-E PDF(1) Professional Standards - <https://simbli.eboardsolutions.com/SU/T4vVEKmYFji91NplusSPdsplashQ==>

4319.22 Dress And Grooming - <https://simbli.eboardsolutions.com/SU/IPsVB5M7qMuZBFPtebSEiA==>

4319.23 Unauthorized Release Of Confidential/Privileged Information - <https://simbli.eboardsolutions.com/SU/73pNAYZtZIOK6RwZW5ARew==>

4319.25 Political Activities Of Employees - <https://simbli.eboardsolutions.com/SU/d6TEg7fgb5ah7P9LWfJBcA==>

4319.25 Political Activities Of Employees - <https://simbli.eboardsolutions.com/SU/R36fwz2ugqRSgEgEXplus1YEQ==>

4327 Temporary Athletic Team Coaches - <https://simbli.eboardsolutions.com/SU/3Z1slshpTPXCSDTWEODACC42A==>

4327 Temporary Athletic Team Coaches - <https://simbli.eboardsolutions.com/SU/nE9kGHYjHgDjBniIOZyslshCg==>

4336 Nonschool Employment - <https://simbli.eboardsolutions.com/SU/KOU7dA2kBpcttoK3Bmfh3Q==>

4354 Health And Welfare Benefits - <https://simbli.eboardsolutions.com/SU/KJifHmjEUQO5h74EhPCsrg==>

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4357 Employee Safety - <https://simbli.eboardsolutions.com/SU/PkSDmUplusuqplusLcu2QjVBkp7g==>

4357 Employee Safety - <https://simbli.eboardsolutions.com/SU/pbYBOloslshVeJly3s7byVLNA==>

4358 Employee Security - <https://simbli.eboardsolutions.com/SU/3zFO35IFETIG9uzAQ4Gu1A==>

4358 Employee Security - <https://simbli.eboardsolutions.com/SU/iEQlbn4kkXxC6IHdUY7g1w==>

4359 Employee Assistance Programs - <https://simbli.eboardsolutions.com/SU/hl2s4hcXyydPdFWSiY7pWQ==>

4361 Leaves - <https://simbli.eboardsolutions.com/SU/sdjPcFeE6ACmW8WIXLoAxQ==>

4361 Leaves - <https://simbli.eboardsolutions.com/SU/Gdd56WnIQY7L7ZakgijQrA==>

5144.2 Suspension And Expulsion/Due Process (Students With Disabilities) - <https://simbli.eboardsolutions.com/SU/HYR9bzI56SDT6slshh00PBAJQ==>

5145.2 Freedom Of Speech/Expression - <https://simbli.eboardsolutions.com/SU/aFMiYsKfqMXTpWlGN8rziA==>

5145.2 Freedom Of Speech/Expression - <https://simbli.eboardsolutions.com/SU/Zy2UqycFkzSVoLo1UhrQmA==>

5145.3 Nondiscrimination/Harassment -  
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5145.3 Nondiscrimination/Harassment -  
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5145.7 Sexual Harassment -  
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5145.7 Sexual Harassment -  
<https://simbli.eboardsolutions.com/SU/iV6qGngn8slshKlyMqonNCnWQ==>

5145.71 Title IX Sexual Harassment Complaint Procedures -  
<https://simbli.eboardsolutions.com/SU/uHiAwBfVslshAWL6islsh4knlrg==>

5145.71-E PDF(1) Title IX Sexual Harassment Complaint Procedures -  
<https://simbli.eboardsolutions.com/SU/SIOslshdsKpOf4wND0mQ96PCw==>

5145.9 Hate-Motivated Behavior -  
<https://simbli.eboardsolutions.com/SU/UCV7P7dmfdXxrzzslshYw9Ug==>

6145.2 Athletic Competition -  
<https://simbli.eboardsolutions.com/SU/4NnW9VPNI02szD4ibZ421A==>

6145.2 Athletic Competition -  
<https://simbli.eboardsolutions.com/SU/NPuhtbyrBQzIUHN5sbT3fA==>

6162.54 Test Integrity/Test Preparation -  
<https://simbli.eboardsolutions.com/SU/jW8slshpG52plusDmhMJvSdDZJqw==>

9000 Role Of The Board -  
<https://simbli.eboardsolutions.com/SU/uGujvwImOzUIxNt8Xy0D4Q==>

9321 Closed Session -  
<https://simbli.eboardsolutions.com/SU/nfyDJzDXXH1SsPFRyZXT3w==>

**Policy 4119.1: Civil And Legal Rights**

Status: DRAFT

Original Adopted Date: 10/02/2012

The Governing Board believes that the personal life of an employee is not an appropriate concern of the district, except as it may directly relate to the performance of the employee's duties.

District employees may engage in private, personal activities, including the exercise of their religious, political, cultural, social or other beliefs or activities, during personal time including when employees are not on duty or engaged in the supervision or instruction of students.

The district shall make no inquiry concerning the personal values, attitudes, and beliefs of district employees or their sexual orientation or political or religious affiliations, beliefs, or opinions except when authorized by law. In addition, no district employee shall be required to provide critical appraisals of other individuals with whom the employee has a familial relationship. However, the district reserves the right to access any publicly available information about any employee.

No employee shall be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student engaged in conduct authorized under Education Code 48907 or 48950.

When necessary to protect the health, welfare, or safety of students and staff, school officials may search district property under an employee's control.

**Whistleblower Protection**

An employee shall have the right to disclose to a Board member, a school administrator, a member of the County Board of Education, the County Superintendent of Schools, or the Superintendent of Public Instruction any improper governmental activity by the district or a district employee that violates state or federal law, is economically wasteful, or involves gross misconduct, incompetency, or inefficiency. When the employee has reasonable cause to believe that the information discloses a violation of state or federal statute or a violation of or noncompliance with a state or federal rule or regulation, the employee has the right to disclose such information to a government or law enforcement agency or to refuse to participate in any such activity. (Education Code 44112, 44113; Labor Code 1102.5)

The Superintendent or designee shall prominently display in lettering larger than size 14 point type a list of employees' rights and responsibilities under the whistleblower laws, including the telephone number of the whistleblower hotline maintained by the office of the California Attorney General. (Labor Code 1102.7, 1102.8)

No employee shall use or attempt to use official authority status or influence to intimidate, threaten, coerce, or command, or attempt to intimidate, threaten, coerce, or command, another employee for the purpose of interfering with that employee's right to disclose improper governmental activity. (Education Code 44113)

An employee who has disclosed improper governmental activity and believes that acts or attempted acts of reprisal have subsequently occurred shall file a written complaint in accordance with the district's complaint procedures. After filing a complaint with the district, the employee may also file a copy of the complaint with local law enforcement and/or seek civil law remedies against the supervisor or administrator who retaliated or attempted to retaliate against the employee, in accordance with Education Code 44114.

**Protection Against Liability**

No employee shall be liable for harm caused by the employee's act or omission when acting within the scope of employment or district responsibilities, the employee's act or omission is in conformity with federal, state, and local laws, district policy, or administrative regulation, and the employee's act or omission is in furtherance of an effort to



control, discipline, expel, or suspend a student or to maintain order or control in the classroom or school. (20 USC 7946)

The protection against liability shall not apply when: (20 USC 7946)

1. The employee acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to rights or safety of the individual harmed.
2. The employee caused harm by operating a motor vehicle or other vehicle requiring license or insurance.
3. The employee was not properly licensed, if required, by state law for such activities.
4. The employee was found by a court to have violated a federal or state civil rights law.
5. The employee was under the influence of alcohol or any drug at the time of the misconduct.
6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the employee has been convicted in a court.
7. The misconduct involved a sexual offense for which the employee has been convicted in a court.
8. The misconduct occurred during background investigations, or other actions, involved in the employee's hiring.

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**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.

<b>State References</b>	<b>Description</b>
CA Constitution Article 1, Section 1	Inalienable rights
Ed. Code 200-262.4	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==</a>
Ed. Code 44040	Discrimination based on employee's appearance before certain boards or committees
Ed. Code 44110-44114	Reporting by school employees of improper governmental activity
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 49091.24	Teacher rights to refuse evaluation/survey of personal life
Ed. Code 7050-7058	Political activities of school officers and employees
Gov. Code 12650-12656	False claims actions
Gov. Code 12940-12953	Discrimination prohibited; unlawful practices
Gov. Code 3540.1	Public employment; definitions
Gov. Code 3543.5	Interference with employee's rights prohibited
Gov. Code 815.3	Intentional torts
Gov. Code 820-823	Tort claims act
Gov. Code 825.6	Indemnification of public entity
Lab. Code 1102.5-1106	Whistleblower protections
<b>Federal References</b>	<b>Description</b>
18 USC 16	Crime of violence; definition
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 7941-7948	Teacher liability protection

42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
U.S. Constitution	Amendment 1, Free exercise, free speech, and establishment clauses

**Management Resources References**

Court Decision	Kennedy v. Bremerton (2022) 142 S.Ct. 2407
Court Decision	New Jersey v. T.L.O. (1985) 469 U.S. 325
Court Decision	Garcetti v. Ceballos (2006) 547 U.S. 410
Court Decision	Hartnett v. Crosier (2012) 205 Cal.App.4th 685
Court Decision	Johnson v. Poway Unified School District (2011) 658 F.3d 954
Court Decision	O'Conner v. Ortega (1987) 480 U.S. 709
Court Decision	Ohton v. CSU San Diego (2007) 56 Cal.Rptr.3d 111
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==</a>
Website	California Office of the Attorney General - <a href="https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==">https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==</a>

**Cross References**

	<b>Description</b>
1312.1	Complaints Concerning District Employees - <a href="https://simbli.eboardsolutions.com/SU/slshPBTshz2LDy4w7SUJsBE0g==">https://simbli.eboardsolutions.com/SU/slshPBTshz2LDy4w7SUJsBE0g==</a>
1312.1	Complaints Concerning District Employees - <a href="https://simbli.eboardsolutions.com/SU/jvj2JLxepusBym6gplusFbg4KKg==">https://simbli.eboardsolutions.com/SU/jvj2JLxepusBym6gplusFbg4KKg==</a>
1312.3	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/trYFVpB6mtnrFEznOU5Nyw==">https://simbli.eboardsolutions.com/SU/trYFVpB6mtnrFEznOU5Nyw==</a>
1312.3	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/vg16byuXChvBplusv2vK49B4Q==">https://simbli.eboardsolutions.com/SU/vg16byuXChvBplusv2vK49B4Q==</a>
1312.3-E PDF(1)	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/mRYG8UhkShslshuBxLslsheHD3ug==">https://simbli.eboardsolutions.com/SU/mRYG8UhkShslshuBxLslsheHD3ug==</a>
1312.3-E PDF(2)	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/oHplusvkUIEOvE4q43jdlcplusQ==">https://simbli.eboardsolutions.com/SU/oHplusvkUIEOvE4q43jdlcplusQ==</a>
3320	Claims And Actions Against The District - <a href="https://simbli.eboardsolutions.com/SU/ldT65FysovROFzTslshDs3S9A==">https://simbli.eboardsolutions.com/SU/ldT65FysovROFzTslshDs3S9A==</a>
3320	Claims And Actions Against The District - <a href="https://simbli.eboardsolutions.com/SU/tV2tISmsEoZ4ub3DL8DI2g==">https://simbli.eboardsolutions.com/SU/tV2tISmsEoZ4ub3DL8DI2g==</a>
3320-E PDF(1)	Claims And Actions Against The District - <a href="https://simbli.eboardsolutions.com/SU/YEZGUGCAOfhRroaiPvH7plusQ==">https://simbli.eboardsolutions.com/SU/YEZGUGCAOfhRroaiPvH7plusQ==</a>
3400	Management Of District Assets/Accounts - <a href="https://simbli.eboardsolutions.com/SU/IX12plusTFyObah6O48YEwsFA==">https://simbli.eboardsolutions.com/SU/IX12plusTFyObah6O48YEwsFA==</a>
3400	Management Of District Assets/Accounts - <a href="https://simbli.eboardsolutions.com/SU/Po9IcJ2caUkCKzyRBsCMAQ==">https://simbli.eboardsolutions.com/SU/Po9IcJ2caUkCKzyRBsCMAQ==</a>
3515	Campus Security - <a href="https://simbli.eboardsolutions.com/SU/IVaI5Ro2Cjp1wB9z9Tb9pA==">https://simbli.eboardsolutions.com/SU/IVaI5Ro2Cjp1wB9z9Tb9pA==</a>
3515	Campus Security - <a href="https://simbli.eboardsolutions.com/SU/plusrT6jkTEzqfpz5WUJfGSng==">https://simbli.eboardsolutions.com/SU/plusrT6jkTEzqfpz5WUJfGSng==</a>
4030	Nondiscrimination In Employment - <a href="https://simbli.eboardsolutions.com/SU/7IvD5EZ4anxg3plusLeC9Ky9g==">https://simbli.eboardsolutions.com/SU/7IvD5EZ4anxg3plusLeC9Ky9g==</a>
4030	Nondiscrimination In Employment - <a href="https://simbli.eboardsolutions.com/SU/Y02LyuUorYxL3fKdBUdVUg==">https://simbli.eboardsolutions.com/SU/Y02LyuUorYxL3fKdBUdVUg==</a>

4040 Employee Use Of Technology -  
<https://simbli.eboardsolutions.com/SU/dvUVkzslshsaDr5sEn9ifk2g==>

4040 Employee Use Of Technology -  
<https://simbli.eboardsolutions.com/SU/3Tpxg7UoLMV3pluseRxnHspgg==>

4118 Dismissal/Suspension/Disciplinary Action -  
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4118 Dismissal/Suspension/Disciplinary Action -  
<https://simbli.eboardsolutions.com/SU/Cj4HcKo07aol3i1rd05Q==>

4119.21 Professional Standards -  
<https://simbli.eboardsolutions.com/SU/i2GqRrv3ky3d0Z2uvGEQ9w==>

4119.21-E PDF(1) Professional Standards -  
<https://simbli.eboardsolutions.com/SU/WxGmplusplus9gp7YqLoub3tuhKQ==>

4119.23 Unauthorized Release Of Confidential/Privileged Information -  
<https://simbli.eboardsolutions.com/SU/oClryXiNWyF1HyLSkDUdfQ==>

4119.25 Political Activities Of Employees -  
<https://simbli.eboardsolutions.com/SU/7YfU817Q7rSV7tefJUlpzg==>

4119.25 Political Activities Of Employees -  
<https://simbli.eboardsolutions.com/SU/npcBnYgYqSr2ynvIT0fRXA==>

4132 Publication Or Creation Of Materials -  
<https://simbli.eboardsolutions.com/SU/mMCHLGSjESPgyslsh6wEplus0gwA==>

4136 Nonschool Employment -  
<https://simbli.eboardsolutions.com/SU/tlxJ0JwWj6cjinJBu3HatOQ==>

4140 Bargaining Units -  
<https://simbli.eboardsolutions.com/SU/gJl9slsh97ayfJAYmeKZGSzG==>

4144 Complaints -  
<https://simbli.eboardsolutions.com/SU/flVqkzplusZo7c7V8mag2xZBQ==>

4144 Complaints -  
<https://simbli.eboardsolutions.com/SU/tYi4lZ36QZPbDAllz2ZwkQ==>

4218 Dismissal/Suspension/Disciplinary Action -  
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4218 Dismissal/Suspension/Disciplinary Action -  
<https://simbli.eboardsolutions.com/SU/IFLSoDoTZESgZZ7NfaTnhw==>

4219.21 Professional Standards -  
<https://simbli.eboardsolutions.com/SU/ag05gt1MRC5fEplusQ8DdfLxg==>

4219.21-E PDF(1) Professional Standards - Code Of Ethics -  
<https://simbli.eboardsolutions.com/SU/YLqRCiplusdkzr68iplusc4slshkr8Q==>

4219.23 Unauthorized Release Of Confidential/Privileged Information -  
<https://simbli.eboardsolutions.com/SU/v3GZviSdd9pBHkcaXkpoiA==>

4219.25 Political Activities Of Employees -  
<https://simbli.eboardsolutions.com/SU/rm2UCdcRlr2oCvixyslshXEQ==>

4219.25 Political Activities Of Employees -  
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4232 Publication or Creation of Materials -  
<https://simbli.eboardsolutions.com/SU/3dtcAywLpNqQ9plusiDYIOxaw==>

4236 Nonschool Employment -  
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4240 Bargaining Units -  
<https://simbli.eboardsolutions.com/SU/nPqOBi5VslshqVAI2SRXw9Uplusw==>

4244 Complaints -  
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4244 Complaints -  
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4319.21 Professional Standards -  
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4319.21-E PDF(1) Professional Standards -  
<https://simbli.eboardsolutions.com/SU/T4vVEKmYFjJ91NplusSPdsplushQ==>

4319.23 Unauthorized Release Of Confidential/Privileged Information -  
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4319.25 Political Activities Of Employees -  
<https://simbli.eboardsolutions.com/SU/d6TEg7fgb5ah7P9LWfJBCA==>

4319.25 Political Activities Of Employees -  
<https://simbli.eboardsolutions.com/SU/R36fwz2ugqRSgEgEXplus1YEQ==>

4332 Publication or Creation of Materials -  
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4336 Nonschool Employment -  
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4340 Bargaining Units -  
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4344 Complaints -  
<https://simbli.eboardsolutions.com/SU/zLybAVi1uz168ad0rIXmCg==>

4344 Complaints -  
<https://simbli.eboardsolutions.com/SU/epri6wkiUNMWIN6uDFjx0w==>

9260 Legal Protection -  
<https://simbli.eboardsolutions.com/SU/5JhP4VrgaacSEXhAV0EQ0w==>

**Policy 4140: Bargaining Units**

Status: DRAFT

Original Adopted Date: 12/05/2017 | Last Revised Date: 04/06/2021

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

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

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

**Formation of Bargaining Units**

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

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

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

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

*Management employee* means any employee who has significant responsibilities for formulating district policies or administering district programs, and whose position is designated as a management position by the Board. (Government Code 3540.1)

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

**Membership**

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

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

Until June 30, 2025, in addition to above provisions regarding new employee orientations, the district shall ensure the following: (Government Code 3556)

1. When an inperson new employee orientation has not been conducted within 30 days of hiring any new employee who is working in person, the Superintendent or designee shall permit the exclusive representative to schedule an inperson meeting which newly hired employees shall have an opportunity to attend, at the employee's worksite and during employment hours. Each newly hired employee within the bargaining unit shall be provided at least 30 minutes of paid time to attend the meeting.

Upon the request of an exclusive representative scheduling such an inperson meeting, the Superintendent or designee shall provide an appropriate on-site meeting space within seven days of receiving the exclusive representative's request.

2. When, by reason of a state or local public health order limiting the size of gatherings, the district is prohibited from organizing a new employee orientation, an exclusive representative may schedule multiple meetings to ensure that newly hired employees have an opportunity to attend without exceeding the maximum allowable number of people.

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

The Superintendent or designee shall provide an exclusive representative with the name, job title, department, work location, telephone numbers (work, home, and personal cell phone), personal email address(es) on file with the district, and home address of any newly hired employee in the bargaining unit, within 30 days of hire or by the first pay period of the month following hire, unless the exclusive representative has agreed to a different interval for the provision of the information. In addition, the Superintendent or designee shall provide the exclusive representative the same information in regard to all employees in the bargaining unit at least every 120 days, unless more frequent or detailed lists are required by agreement with the exclusive representative. (Government Code 3558, 6254.3)

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

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

At least, at the beginning of each school year, the Superintendent or designee shall review the list of district employees to ensure that the list is complete and contains accurate information.

### **Communications with Employees**

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

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

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

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

An employee organization that certifies that it has and will maintain individual employee authorizations shall handle and process employee written authorizations for payroll deductions. When an employee organization provides such a certification to the district, the district shall rely on information from the employee organization regarding the amounts of such payroll deductions and from which employees. The employee organization shall not be required to submit to the district a copy of the written authorization in order for the payroll deductions to be effective. However, when there is a dispute about the existence or terms of the written authorization, a copy of the employee's written authorization shall be submitted to the district. The employee organization shall indemnify the district for any employee claims regarding payroll deductions made by the district in reliance on notification from the employee organization. (Education Code 45060, 45168)

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

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

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

#### **State References**

#### **Description**

8 CCR 33015-33490	Recognition of exclusive representative; proceedings
8 CCR 33700-33710	Severance of established unit
8 CCR 34020	Petition to rescind organizational security arrangement
8 CCR 34055	Reinstatement of organizational security arrangement
Ed. Code 45060-45061.5	Deduction of fees from salary or wage payment; certificated employees
Ed. Code 45100.5	Senior classified management positions
Ed. Code 45104.5	Abolishment of senior classified management positions
Ed. Code 45108.5	Definition of senior classified management employees
Ed. Code 45108.7	Waiver of provisions of 45108.5
Ed. Code 45168	Deduction of fees from salary or wage payment; classified employees
Ed. Code 45220-45320	Merit system; classified employees
Gov. Code 3540-3549.3	Educational Employment Relations Act
Gov. Code 3540.1	Public employment; definitions
Gov. Code 3543.4	Management position; representation
Gov. Code 3545	Appropriateness of unit; basis
Gov. Code 3550-3552	Prohibition on public employers deterring or discouraging union membership
Gov. Code 3555-3559	Public employee communication, information and orientation
Gov. Code 53260-53264	Employment contracts

Gov. Code 6205-6210	Confidentiality of addresses for victims of domestic violence, sexual assault or stalking
Gov. Code 6254.3	Disclosure of employee contact information to employee organization
Gov. Code 6503.5	Joint powers agencies

**Federal References**

8 CFR 33015-33490	Recognition of exclusive representative; proceedings
8 CFR 33700-33710	Severance of established unit
8 CFR 34020	Petition to rescind organizational security arrangement
8 CFR 34055	Reinstatement of organizational security arrangement

**Description**

**Management Resources References**

Court Decision	County of Los Angeles v. Service Employees International Union, Local 721, (2013) 56 Cal. 4th 905
Court Decision	Friedrichs v. California Teachers Association, et al., (2016) 136 S.Ct. 1083
Court Decision	Janus v. American Federation of State, County and Municipal Employees, Council 31, (2018) 138 S.Ct. 2448
Public Employment Relations Board Ruling	East Whittier School District, (2004) PERB Dec. No. 1727
Public Employment Relations Board Ruling	City of Sacramento, (2019) PERB Dec. No. 2702m
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==</a>
Website	California Federation of Teachers - <a href="https://simbli.eboardsolutions.com/SU/6TJlnbikoQhGwsWiH4ztXQ==">https://simbli.eboardsolutions.com/SU/6TJlnbikoQhGwsWiH4ztXQ==</a>
Website	California Public Employment Relations Board - <a href="https://simbli.eboardsolutions.com/SU/7Fndg3k626KwCb511Tslsh2ew==">https://simbli.eboardsolutions.com/SU/7Fndg3k626KwCb511Tslsh2ew==</a>
Website	California School Employees Association - <a href="https://simbli.eboardsolutions.com/SU/NOB1plusNOcLNRMHnggHE1slshjg==">https://simbli.eboardsolutions.com/SU/NOB1plusNOcLNRMHnggHE1slshjg==</a>
Website	California Teachers Association - <a href="https://simbli.eboardsolutions.com/SU/w58tUBBtGnaF0rMUIPwN0g==">https://simbli.eboardsolutions.com/SU/w58tUBBtGnaF0rMUIPwN0g==</a>
Website	Association of California School Administrators - <a href="https://simbli.eboardsolutions.com/SU/DMWjqGR6N1ooUHxYbDPXeA==">https://simbli.eboardsolutions.com/SU/DMWjqGR6N1ooUHxYbDPXeA==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3Qxkk2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3Qxkk2FPsDsQBnMIENxGg==</a>

**Description**

**Cross References**

0450	Comprehensive Safety Plan - <a href="https://simbli.eboardsolutions.com/SU/TXgWVSSlshi4vugtPoJbgXFbw==">https://simbli.eboardsolutions.com/SU/TXgWVSSlshi4vugtPoJbgXFbw==</a>
0450	Comprehensive Safety Plan - <a href="https://simbli.eboardsolutions.com/SU/plusN2oPKaEpJcmXFsbj1QXbg==">https://simbli.eboardsolutions.com/SU/plusN2oPKaEpJcmXFsbj1QXbg==</a>
0460	Local Control And Accountability Plan - <a href="https://simbli.eboardsolutions.com/SU/2qDbRoM9LlslshnrmiReAkDA==">https://simbli.eboardsolutions.com/SU/2qDbRoM9LlslshnrmiReAkDA==</a>
0460	Local Control And Accountability Plan - <a href="https://simbli.eboardsolutions.com/SU/RtR9yPmGKREIZZ7MiqzG8Q==">https://simbli.eboardsolutions.com/SU/RtR9yPmGKREIZZ7MiqzG8Q==</a>
1340	Access To District Records - <a href="https://simbli.eboardsolutions.com/SU/EMQsFkfUe7TGVP1yYkli8A==">https://simbli.eboardsolutions.com/SU/EMQsFkfUe7TGVP1yYkli8A==</a>
1340	Access To District Records - <a href="https://simbli.eboardsolutions.com/SU/2p3NC48Jw6zGb638CG0YrQ==">https://simbli.eboardsolutions.com/SU/2p3NC48Jw6zGb638CG0YrQ==</a>
1431	Waivers - <a href="https://simbli.eboardsolutions.com/SU/puNrua2zslshcHN682zuqVIXA==">https://simbli.eboardsolutions.com/SU/puNrua2zslshcHN682zuqVIXA==</a>

**Description**



4113 Assignment - <https://simbli.eboardsolutions.com/SU/izTslshRcSpluspC4oZrxyHMalzg==>

4113 Assignment - <https://simbli.eboardsolutions.com/SU/RZxA48nHkxPJhNaZKw0rsQ==>

4115 Evaluation/Supervision - <https://simbli.eboardsolutions.com/SU/h8Kuew5t4jsZ9QQAVx07yQ==>

4115 Evaluation/Supervision - <https://simbli.eboardsolutions.com/SU/zfGv57OszhGuGL4qhh2lWw==>

4119.1 Civil And Legal Rights - <https://simbli.eboardsolutions.com/SU/it4sPZtD8E3su0L4RfplusyoA==>

4119.25 Political Activities Of Employees - <https://simbli.eboardsolutions.com/SU/7YfU817Q7rSV7tefJUlpzg==>

4119.25 Political Activities Of Employees - <https://simbli.eboardsolutions.com/SU/npcBnYgYqSr2ynvITofRXA==>

4121 Temporary/Substitute Personnel - <https://simbli.eboardsolutions.com/SU/6Wb6uslshnNrBgogplusVeNop5fA==>

4121 Temporary/Substitute Personnel - <https://simbli.eboardsolutions.com/SU/MNYS2KwPwQ77rcWlbaM5fw==>

4141 Collective Bargaining Agreement - <https://simbli.eboardsolutions.com/SU/OSktzEcOz1HDEaTXpqAslshWg==>

4143 Negotiations/Consultation - <https://simbli.eboardsolutions.com/SU/Hslsh6Y1oMnPZ1Rv3C4Zha2BQ==>

4151 Employee Compensation - <https://simbli.eboardsolutions.com/SU/Uto0hgHpTCjuLt0hOJsSAQ==>

4154 Health And Welfare Benefits - <https://simbli.eboardsolutions.com/SU/JSVd1av6wzF4E1RDL6cc4Q==>

4154 Health And Welfare Benefits - <https://simbli.eboardsolutions.com/SU/YZOG4cSEslshqslshcplusrpFtvHVvw==>

4161.2 Personal Leaves - <https://simbli.eboardsolutions.com/SU/x8qsv0d9q20iX5YLYpRnIA==>

4219.1 Civil And Legal Rights - <https://simbli.eboardsolutions.com/SU/hgQClo8nLf9MDnihnm8EOw==>

4219.25 Political Activities Of Employees - <https://simbli.eboardsolutions.com/SU/rm2UCdcRlr2oCviqxySlshXEQ==>

4219.25 Political Activities Of Employees - <https://simbli.eboardsolutions.com/SU/UHFJBUBq8bq4nX6qPOJILQ==>

4241 Collective Bargaining Agreement - <https://simbli.eboardsolutions.com/SU/BLWFs5hvqqCtsFgTVW9K4w==>

4243 Negotiations/Consultation - <https://simbli.eboardsolutions.com/SU/AHnZFFH1r9OuklWV2WEk7A==>

4251 Employee Compensation - <https://simbli.eboardsolutions.com/SU/iMKKQcNiJDabQvfFyaFCsQ==>

4254 Health And Welfare Benefits - <https://simbli.eboardsolutions.com/SU/JNa4NLlg78gaglcF25kFHg==>

4254 Health And Welfare Benefits - <https://simbli.eboardsolutions.com/SU/TyoTfyYHbaplusi3mO6W9aJKg==>

4261.2 Personal Leaves - <https://simbli.eboardsolutions.com/SU/TX SXUHW81grMmPX8QgcUdQ==>

4300 Administrative And Supervisory Personnel - <https://simbli.eboardsolutions.com/SU/v78pNzumzBBkeAsq6YBkdw==>

4300	Administrative And Supervisory Personnel - <a href="https://simbli.eboardsolutions.com/SU/nLSi9DclnGRH0MrO5FeHA==">https://simbli.eboardsolutions.com/SU/nLSi9DclnGRH0MrO5FeHA==</a>
4301	Administrative Staff Organization - <a href="https://simbli.eboardsolutions.com/SU/vslsh6KQjMoM2NGBORumLabsw==">https://simbli.eboardsolutions.com/SU/vslsh6KQjMoM2NGBORumLabsw==</a>
4312.1	Contracts - <a href="https://simbli.eboardsolutions.com/SU/NJtJSsplusKJET5orjOGblrFQ==">https://simbli.eboardsolutions.com/SU/NJtJSsplusKJET5orjOGblrFQ==</a>
4315	Evaluation/Supervision - <a href="https://simbli.eboardsolutions.com/SU/bXD0r9ynZyjj7uATDFdvag==">https://simbli.eboardsolutions.com/SU/bXD0r9ynZyjj7uATDFdvag==</a>
4319.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/Ph76ZxBLcTch7Lq8odVSXQ==">https://simbli.eboardsolutions.com/SU/Ph76ZxBLcTch7Lq8odVSXQ==</a>
4319.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/d6TEg7fgb5ah7P9LWfJBcA==">https://simbli.eboardsolutions.com/SU/d6TEg7fgb5ah7P9LWfJBcA==</a>
4319.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/R36fwz2ugqR5gEgEXplus1YEQ==">https://simbli.eboardsolutions.com/SU/R36fwz2ugqR5gEgEXplus1YEQ==</a>
4351	Employee Compensation - <a href="https://simbli.eboardsolutions.com/SU/Ue7IMKSh4pluspYEEYkQI0grKA==">https://simbli.eboardsolutions.com/SU/Ue7IMKSh4pluspYEEYkQI0grKA==</a>
4354	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/KJifHmjEUQO5h74EhPCsrg==">https://simbli.eboardsolutions.com/SU/KJifHmjEUQO5h74EhPCsrg==</a>
4354	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/6eJE3mhSQsiEC5b1XGXpTg==">https://simbli.eboardsolutions.com/SU/6eJE3mhSQsiEC5b1XGXpTg==</a>
4361.2	Personal Leaves - <a href="https://simbli.eboardsolutions.com/SU/IrieiFIPFBNw6slshUobutbwQ==">https://simbli.eboardsolutions.com/SU/IrieiFIPFBNw6slshUobutbwQ==</a>
9000	Role Of The Board - <a href="https://simbli.eboardsolutions.com/SU/uGujvwlmOzUlxNt8Xy0D4Q==">https://simbli.eboardsolutions.com/SU/uGujvwlmOzUlxNt8Xy0D4Q==</a>
9321	Closed Session - <a href="https://simbli.eboardsolutions.com/SU/nfyDJzDXXH1SsPFRyZXT3w==">https://simbli.eboardsolutions.com/SU/nfyDJzDXXH1SsPFRyZXT3w==</a>

**Regulation 4161.5: Military Leave**

Status: DRAFT

Original Adopted Date: 11/07/2006

Military leave shall be granted in accordance with applicable state and federal law to employees performing military duties on a voluntary or involuntary basis in a uniformed service, including active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, examination to determine fitness for duty, and performance of funeral honors duty. (Education Code 44800; Military and Veterans Code 395, 395.01, 395.02, 395.05, 395.1, 395.2, 395.9; 38 USC 4301, 4303, 4316)

Any district employee who needs to be absent from the district service to fulfill military service shall provide advance written or verbal notice to the Superintendent or designee, unless the giving of such notice is precluded by military necessity or is otherwise impossible or unreasonable. (38 USC 4312; 20 CFR 1002.85, 1002.86)

**Salary/Compensation**

The district shall pay an employee's salary or compensation for the first 30 days of any one absence for military leave or during one fiscal year, under any of the following conditions:

1. **Active Military Training or Exercises:** The employee is granted a temporary military leave of absence to engage in ordered military duty for purposes of active military training, encampment, naval cruises, special exercises, or like activity as a member of the reserve corps or force of the United States Armed Forces, National Guard, or Naval Militia, provided that: (Military and Veterans Code 389, 395, 395.01)
  - a. The employee has been employed by the district for at least one year immediately prior to the day the military leave begins.
  - b. The ordered duty does not exceed 180 days, including time involved in going to and returning from such duty.
2. **Active Military Duty:** The employee is on military leave, other than a temporary military leave, to engage in active military duty as a member of the reserve corps or force of the United States Armed Forces, the National Guard, or the Naval Militia, provided that the employee has been employed by the district for at least one year immediately prior to the day the military leave begins. (Military and Veterans Code 389, 395.02)
3. **War or Other Emergency:** The employee, however long employed by the district, is a member of the National Guard who is engaged in military or naval duty during a state of extreme emergency as declared by the Governor, or during such time as the National Guard may be on active duty in situations described in Military and Veterans Code 146, including travel time to and from such duty. (Military and Veterans Code 395.05)
4. **Inactive Duty Training:** The employee is a member of the reserve corps or force of the United States Armed Forces, National Guard, or Naval Militia who is engaged in temporary inactive duty training, provided that the employee has been employed by the district for at least one year immediately prior to the day the military leave begins and the ordered duty does not exceed 180 days, including time involved in going to and returning from such duty.

In determining the length of district employment when necessary to determine eligibility for compensation for military leave, all recognized military service performed during and prior to district employment shall be included.

For classified employees, 30 days' compensation shall be one month's salary. For certificated employees, 30 days' compensation shall be one-tenth of the employee's annual salary. (Education Code 45059)

During the period of military leave, an employee may request to use any vacation or similar paid leave accrued before the commencement of the military leave in order to continue receiving compensation for the employee's employment with the district. The district shall not require the employee to use such leave. (38 USC 4316; 20 CFR 1002.153)

**Benefits**

An employee may elect to continue health plan coverage during the military leave. The maximum period of coverage for the employee and any dependents shall be either 24 months from the beginning of the leave or until the day after the employee fails to apply for or return to employment, whichever is less. (38 USC 4317; 20 CFR 1002.164)

An employee on military leave may be required to pay the employee cost, if any, of any funded benefit to the extent that other employees on leave are so required. (38 USC 4316)

An employee absent for 30 days or fewer shall not be required to pay more than the employee share for such coverage. An employee absent for 31 days or more may be required to pay not more than 102 percent of the full premium under the plan. (38 USC 4317; 20 CFR 1002.166)

Any employee called into active military duty as a member of the California National Guard or a United States Military Reserve organization shall receive, for up to 180 days, the difference between the amount of the employee's military pay and the amount the employee would have received from the district and all benefits that the employee would have received had the employee not been called to active military duty, unless the benefits are prohibited or limited by vendor contracts. (Education Code 44018)

### **Vacation and Sick Leave Accrual**

An employee on temporary military leave under the conditions described in Item #1 in the section entitled "Salary/Compensation" above, shall continue to accrue the same vacation, sick leave, and holiday privileges to which the employee would otherwise be entitled if not absent. (Military and Veterans Code 395)

An employee on military leave who is serving in active duty in time of war, national emergency, or United Nations military or police operation shall not accrue sick leave or vacation leave during the period of such leave. (Military and Veterans Code 395.1)

However, an employee who is a National Guard member on active duty as described in Item #3 in the section entitled "Salary/Compensation" above, shall not suffer any loss or diminution of vacation or holiday privileges because of the employee's leave of absence. (Military and Veterans Code 395.05)

### **Pension Plan Service Credit**

Pension plan service credit and vesting shall continue during an employee's military leave as though no break in service had occurred. Payment of employer and employee contributions shall be made in accordance with law for members of the State Teachers' Retirement System or Public Employees' Retirement System. (Education Code 22850-22856; Government Code 20990-21013)

### **Employment Status**

Absence for military leave shall not affect the classification of any employee. In the case of a probationary employee, the period of such absence shall not count as part of service required to obtain permanent status, but shall not be construed as a break in the continuity of service for any purpose. (Education Code 44800; Military and Veterans Code 395; 20 CFR 1002.149)

### **Reinstatement Rights**

At the conclusion of the military duty, an employee shall be promptly reinstated in the position held at the beginning of the leave, at the salary to which the employee would otherwise have been entitled, except under the conditions noted below in this section. (Education Code 44800; Military and Veterans Code 395, 395.2; 38 USC 4304, 4313; 20 CFR 1002.180-1002.181)

Any employee who performs active military duty in time of war, national emergency, or United Nations military or police operation has a right to return to the position held prior to the military service, during terminal leave prior to the employee's discharge, separation, or release from the armed forces, or within six months of the employee's release, separation, honorable discharge, or placement on inactive duty. Reinstatement rights shall not be extended

to any such employee who fails to return within 12 months after the first date upon which the employee could terminate or could cause to have terminated active service. (Education Code 44800; Military and Veterans Code 395.1)

When an employee has been on military leave for reasons other than war or national emergency, the time frame for seeking reinstatement shall depend on the length of military service as follows: (38 USC 4312; 20 CFR 1002.115, 1002.118)

1. For a leave of 30 days or fewer, the employee shall report for duty no later than the beginning of the first full work day following the completion of the military service plus a period of eight hours of rest following a period for safe transportation to the employee's residence.
2. For a leave of 31-180 days, the employee shall submit a written or verbal application for reinstatement not later than 14 days after the completion of military service.
3. For a leave of more than 180 days, the employee shall submit a written or verbal application for reinstatement within 90 days after the completion of military service.

Where an employee's reporting or application for reinstatement within the periods specified in Items #1 and #2 above is impossible or unreasonable through no fault of the employee, the report or application shall be made as soon as possible after the expiration of the period. In the case of Items #2 and #3 where an application is required, the employee's application may be made orally or in writing and need not follow any particular format. (38 USC 4312; 20 CFR 1002.115, 1002.117, 1002.118)

An employee who is hospitalized for, or convalescing from, an illness or injury incurred in or aggravated during the performance of military service shall report for duty or submit an application for reinstatement at the end of the period that is necessary to recover from such illness or injury, but no more than two years after the completion of military service unless circumstances beyond the employee's control make reporting within the two-year period impossible or unreasonable. (38 USC 4312; 20 CFR 1002.116)

Upon receiving an application for reinstatement, the Superintendent or designee shall reinstate the employee as soon as practicable under the circumstances of the case, but within a time period not to exceed two weeks, absent unusual circumstances. (20 CFR 1002.181)

If the employee's previous position has been abolished, the district shall reinstate the employee in a position of like seniority, status, and pay, if such position exists, or to a comparable vacant position for which the employee is qualified. (Military and Veterans Code 395, 395.1; 38 USC 4313; 20 CFR 1002.192)

An employee who fails to report or apply for reinstatement within the appropriate period does not automatically forfeit the entitlement to reinstatement but shall be subject to the district's rules and/or practices governing unexcused absences. (38 USC 4312)

The Superintendent or designee may elect not to reinstate an employee following military leave if any of the following conditions exists:

1. The district's circumstances have so changed as to make such re-employment impossible or unreasonable, such as a reduction in force that would have included the employee. (38 USC 4312; 20 CFR 1002.139)
2. The accommodation, training, or effort described in 38 USC 4313(a)(3), (a)(4), or (b)(2)(B) would impose an undue hardship on the district as defined in 20 CFR 1002.5 or 1002.198. (38 USC 4312; 20 CFR 1002.139)
3. The employee's position was for a brief, nonrecurrent period and there was no reasonable expectation that such employment will continue indefinitely or for a significant period. (38 USC 4312; 20 CFR 1002.139)
4. The employee's cumulative length of absence and length of all previous military leave while employed with the district exceeds five years, excluding those training and service obligations specified in 38 USC 4312(c). (38 USC 4312; 20 CFR 1002.99-1002.103)
5. The employee was separated from military service with a disqualifying discharge or under other than honorable conditions. (Military and Veterans Code 395.1; 20 USC 4304, 4312; 20 CFR 1002.134-1002.138)

## Notices

The Superintendent or designee shall provide employees a notice of the rights, benefits, and obligations of employees granted military leave and of the district under the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 USC 4301-4334. (38 USC 4334)

This requirement may be met by posting the notice where the district customarily places notices for employees. (38 USC 4334)

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

#### State References

	Description
Ed. Code 22850-22856	Pension benefits; STRS members on military leave
Ed. Code 44018	Compensation for employees on active military duty
Ed. Code 44800	Effect of active military service on status of employees
Ed. Code 45059	Employee ordered to active military/naval duty; computation of salary
Gov. Code 18540	Definition of armed forces
Gov. Code 18540.3	Recognized military service
Gov. Code 20990-21013	Pension benefits; PERS members on military leave
M&V Code 146	Events justifying calling of militia into active service
M&V Code 389	Definitions; temporary military leave
M&V Code 394	Nondiscrimination based on military service
M&V Code 395-395.9	Military leave

#### Federal References

	Description
20 CFR 1002.1-1002.314	Uniformed Services Employment and Reemployment Rights Act of 1994
38 USC 4301-4334	Uniformed Services Employment and Reemployment Rights Act of 1994

#### Management Resources References

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Attorney General Opinion	69 Ops.Cal.Atty.Gen. 290 (1986)
Attorney General Opinion	77 Ops.Cal.Atty.Gen. 56 (1994)
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Court Decision	Wright v. City of Santa Clara (1989) 213 Cal. App.3d 1503
U.S. Department of Labor Publication	A Non-Technical Resource Guide to the Uniformed Services Employment and Reemployment Rights Act (USERRA), rev. April 2005
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslishXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslishXk6R5akQ==</a>
Website	National Committee for Employer Support of the Guard and Reserve - <a href="https://simbli.eboardsolutions.com/SU/YYN378LPYzj3jvdJKbslishUUQ==">https://simbli.eboardsolutions.com/SU/YYN378LPYzj3jvdJKbslishUUQ==</a>
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4116	Probationary/Permanent Status - <a href="https://simbli.eboardsolutions.com/SU/2aRroSyNO5HJwsBPyW4DBA==">https://simbli.eboardsolutions.com/SU/2aRroSyNO5HJwsBPyW4DBA==</a>
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**Policy 4216: Probationary/Permanent Status**

**Status:** DRAFT

**Original Adopted Date:** 06/07/2005 | **Last Revised Date:** 12/19/2019

The Governing Board desires to employ and retain highly qualified classified personnel to support the district's educational program and operations. Newly hired classified employees shall serve a probationary period during which the Board shall determine their suitability for long-term district employment.

A probationary employee who has been employed by the district for six months or 130 days of paid service, whichever is longer, shall be classified as a permanent employee of the district. (Education Code 45113, 45301)

However, in order to receive permanent classified service status, a full-time district police officer or public safety dispatcher who operates a dispatch center certified by the Commission on Peace Officer Standards and Training shall serve in a probationary status for not less than one year from the date of appointment. (Education Code 45113, 45301)

Probationary employees shall receive written performance evaluations by their supervisor during the probationary period. These evaluations shall indicate whether the evaluator is satisfied or not satisfied with the employee's ability, performance, and compatibility with the job.

The district may, without cause, dismiss a new employee during the probationary period.

Permanent employees promoted to a higher classification shall be considered probationary in their new position until they have satisfactorily completed the probationary period.

A permanent employee who accepts a promotion and fails to complete the probationary period for that promotional position shall be employed in the classification from which the employee was promoted. (Education Code 45113, 45301)

This policy shall be made available to classified employees and the public. (Education Code 45113)

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

**State References**

**Description**

Ed. Code 45113

Notification of charges; classified employees

Ed. Code 45240-45320

Merit system

**Management Resources References**

**Description**

Website

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>

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**Cross References**

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3515.3

District Police/Security Department -  
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4215 Evaluation/Supervision -  
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4218 Dismissal/Suspension/Disciplinary Action -  
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4261.1 Personal Illness/Injury Leave -  
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4261.11 Industrial Accident/Illness Leave -  
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4312.9-E PDF(1) Employee Notifications -  
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<https://simbli.eboardsolutions.com/SU/KILUwEx1nFNVq13mhxwyiQ==>

**Policy 4218: Dismissal/Suspension/Disciplinary Action**

**Status:** DRAFT

**Original Adopted Date:** 12/17/2019

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

Disciplinary actions shall be based on the particular facts and circumstances involved and the severity of the employee's conduct or performance. An employee's private exercise of personal beliefs and activities, including religious, political, cultural, social, or other beliefs or activities, or lack thereof, shall not be grounds for disciplinary action against the employee, provided that the beliefs or activities do not involve coercion of students or any other violation of law, Board policy, or administrative regulation.

In addition, an employee shall not be suspended, disciplined, reassigned, transferred, dismissed, or otherwise retaliated against solely for acting to protect a student engaged in exercising any free speech or press right authorized by, or for refusing to infringe upon a student's conduct protected pursuant to, Education Code 48907 or 48950.

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

The Superintendent or designee shall ensure that disciplinary actions are taken in a consistent, nondiscriminatory manner and are appropriately documented.

A probationary classified employee may be dismissed without cause at any time prior to the expiration of the probationary period.

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

**Procedures for Serious Disciplinary Proceedings**

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

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

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

If a timely request is submitted, a hearing shall be conducted by the Board. (Education Code 45113, 45312)

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

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

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

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

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

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

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

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

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

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

#### **State References**

#### **Description**

CA Constitution Article 1, Section 1	Inalienable rights
Ed. Code 35161	Board delegation of any powers or duties
Ed. Code 44009	Conviction of specified crimes
Ed. Code 44010	Sex offense; definitions
Ed. Code 44011	Controlled substance offense
Ed. Code 44940	Compulsory leave of absence for certificated persons
Ed. Code 44940.5	Procedures when employees are placed on compulsory leave of absence
Ed. Code 45101	Definitions; disciplinary action and cause
Ed. Code 45109	Fixing of duties
Ed. Code 45113	Notification of charges; classified employees
Ed. Code 45123	Employment after conviction of controlled substance offense
Ed. Code 45302	Demotion and removal from permanent classified service
Ed. Code 45303	Additional cause for suspension or dismissal of employee charge with mandatory or optional leave of absence offense
Ed. Code 45304	Compulsory leave of absence for classified persons

Veh. Code 1808.8

School bus drivers; dismissal for safety-related cause

### Federal References

42 USC 12101-12213

U.S. Constitution

### Description

Americans with Disabilities Act

Amendment 1, Free exercise, free speech, and establishment clauses

### Management Resources References

Court Decision

Kennedy v. Bremerton (2022) 142 S.Ct. 2407

Court Decision

California School Employees v. Livingston Union School District (2007) 149 Cal. App. 4th 391

Court Decision

CSEA v. Foothill Community College District (1975) 52 Cal. App. 3rd 150

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Skelly v. California Personnel Board (1975) 15 Cal.3d 194

Website

Office of the Attorney General -

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Office of Administrative Hearings -

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Department of General Services, About Teacher Dismissal Case Type -

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CSBA District and County Office of Education Legal Services -

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1312.1

Complaints Concerning District Employees -

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1312.3

Uniform Complaint Procedures -

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1312.3

Uniform Complaint Procedures -

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1312.3-E PDF(1)

Uniform Complaint Procedures -

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3230

Federal Grant Funds -

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3515.2	Disruptions - <a href="https://simbli.eboardsolutions.com/SU/VSYV3FiB0muslsh62ECT0iqhQ==">https://simbli.eboardsolutions.com/SU/VSYV3FiB0muslsh62ECT0iqhQ==</a>
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3542	School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/Hy3nBqsr0L22c2n7vcqKZQ==">https://simbli.eboardsolutions.com/SU/Hy3nBqsr0L22c2n7vcqKZQ==</a>
4000	Concepts And Roles - <a href="https://simbli.eboardsolutions.com/SU/uPvO8g1rvKzd2lrnVERucA==">https://simbli.eboardsolutions.com/SU/uPvO8g1rvKzd2lrnVERucA==</a>
4020	Drug And Alcohol-Free Workplace - <a href="https://simbli.eboardsolutions.com/SU/ioXusplusU58KwZEqfXsCjGXw==">https://simbli.eboardsolutions.com/SU/ioXusplusU58KwZEqfXsCjGXw==</a>
4030	Nondiscrimination In Employment - <a href="https://simbli.eboardsolutions.com/SU/7lvD5EZ4anxg3plusLeC9Ky9g==">https://simbli.eboardsolutions.com/SU/7lvD5EZ4anxg3plusLeC9Ky9g==</a>
4030	Nondiscrimination In Employment - <a href="https://simbli.eboardsolutions.com/SU/Y02LyuUorYxL3fKdBuDVUg==">https://simbli.eboardsolutions.com/SU/Y02LyuUorYxL3fKdBuDVUg==</a>
4040	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/dvUVkzslshsDr5sEn9ifk2g==">https://simbli.eboardsolutions.com/SU/dvUVkzslshsDr5sEn9ifk2g==</a>
4040	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/3Tpxg7UoLMV3pluseRxnHspgg==">https://simbli.eboardsolutions.com/SU/3Tpxg7UoLMV3pluseRxnHspgg==</a>
4112.42	Drug And Alcohol Testing For School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/kweoG03CUJldhyI9bwwfslshQ==">https://simbli.eboardsolutions.com/SU/kweoG03CUJldhyI9bwwfslshQ==</a>
4112.42	Drug And Alcohol Testing For School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/RUpLdYxkv0FonLsgxh8GvQ==">https://simbli.eboardsolutions.com/SU/RUpLdYxkv0FonLsgxh8GvQ==</a>
4112.5	Criminal Record Check - <a href="https://simbli.eboardsolutions.com/SU/rVblBQslshlKGrsbXzo0GocKw==">https://simbli.eboardsolutions.com/SU/rVblBQslshlKGrsbXzo0GocKw==</a>
4112.6	Personnel Files - <a href="https://simbli.eboardsolutions.com/SU/19oz1VfjHwVTw5DslshK84Y2w==">https://simbli.eboardsolutions.com/SU/19oz1VfjHwVTw5DslshK84Y2w==</a>
4113.5	Working Remotely - <a href="https://simbli.eboardsolutions.com/SU/1slshBslsh0VfuS0aoZg8UP8SKCw==">https://simbli.eboardsolutions.com/SU/1slshBslsh0VfuS0aoZg8UP8SKCw==</a>
4119.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/it4sPZtD8E3su0L4Rfplusy0A==">https://simbli.eboardsolutions.com/SU/it4sPZtD8E3su0L4Rfplusy0A==</a>
4119.12	Title IX Sexual Harassment Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/SKbx597EzOKc1YJxHabgKg==">https://simbli.eboardsolutions.com/SU/SKbx597EzOKc1YJxHabgKg==</a>
4119.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/i2GqRrv3ky3d0Z2uvGEQ9w==">https://simbli.eboardsolutions.com/SU/i2GqRrv3ky3d0Z2uvGEQ9w==</a>
4119.21-E PDF(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/WxGmpplus9gp7YqLoub3tuhKQ==">https://simbli.eboardsolutions.com/SU/WxGmpplus9gp7YqLoub3tuhKQ==</a>
4119.22	Dress And Grooming - <a href="https://simbli.eboardsolutions.com/SU/mf41plusZS1HbYjYktW5JFYZQ==">https://simbli.eboardsolutions.com/SU/mf41plusZS1HbYjYktW5JFYZQ==</a>
4119.23	Unauthorized Release Of Confidential/Privileged Information - <a href="https://simbli.eboardsolutions.com/SU/oClryXiNWyF1HyL5kDUdfQ==">https://simbli.eboardsolutions.com/SU/oClryXiNWyF1HyL5kDUdfQ==</a>
4119.24	Maintaining Appropriate Adult-Student Interactions - <a href="https://simbli.eboardsolutions.com/SU/F1kRUTtbE5HuOQm6n6QvCw==">https://simbli.eboardsolutions.com/SU/F1kRUTtbE5HuOQm6n6QvCw==</a>
4119.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/7YfU817Q7rSV7tefJULpzg==">https://simbli.eboardsolutions.com/SU/7YfU817Q7rSV7tefJULpzg==</a>
4119.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/npcBnYgYqSr2ynvIT0fRXA==">https://simbli.eboardsolutions.com/SU/npcBnYgYqSr2ynvIT0fRXA==</a>
4127	Temporary Athletic Team Coaches - <a href="https://simbli.eboardsolutions.com/SU/LWoe6K3uNplustplus8xCOTtouHQ==">https://simbli.eboardsolutions.com/SU/LWoe6K3uNplustplus8xCOTtouHQ==</a>

4127	Temporary Athletic Team Coaches - <a href="https://simbli.eboardsolutions.com/SU/kDxyksDKGPj7WxhLuuftCg==">https://simbli.eboardsolutions.com/SU/kDxyksDKGPj7WxhLuuftCg==</a>
4136	Nonschool Employment - <a href="https://simbli.eboardsolutions.com/SU/tlxJ0JwWj6cJnJBu3HatOQ==">https://simbli.eboardsolutions.com/SU/tlxJ0JwWj6cJnJBu3HatOQ==</a>
4141.6	Concerted Action/Work Stoppage - <a href="https://simbli.eboardsolutions.com/SU/Mto3AplzfQbBIW6vCE8mQw==">https://simbli.eboardsolutions.com/SU/Mto3AplzfQbBIW6vCE8mQw==</a>
4141.6	Concerted Action/Work Stoppage - <a href="https://simbli.eboardsolutions.com/SU/j51o75Q3OZic8XHeRDqEKQ==">https://simbli.eboardsolutions.com/SU/j51o75Q3OZic8XHeRDqEKQ==</a>
4154	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/JSVd1av6wzF4E1RDL6cc4Q==">https://simbli.eboardsolutions.com/SU/JSVd1av6wzF4E1RDL6cc4Q==</a>
4154	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/YZOG4cSEslshqslshcplusrpFtvHVww==">https://simbli.eboardsolutions.com/SU/YZOG4cSEslshqslshcplusrpFtvHVww==</a>
4157	Employee Safety - <a href="https://simbli.eboardsolutions.com/SU/x7PQWQJ6DZZQxsdVG7FRzg==">https://simbli.eboardsolutions.com/SU/x7PQWQJ6DZZQxsdVG7FRzg==</a>
4157	Employee Safety - <a href="https://simbli.eboardsolutions.com/SU/wlQ51hub9gXqqwza0DplusiqA==">https://simbli.eboardsolutions.com/SU/wlQ51hub9gXqqwza0DplusiqA==</a>
4158	Employee Security - <a href="https://simbli.eboardsolutions.com/SU/ibA6TVHZa5EiC7qTlwKadA==">https://simbli.eboardsolutions.com/SU/ibA6TVHZa5EiC7qTlwKadA==</a>
4158	Employee Security - <a href="https://simbli.eboardsolutions.com/SU/NB1fllqFH1PoNP2aCA469Q==">https://simbli.eboardsolutions.com/SU/NB1fllqFH1PoNP2aCA469Q==</a>
4159	Employee Assistance Programs - <a href="https://simbli.eboardsolutions.com/SU/Lq5plusVGHo2rPrx8uncplusUsiA==">https://simbli.eboardsolutions.com/SU/Lq5plusVGHo2rPrx8uncplusUsiA==</a>
4161	Leaves - <a href="https://simbli.eboardsolutions.com/SU/IEZT6QfIEZhNd03QwNpVpA==">https://simbli.eboardsolutions.com/SU/IEZT6QfIEZhNd03QwNpVpA==</a>
4161	Leaves - <a href="https://simbli.eboardsolutions.com/SU/sdsPNXWEnSplusqslshTupSeMUw==">https://simbli.eboardsolutions.com/SU/sdsPNXWEnSplusqslshTupSeMUw==</a>
4161.11	Industrial Accident/Illness Leave - <a href="https://simbli.eboardsolutions.com/SU/95fEplumCwcrckyJffnhQo1g==">https://simbli.eboardsolutions.com/SU/95fEplumCwcrckyJffnhQo1g==</a>
4200	Classified Personnel - <a href="https://simbli.eboardsolutions.com/SU/hFu5YUjqlgr7ioXcNC7BDw==">https://simbli.eboardsolutions.com/SU/hFu5YUjqlgr7ioXcNC7BDw==</a>
4200	Classified Personnel - <a href="https://simbli.eboardsolutions.com/SU/H9mzOAplusyENfplusEhk6bcLRjA==">https://simbli.eboardsolutions.com/SU/H9mzOAplusyENfplusEhk6bcLRjA==</a>
4212	Appointment And Conditions Of Employment - <a href="https://simbli.eboardsolutions.com/SU/masishKGIjhNQsDI3EQ51gUNw==">https://simbli.eboardsolutions.com/SU/masishKGIjhNQsDI3EQ51gUNw==</a>
4212.42	Drug And Alcohol Testing For School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/tM0lczC4k9RQ9fLGF2StAg==">https://simbli.eboardsolutions.com/SU/tM0lczC4k9RQ9fLGF2StAg==</a>
4212.5	Criminal Record Check - <a href="https://simbli.eboardsolutions.com/SU/ISm14OvSSn9PEumRzj2nsg==">https://simbli.eboardsolutions.com/SU/ISm14OvSSn9PEumRzj2nsg==</a>
4212.6	Personnel Files - <a href="https://simbli.eboardsolutions.com/SU/vtmQGpBhBhTrc47jNfS0UnQ==">https://simbli.eboardsolutions.com/SU/vtmQGpBhBhTrc47jNfS0UnQ==</a>
4213.5	Working Remotely - <a href="https://simbli.eboardsolutions.com/SU/2WJ4UDligTplusmYUItLYtHPA==">https://simbli.eboardsolutions.com/SU/2WJ4UDligTplusmYUItLYtHPA==</a>
4216	Probationary/Permanent Status - <a href="https://simbli.eboardsolutions.com/SU/r8e2IfDslshY6XShfzYK67pbw==">https://simbli.eboardsolutions.com/SU/r8e2IfDslshY6XShfzYK67pbw==</a>
4219.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/hgQClo8nLf9MDnihnm8EOw==">https://simbli.eboardsolutions.com/SU/hgQClo8nLf9MDnihnm8EOw==</a>
4219.12	Title IX Sexual Harassment Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/ouHjDzDeznONfYpxE3WWYw==">https://simbli.eboardsolutions.com/SU/ouHjDzDeznONfYpxE3WWYw==</a>
4219.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/ag05gt1MRC5fFplusQ8Ddfixg==">https://simbli.eboardsolutions.com/SU/ag05gt1MRC5fFplusQ8Ddfixg==</a>
4219.21-E PDF(1)	Professional Standards - Code Of Ethics - <a href="https://simbli.eboardsolutions.com/SU/YLqRCiplusdkzr68iplusc4slshkr8Q==">https://simbli.eboardsolutions.com/SU/YLqRCiplusdkzr68iplusc4slshkr8Q==</a>

4219.22	Dress And Grooming - <a href="https://simbli.eboardsolutions.com/SU/NGQehe3yN5o7tyJQIXub5g==">https://simbli.eboardsolutions.com/SU/NGQehe3yN5o7tyJQIXub5g==</a>
4219.23	Unauthorized Release Of Confidential/Privileged Information - <a href="https://simbli.eboardsolutions.com/SU/v3GZviSdd9pBHkcaXkpoiA==">https://simbli.eboardsolutions.com/SU/v3GZviSdd9pBHkcaXkpoiA==</a>
4219.24	Maintaining Appropriate Adult-Student Interactions - <a href="https://simbli.eboardsolutions.com/SU/2lkslshYVCtPXUZqdU9OsishoNplusg==">https://simbli.eboardsolutions.com/SU/2lkslshYVCtPXUZqdU9OsishoNplusg==</a>
4219.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/rm2UCdcRlr2oCviqyxslshXEQ==">https://simbli.eboardsolutions.com/SU/rm2UCdcRlr2oCviqyxslshXEQ==</a>
4219.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/UHFJBUbQ8bq4nX6qPOJILQ==">https://simbli.eboardsolutions.com/SU/UHFJBUbQ8bq4nX6qPOJILQ==</a>
4227	Temporary Athletic Team Coaches - <a href="https://simbli.eboardsolutions.com/SU/O301T9rx8MT090pbFggxcQ==">https://simbli.eboardsolutions.com/SU/O301T9rx8MT090pbFggxcQ==</a>
4227	Temporary Athletic Team Coaches - <a href="https://simbli.eboardsolutions.com/SU/o9zxs0ILTDKplusesJRFsesSg==">https://simbli.eboardsolutions.com/SU/o9zxs0ILTDKplusesJRFsesSg==</a>
4236	Nonschool Employment - <a href="https://simbli.eboardsolutions.com/SU/DBtwOxFeGHwe4eslsh2O1HSTg==">https://simbli.eboardsolutions.com/SU/DBtwOxFeGHwe4eslsh2O1HSTg==</a>
4241.6	Concerted Action/Work Stoppage - <a href="https://simbli.eboardsolutions.com/SU/f82sW6RsGmbyAUjOIW3SmA==">https://simbli.eboardsolutions.com/SU/f82sW6RsGmbyAUjOIW3SmA==</a>
4241.6	Concerted Action/Work Stoppage - <a href="https://simbli.eboardsolutions.com/SU/mkN9OfqeoxlwXrZGQAsvrg==">https://simbli.eboardsolutions.com/SU/mkN9OfqeoxlwXrZGQAsvrg==</a>
4254	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/JNa4NLlg78gaglcF25kFHg==">https://simbli.eboardsolutions.com/SU/JNa4NLlg78gaglcF25kFHg==</a>
4254	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/TyoTfYyHbaplusi3mO6W9aJKg==">https://simbli.eboardsolutions.com/SU/TyoTfYyHbaplusi3mO6W9aJKg==</a>
4257	Employee Safety - <a href="https://simbli.eboardsolutions.com/SU/RphAJ8GbrkGM3ni18yFQhA==">https://simbli.eboardsolutions.com/SU/RphAJ8GbrkGM3ni18yFQhA==</a>
4257	Employee Safety - <a href="https://simbli.eboardsolutions.com/SU/VEQtizXfBwhi1tmYsZpluslqA==">https://simbli.eboardsolutions.com/SU/VEQtizXfBwhi1tmYsZpluslqA==</a>
4258	Employee Security - <a href="https://simbli.eboardsolutions.com/SU/RSS7WmhjVB0GSwOOy8IS9w==">https://simbli.eboardsolutions.com/SU/RSS7WmhjVB0GSwOOy8IS9w==</a>
4258	Employee Security - <a href="https://simbli.eboardsolutions.com/SU/0VAIFYsasishTEOzVEGVLPTslshg==">https://simbli.eboardsolutions.com/SU/0VAIFYsasishTEOzVEGVLPTslshg==</a>
4259	Employee Assistance Programs - <a href="https://simbli.eboardsolutions.com/SU/DkoFMa05D1UpILVzIbNeEQ==">https://simbli.eboardsolutions.com/SU/DkoFMa05D1UpILVzIbNeEQ==</a>
4261	Leaves - <a href="https://simbli.eboardsolutions.com/SU/plus4sbplusxplus6zlcNXNplusurpr5OQ==">https://simbli.eboardsolutions.com/SU/plus4sbplusxplus6zlcNXNplusurpr5OQ==</a>
4261	Leaves - <a href="https://simbli.eboardsolutions.com/SU/FpFesaU7LovZTQLUSmlplusCQ==">https://simbli.eboardsolutions.com/SU/FpFesaU7LovZTQLUSmlplusCQ==</a>
4261.11	Industrial Accident/Illness Leave - <a href="https://simbli.eboardsolutions.com/SU/aplusrplusy5g3Fi2GzNsUWnOZkA==">https://simbli.eboardsolutions.com/SU/aplusrplusy5g3Fi2GzNsUWnOZkA==</a>
4312.42	Drug And Alcohol Testing For School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/VNkVS6V1txMa9yBP9rCyEA==">https://simbli.eboardsolutions.com/SU/VNkVS6V1txMa9yBP9rCyEA==</a>
4312.5	Criminal Record Check - <a href="https://simbli.eboardsolutions.com/SU/t7xZplusj3MbslshDu2xESkvl2slshw==">https://simbli.eboardsolutions.com/SU/t7xZplusj3MbslshDu2xESkvl2slshw==</a>
4312.6	Personnel Files - <a href="https://simbli.eboardsolutions.com/SU/8QQ3FYSCkMslshBuSdU6IUhvQ==">https://simbli.eboardsolutions.com/SU/8QQ3FYSCkMslshBuSdU6IUhvQ==</a>
4313.5	Working Remotely - <a href="https://simbli.eboardsolutions.com/SU/PslshOBFQ5dplusPWRkLyMyd2AYA==">https://simbli.eboardsolutions.com/SU/PslshOBFQ5dplusPWRkLyMyd2AYA==</a>
4319.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/Ph76ZxBLcTch7Lq8odVSXQ==">https://simbli.eboardsolutions.com/SU/Ph76ZxBLcTch7Lq8odVSXQ==</a>



4319.12	Title IX Sexual Harassment Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/GazLHqntfRsSiKGVsf44g==">https://simbli.eboardsolutions.com/SU/GazLHqntfRsSiKGVsf44g==</a>
4319.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/S5DtgPHplusUThOOvMmPkNzCQ==">https://simbli.eboardsolutions.com/SU/S5DtgPHplusUThOOvMmPkNzCQ==</a>
4319.21-E PDF(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/T4vVEKmyFj91NplusSPdsplushQ==">https://simbli.eboardsolutions.com/SU/T4vVEKmyFj91NplusSPdsplushQ==</a>
4319.22	Dress And Grooming - <a href="https://simbli.eboardsolutions.com/SU/IPsVB5M7qMuZBFPtebSEiA==">https://simbli.eboardsolutions.com/SU/IPsVB5M7qMuZBFPtebSEiA==</a>
4319.23	Unauthorized Release Of Confidential/Privileged Information - <a href="https://simbli.eboardsolutions.com/SU/73pNAYZtZIOK6RwZW5ARew==">https://simbli.eboardsolutions.com/SU/73pNAYZtZIOK6RwZW5ARew==</a>
4319.24	Maintaining Appropriate Adult-Student Interactions - <a href="https://simbli.eboardsolutions.com/SU/ImYJ54G8KxVu11qqzprjYw==">https://simbli.eboardsolutions.com/SU/ImYJ54G8KxVu11qqzprjYw==</a>
4319.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/d6TEg7fgb5ah7P9LWfJBcA==">https://simbli.eboardsolutions.com/SU/d6TEg7fgb5ah7P9LWfJBcA==</a>
4319.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/R36fwz2ugqRSgEgEXplus1YEQ==">https://simbli.eboardsolutions.com/SU/R36fwz2ugqRSgEgEXplus1YEQ==</a>
4327	Temporary Athletic Team Coaches - <a href="https://simbli.eboardsolutions.com/SU/3Z1slshTPXCSDTWEODACC42A==">https://simbli.eboardsolutions.com/SU/3Z1slshTPXCSDTWEODACC42A==</a>
4327	Temporary Athletic Team Coaches - <a href="https://simbli.eboardsolutions.com/SU/nE9kGHyjHgDjBnilOZyslshCg==">https://simbli.eboardsolutions.com/SU/nE9kGHyjHgDjBnilOZyslshCg==</a>
4336	Nonschool Employment - <a href="https://simbli.eboardsolutions.com/SU/KOU7dA2kBpcttoK3Bmfh3Q==">https://simbli.eboardsolutions.com/SU/KOU7dA2kBpcttoK3Bmfh3Q==</a>
4354	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/KJifHmjEUQQ5h74EhPCsrg==">https://simbli.eboardsolutions.com/SU/KJifHmjEUQQ5h74EhPCsrg==</a>
4354	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/6eJE3mhSQsiEC5b1XGXpTg==">https://simbli.eboardsolutions.com/SU/6eJE3mhSQsiEC5b1XGXpTg==</a>
4357	Employee Safety - <a href="https://simbli.eboardsolutions.com/SU/PkSDmUplusuqplusLcu2QjVBkp7g==">https://simbli.eboardsolutions.com/SU/PkSDmUplusuqplusLcu2QjVBkp7g==</a>
4357	Employee Safety - <a href="https://simbli.eboardsolutions.com/SU/pbYBOloslshVeJly3s7bvVLNA==">https://simbli.eboardsolutions.com/SU/pbYBOloslshVeJly3s7bvVLNA==</a>
4358	Employee Security - <a href="https://simbli.eboardsolutions.com/SU/3zFO35IFETIG9uzAQ4Gu1A==">https://simbli.eboardsolutions.com/SU/3zFO35IFETIG9uzAQ4Gu1A==</a>
4358	Employee Security - <a href="https://simbli.eboardsolutions.com/SU/iEQlbn4kkXxC6IHdUY7g1w==">https://simbli.eboardsolutions.com/SU/iEQlbn4kkXxC6IHdUY7g1w==</a>
4359	Employee Assistance Programs - <a href="https://simbli.eboardsolutions.com/SU/hl2s4hcXyydPdFWSiy7pWQ==">https://simbli.eboardsolutions.com/SU/hl2s4hcXyydPdFWSiy7pWQ==</a>
4361	Leaves - <a href="https://simbli.eboardsolutions.com/SU/sdjPcFeE6ACmW8WIXLoAxQ==">https://simbli.eboardsolutions.com/SU/sdjPcFeE6ACmW8WIXLoAxQ==</a>
4361	Leaves - <a href="https://simbli.eboardsolutions.com/SU/Gdd56WnIQY7L7ZakgjjQrA==">https://simbli.eboardsolutions.com/SU/Gdd56WnIQY7L7ZakgjjQrA==</a>
4361.11	Industrial Accident/Illness Leave - <a href="https://simbli.eboardsolutions.com/SU/KILUwEx1nFNVql3mhxwyiQ==">https://simbli.eboardsolutions.com/SU/KILUwEx1nFNVql3mhxwyiQ==</a>
5145.3	Nondiscrimination/Harassment - <a href="https://simbli.eboardsolutions.com/SU/28eonrQzmTgJ18Og48hxEQ==">https://simbli.eboardsolutions.com/SU/28eonrQzmTgJ18Og48hxEQ==</a>
5145.3	Nondiscrimination/Harassment - <a href="https://simbli.eboardsolutions.com/SU/M3ZyGWygTsJ0yM1OsslshZtkQ==">https://simbli.eboardsolutions.com/SU/M3ZyGWygTsJ0yM1OsslshZtkQ==</a>
5145.7	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/LbMKGUJxxxplusXa2ITdt1vQA==">https://simbli.eboardsolutions.com/SU/LbMKGUJxxxplusXa2ITdt1vQA==</a>
5145.7	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/iV6qGngn8slshKlyMqonNCnWQ==">https://simbli.eboardsolutions.com/SU/iV6qGngn8slshKlyMqonNCnWQ==</a>
5145.71	Title IX Sexual Harassment Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/uHiAwBFVslshAWL6islshi4knlrg==">https://simbli.eboardsolutions.com/SU/uHiAwBFVslshAWL6islshi4knlrg==</a>

5145.71-E PDF(1)	Title IX Sexual Harassment Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/SI0slshdsKp0f4wND0mQ96PCw==">https://simbli.eboardsolutions.com/SU/SI0slshdsKp0f4wND0mQ96PCw==</a>
5145.9	Hate-Motivated Behavior - <a href="https://simbli.eboardsolutions.com/SU/UCV7P7dmfdXrrazzslshYw9Ug==">https://simbli.eboardsolutions.com/SU/UCV7P7dmfdXrrazzslshYw9Ug==</a>
6145.2	Athletic Competition - <a href="https://simbli.eboardsolutions.com/SU/4NnW9VPNI02szD4ibZ421A==">https://simbli.eboardsolutions.com/SU/4NnW9VPNI02szD4ibZ421A==</a>
6145.2	Athletic Competition - <a href="https://simbli.eboardsolutions.com/SU/NPuhtbyrBQzIUHN5sbT3fA==">https://simbli.eboardsolutions.com/SU/NPuhtbyrBQzIUHN5sbT3fA==</a>
6162.54	Test Integrity/Test Preparation - <a href="https://simbli.eboardsolutions.com/SU/jW8slshpG52plusDmhMJvSdDZJqw==">https://simbli.eboardsolutions.com/SU/jW8slshpG52plusDmhMJvSdDZJqw==</a>
9000	Role Of The Board - <a href="https://simbli.eboardsolutions.com/SU/uGujwlmOzUixNt8Xy0D4Q==">https://simbli.eboardsolutions.com/SU/uGujwlmOzUixNt8Xy0D4Q==</a>
9321	Closed Session - <a href="https://simbli.eboardsolutions.com/SU/nfyDJzDXXH1SsPFRyZXT3w==">https://simbli.eboardsolutions.com/SU/nfyDJzDXXH1SsPFRyZXT3w==</a>

**Regulation 4218: Dismissal/Suspension/Disciplinary Action**

**Status:** DRAFT

**Original Adopted Date:** 06/07/2005 | **Last Revised Date:** 12/17/2019

**Causes for Disciplinary Action**

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

1. Immoral conduct, including, but not limited to, egregious misconduct that is the basis for a sex offense as defined in Education Code 44010, a controlled substance offense as defined in Education Code 44011, or child abuse and neglect as described in Penal Code 11165.2-11165.6
2. Conduct that constitutes a violent or serious felony as defined in Penal Code 667.5(c) or 1192.7(c)
3. Unlawful discrimination, including harassment, against any student or other employee
4. Violation of or refusal to obey state or federal law or regulation, Board policy, or district or school procedure
5. Falsification of any information supplied to the district, including, but not limited to, information supplied on application forms, employment records, or any other school district records
6. Unsatisfactory performance
7. Unprofessional conduct
8. Dishonesty
9. Neglect of duty or absence without leave
10. Insubordination
11. Use of alcohol or a controlled substance while on duty or in such close time proximity thereto as to affect the employee's performance
12. Destruction or misuse of district property
13. Failure to fulfill any ongoing condition of employment including, but not limited to, maintenance of any license, certificate, or other similar requirement specified in the employee's class specification or otherwise necessary for the employee to perform the duties of the position
14. A physical or mental condition which precludes the employee from the proper performance of duties and responsibilities as determined by competent medical authority, except as otherwise provided by a contract or by law
15. Retaliation against any person who, in good faith, reports, discloses, divulges, or otherwise brings to the attention of any appropriate authority any information relative to an actual or suspected violation of state or federal law occurring on or directly related to the job
16. Violation of Education Code 45303 or Government Code 1028 prohibiting the advocacy or teaching of communism
17. Any other misconduct which is of such nature that it causes discredit or injury to the district or the employee's position

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

## **Initiation and Notification of Charges**

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

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

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

## **Request for Board Hearing**

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

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

## **Employment Status Pending a Hearing**

A classified employee against whom a recommendation of disciplinary action has been issued shall remain on active duty status pending any hearing on the charges, unless the Superintendent or designee determines that the employee's continuance in active duty would present an unreasonable risk of harm to students, staff, or property. The Superintendent or designee may, in writing, order the employee immediately suspended from duty without pay and shall state the reasons that the suspension is deemed necessary. The suspension order shall be served upon the employee either personally or by registered or certified mail, return receipt requested, immediately after issuance.

## **Compulsory Leave of Absence**

Upon being informed by law enforcement that a classified employee has been charged with a "mandatory leave of absence offense," the Superintendent or designee shall immediately place the employee on a leave of absence. A mandatory leave of absence offense includes:

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

The Superintendent or designee may place on an immediate compulsory leave of absence a classified employee who is charged with an "optional leave of absence offense," defined as a controlled substance offense specified in

Education Code 44011 and Health and Safety Code 11357-11361, 11363, 11364, and 11370.1 except as it relates to marijuana, mescaline, peyote, or tetrahydrocannabinols.

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

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

#### State References

	Description
CA Constitution Article 1, Section 1	Inalienable rights
Ed. Code 35161	Board delegation of any powers or duties
Ed. Code 44009	Conviction of specified crimes
Ed. Code 44010	Sex offense; definitions
Ed. Code 44011	Controlled substance offense
Ed. Code 44940	Compulsory leave of absence for certificated persons
Ed. Code 44940.5	Procedures when employees are placed on compulsory leave of absence
Ed. Code 45101	Definitions; disciplinary action and cause
Ed. Code 45109	Fixing of duties
Ed. Code 45113	Notification of charges; classified employees
Ed. Code 45123	Employment after conviction of controlled substance offense
Ed. Code 45302	Demotion and removal from permanent classified service
Ed. Code 45303	Additional cause for suspension or dismissal of employee charge with mandatory or optional leave of absence offense
Ed. Code 45304	Compulsory leave of absence for classified persons
Veh. Code 1808.8	School bus drivers; dismissal for safety-related cause

#### Federal References

	Description
42 USC 12101-12213	Americans with Disabilities Act
U.S. Constitution	Amendment 1, Free exercise, free speech, and establishment clauses

#### Management Resources References

	Description
Court Decision	Kennedy v. Bremerton (2022) 142 S.Ct. 2407
Court Decision	California School Employees v. Livingston Union School District (2007) 149 Cal. App. 4th 391
Court Decision	CSEA v. Foothill Community College District (1975) 52 Cal. App. 3rd 150
Court Decision	Skelly v. California Personnel Board (1975) 15 Cal.3d 194
Website	Office of the Attorney General - <a href="https://simbli.eboardsolutions.com/SU/kYMplusPKVwKTngiVfOT4AD8Q==">https://simbli.eboardsolutions.com/SU/kYMplusPKVwKTngiVfOT4AD8Q==</a>
Website	Office of Administrative Hearings - <a href="https://simbli.eboardsolutions.com/SU/hkXUvTmkSbRSTlh3V79tXg==">https://simbli.eboardsolutions.com/SU/hkXUvTmkSbRSTlh3V79tXg==</a>
Website	Department of General Services, About Teacher Dismissal Case Type - <a href="https://simbli.eboardsolutions.com/SU/9nslshuTpTnHO70H14ljlLeA==">https://simbli.eboardsolutions.com/SU/9nslshuTpTnHO70H14ljlLeA==</a>
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==</a>

**Cross References****Description**

1312.1	Complaints Concerning District Employees - <a href="https://simbli.eboardsolutions.com/SU/slshPBTshz2Ldy4w7SUJsBE0g==">https://simbli.eboardsolutions.com/SU/slshPBTshz2Ldy4w7SUJsBE0g==</a>
1312.1	Complaints Concerning District Employees - <a href="https://simbli.eboardsolutions.com/SU/jvj2JLxeplusBym6gplusFbg4KKg==">https://simbli.eboardsolutions.com/SU/jvj2JLxeplusBym6gplusFbg4KKg==</a>
1312.3	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/trYFVpB6mtnrFEznOU5Nyw==">https://simbli.eboardsolutions.com/SU/trYFVpB6mtnrFEznOU5Nyw==</a>
1312.3	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/vg16byuXChvBplusv2vK49B4Q==">https://simbli.eboardsolutions.com/SU/vg16byuXChvBplusv2vK49B4Q==</a>
1312.3-E PDF(1)	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/mRYG8UhkShslshBxLslsheHD3ug==">https://simbli.eboardsolutions.com/SU/mRYG8UhkShslshBxLslsheHD3ug==</a>
1312.3-E PDF(2)	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/oHplusvkUIEOvE4q43jqdlcplusQ==">https://simbli.eboardsolutions.com/SU/oHplusvkUIEOvE4q43jqdlcplusQ==</a>
3230	Federal Grant Funds - <a href="https://simbli.eboardsolutions.com/SU/L2guQfV2xslshslshE7woITPX92A==">https://simbli.eboardsolutions.com/SU/L2guQfV2xslshslshE7woITPX92A==</a>
3230	Federal Grant Funds - <a href="https://simbli.eboardsolutions.com/SU/sXmNMgHof2ReqNPslsh1OgFBw==">https://simbli.eboardsolutions.com/SU/sXmNMgHof2ReqNPslsh1OgFBw==</a>
3512	Equipment - <a href="https://simbli.eboardsolutions.com/SU/CRsj1oEdBCcdk0e8hk7oYg==">https://simbli.eboardsolutions.com/SU/CRsj1oEdBCcdk0e8hk7oYg==</a>
3512-E PDF(1)	Equipment - <a href="https://simbli.eboardsolutions.com/SU/pfdPiZ9zArAl8ulxHx4yxg==">https://simbli.eboardsolutions.com/SU/pfdPiZ9zArAl8ulxHx4yxg==</a>
3513.3	Tobacco-Free Schools - <a href="https://simbli.eboardsolutions.com/SU/M92AXslgWYXICseF4XRksw==">https://simbli.eboardsolutions.com/SU/M92AXslgWYXICseF4XRksw==</a>
3513.3	Tobacco-Free Schools - <a href="https://simbli.eboardsolutions.com/SU/I9tCbSlrGFgTSoplusgNFvfAg==">https://simbli.eboardsolutions.com/SU/I9tCbSlrGFgTSoplusgNFvfAg==</a>
3513.4	Drug And Alcohol Free Schools - <a href="https://simbli.eboardsolutions.com/SU/QSAdCTplusl8x0ASU2herzagQ==">https://simbli.eboardsolutions.com/SU/QSAdCTplusl8x0ASU2herzagQ==</a>
3515.2	Disruptions - <a href="https://simbli.eboardsolutions.com/SU/jslshzslshQnXU6g1IQmJ3CIJ3Hw==">https://simbli.eboardsolutions.com/SU/jslshzslshQnXU6g1IQmJ3CIJ3Hw==</a>
3515.2	Disruptions - <a href="https://simbli.eboardsolutions.com/SU/VSYV3FiB0muslsh62ECT0iqhQ==">https://simbli.eboardsolutions.com/SU/VSYV3FiB0muslsh62ECT0iqhQ==</a>
3515.3	District Police/Security Department - <a href="https://simbli.eboardsolutions.com/SU/XJDeslshFQtF94vBjBWY0nk0g==">https://simbli.eboardsolutions.com/SU/XJDeslshFQtF94vBjBWY0nk0g==</a>
3516.2	Bomb Threats - <a href="https://simbli.eboardsolutions.com/SU/xnNTimzKp477sftXdS97ug==">https://simbli.eboardsolutions.com/SU/xnNTimzKp477sftXdS97ug==</a>
3542	School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/Hy3nBqsr0L22c2n7vcqKZQ==">https://simbli.eboardsolutions.com/SU/Hy3nBqsr0L22c2n7vcqKZQ==</a>
4000	Concepts And Roles - <a href="https://simbli.eboardsolutions.com/SU/uPvO8g1rvKzd2lrnVERucA==">https://simbli.eboardsolutions.com/SU/uPvO8g1rvKzd2lrnVERucA==</a>
4020	Drug And Alcohol-Free Workplace - <a href="https://simbli.eboardsolutions.com/SU/ioXusplusU58KwZEQfxsCjGXw==">https://simbli.eboardsolutions.com/SU/ioXusplusU58KwZEQfxsCjGXw==</a>
4030	Nondiscrimination In Employment - <a href="https://simbli.eboardsolutions.com/SU/7lvD5EZ4anxg3plusLeC9Ky9g==">https://simbli.eboardsolutions.com/SU/7lvD5EZ4anxg3plusLeC9Ky9g==</a>
4030	Nondiscrimination In Employment - <a href="https://simbli.eboardsolutions.com/SU/Y02LyuUorYxL3fkdBuDvUg==">https://simbli.eboardsolutions.com/SU/Y02LyuUorYxL3fkdBuDvUg==</a>
4040	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/dvUVkzslshlsaDr5sEn9ifk2g==">https://simbli.eboardsolutions.com/SU/dvUVkzslshlsaDr5sEn9ifk2g==</a>
4040	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/3Tpxg7UoLMV3pluseRxnHspgg==">https://simbli.eboardsolutions.com/SU/3Tpxg7UoLMV3pluseRxnHspgg==</a>
4112.42	Drug And Alcohol Testing For School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/kweoG03CUJldhyI9bwwfslshQ==">https://simbli.eboardsolutions.com/SU/kweoG03CUJldhyI9bwwfslshQ==</a>

4112.42 Drug And Alcohol Testing For School Bus Drivers - <https://simbli.eboardsolutions.com/SU/RUpLdYxkV0FonLsghx8GvQ==>

4112.5 Criminal Record Check - <https://simbli.eboardsolutions.com/SU/rVblBQslshIKGrsbXzo0GocKw==>

4112.6 Personnel Files - <https://simbli.eboardsolutions.com/SU/19oz1VfjHwVTw5DslshK84Y2w==>

4113.5 Working Remotely - <https://simbli.eboardsolutions.com/SU/1slshBslsh0VfuS0aoZg8UP8SKCw==>

4119.1 Civil And Legal Rights - <https://simbli.eboardsolutions.com/SU/it4sPZtD8E3su0L4RfplusyoA==>

4119.12 Title IX Sexual Harassment Complaint Procedures - <https://simbli.eboardsolutions.com/SU/SKbx597EzOKc1YJxHabgKg==>

4119.21 Professional Standards - <https://simbli.eboardsolutions.com/SU/i2GqRrv3ky3d0Z2uvGEQ9w==>

4119.21-E PDF(1) Professional Standards - <https://simbli.eboardsolutions.com/SU/WxGmplus9gp7YqLoub3tuhKQ==>

4119.22 Dress And Grooming - <https://simbli.eboardsolutions.com/SU/mf41plusZS1HbYjYktW5JFYZQ==>

4119.23 Unauthorized Release Of Confidential/Privileged Information - <https://simbli.eboardsolutions.com/SU/oClryXiNWYf1HylSkDUdfQ==>

4119.24 Maintaining Appropriate Adult-Student Interactions - <https://simbli.eboardsolutions.com/SU/F1kRUTtbF5HuOQm6n6QvCw==>

4119.25 Political Activities Of Employees - <https://simbli.eboardsolutions.com/SU/7YfU817Q7rSV7tefJUlpgz==>

4119.25 Political Activities Of Employees - <https://simbli.eboardsolutions.com/SU/npcBnYgYqSr2ynvIT0fRXA==>

4127 Temporary Athletic Team Coaches - <https://simbli.eboardsolutions.com/SU/LWoe6K3uNplustplus8xCOTtouHQ==>

4127 Temporary Athletic Team Coaches - <https://simbli.eboardsolutions.com/SU/kDxvksDKGPj7WxhLuuftCg==>

4136 Nonschool Employment - <https://simbli.eboardsolutions.com/SU/tlxJ0jwWj6cJnJBu3HatOQ==>

4141.6 Concerted Action/Work Stoppage - <https://simbli.eboardsolutions.com/SU/Mto3AplzfQbBIW6vCE8mQw==>

4141.6 Concerted Action/Work Stoppage - <https://simbli.eboardsolutions.com/SU/j51o75Q3OZic8XHeRDqEKQ==>

4154 Health And Welfare Benefits - <https://simbli.eboardsolutions.com/SU/JSVd1av6wzF4E1RDL6cc4Q==>

4154 Health And Welfare Benefits - <https://simbli.eboardsolutions.com/SU/YZOG4cSEslshqslshcplusrpFtvHVww==>

4157 Employee Safety - <https://simbli.eboardsolutions.com/SU/x7PQWQJ6DZZQxsdVG7FRzg==>

4157 Employee Safety - <https://simbli.eboardsolutions.com/SU/wlQ51hub9gXqqwza0DplusiqA==>

4158 Employee Security - <https://simbli.eboardsolutions.com/SU/ibA6TVHZa5EiC7qTlwKadA==>

4158 Employee Security - <https://simbli.eboardsolutions.com/SU/NB1fllqFH1PoNP2aCA469Q==>

4159 Employee Assistance Programs - <https://simbli.eboardsolutions.com/SU/Lq5plusVGHo2rPrx8uncplusUsiA==>

4161 Leaves - <https://simbli.eboardsolutions.com/SU/IEZT6QfIEZHNd03QwNpVpA==>

4161	Leaves - <a href="https://simbli.eboardsolutions.com/SU/sdsPNXWEnSplusqtslshTupSeMUw==">https://simbli.eboardsolutions.com/SU/sdsPNXWEnSplusqtslshTupSeMUw==</a>
4161.11	Industrial Accident/Illness Leave - <a href="https://simbli.eboardsolutions.com/SU/95fEplumCwcrckyJffnhQo1g==">https://simbli.eboardsolutions.com/SU/95fEplumCwcrckyJffnhQo1g==</a>
4200	Classified Personnel - <a href="https://simbli.eboardsolutions.com/SU/hFu5YUjqigr7ioXcNC7BDw==">https://simbli.eboardsolutions.com/SU/hFu5YUjqigr7ioXcNC7BDw==</a>
4200	Classified Personnel - <a href="https://simbli.eboardsolutions.com/SU/H9mzOApusyENfplusEhk6bcLRJA==">https://simbli.eboardsolutions.com/SU/H9mzOApusyENfplusEhk6bcLRJA==</a>
4212	Appointment And Conditions Of Employment - <a href="https://simbli.eboardsolutions.com/SU/maslhKGijhNQsDI3EQ51gUNw==">https://simbli.eboardsolutions.com/SU/maslhKGijhNQsDI3EQ51gUNw==</a>
4212.42	Drug And Alcohol Testing For School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/tM0lcZC4k9RQ9fLGF2StAg==">https://simbli.eboardsolutions.com/SU/tM0lcZC4k9RQ9fLGF2StAg==</a>
4212.5	Criminal Record Check - <a href="https://simbli.eboardsolutions.com/SU/ISm14OvSSn9PEumRzj2nsg==">https://simbli.eboardsolutions.com/SU/ISm14OvSSn9PEumRzj2nsg==</a>
4212.6	Personnel Files - <a href="https://simbli.eboardsolutions.com/SU/vtmQGpbBhTrc47jNfS0UnQ==">https://simbli.eboardsolutions.com/SU/vtmQGpbBhTrc47jNfS0UnQ==</a>
4213.5	Working Remotely - <a href="https://simbli.eboardsolutions.com/SU/2WJ4UDligTplusmYUitLYtHPA==">https://simbli.eboardsolutions.com/SU/2WJ4UDligTplusmYUitLYtHPA==</a>
4216	Probationary/Permanent Status - <a href="https://simbli.eboardsolutions.com/SU/r8e2IfDslshY6XShfzYK67pbw==">https://simbli.eboardsolutions.com/SU/r8e2IfDslshY6XShfzYK67pbw==</a>
4219.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/hgQCio8nLf9MDnihnm8EOw==">https://simbli.eboardsolutions.com/SU/hgQCio8nLf9MDnihnm8EOw==</a>
4219.12	Title IX Sexual Harassment Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/ouHjpiDeznONfyPx3WWYw==">https://simbli.eboardsolutions.com/SU/ouHjpiDeznONfyPx3WWYw==</a>
4219.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/ag05gt1MRC5fplusQ8Ddfxg==">https://simbli.eboardsolutions.com/SU/ag05gt1MRC5fplusQ8Ddfxg==</a>
4219.21-E PDF(1)	Professional Standards - Code Of Ethics - <a href="https://simbli.eboardsolutions.com/SU/YLqRCiplusdkzr68iplusc4slshkr8Q==">https://simbli.eboardsolutions.com/SU/YLqRCiplusdkzr68iplusc4slshkr8Q==</a>
4219.22	Dress And Grooming - <a href="https://simbli.eboardsolutions.com/SU/NGQehe3yN5o7tyJQIXub5g==">https://simbli.eboardsolutions.com/SU/NGQehe3yN5o7tyJQIXub5g==</a>
4219.23	Unauthorized Release Of Confidential/Privileged Information - <a href="https://simbli.eboardsolutions.com/SU/v3GZviSdd9pBHkcaXkpoiA==">https://simbli.eboardsolutions.com/SU/v3GZviSdd9pBHkcaXkpoiA==</a>
4219.24	Maintaining Appropriate Adult-Student Interactions - <a href="https://simbli.eboardsolutions.com/SU/2lkslhYVctPXUZqdU9OslshoNplusg==">https://simbli.eboardsolutions.com/SU/2lkslhYVctPXUZqdU9OslshoNplusg==</a>
4219.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/rm2UCdcRlr2oCviqxsylshXEQ==">https://simbli.eboardsolutions.com/SU/rm2UCdcRlr2oCviqxsylshXEQ==</a>
4219.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/UHFJBubQ8bq4nX6qPOJILQ==">https://simbli.eboardsolutions.com/SU/UHFJBubQ8bq4nX6qPOJILQ==</a>
4227	Temporary Athletic Team Coaches - <a href="https://simbli.eboardsolutions.com/SU/O301T9rx8MT090pbFggxcQ==">https://simbli.eboardsolutions.com/SU/O301T9rx8MT090pbFggxcQ==</a>
4227	Temporary Athletic Team Coaches - <a href="https://simbli.eboardsolutions.com/SU/o9zxs0ILTdkplusesJRFsesSg==">https://simbli.eboardsolutions.com/SU/o9zxs0ILTdkplusesJRFsesSg==</a>
4236	Nonschool Employment - <a href="https://simbli.eboardsolutions.com/SU/DBtwOxFeGHwe4eslsh2O1HSTg==">https://simbli.eboardsolutions.com/SU/DBtwOxFeGHwe4eslsh2O1HSTg==</a>
4241.6	Concerted Action/Work Stoppage - <a href="https://simbli.eboardsolutions.com/SU/f82sW6RsGmbyAUjOIW35mA==">https://simbli.eboardsolutions.com/SU/f82sW6RsGmbyAUjOIW35mA==</a>
4241.6	Concerted Action/Work Stoppage - <a href="https://simbli.eboardsolutions.com/SU/mkN9OfqeoxlwXrZGQAsvrg==">https://simbli.eboardsolutions.com/SU/mkN9OfqeoxlwXrZGQAsvrg==</a>
4254	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/JNa4NLlg78gaglcF25kFHg==">https://simbli.eboardsolutions.com/SU/JNa4NLlg78gaglcF25kFHg==</a>



4254	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/TyoTfYyHbaplusi3mO6W9aJKg==">https://simbli.eboardsolutions.com/SU/TyoTfYyHbaplusi3mO6W9aJKg==</a>
4257	Employee Safety - <a href="https://simbli.eboardsolutions.com/SU/RphAJ8GbrkGM3ni18yFQhA==">https://simbli.eboardsolutions.com/SU/RphAJ8GbrkGM3ni18yFQhA==</a>
4257	Employee Safety - <a href="https://simbli.eboardsolutions.com/SU/VEQtizXfBwhi1tmYsZpluslqA==">https://simbli.eboardsolutions.com/SU/VEQtizXfBwhi1tmYsZpluslqA==</a>
4258	Employee Security - <a href="https://simbli.eboardsolutions.com/SU/RSS7WmhjVB0GSwOQy8IS9w==">https://simbli.eboardsolutions.com/SU/RSS7WmhjVB0GSwOQy8IS9w==</a>
4258	Employee Security - <a href="https://simbli.eboardsolutions.com/SU/0VAIFYsasIshTEOzVEGLPTslshg==">https://simbli.eboardsolutions.com/SU/0VAIFYsasIshTEOzVEGLPTslshg==</a>
4259	Employee Assistance Programs - <a href="https://simbli.eboardsolutions.com/SU/DkoFMA05D1UplLVzIbNeEQ==">https://simbli.eboardsolutions.com/SU/DkoFMA05D1UplLVzIbNeEQ==</a>
4261	Leaves - <a href="https://simbli.eboardsolutions.com/SU/plus4sbplusxplus6zlcNXNplusurpr5OQ==">https://simbli.eboardsolutions.com/SU/plus4sbplusxplus6zlcNXNplusurpr5OQ==</a>
4261	Leaves - <a href="https://simbli.eboardsolutions.com/SU/FpFesaU7LovZTQLUSmlplusCQ==">https://simbli.eboardsolutions.com/SU/FpFesaU7LovZTQLUSmlplusCQ==</a>
4261.11	Industrial Accident/Illness Leave - <a href="https://simbli.eboardsolutions.com/SU/aplusrplusy5g3Fi2GzNsUWn0ZkA==">https://simbli.eboardsolutions.com/SU/aplusrplusy5g3Fi2GzNsUWn0ZkA==</a>
4312.42	Drug And Alcohol Testing For School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/VNkVS6V1txMa9yBP9rCyEA==">https://simbli.eboardsolutions.com/SU/VNkVS6V1txMa9yBP9rCyEA==</a>
4312.5	Criminal Record Check - <a href="https://simbli.eboardsolutions.com/SU/t7xZplusj3MbsIshDu2xESkvI2sishw==">https://simbli.eboardsolutions.com/SU/t7xZplusj3MbsIshDu2xESkvI2sishw==</a>
4312.6	Personnel Files - <a href="https://simbli.eboardsolutions.com/SU/8QQ3FYSCkMslshBuSdU6IUhvQ==">https://simbli.eboardsolutions.com/SU/8QQ3FYSCkMslshBuSdU6IUhvQ==</a>
4313.5	Working Remotely - <a href="https://simbli.eboardsolutions.com/SU/PsIshOBFQ5dplusPWRkLyMyd2AYA==">https://simbli.eboardsolutions.com/SU/PsIshOBFQ5dplusPWRkLyMyd2AYA==</a>
4319.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/Ph76ZxBLCtch7Lq8odVVSXQ==">https://simbli.eboardsolutions.com/SU/Ph76ZxBLCtch7Lq8odVVSXQ==</a>
4319.12	Title IX Sexual Harassment Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/GazLHqntfRsSiKGVsf44g==">https://simbli.eboardsolutions.com/SU/GazLHqntfRsSiKGVsf44g==</a>
4319.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/S5DtgPHplusUThO0vMmPkNzCQ==">https://simbli.eboardsolutions.com/SU/S5DtgPHplusUThO0vMmPkNzCQ==</a>
4319.21-E PDF(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/T4vVEKmyFJl91NplusSPdsplashQ==">https://simbli.eboardsolutions.com/SU/T4vVEKmyFJl91NplusSPdsplashQ==</a>
4319.22	Dress And Grooming - <a href="https://simbli.eboardsolutions.com/SU/IPsVB5M7qMuZBFPtebSEiA==">https://simbli.eboardsolutions.com/SU/IPsVB5M7qMuZBFPtebSEiA==</a>
4319.23	Unauthorized Release Of Confidential/Privileged Information - <a href="https://simbli.eboardsolutions.com/SU/73pNAYZtZiOK6RwZW5ARew==">https://simbli.eboardsolutions.com/SU/73pNAYZtZiOK6RwZW5ARew==</a>
4319.24	Maintaining Appropriate Adult-Student Interactions - <a href="https://simbli.eboardsolutions.com/SU/lmYJ54G8KxVul1qqzprjYw==">https://simbli.eboardsolutions.com/SU/lmYJ54G8KxVul1qqzprjYw==</a>
4319.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/d6TEg7fgb5ah7P9LWfJBcA==">https://simbli.eboardsolutions.com/SU/d6TEg7fgb5ah7P9LWfJBcA==</a>
4319.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/R36fwz2ugqRSgEgEXplus1YEQ==">https://simbli.eboardsolutions.com/SU/R36fwz2ugqRSgEgEXplus1YEQ==</a>
4327	Temporary Athletic Team Coaches - <a href="https://simbli.eboardsolutions.com/SU/3Z1slshpTPXCSDTWEODACC42A==">https://simbli.eboardsolutions.com/SU/3Z1slshpTPXCSDTWEODACC42A==</a>
4327	Temporary Athletic Team Coaches - <a href="https://simbli.eboardsolutions.com/SU/nE9kGHYjHgDjBnIIOZysIshCg==">https://simbli.eboardsolutions.com/SU/nE9kGHYjHgDjBnIIOZysIshCg==</a>
4336	Nonschool Employment - <a href="https://simbli.eboardsolutions.com/SU/KOU7dA2kBpcttoK3Bmfh3Q==">https://simbli.eboardsolutions.com/SU/KOU7dA2kBpcttoK3Bmfh3Q==</a>

4354 Health And Welfare Benefits - <https://simbli.eboardsolutions.com/SU/KJifHmjEUQO5h74EhPCSrg==>

4354 Health And Welfare Benefits - <https://simbli.eboardsolutions.com/SU/6eJE3mhSQsiEC5b1XGXpTg==>

4357 Employee Safety - <https://simbli.eboardsolutions.com/SU/PkSDmUplusuqplusLcu2QjVBkp7g==>

4357 Employee Safety - <https://simbli.eboardsolutions.com/SU/pbYBOloslshVeJly3s7bvVLNA==>

4358 Employee Security - <https://simbli.eboardsolutions.com/SU/3zFO35IFETIG9uzAQ4Gu1A==>

4358 Employee Security - <https://simbli.eboardsolutions.com/SU/iEQlbn4kkXxC6lHdUY7g1w==>

4359 Employee Assistance Programs - <https://simbli.eboardsolutions.com/SU/hl2s4hcXyydPdFWSiY7pWQ==>

4361 Leaves - <https://simbli.eboardsolutions.com/SU/sdjPcFeE6ACmW8WIXLoAxQ==>

4361 Leaves - <https://simbli.eboardsolutions.com/SU/Gdd56WnlQY7L7ZakgjjQrA==>

4361.11 Industrial Accident/Illness Leave - <https://simbli.eboardsolutions.com/SU/KILUwEx1nFNVql3mhxwyiQ==>

5145.3 Nondiscrimination/Harassment - <https://simbli.eboardsolutions.com/SU/28eonrQzmTgJ18Og48hxEQ==>

5145.3 Nondiscrimination/Harassment - <https://simbli.eboardsolutions.com/SU/M3ZyGWyGtsJ0yM1OsslshZtkQ==>

5145.7 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/LbMKGUJxxxplusXa2ITdt1vQA==>

5145.7 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/iV6qGngn8slshKlyMqonNCnWQ==>

5145.71 Title IX Sexual Harassment Complaint Procedures - <https://simbli.eboardsolutions.com/SU/uHiAwBFVslshAWL6islshi4knlrg==>

5145.71-E PDF(1) Title IX Sexual Harassment Complaint Procedures - <https://simbli.eboardsolutions.com/SU/SIOslshdsKp0f4wND0mQ96PCw==>

5145.9 Hate-Motivated Behavior - <https://simbli.eboardsolutions.com/SU/UCV7P7dmfdXxrzzslshYw9Ug==>

6145.2 Athletic Competition - <https://simbli.eboardsolutions.com/SU/4NnW9VPNI02szD4ibZ421A==>

6145.2 Athletic Competition - <https://simbli.eboardsolutions.com/SU/NPuhtbyrBQziUHN5sbT3fA==>

6162.54 Test Integrity/Test Preparation - <https://simbli.eboardsolutions.com/SU/jW8slshpG52plusDmhMjvSdDZJqw==>

9000 Role Of The Board - <https://simbli.eboardsolutions.com/SU/uGujvwlmOzUIxNt8Xy0D4Q==>

9321 Closed Session - <https://simbli.eboardsolutions.com/SU/nfyDJzDXXH1SsPFRyZXT3w==>

**Policy 6158: Independent Study**

Status: DRAFT

Original Adopted Date: 12/22/2005 | Last Revised Date: 03/01/2022

The Governing Board authorizes independent study as an optional alternative instructional strategy for students whose needs may be best met through study outside of the regular classroom setting. Independent study shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning. As necessary to meet student needs, independent study may be offered for short- or long-term placements, on a full-time or part-time basis, and/or in conjunction with part- or full-time classroom study.

The Board shall hold a public hearing when considering the scope of its existing or prospective use of independent study as an instructional strategy, its purposes in authorizing independent study, and factors bearing specifically on the maximum realistic lengths of assignments and acceptable number of missed assignments for specific populations of students or adult education students. (Education Code 51747; 5 CCR 11701)

The Superintendent or designee may provide a variety of independent study opportunities, including, but not limited to, through a program or class within a comprehensive school, an alternative school or program of choice, a charter school, and an online course.

Student participation in independent study shall be voluntary and no student shall be required to participate. (Education Code 51747, 51749.5, 51749.6)

Independent study for each student shall be under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. Students' independent study shall be coordinated, evaluated, and documented, as prescribed by law and reflected in the accompanying administrative regulation. (Education Code 51747.5)

The minimum period of time for any independent study option shall be five consecutive school days. (Education Code 46300 )

**General Independent Study Requirements**

The Superintendent or designee may offer and approve independent study for an individual student upon determining that the student is prepared to meet the district's requirements for participation and is likely to succeed as well as or better than the student would in the regular classroom setting.

The minimum instructional minutes shall be the same for all students at each school including students participating in independent study, except as otherwise permitted by law. (Education Code 46100)

Because excessive leniency in the duration of independent study assignments may result in a student falling behind peers and increase the risk of dropping out of school, independent study assignments shall be completed no more than one week after assigned for all grade levels and types of programs. When necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due. However, in no event shall the due date of an assignment be extended beyond the termination date specified in the student's written agreement.

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student fails to make satisfactory educational progress and/or misses three assignments. Satisfactory educational progress shall be determined based on all of the following indicators: (Education Code 51747)

1. The student's achievement and engagement in the independent study program, as indicated by the student's performance on applicable student-level measures of student achievement and engagement specified in

Education Code 52060

2. The completion of assignments, assessments, or other indicators that evidence that the student is working on assignments
3. Learning of required concepts, as determined by the supervising teacher
4. Progress towards successful completion of the course of study or individual course, as determined by the supervising teacher

The Superintendent or designee shall ensure that students participating in independent study are provided with content aligned to grade level standards at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California (UC) or the California State University (CSU) as creditable under the A-G admissions criteria. (Education Code 51747)

The Superintendent or designee shall ensure that all students participating in independent study for 15 school days or more receive the following throughout the school year: (Education Code 51747)

1. For students in grades transitional kindergarten, kindergarten, and grades 1 to 3, opportunities for daily synchronous instruction
2. For students in grades 4-8, opportunities for both daily live interaction and at least weekly synchronous instruction
3. For students in grades 9-12, opportunities for at least weekly synchronous instruction

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students participating in an independent study program for 15 school days or more who are: (Education Code 51747)

1. Not generating attendance for more than ten percent of required minimum instructional time over four continuous weeks of the district's approved instructional calendar
2. Not participating in synchronous instructional offerings pursuant to Education Code 51747.5 for more than 50 percent of the scheduled times of synchronous instruction in a school month as applicable by grade span
3. In violation of their written agreement

Tiered reengagement strategies procedures used in district independent study programs shall include local programs intended to address chronic absenteeism, as applicable, including but not limited to the following: (Education Code 51747)

1. Verification of current contact information for each enrolled student
2. Notification to parents/guardians of lack of participation within one school day of the recording of a nonattendance day or lack of participation
3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary
4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being

The Superintendent or designee shall, for students who participate in an independent study program for 15 school days or more, develop a plan to transition students whose families wish to return to in-person instruction from independent study expeditiously, and, in no case, later than five instructional days. (Education Code 51747)

When any student enrolled in classroom-based instruction is participating in independent study due to necessary medical treatment or inpatient treatment for mental health or substance abuse under the care of appropriately licensed professionals, the student shall be exempt from the live interaction and/or synchronous instruction, tiered reengagement strategies, and transition back to in-person instruction requirements specified above. In such cases, evidence from appropriately licensed professionals, of the student's need to participate in independent study, shall be submitted to the Superintendent or designee. (Education Code 51747)

The Superintendent or designee shall ensure that a written agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

Upon the request of the parent/guardian of a student, and before signing a written agreement as described below in the section "Master Agreement," the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, and, if requested by the parent/guardian an advocate, may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51747)

### **Master Agreement**

A written agreement shall be developed and implemented for each student participating in independent study for five or more consecutive school days. (Education Code 46300, 51747)

For student participation for 15 school days or more, a signed written agreement shall be obtained before the student begins independent study. For student participation of less than 15 school days, a signed written agreement shall be obtained within ten school days of the first day of the student's enrollment. (Education Code 46300, 51747)

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The independent study agreement for each participating student also shall include, but is not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. The manner, time, frequency, and place for submitting the student's assignments, reporting the student's academic progress, and communicating with a student's parent/guardian regarding the student's academic progress
2. The objectives and methods of study for the student's work and the methods used to evaluate that work
3. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion, the level of satisfactory educational progress, and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in independent study
5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year
6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion
7. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports
8. A statement that independent study is an optional educational alternative in which no student may be required

to participate

9. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction
10. Before the commencement of independent study projected to last for 15 school days or more, or within ten school days of the first day of enrollment for independent study for less than 15 school days, the agreement shall be signed and dated by the student, the student's parent/guardian or caregiver if the student is under 18 years of age, the certificated employee responsible for the general supervision of independent study, and for students with disabilities, the certificated employee designated as having responsibility for the special education programming of the student

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education (CDE). (Education Code 51747)

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

### **Student-Parent-Educator Conferences**

A student-parent-educator conference shall be held as appropriate including, but not limited to, as a reengagement strategy and/or, if requested by a parent/guardian, prior to enrollment or disenrollment from independent study. (Education Code 51745.5, 51747, 51749.5)

### **Records**

The Superintendent or designee shall ensure that records are maintained for audit purposes.

These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study
2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12 and adult education
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's signed or initialed and dated notations indicating that the teacher has personally evaluated the work or personally reviewed the evaluations made by another certificated teacher
4. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons
5. Appropriate documentation of compliance with the teacher-student ratios required by Education Code 51745.6 and 51749.5 (Education Code 51745.6 and 51749.5)
6. Appropriate documentation of compliance with the requirements pursuant to Education Code 51747.5 to ensure the coordination, evaluation, and supervision of the independent study of each student by a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300 (Education Code 51747.5)

The district shall document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program. A student who does not participate in

scheduled live interaction or synchronous instruction shall be documented as nonparticipatory for that school day. (Education Code 51747.5)

The Superintendent or designee shall also maintain a written or computer-based record such as a grade book or summary document of student engagement, for each class, of all grades, assignments, and assessments for each student for independent study assignments. (Education Code 51747.5)

Signed written and supplemental agreements, assignment records, work samples, and attendance records may be maintained as an electronic file in accordance with Education Code 51747 and 51749.6, as applicable.

### Program Evaluation

The Superintendent or designee shall annually report to the Board the number of district students participating in independent study, the average daily attendance generated for apportionment purposes, student performance as measured by standard indicators and in comparison to students in classroom-based instruction, and the number and proportion of independent study students who graduate or successfully complete independent study. Based on the program evaluation, the Board and Superintendent shall determine areas for program improvement as needed.

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

#### State References

#### Description

5 CCR 11700-11705	Independent study
Ed. Code 17289	Exemption for facilities
Ed. Code 41020	Requirement for annual audit
Ed. Code 41422	Emergency conditions and apportionments
Ed. Code 42238	Revenue limits
Ed. Code 42238.05	Local control funding formula; average daily attendance
Ed. Code 44865	Qualifications for independent study teachers
Ed. Code 46100	Length of school day
Ed. Code 46200-46208	Incentives for longer instructional day and year
Ed. Code 46300-46307.1	Methods of computing average daily attendance
Ed. Code 46390-46393	Emergency average daily attendance
Ed. Code 46600	Interdistrict attendance computation
Ed. Code 47612-47612.1	Charter School Operation
Ed. Code 47612.5	Charter schools operations; general requirements
Ed. Code 48204	Residency requirements for school attendance
Ed. Code 48206.3	Home or hospital instruction; students with temporary disabilities
Ed. Code 48220	Classes of children exempted
Ed. Code 48340	Improvement of pupil attendance
Ed. Code 48915	Expulsion; particular circumstances
Ed. Code 48916.1	Educational program requirements for expelled students
Ed. Code 48917	Suspension of expulsion order
Ed. Code 49011	Student fees
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51744-51749.6	Independent study

Ed. Code 52060	Local Control and Accountability Plan
Ed. Code 52523	Adult education as supplement to high school curriculum; criteria
Ed. Code 56026	Individual with exceptional needs
Ed. Code 58500-58512	Alternative schools and programs of choice
Fam. Code 6550-6552	Caregivers

**Federal References**

**Description**

20 USC 6301	Highly qualified teachers
20 USC 6311	State plan

**Management Resources References**

**Description**

California Department of Education Publication	Legal Requirements for Independent Study
California Department of Education Publication	Conducting Individualized Determinations of Need
California Department of Education Publication	2021-22 AA & IT Independent Study FAQs
California Department of Education Publication	California Digital Learning Integration and Standards Guidance, May 2021
California Department of Education Publication	Elements of Exemplary Independent Study
Court Decision	Modesto City Schools v. Education Audits Appeal Panel (2004) 123 Cal.App.4th 1365
Education Audit Appeals Panel Publication	Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==</a>
Website	California Consortium for Independent Study - <a href="https://simbli.eboardsolutions.com/SU/6EJ9KJRdGGplusAXslshfOR6gplusRQ==">https://simbli.eboardsolutions.com/SU/6EJ9KJRdGGplusAXslshfOR6gplusRQ==</a>
Website	California Department of Education, Independent Study - <a href="https://simbli.eboardsolutions.com/SU/aXxHIGl4L70pDRS6Jnl2Jw==">https://simbli.eboardsolutions.com/SU/aXxHIGl4L70pDRS6Jnl2Jw==</a>
Website	Education Audit Appeals Panel - <a href="https://simbli.eboardsolutions.com/SU/6VoyW08Qz3ek2v0oFNslshtMg==">https://simbli.eboardsolutions.com/SU/6VoyW08Qz3ek2v0oFNslshtMg==</a>

**Cross References**

**Description**

0410	Nondiscrimination In District Programs And Activities - <a href="https://simbli.eboardsolutions.com/SU/H06jSsDZG3iOslsheGrQplusa7DA==">https://simbli.eboardsolutions.com/SU/H06jSsDZG3iOslsheGrQplusa7DA==</a>
0420.4	Charter School Authorization - <a href="https://simbli.eboardsolutions.com/SU/TvsK7pvvQ44IGpAB6Nbs8Q==">https://simbli.eboardsolutions.com/SU/TvsK7pvvQ44IGpAB6Nbs8Q==</a>
0420.4	Charter School Authorization - <a href="https://simbli.eboardsolutions.com/SU/SCpk29slsh1062j6plus9a3z9sRg==">https://simbli.eboardsolutions.com/SU/SCpk29slsh1062j6plus9a3z9sRg==</a>
0470	COVID-19 Mitigation Plan - <a href="https://simbli.eboardsolutions.com/SU/CEG4GOECJhofTyV1GKUzwQ==">https://simbli.eboardsolutions.com/SU/CEG4GOECJhofTyV1GKUzwQ==</a>
0500	Accountability - <a href="https://simbli.eboardsolutions.com/SU/PLPvXslshWqsZ5tlZLJzI4U9A==">https://simbli.eboardsolutions.com/SU/PLPvXslshWqsZ5tlZLJzI4U9A==</a>
3260	Fees And Charges - <a href="https://simbli.eboardsolutions.com/SU/dlbpe3xlXzn1LyuUx856Qw==">https://simbli.eboardsolutions.com/SU/dlbpe3xlXzn1LyuUx856Qw==</a>
3260	Fees And Charges - <a href="https://simbli.eboardsolutions.com/SU/Sdth9V70bH34H85aRCc67g==">https://simbli.eboardsolutions.com/SU/Sdth9V70bH34H85aRCc67g==</a>



3516.5 Emergency Schedules -  
<https://simbli.eboardsolutions.com/SU/v7QStqWNcdCCmQvAjYrjnA==>

3580 District Records -  
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3580 District Records -  
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4112.2 Certification -  
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4131 Staff Development -  
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4131 Staff Development -  
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5111.1 District Residency -  
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5111.1 District Residency -  
<https://simbli.eboardsolutions.com/SU/2MU6YRhggKTxarEexQ7VGA==>

5112.3 Student Leave Of Absence -  
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5112.3 Student Leave Of Absence -  
<https://simbli.eboardsolutions.com/SU/lhaaGQy3Um3cc00pWCVBTw==>

5113 Absences And Excuses -  
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5113 Absences And Excuses -  
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5113.1 Chronic Absence And Truancy -  
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5121 Grades/Evaluation Of Student Achievement -  
<https://simbli.eboardsolutions.com/SU/bO7y3GWkKAjzJAF0CGXBjA==>

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<https://simbli.eboardsolutions.com/SU/cfukFZ9OEUu9Y8hPSRfPQg==>

5125 Student Records -  
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5126 Awards For Achievement -  
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5141.22 Infectious Diseases -  
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5141.31 Immunizations -  
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5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/nbTU5pxU3HKkmuVplus0ZMzKw==">https://simbli.eboardsolutions.com/SU/nbTU5pxU3HKkmuVplus0ZMzKw==</a>
5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/3O2TBslsh3VmYOrVSXQiBiRlw==">https://simbli.eboardsolutions.com/SU/3O2TBslsh3VmYOrVSXQiBiRlw==</a>
5146	Married/Pregnant/Parenting Students - <a href="https://simbli.eboardsolutions.com/SU/AJmBvAFNpQamIFAIxztslshslshA==">https://simbli.eboardsolutions.com/SU/AJmBvAFNpQamIFAIxztslshslshA==</a>
5147	Dropout Prevention - <a href="https://simbli.eboardsolutions.com/SU/9eS85h4zvNmMYwGsGe0FPA==">https://simbli.eboardsolutions.com/SU/9eS85h4zvNmMYwGsGe0FPA==</a>
6000	Concepts And Roles - <a href="https://simbli.eboardsolutions.com/SU/ypluswuUyryrl3SRFk9rnqrqQ==">https://simbli.eboardsolutions.com/SU/ypluswuUyryrl3SRFk9rnqrqQ==</a>
6011	Academic Standards - <a href="https://simbli.eboardsolutions.com/SU/2jx1W0DF6FitOSk0fGjjlg==">https://simbli.eboardsolutions.com/SU/2jx1W0DF6FitOSk0fGjjlg==</a>
6111	School Calendar - <a href="https://simbli.eboardsolutions.com/SU/FTERTXVpgK4fumhSPXSYcw==">https://simbli.eboardsolutions.com/SU/FTERTXVpgK4fumhSPXSYcw==</a>
6112	School Day - <a href="https://simbli.eboardsolutions.com/SU/1q4EXljWRoreDLVPCqI5WQ==">https://simbli.eboardsolutions.com/SU/1q4EXljWRoreDLVPCqI5WQ==</a>
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6142.4	Service Learning/Community Service Classes - <a href="https://simbli.eboardsolutions.com/SU/CBWZiz5rXMrNFA292LdHyg==">https://simbli.eboardsolutions.com/SU/CBWZiz5rXMrNFA292LdHyg==</a>
6143	Courses Of Study - <a href="https://simbli.eboardsolutions.com/SU/3LLCFBME6mRrplusWV/KkolsnQ==">https://simbli.eboardsolutions.com/SU/3LLCFBME6mRrplusWV/KkolsnQ==</a>
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6159	Individualized Education Program - <a href="https://simbli.eboardsolutions.com/SU/yMk2S27glxNSplusigtplusqUkoA==">https://simbli.eboardsolutions.com/SU/yMk2S27glxNSplusigtplusqUkoA==</a>
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6162.5	Student Assessment - <a href="https://simbli.eboardsolutions.com/SU/OO9CsIshslshmg6LsdC9efCToXgA==">https://simbli.eboardsolutions.com/SU/OO9CsIshslshmg6LsdC9efCToXgA==</a>
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6164.5	Student Success Teams - <a href="https://simbli.eboardsolutions.com/SU/cbplusw4XkdEcsAQc6FTCW8gg==">https://simbli.eboardsolutions.com/SU/cbplusw4XkdEcsAQc6FTCW8gg==</a>
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6183

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6200

Adult Education -

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6200

Adult Education -

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**Regulation 6158: Independent Study**

Status: DRAFT

Original Adopted Date: 12/06/2016 | Last Revised Date: 03/01/2022

**Definitions**

*Live interaction* means interaction between the student and classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in-person, or in the form of Internet or telephonic communication. (Education Code 51745.5)

*Student-parent-educator conference* means a meeting involving, at a minimum, all parties who signed the student's written independent study agreement pursuant to Education Code 51747 or the written learning agreement pursuant to Education Code 51749.6. (Education Code 51745.5)

*Synchronous instruction* means classroom-style instruction or designated small group or one-on-one instruction delivered in-person, or in the form of Internet or telephonic communications, and involving live two-way communication between the teacher and student. Synchronous instruction shall be provided by a teacher or teachers of record for that student pursuant to Education Code 51747.5 or the certificated employee providing instruction for course-based independent study. (Education Code 51745.5)

**Educational Opportunities**

Educational opportunities offered through independent study may include, but are not limited to: (Education Code 51745)

1. Special assignments extending the content of regular courses of instruction
2. Individualized study in a particular area of interest or in a subject not currently available in the regular school curriculum
3. Continuing and special study during travel
4. Volunteer community service activities and leadership opportunities that support and strengthen student achievement
5. Individualized study for a student whose health, as determined by the student's parent/guardian, would be put at risk by in-person instruction or for a student who is unable to attend in-person instruction due to a quarantine due to exposure to, or infection with, COVID-19, pursuant to local or state public health guidance

In addition, when requested by a parent/guardian due to an emergency or illness, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in the student's regular classes.

No course required for high school graduation shall be offered exclusively through independent study. (Education Code 51745)

**Eligibility for Independent Study**

To participate in independent study, a student shall be enrolled in a district school. (Education Code 51748)

The Superintendent or designee may approve the participation of a student who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently provided that experienced certificated staff are available to effectively supervise students in independent study. The Superintendent or designee may also approve the participation of a student whose health would be put at risk by in-person instruction. A student whose academic performance is not at grade level may participate in independent study only if the program is able to provide appropriate support, such as supplemental instruction, tutoring, counseling, ongoing

diagnostic assessments, and/or differentiated materials, to enable the student to be successful. For an elementary student, the Superintendent or designee may consider the parent/guardian's level of commitment to assist the student.

A student participating in independent study must be a resident of the county or an adjacent county. Full-time independent study shall not be available to students whose district residency status is based on their parent/guardian's employment within district boundaries pursuant to Education Code 48204. (Education Code 46300.2, 51747.3)

A student with disabilities, as defined in Education Code 56026, may participate in independent study if the student's individualized education program (IEP) specifically provides for such participation. If a parent/guardian of a student with disabilities requests independent study because the student's health would be put at risk by in-person instruction, the student's IEP team shall make an individualized determination as to whether the student can receive a free appropriate public education (FAPE) in an independent study placement. A student's inability to work independently, need for adult support, or need for special education or related services shall not preclude the IEP team from determining that the student can receive FAPE in an independent study placement. (Education Code 51745)

In addition, any student with disabilities who receives services from a nonpublic, nonsectarian school through a virtual program may be permitted to participate in independent study if the student's IEP team determines that FAPE can be provided to the student by means of the virtual program and other conditions of law are satisfied.

A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 through independent study. (Education Code 51745)

Except for students participating in independent study due to an emergency as described in Education Code 41422 and 46392 and pregnant and parenting students who are the primary caregiver for their child(ren), no more than 10 percent of the students enrolled in a continuation high school or opportunity school or program shall be enrolled in independent study. (Education Code 51745)

### **Monitoring Student Progress**

The independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of the student's written agreement. The following supportive strategies may be used:

1. A letter to the student and/or parent/guardian
2. A meeting between the student and the teacher and/or counselor
3. A meeting between the student and the independent study administrator, including the parent/guardian if appropriate
4. An increase in the amount of time the student works under direct supervision

When the student has failed to make satisfactory educational progress or missed the number of assignments specified in the written agreement as requiring an evaluation, the Superintendent or designee shall conduct an evaluation to determine whether independent study is in the student's best interest. This evaluation may result in termination of the independent study agreement and the student's return to the regular classroom program or other alternative program. (Education Code 51747, 51749.5; 5 CCR 11701)

A written record of the findings of any such evaluation shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation, and if the student transfers to another public school in California, the record shall be forwarded to that school. (Education Code 51747, 51749.5)

### **Responsibilities of Independent Study Administrator**

The responsibilities of the independent study administrator include, but are not limited to:

1. Recommending certificated staff to be assigned as independent study teachers at the required teacher-student ratios pursuant to Education Code 51745.6 and supervising staff assigned to independent study functions who are not regularly supervised by another administrator
2. Approving or denying the participation of students requesting independent study
3. Facilitating the completion of written independent study agreements
4. Ensuring a smooth transition for students into and out of the independent study mode of instruction
5. Approving all credits earned through independent study
6. Completing or coordinating the preparation of all records and reports required by law, Board policy, or administrative regulation

### **Assignment and Responsibilities of Independent Study Teachers**

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or emergency credential pursuant to Education Code 44300, registered as required by law, and who consents to the assignment. (Education Code 44865, 51747.5; 5 CCR 11700)

The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs in the district, unless a new higher or lower ratio for all other educational programs offered is negotiated in a collective bargaining agreement or the district enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative ratio. (Education Code 51745.6)

The responsibilities of the supervising teacher shall include, but are not limited to:

1. Completing designated portions of the written independent study agreement and signing the agreement
2. Supervising and approving coursework and assignments
3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due
4. Maintaining a daily or hourly attendance register in accordance with Item #4 in the section on "Records" in the accompanying Board policy
5. Providing direct instruction and counsel as necessary for individual student success
6. Regularly meeting with the student to discuss the student's progress
7. Determining the time value of assigned work or work products completed and submitted by the student
8. Assessing student work and assigning grades or other approved measures of achievement
9. Documenting each student's participation in live interaction and/or synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program

The Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom-based teachers.

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

**State References**

5 CCR 11700-11705  
 Ed. Code 17289  
 Ed. Code 41020  
 Ed. Code 41422  
 Ed. Code 42238  
 Ed. Code 42238.05  
 Ed. Code 44865  
 Ed. Code 46100  
 Ed. Code 46200-46208  
 Ed. Code 46300-46307.1  
 Ed. Code 46390-46393  
 Ed. Code 46600  
 Ed. Code 47612-47612.1  
 Ed. Code 47612.5  
 Ed. Code 48204  
 Ed. Code 48206.3  
 Ed. Code 48220  
 Ed. Code 48340  
 Ed. Code 48915  
 Ed. Code 48916.1  
 Ed. Code 48917  
 Ed. Code 49011  
 Ed. Code 51225.3  
 Ed. Code 51744-51749.6  
 Ed. Code 52060  
 Ed. Code 52523  
 Ed. Code 56026  
 Ed. Code 58500-58512  
 Fam. Code 6550-6552

**Federal References**

20 USC 6301  
 20 USC 6311

**Management Resources References**

California Department of Education  
 Publication  
 California Department of Education  
 Publication  
 California Department of Education  
 Publication

**Description**

Independent study  
 Exemption for facilities  
 Requirement for annual audit  
 Emergency conditions and apportionments  
 Revenue limits  
 Local control funding formula; average daily attendance  
 Qualifications for independent study teachers  
 Length of school day  
 Incentives for longer instructional day and year  
 Methods of computing average daily attendance  
 Emergency average daily attendance  
 Interdistrict attendance computation  
 Charter School Operation  
 Charter schools operations; general requirements  
 Residency requirements for school attendance  
 Home or hospital instruction; students with temporary disabilities  
 Classes of children exempted  
 Improvement of pupil attendance  
 Expulsion; particular circumstances  
 Educational program requirements for expelled students  
 Suspension of expulsion order  
 Student fees  
 High school graduation requirements  
 Independent study  
 Local Control and Accountability Plan  
 Adult education as supplement to high school curriculum; criteria  
 Individual with exceptional needs  
 Alternative schools and programs of choice  
 Caregivers

**Description**

Highly qualified teachers  
 State plan

**Description**

Legal Requirements for Independent Study  
 Conducting Individualized Determinations of Need  
 2021-22 AA & IT Independent Study FAQs

California Department of Education Publication	California Digital Learning Integration and Standards Guidance, May 2021
California Department of Education Publication	Elements of Exemplary Independent Study
Court Decision	Modesto City Schools v. Education Audits Appeal Panel (2004) 123 Cal.App.4th 1365
Education Audit Appeals Panel Publication	Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==</a>
Website	California Consortium for Independent Study - <a href="https://simbli.eboardsolutions.com/SU/6EJ9KJRdGGplusAXsIshfOR6gplusRQ==">https://simbli.eboardsolutions.com/SU/6EJ9KJRdGGplusAXsIshfOR6gplusRQ==</a>
Website	California Department of Education, Independent Study - <a href="https://simbli.eboardsolutions.com/SU/aXxHIGl4L70pDRS6Jnl2Jw==">https://simbli.eboardsolutions.com/SU/aXxHIGl4L70pDRS6Jnl2Jw==</a>
Website	Education Audit Appeals Panel - <a href="https://simbli.eboardsolutions.com/SU/6VovW08Qz3ek2v0oFNsIshMg==">https://simbli.eboardsolutions.com/SU/6VovW08Qz3ek2v0oFNsIshMg==</a>

**Cross References**

**Description**

0410	Nondiscrimination In District Programs And Activities - <a href="https://simbli.eboardsolutions.com/SU/H06jSsDZG3iOslsheGrQplusa7DA==">https://simbli.eboardsolutions.com/SU/H06jSsDZG3iOslsheGrQplusa7DA==</a>
0420.4	Charter School Authorization - <a href="https://simbli.eboardsolutions.com/SU/TvsK7pvvQ44IGpAB6Nbs8Q==">https://simbli.eboardsolutions.com/SU/TvsK7pvvQ44IGpAB6Nbs8Q==</a>
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0470	COVID-19 Mitigation Plan - <a href="https://simbli.eboardsolutions.com/SU/CEG4GOECJhofTyV1GKUzwQ==">https://simbli.eboardsolutions.com/SU/CEG4GOECJhofTyV1GKUzwQ==</a>
0500	Accountability - <a href="https://simbli.eboardsolutions.com/SU/PLPvXsIshWqsZ5tIzLJzI4U9A==">https://simbli.eboardsolutions.com/SU/PLPvXsIshWqsZ5tIzLJzI4U9A==</a>
3260	Fees And Charges - <a href="https://simbli.eboardsolutions.com/SU/dlbpe3xlXzn1LyuUx856Qw==">https://simbli.eboardsolutions.com/SU/dlbpe3xlXzn1LyuUx856Qw==</a>
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3516.5	Emergency Schedules - <a href="https://simbli.eboardsolutions.com/SU/v7OStqWNcdCCmQvAjYrjnA==">https://simbli.eboardsolutions.com/SU/v7OStqWNcdCCmQvAjYrjnA==</a>
3580	District Records - <a href="https://simbli.eboardsolutions.com/SU/sIshnptNHdcnJl1UwrtmT9FEQ==">https://simbli.eboardsolutions.com/SU/sIshnptNHdcnJl1UwrtmT9FEQ==</a>
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4112.2	Certification - <a href="https://simbli.eboardsolutions.com/SU/PzQCYiplusKzLhRzslsh4GhyLc3w==">https://simbli.eboardsolutions.com/SU/PzQCYiplusKzLhRzslsh4GhyLc3w==</a>
4112.2	Certification - <a href="https://simbli.eboardsolutions.com/SU/5fJHl63mCzOAZR32SRnT7A==">https://simbli.eboardsolutions.com/SU/5fJHl63mCzOAZR32SRnT7A==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/EbS5MKtBzWk8pluss0cslshd7Dpw==">https://simbli.eboardsolutions.com/SU/EbS5MKtBzWk8pluss0cslshd7Dpw==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/8z4Tj6BYfEXdGjKin6tNwQ==">https://simbli.eboardsolutions.com/SU/8z4Tj6BYfEXdGjKin6tNwQ==</a>
5111.1	District Residency - <a href="https://simbli.eboardsolutions.com/SU/OusKnQl3cakvGRNGcW2bTQ==">https://simbli.eboardsolutions.com/SU/OusKnQl3cakvGRNGcW2bTQ==</a>
5111.1	District Residency - <a href="https://simbli.eboardsolutions.com/SU/2MU6YRhggtKxarEexQ7VGA==">https://simbli.eboardsolutions.com/SU/2MU6YRhggtKxarEexQ7VGA==</a>



5112.3	Student Leave Of Absence - <a href="https://simbli.eboardsolutions.com/SU/WmRpazMJHUYJgplumKXnhiUw==">https://simbli.eboardsolutions.com/SU/WmRpazMJHUYJgplumKXnhiUw==</a>
5112.3	Student Leave Of Absence - <a href="https://simbli.eboardsolutions.com/SU/lhaaGQy3Um3cc00pWCVBTw==">https://simbli.eboardsolutions.com/SU/lhaaGQy3Um3cc00pWCVBTw==</a>
5113	Absences And Excuses - <a href="https://simbli.eboardsolutions.com/SU/xQ5slshMP7CjKtRURXxIJTYhw==">https://simbli.eboardsolutions.com/SU/xQ5slshMP7CjKtRURXxIJTYhw==</a>
5113	Absences And Excuses - <a href="https://simbli.eboardsolutions.com/SU/FqZaNxwnUJ1d6U3HtDEFYw==">https://simbli.eboardsolutions.com/SU/FqZaNxwnUJ1d6U3HtDEFYw==</a>
5113.1	Chronic Absence And Truancy - <a href="https://simbli.eboardsolutions.com/SU/XceHuGVNxl3mpor3e6AF4Q==">https://simbli.eboardsolutions.com/SU/XceHuGVNxl3mpor3e6AF4Q==</a>
5113.1	Chronic Absence And Truancy - <a href="https://simbli.eboardsolutions.com/SU/plusCWhOG5BONj0bfXsM8lfvw==">https://simbli.eboardsolutions.com/SU/plusCWhOG5BONj0bfXsM8lfvw==</a>
5121	Grades/Evaluation Of Student Achievement - <a href="https://simbli.eboardsolutions.com/SU/bO7y3GWkKAjzJAF0CGXBjA==">https://simbli.eboardsolutions.com/SU/bO7y3GWkKAjzJAF0CGXBjA==</a>
5121	Grades/Evaluation Of Student Achievement - <a href="https://simbli.eboardsolutions.com/SU/cfukFZ9OEUu9Y8hPSRfPQg==">https://simbli.eboardsolutions.com/SU/cfukFZ9OEUu9Y8hPSRfPQg==</a>
5125	Student Records - <a href="https://simbli.eboardsolutions.com/SU/Hyfn0plcd5eDFqltRBzDZw==">https://simbli.eboardsolutions.com/SU/Hyfn0plcd5eDFqltRBzDZw==</a>
5125	Student Records - <a href="https://simbli.eboardsolutions.com/SU/kUqrj6x0dMbXAx3JhJtplusFA==">https://simbli.eboardsolutions.com/SU/kUqrj6x0dMbXAx3JhJtplusFA==</a>
5126	Awards For Achievement - <a href="https://simbli.eboardsolutions.com/SU/vaxYhLPUGS4EgVwJKHTypA==">https://simbli.eboardsolutions.com/SU/vaxYhLPUGS4EgVwJKHTypA==</a>
5126	Awards For Achievement - <a href="https://simbli.eboardsolutions.com/SU/aJS73N2pluszpw4yelKCLSqBQ==">https://simbli.eboardsolutions.com/SU/aJS73N2pluszpw4yelKCLSqBQ==</a>
5141.22	Infectious Diseases - <a href="https://simbli.eboardsolutions.com/SU/70vpQsl38I50N7JILlfq1A==">https://simbli.eboardsolutions.com/SU/70vpQsl38I50N7JILlfq1A==</a>
5141.22	Infectious Diseases - <a href="https://simbli.eboardsolutions.com/SU/vSdLGgplusFCJF6a2CGH0NpGg==">https://simbli.eboardsolutions.com/SU/vSdLGgplusFCJF6a2CGH0NpGg==</a>
5141.31	Immunizations - <a href="https://simbli.eboardsolutions.com/SU/c5hQHBgOslshcQoosPxKeCXzQ==">https://simbli.eboardsolutions.com/SU/c5hQHBgOslshcQoosPxKeCXzQ==</a>
5141.31	Immunizations - <a href="https://simbli.eboardsolutions.com/SU/gFtoUAOhKopNamK4LuYRGQ==">https://simbli.eboardsolutions.com/SU/gFtoUAOhKopNamK4LuYRGQ==</a>
5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/nbTU5pxU3HKkmuVplus0ZMzKw==">https://simbli.eboardsolutions.com/SU/nbTU5pxU3HKkmuVplus0ZMzKw==</a>
5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/3Q2TBslsh3VmY0rVSXQIBiRlw==">https://simbli.eboardsolutions.com/SU/3Q2TBslsh3VmY0rVSXQIBiRlw==</a>
5146	Married/Pregnant/Parenting Students - <a href="https://simbli.eboardsolutions.com/SU/AJmBvAFNpQamIFAIxztslshslshA==">https://simbli.eboardsolutions.com/SU/AJmBvAFNpQamIFAIxztslshslshA==</a>
5147	Dropout Prevention - <a href="https://simbli.eboardsolutions.com/SU/9eS85h4zvNmMYwGsGe0FPA==">https://simbli.eboardsolutions.com/SU/9eS85h4zvNmMYwGsGe0FPA==</a>
6000	Concepts And Roles - <a href="https://simbli.eboardsolutions.com/SU/ypluswuYryrI3SRFk9rnrqeQ==">https://simbli.eboardsolutions.com/SU/ypluswuYryrI3SRFk9rnrqeQ==</a>
6011	Academic Standards - <a href="https://simbli.eboardsolutions.com/SU/2jx1W0DF6FitOSk0fGjJlg==">https://simbli.eboardsolutions.com/SU/2jx1W0DF6FitOSk0fGjJlg==</a>
6111	School Calendar - <a href="https://simbli.eboardsolutions.com/SU/FTERTXVpgK4fumhSPXSYcw==">https://simbli.eboardsolutions.com/SU/FTERTXVpgK4fumhSPXSYcw==</a>
6112	School Day - <a href="https://simbli.eboardsolutions.com/SU/1q4FXIjWRoreDLVPCqI5WQ==">https://simbli.eboardsolutions.com/SU/1q4FXIjWRoreDLVPCqI5WQ==</a>
6112	School Day - <a href="https://simbli.eboardsolutions.com/SU/Vq2selsqED5cEnvlGuoGUA==">https://simbli.eboardsolutions.com/SU/Vq2selsqED5cEnvlGuoGUA==</a>

6142.4	Service Learning/Community Service Classes - <a href="https://simbli.eboardsolutions.com/SU/CBWZiz5rXMrNFA292LdHyg==">https://simbli.eboardsolutions.com/SU/CBWZiz5rXMrNFA292LdHyg==</a>
6143	Courses Of Study - <a href="https://simbli.eboardsolutions.com/SU/3LLCFBME6mRrplusWVKkolsnQ==">https://simbli.eboardsolutions.com/SU/3LLCFBME6mRrplusWVKkolsnQ==</a>
6143	Courses Of Study - <a href="https://simbli.eboardsolutions.com/SU/dAUhM32pluslgUzMtC4ER8dVw==">https://simbli.eboardsolutions.com/SU/dAUhM32pluslgUzMtC4ER8dVw==</a>
6146.1	High School Graduation Requirements - <a href="https://simbli.eboardsolutions.com/SU/Cfr88kbvBGSj104rMM3Izw==">https://simbli.eboardsolutions.com/SU/Cfr88kbvBGSj104rMM3Izw==</a>
6146.11	Alternative Credits Toward Graduation - <a href="https://simbli.eboardsolutions.com/SU/4Jplus0F5PIOBUstUeJ1rplusAQg==">https://simbli.eboardsolutions.com/SU/4Jplus0F5PIOBUstUeJ1rplusAQg==</a>
6146.11	Alternative Credits Toward Graduation - <a href="https://simbli.eboardsolutions.com/SU/M2IYeF8bRQZbUWNBwsNO7Q==">https://simbli.eboardsolutions.com/SU/M2IYeF8bRQZbUWNBwsNO7Q==</a>
6152	Class Assignment - <a href="https://simbli.eboardsolutions.com/SU/hwncW0QBplusJg7BtwMpGNNXg==">https://simbli.eboardsolutions.com/SU/hwncW0QBplusJg7BtwMpGNNXg==</a>
6159	Individualized Education Program - <a href="https://simbli.eboardsolutions.com/SU/yMk2S27gxNSplusigtplusqUkoA==">https://simbli.eboardsolutions.com/SU/yMk2S27gxNSplusigtplusqUkoA==</a>
6159	Individualized Education Program - <a href="https://simbli.eboardsolutions.com/SU/3IGn8W7C0tVEOSmAtHhq3g==">https://simbli.eboardsolutions.com/SU/3IGn8W7C0tVEOSmAtHhq3g==</a>
6162.5	Student Assessment - <a href="https://simbli.eboardsolutions.com/SU/OO9Cslshslshmg6LsdC9efCToXgA==">https://simbli.eboardsolutions.com/SU/OO9Cslshslshmg6LsdC9efCToXgA==</a>
6162.51	State Academic Achievement Tests - <a href="https://simbli.eboardsolutions.com/SU/t8OjlslnSpASQqkZmcpshAQ1A==">https://simbli.eboardsolutions.com/SU/t8OjlslnSpASQqkZmcpshAQ1A==</a>
6162.51	State Academic Achievement Tests - <a href="https://simbli.eboardsolutions.com/SU/5GAhpH2hslshV9fKDGTYhoguQ==">https://simbli.eboardsolutions.com/SU/5GAhpH2hslshV9fKDGTYhoguQ==</a>
6164.5	Student Success Teams - <a href="https://simbli.eboardsolutions.com/SU/cbplusw4XkdEcsAQc6FTCW8gg==">https://simbli.eboardsolutions.com/SU/cbplusw4XkdEcsAQc6FTCW8gg==</a>
6164.5	Student Success Teams - <a href="https://simbli.eboardsolutions.com/SU/h3MBRpluszyx3cJcXEXRH3yzA==">https://simbli.eboardsolutions.com/SU/h3MBRpluszyx3cJcXEXRH3yzA==</a>
6172	Gifted And Talented Student Program - <a href="https://simbli.eboardsolutions.com/SU/s2JZ7iZGPKN1hCslshxMltA==">https://simbli.eboardsolutions.com/SU/s2JZ7iZGPKN1hCslshxMltA==</a>
6172	Gifted And Talented Student Program - <a href="https://simbli.eboardsolutions.com/SU/dNnYnvnacIXnfvvgd7IVaw==">https://simbli.eboardsolutions.com/SU/dNnYnvnacIXnfvvgd7IVaw==</a>
6183	Home And Hospital Instruction - <a href="https://simbli.eboardsolutions.com/SU/92F5rjKMsu7qGxKYA3plusTzg==">https://simbli.eboardsolutions.com/SU/92F5rjKMsu7qGxKYA3plusTzg==</a>
6200	Adult Education - <a href="https://simbli.eboardsolutions.com/SU/9ZyGZQ56TnDtxpHbBHViWw==">https://simbli.eboardsolutions.com/SU/9ZyGZQ56TnDtxpHbBHViWw==</a>
6200	Adult Education - <a href="https://simbli.eboardsolutions.com/SU/pplusLpluswA8UJ0DDu6S3eKQJww==">https://simbli.eboardsolutions.com/SU/pplusLpluswA8UJ0DDu6S3eKQJww==</a>

**Policy 6158: Independent Study**

Status: DRAFT

Original Adopted Date: 12/22/2005 | Last Revised Date: 03/01/2022

The Governing Board authorizes independent study as an optional alternative instructional strategy for students whose needs may be best met through study outside of the regular classroom setting. Independent study shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning. As necessary to meet student needs, independent study may be offered for short- or long-term placements, on a full-time or part-time basis, and/or in conjunction with part- or full-time classroom study.

The Board shall hold a public hearing when considering the scope of its existing or prospective use of independent study as an instructional strategy, its purposes in authorizing independent study, and factors bearing specifically on the maximum realistic lengths of assignments and acceptable number of missed assignments for specific populations of students or adult education students. (Education Code 51747; 5 CCR 11701)

The Superintendent or designee may provide a variety of independent study opportunities, including, but not limited to, through a program or class within a comprehensive school, an alternative school or program of choice, a charter school, and an online course.

Student participation in independent study shall be voluntary and no student shall be required to participate. (Education Code 51747, 51749.5, 51749.6)

Independent study for each student shall be under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. Students' independent study shall be coordinated, evaluated, and documented, as prescribed by law and reflected in the accompanying administrative regulation. (Education Code 51747.5)

The minimum period of time for any independent study option shall be five consecutive school days. (Education Code 46300)

**General Independent Study Requirements**

The Superintendent or designee may offer and approve independent study for an individual student upon determining that the student is prepared to meet the district's requirements for participation and is likely to succeed as well as or better than the student would in the regular classroom setting.

The minimum instructional minutes shall be the same for all students at each school including students participating in independent study, except as otherwise permitted by law. (Education Code 46100)

Because excessive leniency in the duration of independent study assignments may result in a student falling behind peers and increase the risk of dropping out of school, independent study assignments shall be completed no more than one week after assigned for all grade levels and types of programs. When necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due. However, in no event shall the due date of an assignment be extended beyond the termination date specified in the student's written agreement.

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student fails to make satisfactory educational progress and/or misses three assignments. Satisfactory educational progress shall be determined based on all of the following indicators: (Education Code 51747)

1. The student's achievement and engagement in the independent study program, as indicated by the student's performance on applicable student-level measures of student achievement and engagement specified in

Education Code 52060

2. The completion of assignments, assessments, or other indicators that evidence that the student is working on assignments
3. Learning of required concepts, as determined by the supervising teacher
4. Progress towards successful completion of the course of study or individual course, as determined by the supervising teacher

The Superintendent or designee shall ensure that students participating in independent study are provided with content aligned to grade level standards at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California (UC) or the California State University (CSU) as creditable under the A-G admissions criteria. (Education Code 51747)

The Superintendent or designee shall ensure that all students participating in independent study for 15 school days or more receive the following throughout the school year: (Education Code 51747)

1. For students in grades transitional kindergarten, kindergarten, and grades 1 to 3, opportunities for daily synchronous instruction
2. For students in grades 4-8, opportunities for both daily live interaction and at least weekly synchronous instruction
3. For students in grades 9-12, opportunities for at least weekly synchronous instruction

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students participating in an independent study program for 15 school days or more who are: (Education Code 51747)

1. Not generating attendance for more than ten percent of required minimum instructional time over four continuous weeks of the district's approved instructional calendar
2. Not participating in synchronous instructional offerings pursuant to Education Code 51747.5 for more than 50 percent of the scheduled times of synchronous instruction in a school month as applicable by grade span
3. In violation of their written agreement

Tiered reengagement strategies procedures used in district independent study programs shall include local programs intended to address chronic absenteeism, as applicable, including but not limited to the following: (Education Code 51747)

1. Verification of current contact information for each enrolled student
2. Notification to parents/guardians of lack of participation within one school day of the recording of a nonattendance day or lack of participation
3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary
4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being

The Superintendent or designee shall, for students who participate in an independent study program for 15 school days or more, develop a plan to transition students whose families wish to return to in-person instruction from independent study expeditiously, and, in no case, later than five instructional days. (Education Code 51747)

When any student enrolled in classroom-based instruction is participating in independent study due to necessary medical treatment or inpatient treatment for mental health or substance abuse under the care of appropriately licensed professionals, the student shall be exempt from the live interaction and/or synchronous instruction, tiered reengagement strategies, and transition back to in-person instruction requirements specified above. In such cases, evidence from appropriately licensed professionals, of the student's need to participate in independent study, shall be submitted to the Superintendent or designee. (Education Code 51747)

The Superintendent or designee shall ensure that a written agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

Upon the request of the parent/guardian of a student, and before signing a written agreement as described below in the section "Master Agreement," the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, and, if requested by the parent/guardian an advocate, may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51747)

### **Master Agreement**

A written agreement shall be developed and implemented for each student participating in independent study for five or more consecutive school days. (Education Code 46300, 51747)

For student participation for 15 school days or more, a signed written agreement shall be obtained before the student begins independent study. For student participation of less than 15 school days, a signed written agreement shall be obtained within ten school days of the first day of the student's enrollment. (Education Code 46300, 51747)

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The independent study agreement for each participating student also shall include, but is not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. The manner, time, frequency, and place for submitting the student's assignments, reporting the student's academic progress, and communicating with a student's parent/guardian regarding the student's academic progress
2. The objectives and methods of study for the student's work and the methods used to evaluate that work
3. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion, the level of satisfactory educational progress, and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in independent study
5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year
6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion
7. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports
8. A statement that independent study is an optional educational alternative in which no student may be required

to participate

9. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction
10. Before the commencement of independent study projected to last for 15 school days or more, or within ten school days of the first day of enrollment for independent study for less than 15 school days, the agreement shall be signed and dated by the student, the student's parent/guardian or caregiver if the student is under 18 years of age, the certificated employee responsible for the general supervision of independent study, and for students with disabilities, the certificated employee designated as having responsibility for the special education programming of the student

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education (CDE). (Education Code 51747)

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

### **Student-Parent-Educator Conferences**

A student-parent-educator conference shall be held as appropriate including, but not limited to, as a reengagement strategy and/or, if requested by a parent/guardian, prior to enrollment or disenrollment from independent study. (Education Code 51745.5, 51747, 51749.5)

### **Records**

The Superintendent or designee shall ensure that records are maintained for audit purposes.

These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study
2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12 and adult education
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's signed or initialed and dated notations indicating that the teacher has personally evaluated the work or personally reviewed the evaluations made by another certificated teacher
4. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons
5. Appropriate documentation of compliance with the teacher-student ratios required by Education Code 51745.6 and 51749.5 (Education Code 51745.6 and 51749.5)
6. Appropriate documentation of compliance with the requirements pursuant to Education Code 51747.5 to ensure the coordination, evaluation, and supervision of the independent study of each student by a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300 (Education Code 51747.5)

The district shall document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program. A student who does not participate in

scheduled live interaction or synchronous instruction shall be documented as nonparticipatory for that school day. (Education Code 51747.5)

The Superintendent or designee shall also maintain a written or computer-based record such as a grade book or summary document of student engagement, for each class, of all grades, assignments, and assessments for each student for independent study assignments. (Education Code 51747.5)

Signed written and supplemental agreements, assignment records, work samples, and attendance records may be maintained as an electronic file in accordance with Education Code 51747 and 51749.6, as applicable.

**Program Evaluation**

The Superintendent or designee shall annually report to the Board the number of district students participating in independent study, the average daily attendance generated for apportionment purposes, student performance as measured by standard indicators and in comparison to students in classroom-based instruction, and the number and proportion of independent study students who graduate or successfully complete independent study. Based on the program evaluation, the Board and Superintendent shall determine areas for program improvement as needed.

**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.

<b>State References</b>	<b>Description</b>
5 CCR 11700-11705	Independent study
Ed. Code 17289	Exemption for facilities
Ed. Code 41020	Requirement for annual audit
Ed. Code 41422	Emergency conditions and apportionments
Ed. Code 42238	Revenue limits
Ed. Code 42238.05	Local control funding formula; average daily attendance
Ed. Code 44865	Qualifications for independent study teachers
Ed. Code 46100	Length of school day
Ed. Code 46200-46208	Incentives for longer instructional day and year
Ed. Code 46300-46307.1	Methods of computing average daily attendance
Ed. Code 46390-46393	Emergency average daily attendance
Ed. Code 46600	Interdistrict attendance computation
Ed. Code 47612-47612.1	Charter School Operation
Ed. Code 47612.5	Charter schools operations; general requirements
Ed. Code 48204	Residency requirements for school attendance
Ed. Code 48206.3	Home or hospital instruction; students with temporary disabilities
Ed. Code 48220	Classes of children exempted
Ed. Code 48340	Improvement of pupil attendance
Ed. Code 48915	Expulsion; particular circumstances
Ed. Code 48916.1	Educational program requirements for expelled students
Ed. Code 48917	Suspension of expulsion order
Ed. Code 49011	Student fees
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51744-51749.6	Independent study

Ed. Code 52060	Local Control and Accountability Plan
Ed. Code 52523	Adult education as supplement to high school curriculum; criteria
Ed. Code 56026	Individual with exceptional needs
Ed. Code 58500-58512	Alternative schools and programs of choice
Fam. Code 6550-6552	Caregivers

**Federal References**

20 USC 6301	Highly qualified teachers
20 USC 6311	State plan

**Description**

**Management Resources References**

- California Department of Education Publication
- California Department of Education Publication
- California Department of Education Publication
- California Department of Education Publication
- California Department of Education Publication

**Description**

- Legal Requirements for Independent Study
- Conducting Individualized Determinations of Need
- 2021-22 AA & IT Independent Study FAQs
- California Digital Learning Integration and Standards Guidance, May 2021
- Elements of Exemplary Independent Study
- Modesto City Schools v. Education Audits Appeal Panel (2004) 123 Cal.App.4th 1365
- Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting
- CSBA District and County Office of Education Legal Services - <https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>
- California Consortium for Independent Study - <https://simbli.eboardsolutions.com/SU/6EJ9KJRdGGplusAXsIshfOR6gplusRQ==>
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Court Decision

Education Audit Appeals Panel Publication

Website

Website

Website

Website

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**Description**



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6183

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6200

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