

# Mesa Union School District

**Agenda for the Regular Board Meeting of the Board of Trustees to be held via teleconferencing at <https://meet.google.com/cep-sptf-jxy> on Tuesday, May 19, 2020, at 6:00 p.m. in the school multi-purpose room located at 3901 North Mesa School Road, Somis, California 93066**

The Regular Board Meeting of the Board of Trustees will be held via teleconferencing at <https://meet.google.com/cep-sptf-jxy> beginning at 6:00 p.m. with closed session and approximately 6:30 p.m. for open session. A complete agenda packet is available at the District Office, 3901 North Mesa School Road, Somis, 72 hours prior to a regularly scheduled meeting and online at [www.mesaschooldistrict.org](http://www.mesaschooldistrict.org).

## 1. CALL TO ORDER AND RECOGNITION OF A QUORUM

Time _____	Present	Absent
Dr. Neil Canby, Trustee	_____	_____
Mrs. Jayme Dryden, Trustee	_____	_____
Mrs. Krista Nowak, Trustee	_____	_____
Mr. Steven Sullivan, Trustee	_____	_____
Mrs. Roddie Villa, Trustee	_____	_____
Mr. Jeff Turner, Superintendent	_____	_____
Mrs. Tami Peterson, Chief Business Official	_____	_____
Mrs. Erica Magdaleno, Executive Assistant	_____	_____

## 2. ADOPTION OF AGENDA

Usually an agenda covers an entire session, in which case it is the order of business for that session and is adopted by majority vote of the assembly. Thereafter, no change can be made in the agenda except by a two-thirds vote or by unanimous consent. At the point of adoption of the agenda, any Board member or the Superintendent can request that the agenda be reordered.

## 3. PUBLIC COMMENT ON CLOSED SESSION ITEMS

At this time, any member of the public may address the Board concerning the closed session items. A person addressing the Board is urged to use not more than three (3) minutes of time. If you wish to address the Board, please plan to complete a Speaker Form prior to the start of the meeting. Forms are available in the District Office, at the Board meeting and online at [www.mesaschooldistrict.org](http://www.mesaschooldistrict.org).

## 4. CLOSED SESSION

During this time, the Board may adjourn to closed session to discuss confidential material relating to:

- A. Personnel as authorized by Government Code §54957 as it relates to personnel needs for the 2020-2021 school year
- B. Public Employee Appointment: Superintendent authorized by Government Code Section 54957(b)
- C. Negotiations as it relates to MUTA and MUST - Consult with District Negotiator Jeff Turner, authorized by Government Code §3549.1

## ADJOURN FROM CLOSED SESSION

Time: \_\_\_\_\_

## RECONVENE IN PUBLIC

(Approximate time 6:30 p.m.) Time: \_\_\_\_\_

Report of actions taken during closed session: The president of the Board will report on actions taken during closed session.

## 5. OFFICIAL OPENING - PLEDGE OF ALLEGIANCE

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## 6. MINUTES

It is the recommendation of the District Administration that the Board of Trustees approve the minutes of the Regular Board Meeting of April 21, 2020, and Special Board Meeting of May 2, 2020.

## 7. AUDIENCE TO ADDRESS BOARD OF TRUSTEES - COMMENTS BY THE PUBLIC

All individuals are invited to speak to the Board during public comment on matters related to the District. If you wish to address the Board, please plan to complete a Speaker Form prior to the start of the meeting. Forms are available in the District Office, at the Board meeting and online at [www.mesaschooldistrict.org](http://www.mesaschooldistrict.org).

## 8. RECOGNITIONS:

- A. Employee Years of Service Awards
- B. Retirement Recognition-Joann Dwork

## 9. DISCUSSION/PUBLIC HEARING:

**A. Public Hearing for AB1200:** Collective Bargaining Agreement with Mesa Union Support Team (MUST) Disclosure, Consideration, and Public Comment Regarding the Proposed Collective Bargaining Agreement with Mesa Union Support Team (MUST) for the Period of July 1, 2017 through June 30, 2020. Presentation includes public disclosure of the major provisions of the proposed agreement, including costs to be incurred by the District, followed by an opportunity for public comment (Government Code Section 3547.5).

**B. Public Hearing:** Presentation of the Initial Proposal of the Mesa Union Teachers' Association (MUTA) to the Mesa Union School District for the 2020-2021 school year negotiations; Public Comment

*In accordance with Government Code section 3547, all initial bargaining proposals of an exclusive bargaining representative shall be presented at a public meeting of the public school employer. The initial bargaining proposal of the Mesa Union Teachers' Association (MUTA) was first made public at the April 21, 2020 Board meeting of the Board of Trustees and is hereby returned to this agenda for public discussion.*

## 10. SUPERINTENDENT'S REPORT

- A. Youth Truth Survey Results
- B. Local Control Accountability Plan Update

## 11. BOARD MEMBERS' REPORTS AND COMMUNICATIONS

- A. Correspondence
  - 1. Ventura County Office of Education correspondence with regards to AB 1200 and Government Code Section 3547.5.
- B. Board members' reports and communications
- C. Board members' interests and concerns

## 12. CONSENT AGENDA

Approval of the Consent Agenda – All items on the Consent Agenda are to be approved as one motion unless a Board member requests separate action on a specific item. Each item approved shall be deemed to have been read in full and adopted as recommended.

- A. Purchase Orders – Mesa (April 1-April 31, 2020)



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*It is the recommendation of the District Administration that the Purchase Orders be approved as presented.*

**PLEASE SEE AGENDA ITEM 12A IN THE PACKET**

**B. Check Register – Mesa (April 1-April 30, 2020)**

*It is the recommendation of the District Administration that the Check Register be approved as presented.*

**PLEASE SEE AGENDA ITEM 12B IN THE PACKET**

**C. Statement of Revenues and Expenditures (April 1-April 30, 2020)**

*It is the recommendation of the District Administration that the Statement of Revenues and Expenditures be approved as presented.*

**PLEASE SEE AGENDA ITEM 12C IN THE PACKET**

**D. Current Enrollment Report**

*It is the recommendation of the District Administration that the Enrollment Report be approved as presented.*

**PLEASE SEE AGENDA ITEM 12D IN THE PACKET**

**E. Student of the Month**

*It is the recommendation of the District Administration that the Student of the Month listing be accepted as presented.*

**PLEASE SEE AGENDA ITEM 12E IN THE PACKET**

**F. Document Tracking Services Renewal Agreement**

*It is the recommendation of the District Administration that the Board of Trustees approve the renewal agreement with Document Tracking Services.*

**PLEASE SEE AGENDA ITEM 12F IN THE PACKET**

## **13. INFORMATION ITEMS**

**A. Receive the Initial Proposal of the Mesa Union Support Team (MUST) to the Mesa Union School District for the 2020-2021 school year**

*In accordance with Government Code section 3547, all initial bargaining proposals of an exclusive bargaining representative shall be presented at a public meeting of a public school employer and thereafter, shall be public record. The Mesa Union Support Team (MUST) hereby presents its initial proposal to the Mesa Union School District. This*

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*proposal shall be available for public review in District Office from May 19, 2020-June 16, 2020 and the public will have an opportunity to respond to this proposal at the next scheduled Board meeting.*

**PLEASE SEE AGENDA ITEM 13A IN THE PACKET**

## **14. ACTION/DISCUSSION ITEMS:**

### **A. Consideration of the approval of the Superintendent's contract**

*It is the recommendation of the District Administration that the Board of Trustees approve a three-year contract with \_\_\_\_\_ to serve as Superintendent for the Mesa Union School District commencing July 1, 2020.*

**PLEASE SEE AGENDA ITEM 14A IN THE PACKET**

### **B. Consideration of adoption of Resolution #19-20-08 Regarding Layoff of Classified Personnel**

*It is the recommendation of the District Administration that the Board of Trustees adopt Resolution #19-20-08 Regarding Layoff of Classified Personnel.*

**PLEASE SEE AGENDA ITEM 14B IN THE PACKET**

### **C. Consideration of approval of the proposed tentative collective bargaining agreement with Mesa Union Support Team (MUST) for the period of July 1, 2019-June 30, 2020**

*It is the recommendation of the District Administration that the Board of Trustees approve the proposed collective bargaining agreement with Mesa Union Support Team (MUST) for period July 1, 2019-June 30, 2020.*

**PLEASE SEE AGENDA ITEM 14C IN THE PACKET**

### **D. Discuss and acknowledge receipt of the Initial Proposal of the Mesa Union Teachers' Association (MUTA) to the Mesa Union School District for the 2020-2021 school year negotiations**

*In accordance with Government Code section 3547, discuss and acknowledge receipt by the Board of the Initial Proposal of the Mesa Union Teachers' Association (MUTA) to the Mesa Union School District for the 2020-2021 school year negotiations.*

**PLEASE SEE AGENDA ITEM 14D IN THE PACKET**

### **E. Consideration of approval of the End of Year Resolutions:**

Resolution #19-20-09 Temporary Loans Between District Funds Fiscal Year 2020-2021

Resolution #19-20-10 Appropriation Transfers Fiscal Year 2020-2021

Resolution #19-20-11 Authority for Mesa Union School District to Improve Compensation and Benefits for Certain Categories of Employees After July 1, 2020

*It is the recommendation of the District Administration that the Board of Trustees adopt Resolution #19-20-09 Temporary*

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*Loans Between District Funds Fiscal Year 2020-2021, Resolution #19-20-10 Appropriation Transfers Fiscal Year 2020-2021 and Resolution #19-20-11 Authority for Mesa Union School District to Improve Compensation and Benefits for Certain Categories of Employees After July 1, 2020.*

## **PLEASE SEE AGENDA ITEM 14E IN THE PACKET**

- F.** Consideration of approval of the proposal with MJP Technologies, Inc. for the purchase of staff laptops in the amount of \$46,490.44

*It is the recommendation of the District Administration that the Board of Trustees approve the proposal with MJP Technologies, Inc. for the purchase of staff laptops in the amount of \$46,490.44.*

## **PLEASE SEE AGENDA ITEM 14F IN THE PACKET**

- G.** Consideration of approval of the proposal with MJP Technologies, Inc. for the purchase of student laptops in the amount of \$59,861.38 and cases in the amount of \$9,169.88 to be purchased on or after July 1, 2020

*It is the recommendation of the District Administration that the Board of Trustees approve the proposal with MJP Technologies, Inc. for the purchase of student laptops in the amount of \$59,861.38 and computer cases in the amount of \$9,169.88 to be purchased on or after July 1, 2020.*

## **PLEASE SEE AGENDA ITEM 14G IN THE PACKET**

- H.** Consideration of approval to award the contract and notice to proceed for the security gate, fencing and surveillance system project with Dash Construction Company, Inc.

*It is the recommendation of the District Administration that the Board of Trustees approve the awarding of the contract and notice to proceed for the security gate, fencing and surveillance system project with Dash Construction Company,*

*Inc.*

## **PLEASE SEE AGENDA ITEM 14H IN THE PACKET**

- I.** Consideration of approval of the proposal with Earth Systems to provide materials inspection and testing services during construction of the security gate, fencing and surveillance system project

*It is the recommendation of the District Administration that the Board of Trustees approve the proposal with Earth Systems to provide materials inspection and testing services during construction of the security gate, fencing and surveillance system project.*

## **PLEASE SEE AGENDA ITEM 14I IN THE PACKET**

- J.** Consideration of approval of the request for Allowance of Attendance Due to Emergency Conditions From J-13A

*It is the recommendation of the District Administration that the Board of Trustees approve the Allowance of Attendance Due to Emergency Conditions Form J-13A.*

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**PLEASE SEE AGENDA ITEM 14J IN THE PACKET**

**K. Consideration of adoption of the March 2020 Board policy revisions for sections:**

**BP 0420.4- Charter School Authorization**

**AR 0420.4- Charter School Authorization**

**BP 0420.41- Charter School Oversight**

**E 0420.41- Charter School Oversight**

**BP 0420.42- Charter School Renewal**

**BP 0420.43- Charter School Revocation**

**BP 3471- Parcel Taxes**

**BP 3551- Food Service Operations/Cafeteria Fund**

**AR 3551- Food Service Operations/Cafeteria Fund**

**BP 4112.2-Certification**

**E 4112.9 4212.9 4312.9- Employee Notification**

**BP 5141.52- Suicide Prevention**

**AR 5141.52- Suicide Prevention**

**BP 5144.1- Suspension and Expulsion/Due Process**

**AR 5144.1- Suspension and Expulsion/Due Process**

**BP 6172.1-Concurrent Enrollment in College Classes**

**AR 6172.1- Concurrent Enrollment in College Classes**

*It is the recommendation of the District Administration that the Board of Trustees adopt the policies in sections 0000-6000 of the March 2020 CSBA Board policy updates.*

**PLEASE SEE AGENDA ITEM 14K IN THE PACKET**

## **15. PERSONNEL:**

- A.** Consideration of acceptance of the resignation due to retirement of Joann Dwork, middle school teacher, effective June 30, 2020.

*Is the recommendation of the District Administration that the Board of Trustees accept the resignation due to retirement of Joann Dwork, middle school teacher, effective June 30, 2020.*

- B.** Consideration of approval to Board authorize Shannon Roberson (SS #3472), middle school math teacher, to teach 6th grade science for the 2020-2021 school year in accordance with Education Code 44258.2

E.C.44258.2 authorizes holders of secondary-type credential to be assigned to teach classes in middle school, grades 6-8. REQUIRES: 12 semester units or 6 upper division units, teacher consent, and Board authorization.

*It is the recommendation of the District Administration that the Board of Trustees approve the Board authorization of Shannon Roberson to 6th grade science for the 2020-2021 school year in accordance with Education Code 44258.2.*

## **16. ITEMS FOR FUTURE CONSIDERATION:**

- A.** 2020-2021 Budget Public Hearing

## **17. FUTURE MEETINGS**

- A.** Tuesday, June 2, 2020 at 6:00 p.m., Special Board Meeting  
**B.** Tuesday, June 16, 2020 at 6:00 p.m., Regular Board Meeting

## **18. ADJOURNMENT**

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Time: \_\_\_\_\_

*In accordance with requirements of the Americans with Disabilities Act and related federal regulations, individuals who require special accommodation, including but not limited to an American sign language interpreter, accessible seating or documentation in accessible formats, should contact the Superintendent's office at least two days before the meeting.*

**Official Minutes of the April 21, 2020 Board Meeting of the Board of Trustees of the  
Mesa Union School District**

Call to Order	The April 21, 2020 Regular Meeting of the Board of Trustees of Mesa Union School District came to order at 5:07 p.m. in the multi-purpose room.										
Agenda	<p>On motion of Trustee Dryden, seconded by Trustee Nowak, and carried with a 4-0-1 vote, the Board agenda was adopted by common consent.</p> <p><b>Vote:</b></p> <table><tr><td>Canby: <b>Aye</b></td><td>Dryden: <b>Aye</b></td><td>Nowak: <b>Aye</b></td><td>Sullivan: <b>Aye</b></td><td>Villa: <b>Absent</b></td></tr><tr><td>Ayes: <b>4</b></td><td>Noes: <b>0</b></td><td>Abstentions: <b>0</b></td><td>Absent: <b>1</b></td><td></td></tr></table>	Canby: <b>Aye</b>	Dryden: <b>Aye</b>	Nowak: <b>Aye</b>	Sullivan: <b>Aye</b>	Villa: <b>Absent</b>	Ayes: <b>4</b>	Noes: <b>0</b>	Abstentions: <b>0</b>	Absent: <b>1</b>	
Canby: <b>Aye</b>	Dryden: <b>Aye</b>	Nowak: <b>Aye</b>	Sullivan: <b>Aye</b>	Villa: <b>Absent</b>							
Ayes: <b>4</b>	Noes: <b>0</b>	Abstentions: <b>0</b>	Absent: <b>1</b>								
Roll Call	<p>Board member Dr. Neil Canby was present. Jayme Dryden, Krista Nowak, and Steven Sullivan were present via teleconference.</p> <p>District administrators present were Mr. Turner, superintendent, and Erica Magdaleno, executive assistant.</p>										
Closed Session	<p>There were no public comments on closed session items.</p> <p>At 5:07 p.m., Trustee Canby asked for public comment on closed session items. Hearing none, he announced that the Board would go into closed session to discuss Personnel as it relates to personnel needs for the 2020-2021 school year as authorized by Government Code §54957, Public Employment as it relates to the Superintendent/Principal position as authorized by Government Code §54957, and Negotiations as it relates to MUTA and MUST authorized by Government Code §3549.1.</p> <p>Trustee Villa joined the closed session at approximately 6:00 p.m. via teleconference.</p>										
Reconvene to Open Session	At 6:28 p.m., the Board of Trustees returned to open session. Trustee Canby reported that the Board discussed Personnel as it relates to personnel needs for the 2020-2021 school year as authorized by Government Code §54957, Public Employment as it relates to the Superintendent/Principal position as authorized by Government Code §54957, and Negotiations as it relates to MUTA and MUST authorized by Government Code §3549.1. No action was taken.										
Pledge of Allegiance	The Pledge of Allegiance was led by Trustee Canby.										
Minutes	<p>On motion of Trustee Nowak, seconded by Trustee Sullivan, and carried with 5-0-0 vote, the minutes of the Regular Board Meeting of March 24, 2020 were approved.</p> <p><b>Vote:</b></p> <table><tr><td>Canby: <b>Aye</b></td><td>Dryden: <b>Aye</b></td><td>Nowak: <b>Aye</b></td><td>Sullivan: <b>Aye</b></td><td>Villa: <b>Aye</b></td></tr><tr><td>Ayes: <b>5</b></td><td>Noes: <b>0</b></td><td>Abstentions: <b>0</b></td><td>Absent: <b>0</b></td><td></td></tr></table>	Canby: <b>Aye</b>	Dryden: <b>Aye</b>	Nowak: <b>Aye</b>	Sullivan: <b>Aye</b>	Villa: <b>Aye</b>	Ayes: <b>5</b>	Noes: <b>0</b>	Abstentions: <b>0</b>	Absent: <b>0</b>	
Canby: <b>Aye</b>	Dryden: <b>Aye</b>	Nowak: <b>Aye</b>	Sullivan: <b>Aye</b>	Villa: <b>Aye</b>							
Ayes: <b>5</b>	Noes: <b>0</b>	Abstentions: <b>0</b>	Absent: <b>0</b>								
Comment by the Public	Trustee Canby asked for public comments. There were no public comments.										
Superintendent’s Report	<p><b>Local Control Accountability Plan Update:</b> Mr. Turner provided an update of the Local Control Accountability Plan (LCAP) development process. Mr. Turner reminded the Trustees and audience that Mesa Union and districts throughout the state develop their Local Control Accountability Plans to address the eight state priorities. Some of those priorities include basic</p>										



services, which include access to highly qualified teachers, classrooms and instructional materials. The state's priorities range from those basic services to pupil achievement. Mr. Turner reminded the Board and audience that pupil achievement is measured on CAASPP assessment scores. At Mesa 60% of students met or exceeded the standards in ELA, and 51% of students met or exceeded the standards in mathematics. Both percentage rates exceeded county and state averages, and Mesa should be very proud of its students. Some of the other state priorities include parent involvement, pupil engagement, and school climate. Mr. Turner communicated that as the LCAP is developed, evaluated, revised, and as is brought forward to the Board, each of these elements will be addressed in the plan. Mr. Turner also reviewed the LCAP survey results. There were 30 more responses to the survey this year in comparison to last school year. This year there was a total of 178 responses that represents 23% of the stakeholders. The survey focused on the areas of student achievement, school climate, engagement and communication. Mr. Turner communicated that he will be sharing the entire survey and responses with the Board in his Friday memo. Mr. Turner also communicated that he is currently working on the annual update, which entails evaluating how our students are doing in reference to the California School Dashboard. Mr. Turner reviewed and provided an update of the California School Dashboard results. Mr. Turner also shared that part of the annual update includes evaluating the different strategies that are embedded in the LCAP, evaluating the funds that are tied to the LCAP and how they are being spent. In addition, Mr. Turner reviewed the 2020-2021 LCAP goals. He communicated that Goals 1 and 2 have no changes, but Goals 3 and 4 have been revised. Lastly, Mr. Turner reviewed the next steps, timeline and process in adopting the 2020-2021 LCAP. He added that there has been discussion at the state level with regards to providing districts with a deadline extension to submit the LCAP as a result of the COVID-19.

**Monthly Attendance/Discipline Reports:** Mr. Turner provided an attendance report update, and shared that this month will be the last monthly attendance report for the school year. Mr. Turner indicated that the overall attendance rate was 95.51%. The highest attendance rate was in 7th grade at 98.21%. With the exception of 1st and 3rd grade, all grade levels had a 95% or higher attendance rate. Mr. Turner communicated that up until the Thursday before school transitioned to distance learning, the attendance rate was 96%. On Friday after the announcement was made regarding school closures, the attendance rate decreased to 89%. Mr. Turner communicated that having an 89% attendance rate on Friday was still very helpful in preparing students to transition to distance learning. In closing, Mr. Turner stated that in the month of March there was one out of school suspension.

#### **Board Members' Report and Communication**

##### **Board members' correspondence:**

##### **Board members' reports and communication:**

##### **Board members' interests and concerns:**

Trustee Dryden took a moment to wish everyone a Happy Earth Day and hopes that everyone has an opportunity to go outside and enjoy some fresh air in this beautiful climate.

Trustee Sullivan asked that an update be provided regarding how students are doing with distance learning and how they are staying in contact.

Mr. Turner commented that prior to Spring Break parent communication was sent home notifying families that Mesa would be transitioning from a distance learning participation

model to a grading model. Assignments are expected to be turned in and will be evaluated and used to develop grades for students in 3rd-8th grades for third trimester and junior high fourth quarter report cards. Follow-up communication was sent out on Monday reminding parents of the grading model. Mr. Turner also shared there has been a very high level of participation. There is 94% participation in the elementary level and 89% in the middle school. Mr. Turner will follow up with teachers and provide a participation update, as the model has now changed to a grading model. In terms of communication to parents, teachers are providing distance learning instruction every day and checking in with their students. Teachers are also reaching out to parents of those students that are not participating. Furthermore, devices are continuing to be issued to families. Some families provided feedback and requested that multiple devices be issued for those who have multiple students. In terms of internet access, with the exception of two families, all families have been able to access the internet. The two families that have not been able to access the internet will be provided with a hot spot. Mr. Turner also clarified that our current distance learning instruction is a blended model as some grades are also packet driven, for example Kinder and 1st grade. There are also other grade levels providing students with packets. Mr. Turner communicated that overall distance learning is going very well, and he is very proud of all the work staff has put in to facilitate the transition to distance learning.

Trustee Sullivan inquired with a follow-up question regarding teacher in-service training for distance learning. Mr. Turner clarified that training has not been provided since school closed, but there are regular leadership meetings and check-ins with teachers. Prior to the closure, teachers had been previously trained in Google suites as it was being used during daily instruction. Mr. Turner commented that having those building blocks in place has made the distance learning transition easier. Mr. Turner shared that a student dashboard was created on the school web page to provide students with resources, such as access to online textbooks, assignments, and other tech driven materials. Mr. Turner also shared that Michele Waggoner and Roxenne Sonnenschein have been very helpful in providing technology support to teachers.

Trustee Sullivan thanked the staff for the work they are providing and thanked the District for providing staff with the support needed for distance learning. Trustee Sullivan commented that the staff is doing an outstanding job. Trustee Canby agreed and provided kudos to all staff and Mr. Turner.

Trustee Nowak left the meeting via teleconference at approximately 7:10 p.m.

**Consent Agenda:**

Purchase Orders \$1,156,937.02

Checks Totaling \$299,015.66

Fund Balances

Enrollment 614

Student of the Month, Honor/Merit Roll Listing and Junior High Student of the Quarter,  
Honor/Merit Roll Listing

Student Body Fund and Revolving Fund Accounting for the 2019-2020 school year

IO Assessment Software Renewal with Illuminate Education

MOU with Interface Children and Family Services for the term of July 1, 2020-June 30, 2021

**Consent**

**Official Minutes of the April 21, 2020 Board Meeting of the Board of Trustees of the  
Mesa Union School District**

On motion of Trustee Dryden, seconded by Trustee Sullivan and carried with a 4-0-1 vote the consent agenda was approved.

**Vote:**

Canby: <b>Aye</b>	Dryden: <b>Aye</b>	Nowak: <b>Absent</b>	Sullivan: <b>Aye</b>	Villa: <b>Aye</b>
Ayes: <b>4</b>	Noes: <b>0</b>	Abstentions: <b>0</b>	Absent: <b>1</b>	

**Information**

Trustee Canby acknowledged receipt of the Initial proposal of the Mesa Union Teachers' Association (MUTA) to the Mesa Union School District for the 2020-2021 school year.

**Action/Discussion  
Resolution #19-20-07**

On motion of Trustee Sullivan, seconded by Trustee Dryden, and carried with the 4-0-1 vote, Resolution #19-20-07 Ordering a Regular Governing Board Member Election, Ordering Consolidation with Other Elections, and Constituting "Specifications of Election Order" to be held November 3, 2020 was adopted.

**Vote:**

Canby: <b>Aye</b>	Dryden: <b>Aye</b>	Nowak: <b>Absent</b>	Sullivan: <b>Aye</b>	Villa: <b>Aye</b>
Ayes: <b>4</b>	Noes: <b>0</b>	Abstentions: <b>0</b>	Absent: <b>1</b>	

**Notice of Inviting Informal  
Bids for the Installation of  
the Security Gate, Fencing  
and Surveillance System  
Project**

On motion of Trustee Dryden, seconded by Trustee Sullivan, and carried with the 3-1-1 vote, the Notice inviting informal bids for the installation for security gate, fencing, and surveillance system project under California Uniform Public Construction Cost Account Act (CUPCCAA) was approved.

**Vote:**

Canby: <b>Aye</b>	Dryden: <b>Aye</b>	Nowak: <b>Absent</b>	Sullivan: <b>Nay</b>	Villa: <b>Aye</b>
Ayes: <b>3</b>	Noes: <b>1</b>	Abstentions: <b>0</b>	Absent: <b>1</b>	

**2020-2021 Mesa Union  
School District Academic  
Calendar**

On motion of Trustee Villa, seconded by Trustee Sullivan, and carried with the 4-0-1 vote, the 2020-2021 Mesa Union School District Academic Calendar was adopted.

**Vote:**

Canby: <b>Aye</b>	Dryden: <b>Aye</b>	Nowak: <b>Absent</b>	Sullivan: <b>Aye</b>	Villa: <b>Aye</b>
Ayes: <b>4</b>	Noes: <b>0</b>	Abstentions: <b>0</b>	Absent: <b>1</b>	

**2020-2021 Mesa Union  
School District Classified  
Holiday Calendar**

On motion of Trustee Sullivan, seconded by Trustee Dryden, and carried with the 4-0-1 vote, the 2020-2021 Mesa Union School District Classified Holiday Calendar was adopted as amended.

**Vote:**

Canby: <b>Aye</b>	Dryden: <b>Aye</b>	Nowak: <b>Absent</b>	Sullivan: <b>Aye</b>	Villa: <b>Aye</b>
Ayes: <b>4</b>	Noes: <b>0</b>	Abstentions: <b>0</b>	Absent: <b>1</b>	

**2020-2021 Bell Schedule**

On motion of Trustee Villa, seconded by Trustee Sullivan, and carried with the 4-0-1 vote, the 2020-2021 Bell Schedule was approved.

**Vote:**

Canby: <b>Aye</b>	Dryden: <b>Aye</b>	Nowak: <b>Absent</b>	Sullivan: <b>Aye</b>	Villa: <b>Aye</b>
Ayes: <b>4</b>	Noes: <b>0</b>	Abstentions: <b>0</b>	Absent: <b>1</b>	

**Contract with MJP  
Technologies, Inc. to  
complete Category II  
ERATE Technology**

On motion of Trustee Villa, seconded by Trustee Sullivan, and carried with the 4-0-1 vote, the contract with MJP Technologies, Inc. to complete Category II E-RATE Technology Projects was approved.

**Official Minutes of the April 21, 2020 Board Meeting of the Board of Trustees of the  
Mesa Union School District**

**Projects**

**Vote:**

Canby: **Aye**    Dryden: **Aye**    Nowak: **Absent**    Sullivan: **Aye**    Villa: **Aye**

**Declaration of Need for Fully Qualified Educators for the 2020-2021 school year**

On motion of Trustee Sullivan, seconded by Trustee Villa, and carried with the 4-0-1 vote, the Declaration of Need for Fully Qualified Educators for the 2020-2021 school year was approved.

**Vote:**

Canby: **Aye**    Dryden: **Aye**    Nowak: **Absent**    Sullivan: **Aye**    Villa: **Aye**

**Annual Statement of Need for 30-Day Substitute Teaching Permits for the 2020-2021 school year**

On motion of Trustee Dryden, seconded by Trustee Sullivan, and carried with the 4-0-1 vote, the Annual Statement of Need for 30-Day Substitute Teaching Permits for the 2020-2021 school year was approved.

**Vote:**

Canby: **Aye**    Dryden: **Aye**    Nowak: **Absent**    Sullivan: **Aye**    Villa: **Aye**

**Quarterly Report on Williams Uniform Complaints**

On motion of Trustee Sullivan, seconded by Trustee Villa, and carried with the 4-0-1 vote, the Quarterly Report on Williams Uniform Complaints was approved.

**Vote:**

Canby: **Aye**    Dryden: **Aye**    Nowak: **Absent**    Sullivan: **Aye**    Villa: **Aye**

**First Read March 2020 Board Policy**

The Board of Trustees was provided with the March 2020 CSBA board policy updates for First review. Policies will be brought back in May for Board adoption.

**Personnel**

None

**Future Items**

2020-2021 Local Control Accountability Plan (LCAP) Public Hearing  
2020-2021 Budget Public Hearing

**Future Meetings**

May 2, 2020, at 8:30 a.m., Special Board Meeting  
May 19, 2020, at 6:00 p.m., Regular Board Meeting

**Adjournment**

There being no further items of business, the Board adjourned at 7:35 p.m.

**Official Minutes of the May 2, 2020 Special Board Meeting of the Board of Trustees of the  
Mesa Union School District**

**Call to Order**

The May 2, 2020 Special Meeting of the Board of Trustees of Mesa Union School District came to order at 8:35 a.m. in the multi-purpose room.

**Agenda**

On motion of Trustee Villa, seconded by Trustee Sullivan, and carried with a 4-0-1 vote, Board agenda was adopted by common consent.

**Vote:**

Canby: <b>Aye</b>	Dryden: <b>Aye</b>	Nowak: <b>Absent</b>	Sullivan: <b>Aye</b>	Villa: <b>Aye</b>
Ayes: <b>4</b>	Noes: <b>0</b>	Abstentions: <b>0</b>	Absent: <b>1</b>	

**Roll Call**

Board member Dr. Neil Canby, Jayme Dryden, Steven Sullivan, and Roddie Villa were present. Trustee Krista Nowak was absent.

District administrators present were Erica Magdaleno. Dr. Joe Conden with Dave Long and Associates was also present to facilitate the Special Board Meeting.

**Closed Session**

There were no public comments on closed session items.

At 8:37 a.m., Trustee Canby asked for public comment on closed session items. Hearing none, he announced that the Board would go into closed session to discuss Public Employment as it relates to the Superintendent/Principal position as authorized by Government Code §54957.

At 4:36 p.m., the Board of Trustees returned to open session. Trustee Canby reported that the Board discussed Public Employment as it relates to the Superintendent/Principal position as authorized by Government Code §54957. Trustee Canby reported that the Board has selected a candidate for Superintendent/Principal position and will enter into contract negotiations. No other action was taken.

**Future Meetings**

May 19, 2020, at 6:00 p.m., Regular Board Meeting

**Adjournment**

There being no further items of business, the Board adjourned at 4:37 p.m.



## *Employee Years of Service Recognition*



On behalf of Mesa Union School District, we invite you to help the District recognize the years of service of its certificated and classified staff during the Mesa School Board meeting on

Tuesday May 19, 2020 at 6:30.p.m via teleconference at <https://meet.google.com/cep-sptf-jxv>



***Martha Bautista***  
*30 years of Service*



***Joann Dwork***  
*25 years of Service*



***Michelle Demaria***  
*15 years of Service*



***Jolana Ramirez***  
*15 years of Service*



***Adell Reyes***  
*5 years of service*



***Daniela Torres***  
*5 years of Service*



# DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT

In Accordance with AB 1200, AB 2756 and G.C. 3547.5

School District: Mesa Union School District

Name of Bargaining Unit: MUST

The proposed agreement covers the period:

Beginning: 7/1/2017

Ending: 6/30/2020

Employee Type:

Certificated: \_\_\_\_\_

Classified: x

The proposed agreement will be acted upon by the Governing Board  
at its meeting on: 19-May-20

## A. Proposed Change in Compensation:

Compensation		Cost Prior To Proposed Agreement	Fiscal Impact of Proposed Agreement		
			Current Year 2019-20	Year 2 2020-21	Year 3 2021-22
1.	Salary Schedule - Increase/(Decrease)	\$ 930,620	\$ 18,612 2.00%	\$ %	\$ %
2.	Step and Column - Increase/(Decrease) due to movement plus any changes due to settlement.		\$ %	\$ %	\$ %
3.	Other Compensation - Increase/(Decrease) (Stipends, Bonuses, Etc)		\$ %	\$ %	\$ %
4.	Statutory Benefits - Increase/(Decrease) in STRS, PERS, FICA, WC, UI, Medicare, etc.	\$ 272,309	\$ 5,446 2.00%	\$ %	\$ %
5.	Health/Welfare Benefits - Increase/(Decrease)	\$	\$ %	\$ %	\$ %
6.	Total Compensation - Increase/(Decrease) (Total Lines 1-5)	\$ 1,202,929	\$ 24,059 2.00%	\$ %	\$ %
7.	Total Number (FTE) of Represented Employees	# 24	# 24	# 24	# 24
8.	Total Compensation Cost for Average Employee Increase/(Decrease) (Line 6/Line 7)	\$ 51,188	\$ 1,024 2.00%	\$ %	\$ %
9a.	Certificated Teacher's Salary (Excluding Benefits)				
	-Minimum Daily Rate	\$	\$ %	\$ %	\$ %
	-Maximum Daily Rate	\$	\$ %	\$ %	\$ %
	-Substitute Daily Rate	\$	\$ %	\$ %	\$ %
9b.	- Annual Cost Health/Welfare Benefit amount per FTE	\$ 11,816	\$ 11,816	\$	\$
	- District Cost Annual H&W Benefit amount per FTE	\$ 11,816	\$ 11,816	\$	\$
	- Current Negotiated H&W Cap amount per FTE	\$ 11,816	\$ 11,816	\$	\$

Please include comments and explanations as necessary:

The tentative agreemen includes an ongoing increase to the 2019/20 salary schedule of 2% for all active employees, retroactive to July 1, 2019.

**B. Proposed Negotiated Changes in Non-Compensation Items (class size adjustments, staff development, teacher prep time, etc.):**

The agreement includes revisions to the evaluation process. It also includes changes to the leave policy whereby reducing the number of sick leave days to eleven (from twelve) and awarding an additional day the year following when a unit member utilizes three sick days or less in a school year.

**C. What are the specific impacts on instructional and support programs to accommodate the settlement? (Include the impact of non-negotiated changes such as staff reductions and program reductions/eliminations.):**

None

**D. What contingency language is included in the proposed agreement? (reopeners, etc.):**

None

**E. Will this agreement create, increase, or decrease deficit financing in the current or future years?**

No

**F. Source of Funding for the Proposed Agreement:**

**1. Current Year:**

Unrestricted General Fund

**2. How will the ongoing cost of the proposed agreement be funded in future years?**

Unrestricted General Fund

**3. If multi-year agreement, what is the source of funding, including assumptions used, to fund these obligations in future years? (Remember to include compounding effects in meeting obligations):**

**Disclosure of Collective Bargaining Agreement**  
**School District:** Mesa Union School District

	(Col. 1) Latest Board Approved Budget Before Settlement (As of 1/31/2020)	(Col. 2) Adjustment as a Result of Settlement *	(Col. 3) Other Revisions	(Col. 4) Total Impact on Budget (Col. 1+2+3) (As of 1/31/2020)
<b>REVENUES</b>				
LCFF Revenues (8010-8099)	5,376,535			5,376,535
Remaining Revenues (8100-8799)	1,490,843			1,490,843
<b>TOTAL REVENUES</b>	<b>6,867,378</b>	<b>0</b>	<b>0</b>	<b>6,867,378</b>
<b>EXPENDITURES</b>				
1000 Certificated Salaries	2,676,948			2,676,948
2000 Classified Salaries	967,819			967,819
3000 Employees' Benefits	1,278,074			1,278,074
4000 Books and Supplies	411,294			411,294
5000 Services and Operating Expenses	1,025,104			1,025,104
6000 Capital Outlay	34,814			34,814
7100-7499 Other	490,963			490,963
<b>TOTAL EXPENDITURES</b>	<b>6,885,016</b>	<b>0</b>	<b>0</b>	<b>6,885,016</b>
<b>OPERATING SURPLUS (DEFICIT)</b>	<b>(17,638)</b>	<b>0</b>	<b>0</b>	<b>(17,638)</b>
<b>OTHER SOURCES AND TRANSFERS IN</b>	0			0
<b>OTHER USES AND TRANSFERS OUT</b>	0			0
<b>CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE</b>	<b>(17,638)</b>	<b>0</b>	<b>0</b>	<b>(17,638)</b>
<b>BEGINNING BALANCE</b>	1,538,092			1,538,092
<b>CURRENT YEAR ENDING BALANCE</b>	<b>1,520,454</b>	<b>0</b>	<b>0</b>	<b>1,520,454</b>
<b>COMPONENTS OF ENDING BALANCE</b>				
Non-spendable (9711-9719)				
Restricted (9740)	63,703			63,703
Committed (9750 / 9760)				
Assigned (9780)				
Reserve for Economic Uncertainties (9789)	344,251	0	0	344,251
Unappropriated Amounts (9790)	1,112,500	0	0	1,112,500

\* If the total amount of the Adjustment in Column 2 does not agree with the amount of the Total Compensation Increase on Page 1, Section A, Line 6, please explain the variance below.

**Please include comments and explanations as necessary:** \_\_\_\_\_

No adjustments or revisions are necessary because the Board Approved Operating Budget at Second Interim included the amounts of the settlement as well as the settlement agreement with MUTA.



Disclosure of Collective Bargaining Agreement

School District: Mesa Union School District

G. Impact of Proposed Agreement on Current Year Unrestricted Reserves

1. State Reserve Standard

a. Total Expenditures, Transfers Out, and Uses (Including Cost of Proposed Agreement)	\$ 6,885,016
b. State Standard Minimum Reserve Percentage for this District	4%
c. State Standard Minimum Reserve Amount for this District (Line 1 times Line 2 or \$67,000 for a district with less than 1,001 ADA)	\$ 275,401

2. Budgeted Unrestricted Reserve (After Impact of Proposed Agreement)

a. General Fund Budgeted <u>Unrestricted</u> Reserve for Economic Uncertainties	\$ 344,251
b. General Fund Budgeted <u>Unrestricted</u> Unappropriated Amount	\$ 1,112,500
c. Special Reserve Fund (17) Budgeted Reserve for Economic Uncertainties	\$ 0
d. Special Reserve Fund (17) Budgeted Unappropriated Amount	\$ 0
e. Total District Budgeted Unrestricted Reserves	\$ 1,456,751

3. Do Unrestricted reserves meet the state standard minimum reserve amount?

☒ Yes

☐ No

H. Certification

The information provided in this document summarizes the financial implications of the proposed agreement and is submitted to the Governing Board for public disclosure of the major provisions in the agreement in accordance with the requirements of AB 1200 and G.C. 3547.5.

We hereby certify that the costs incurred by the school district under this agreement can be met by the district during the term of the agreement.

Jeffrey D. Turner  
District Superintendent  
(Signature)

5/5/2020  
Date

Sam Peterson  
District Chief Business Official  
(Signature)

5/5/2020  
Date



**M.U.T.A.**

Mesa Union Teachers' Association  
3901 NORTH Mesa School Road  
Somis, CA 93066 (805) 485-1411

**Executive Officers:**

Matt Demaria / Amabel Puga - Co-Presidents  
Christina Jahr - Vice-President  
Amy Williams - Secretary  
Kristine Garza / Spencer Goad - Co-Treasurers

April 7, 2020

Mr. Jeffrey Turner, Superintendent  
Mesa Union School District  
3901 N. Mesa School Road  
Somis, CA 93066

Dear Mr. Turner,

The Mesa Union Teachers' Association hereby presents its 2020-2021 initial proposal for a collective bargaining agreement to the Mesa Union School District. We propose to open the following articles:

XVI: Salary

XVII: Employee Benefits

XI: Hours

XVIII: Class Size

Sincerely,

Matt Demaria / Amabel Puga  
MUTA Co-Presidents

## *Employee Recognition*



*Belief  
in what matters **most**  
holds the power of creating  
**legacies** that matter most  
in the long run.*



*Five Years of Service*



## *Employee Recognition*



*Belief  
in what matters **most**  
holds the power of creating  
**legacies** that matter most  
in the long run.*



*Fifteen Years of Service*

## *Employee Recognition*



*Belief  
in what matters **most**  
holds the power of creating  
**legacies** that matter most  
in the long run.*



*Twenty-five years of Service*

## *Employee Recognition*



*Belief  
in what matters **most**  
holds the power of creating  
**legacies** that matter most  
in the long run.*



*Thirty-Years of Service*



*Belief  
in what matters **most**  
holds the power of creating  
**legacies** that matter most  
in the long run.*

# *Superintendent's Report*

*May 19, 2020*

***#PowerOfBelief***



*Belief  
in what matters **most**  
holds the power of creating  
**legacies** that matter most  
in the long run.*

# *Local Control Accountability Plan*

*Board of Trustees' Update*





*Belief  
in what matters **most**  
holds the power of creating  
**legacies** that matter most  
in the long run*

# *Local Control Accountability Plan*

1. The deadline for the adoption of LCAPs has been extended to December 15th, 2020.
2. By July 1, the LEA governing board must adopt an **Operations Written Report** at the same meeting at which the 2020-21 budget is adopted.
3. The requirement for LEA governing boards to review Dashboard Local Indicator data by July 1 is waived.



# Mesa Union School

# YouthTruth

— STUDENT SURVEY —

A NATIONAL NONPROFIT

*#PowerOfBelief*



# Why gather feedback?



# What were the core themes of the surveys?

## STUDENT

✓ Engagement

✓ Culture

✓ Relationships

✓ School Safety

✓ Academic Rigor

✓ Belonging & Peer  
Collaboration

✓ Student Motivation

## FAMILY

✓ Engagement

✓ Culture

✓ Relationships

✓ School Safety

✓ Resources

✓ Communication &  
Feedback

## STAFF

✓ Engagement

✓ Culture

✓ Relationships

✓ Professional  
Development & Support

# Who did we hear from?

## We heard from 616 Community Members

- **47 staff** about perceptions of their local school
- **326 parents** and guardians about their child's school
- **243 students** about their school and classroom experience



## EXECUTIVE SUMMARY: Proportion of Positive Ratings

The percent of positive ratings includes the proportion of students whose average rating across the related questions was greater than 3.5 out of 5.

Summary Measure	Your School - Feb 2020	Your School - May 2019	Your School - Jun 2018	Your School - Jun 2017	Typical YouthTruth school	Typical CA school *
Engagement	59%	52%	59%	64%	53%	54%
Academic Rigor	66%	58%	66%	65%	64%	63%
Relationships	51%	44%	46%	52%	45%	45%
Belonging & Peer Collaboration	58%	50%	54%	54%	47%	51%
Culture	46%	38%	38%	38%	36%	40%



# In their own words . . .

- **According to one 5<sup>th</sup> grader,** *“I like that we are all one community and I can ask anyone for help.”*
- **According to one 6<sup>th</sup> grader,** *“My school always inspires me to do my best and to get good grades. Even when I'm not doing good. For example, one of my quizzes I didn't do well on, then my teacher asked if I want to retake it. When I retook it, my teacher helped along the way.”*
- **According to one 6<sup>th</sup> grader,** *“My teachers ask me if I am upset if they see I am. They ask me if I want to talk about what is wrong. When I do not really understand something, they explain it to me in a way I understand it more and can complete it.”*
- **According to one 7<sup>th</sup> grader,** *“(My teachers) inspire me to get good grades because last year I was all Fs, but I have got merit roll every time this year. I love my teachers because they have treated everyone fairly...I love them they inspire me to do great things.”*
- **According to one 7<sup>th</sup> grader,** *“(A strength) is the fact that people get along and it's like a family”*
- **According to one 8<sup>th</sup> grader,** *“The teachers help us by constantly reminding us that if we need help we can come in anytime and that they are always willing to help us out. This shows that they care for us.”*

# FAMILY Survey Core Themes:

✓ Engagement

✓ Culture

✓ Relationships

✓ School Safety

✓ Resources

✓ Communication &  
Feedback



## **EXECUTIVE SUMMARY: Proportion of Positive Ratings**

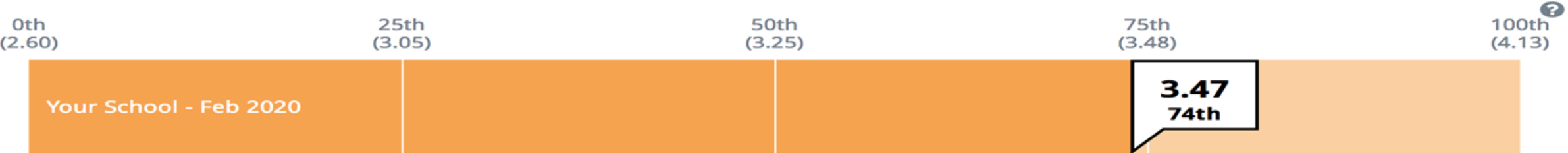
The percent of positive ratings includes the proportion of students whose average rating across the related questions was greater than 3.5 out of 5.

Summary Measure	Your School - Feb 2020	Your School - May 2019	Your School - Jun 2018	Your School - Jun 2017	Typical YouthTruth school	Typical CA school *
Engagement	77%	76%	74%	81%	56%	62%
Relationships	85%	76%	57%	57%	75%	80%
Culture	87%	80%	70%	83%	72%	76%
Communication & Feedback	75%	65%	46%	41%	61%	66%
Resources	75%	70%	41%	71%	63%	66%
School Safety	67%	60%	50%	67%	54%	61%

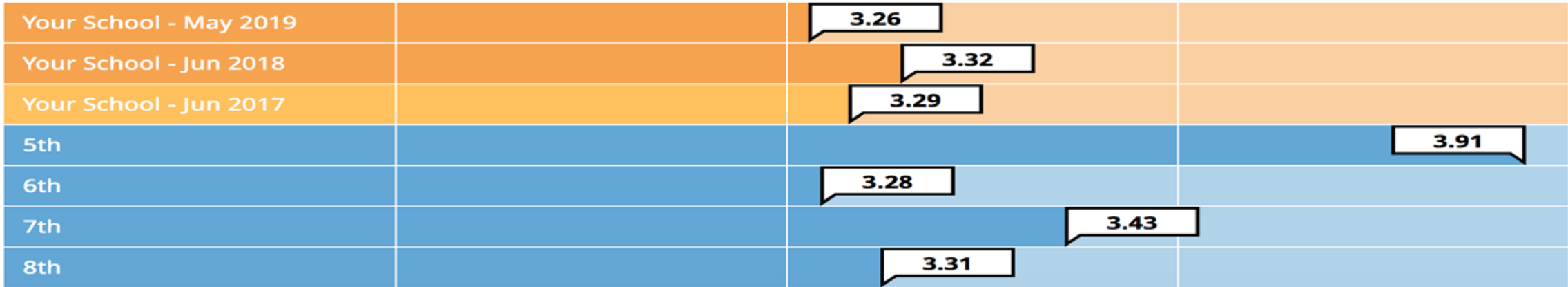


## CULTURE SUMMARY MEASURE

This summary measure describes the degree to which students believe that their school fosters a culture of respect and fairness.



CA schools \*



Question	Your School - Feb 2020	Your School - May 2019	Your School - Jun 2018	Your School - Jun 2017	Typical Youth Truth school	Typical CA school
I really feel like a part of my school's community	61%	48%	53%	60%	48%	50%
I can usually be myself around other students at this school	73%	63%	67%	67%	64%	65%
Most students at this school are friendly to me	72%	64%	68%	66%	61%	64%
How often do you work with other students for your classes because your teachers ask or tell you to?	54%	57%	55%	55%	46%	49%
How often do you work with other students for your classes even when your teacher doesn't ask or tell you to?	31%	34%	26%	25%	33%	35%



# In their own words . . .

- **According to a kinder parent,** *“My child knows not only her teacher’s name, but also the names of other teachers, admin, and staff at the school. It is a welcoming change to the business-type feel of school I have had experience with before.”*
- **According to a 1st grade parent,** *“The teachers are amazing and always welcome my kids with a smile. They go above and beyond in order to help the kids feel comfortable and grow academically and socially!”*
- **According to a 3rd grade parent,** *“We love Mesa, mostly because of how it has valued families and has created an environment that feels safe, fun, and creatively engaged in the changing world. We especially love the driving values of Mesa, and commitment to character and social development alongside of academic progress.”*
- **According to a 4th grade parent,** *“All staff is approachable and seems to really care about all the students. There have been some positive changes these last couple years. The school staff is even friendlier and more positive.”*
- **According to a 7th grade parent,** *“Mesa is about excellence for our kids to succeed in life. Opportunities found at Mesa are more than other schools provide.”*

# STAFF Survey Core Themes:

✓ Engagement

✓ Culture

✓ Relationships

✓ Professional  
Development & Support



## **EXECUTIVE SUMMARY: Proportion of Positive Ratings**

The percent of positive ratings includes the proportion of students whose average rating across the related questions was greater than 3.5 out of 5.

Summary Measure	Your School - Feb 2020	Your School - May 2019	Your School - Jun 2018	Your School - Jun 2017	Typical YouthTruth school	Typical CA school *
Engagement	78%	93%	59%	82%	75%	77%
Relationships	91%	100%	68%	83%	80%	81%
Culture	67%	84%	26%	44%	63%	65%
Professional Development and Support	39%	69%	46%	59%	63%	60%



# In their own words . . .

## According to a members of the SUPPORT staff:

- *“Administrators check in regularly, listen to what I say, and collaboratively problem solve with me.”*
- *“My goal is to make students feel safe and cared for at school.”*
- *“The school environment is something that I enjoy the most where we see each other with a spirit of love and respect is shared between all participating parties. I have faith that the school will continue to embrace this spirit for years to come.”*

## According to a members of the INSTRUCTIONAL staff:

- *“The admin checks in regularly with me. I feel that they care and want me to succeed as a teacher.”*
- *“We have come a long way and I am proud of our school. I especially appreciate the more positive tone and effort to improve relationships between staff /students and students/students”*
- *“I love working at this school and am pleased with many of the positive changes that have been made in the past few years. I look forward to the work of continuous improvement.”*

**Proportion of Positive Ratings** - The percent of positive ratings includes the proportion of students/families/staff whose average rating across the related questions was greater than 3.5 out of 5.

## STUDENT SURVEY

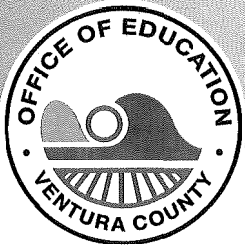
Summary Measure	Your School - Feb 2020
Engagement	59%
Academic Rigor	66%
Relationships	51%
Belonging & Peer Collaboration	58%
Culture	46%

## FAMILY SURVEY

Summary Measure	Your School - Feb 2020
Engagement	77%
Relationships	85%
Culture	87%
Communication & Feedback	75%
Resources	75%
School Safety	67%

## STAFF SURVEY

Summary Measure	Your School - Feb 2020
Engagement	78%
Relationships	91%
Culture	67%
Professional Development and Support	39%

**Administration**

5189 Verdugo Way  
Camarillo, CA 93012  
805-383-1902 • FAX: 805-383-1908  
www.vcoe.org

**VENTURA COUNTY OFFICE OF EDUCATION**

Stanley C. Mantooth, County Superintendent of Schools

May 5, 2020

Mr. Jeff Turner, Superintendent  
Mesa Union Elementary School District  
3901 North Mesa School Road  
Somis, CA 93066

Dear Mr. Turner:

In accordance with AB 1200 and Government Code Section 3547.5, the Ventura County Office of Education has received a copy of the Disclosure of Collective Bargaining Agreement for the tentative agreement with the Mesa Union Support Team bargaining unit (MUST). This code section allows the County Superintendent to review and comment on the financial impact of proposed agreement. In our review, we assess whether proposed agreements will allow the district to meet its financial obligations in the current fiscal year and are consistent with a financial plan that will enable the district to satisfy its multi-year financial commitments.

We have reviewed the proposed agreement dated March 5, 2020. Based upon the data presented, it appears that the terms of the tentative agreement would allow the district to meet its financial obligations. However, it is important to remember that budget assumptions will change over time, and those changes could impact the agreements' effect on the financial condition of the district.

In accordance with AB 2756, please provide our office with a copy of the board minutes that includes the approval of the agreement to School Business Advisory Services as soon as possible. In addition, please forward any corresponding board-approved budget revisions needed to implement the agreement as soon as those documents are available.

Sincerely,

Stanley C. Mantooth  
Ventura County Superintendent of Schools

cc: Tami Peterson, Ventura County Schools Business Services Authority  
Misty Key, Ventura County Office of Education  
Dannielle Brook, Ventura County Office of Education

Includes Purchase Orders dated 04/01/2020 - 04/30/2020				Board Meeting Date 5/19/2020	
PO Number	Vendor Name	Order Location	Object Description	Resource Description	Account Amount
P0320-00388	MJP TECHNOLOGIES, INC	MESA UNION	Mat'ls/Sup	Unrestrict	1,319.18
P0320-00389	MJP TECHNOLOGIES, INC	MESA UNION	RntRprNCap	Unrestrict	149.28
P0320-00390	NASON'S LOCK & SAFE, INC	MESA UNION	RntRprNCap	Unrestrict	858.45
P0320-00391	MARK-IT PLACE	MESA UNION	Mat'ls/Sup	Unrestrict	935.76
P0320-00392	MARK-IT PLACE	MESA UNION	Mat'ls/Sup	Fund Raise	402.19
P0320-00393	VTA CNTY OFFICE OF EDUCATION	MESA UNION	Mat'ls/Sup	Unrestrict	273.00
P0320-00394	VTA CNTY OFFICE OF EDUCATION	MESA UNION	Prof Svc	Unrestrict	2,500.00
P0320-00395	ISOM ADVISORS	MESA UNION	Prof Svc	Unrestrict	3,325.00
P0320-00396	BANK OF AMERICA	MESA UNION	Mat'ls/Sup	Unrestrict	112.61
P0320-00397	AMAZON.COM	MESA UNION	Mat'ls/Sup	Unrestrict	167.97
Total Number of POs			10	Total	<u><u>10,043.44</u></u>

## Fund Recap

Fund	Description	PO Count	Amount
010	General Fund	10	10,043.44

The preceding Purchase Orders have been issued in accordance with the District's Purchasing Policy and authorization of the Board of Trustees. It is recommended that the preceding Purchase Orders be approved and that payment be authorized upon delivery and acceptance of the items ordered.

ESCAPE ONLINE

Page 1 of 1



Checks Dated 04/01/2020 through 04/30/2020				Board Meeting Date 5/19/2020	
Check Number	Check Date	Pay to the Order of	Fund-Object	Expensed Amount	Check Amount
5003813422	04/01/2020	Patton, Malik R	010-4300		9.98
5003813423	04/01/2020	ATKINSON,ANDELSON,LOYA, et al	010-5899		6,954.38
5003813424	04/01/2020	ATKINSON,ANDELSON,LOYA, et al	010-5899		6,079.00
5003813425	04/01/2020	DIAL SECURITY	010-5800		199.76
5003813426	04/01/2020	GOLDEN VALLEY CHARTER SCHOOL	010-8096		75,971.00
5003813427	04/01/2020	REVOLVING ACCOUNT	010-4300	498.73	
			010-5903	137.09	635.82
5003813428	04/01/2020	SOMIS UNION SCHOOL DISTRICT	010-4300		749.84
5003813429	04/01/2020	SYSCO VENTURA, INC	130-4300	28.84	
			130-4700	120.28	149.12
5003813430	04/01/2020	TAX DEFERRED SERVICES	010-9539		3,900.00
5003813431	04/03/2020	DEL NORTE WATER CO	010-5504		144.00
5003813432	04/03/2020	SO CA GAS CO	010-5501		562.87
5003813433	04/08/2020	Mckenna, Patrice S	010-5200		34.50
5003813434	04/08/2020	Turner, Jeffery D	010-4300	310.06	
			010-4400	595.86	905.92
5003813435	04/08/2020	ALTA DENA CERTIFIED DAIRY LLC	130-4700		646.29
5003813436	04/08/2020	ANDERSON REFRIGERATION INC	010-5600		377.61
5003813437	04/08/2020	MJP TECHNOLOGIES, INC	010-4300		1,319.18
5003813438	04/08/2020	UNDERWOOD FAMILY FARMS	130-4700		159.60
5003813439	04/09/2020	EXCEL LD	010-5901		16.83
5003813440	04/15/2020	Turner, Jeffery D	010-5600		339.41
5003813441	04/15/2020	ANIMAL & INSECT PEST MGMT INC	010-5506		650.00
5003813442	04/15/2020	COASTAL OCC MED GRP	010-5804		135.00
5003813443	04/15/2020	DIAL SECURITY	010-5800		199.76
5003813444	04/15/2020	EVERYBODY DANCE NOW !	010-5800		110.00
5003813445	04/15/2020	GODOY STUDIOS	010-5800		675.00
5003813446	04/15/2020	GOLDEN VALLEY CHARTER SCHOOL	010-7221		44,149.78
5003813447	04/15/2020	HOME DEPOT CREDIT SERVICES	010-4300		30.61
5003813448	04/15/2020	HOUSE SANITARY SUPPLY	010-4300		2,690.96
5003813449	04/15/2020	MJP TECHNOLOGIES, INC	010-5800		1,575.00
5003813450	04/15/2020	MUSICIANS BRASS & WOODWIND	010-4300	1.62	
			010-5600	105.00	106.62
5003813451	04/15/2020	NASON'S LOCK & SAFE, INC	010-5600		858.45
5003813452	04/15/2020	SOUTHWEST SCHOOL & OFFICE SPLY	010-4300		737.43
5003813453	04/15/2020	SPARKLETTS	010-5504		114.84
5003813454	04/15/2020	SYSCO VENTURA, INC	130-4700		25.29
5003813455	04/15/2020	TARANGO'S DIESEL REPAIR	010-4300	736.52	
			010-5600	1,148.25	1,884.77
5003813456	04/15/2020	VCOE-SELPA	010-5800		4,255.00
5003813457	04/17/2020	E.J. HARRISON & SONS, INC	010-5505		937.81
5003813458	04/17/2020	RICOH USA, INC	010-5600		2,251.18
5003813459	04/17/2020	SO CA EDISON CO	010-5502		3,681.84
5003813460	04/22/2020	SELF-INSURED SCHOOLS OF CALIF	010-9534	52,915.30	

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

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Checks Dated 04/01/2020 through 04/30/2020				Board Meeting Date 5/19/2020	
Check Number	Check Date	Pay to the Order of	Fund-Object	Expensed Amount	Check Amount
5003813460	04/22/2020	SELF-INSURED SCHOOLS OF CALIF	010-9537	1,705.70	54,621.00
5003813461	04/22/2020	MARK-IT PLACE	010-4300		1,337.95
5003813462	04/22/2020	REVOLVING ACCOUNT	010-5903		220.00
5003813463	04/23/2020	VERIZON WIRELESS	010-5901		148.03
5003813464	04/24/2020	CliftonLarsonAllen LLP	010-5801		4,750.00
5003813465	04/29/2020	Mckenna, Patrice S	010-5200		120.75
5003813466	04/29/2020	AMAZON/SYNCHRONY BANK	010-4300	40.43	
			010-5800	35.00	75.43
5003813467	04/29/2020	CALIF DEPT OF EDUCATION	130-4700		475.95
5003813468	04/29/2020	COASTAL OCC MED GRP	010-5804		60.00
5003813469	04/29/2020	EDUCATIONAL DATA SYSTEMS	010-5800		413.61
5003813470	04/29/2020	EMPIRE THERAPEUTIC	010-5800		1,485.75
5003813471	04/29/2020	GODOY STUDIOS	010-5800		1,050.00
5003813472	04/29/2020	INFINITY COMMUNICATIONS	010-5800		787.50
5003813473	04/29/2020	URBAN FUTURES, INC	010-5800		3,325.00
5003813474	04/29/2020	OFFICE DEPOT BUSINESS CREDIT	010-4300		711.91
5003813475	04/29/2020	REVOLVING ACCOUNT	010-5903		366.15
5003813476	04/29/2020	LYNNE M. SLIDDERS	010-5800		2,040.00
5003813477	04/29/2020	LYNNE M. SLIDDERS	010-5800		200.00
5003813478	04/29/2020	TAX DEFERRED SERVICES	010-9539		4,050.00
5003813479	04/29/2020	VTA CNTY OFFICE OF EDUCATION	010-5800		2,500.00
5003813480	04/29/2020	VCOE-SELPA	010-4300		273.00
Total Number of Checks			59		<u><u>243,236.48</u></u>

## Fund Recap

Fund	Description	Check Count	Expensed Amount
010	General Fund	54	241,780.23
130	Cafeteria Fund	5	1,456.25
Total Number of Checks		59	243,236.48
Less Unpaid Tax Liability			.00
Net (Check Amount)			<u><u>243,236.48</u></u>

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

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## Fund 010 - General Fund

Fiscal Year 2019/20 Through April 2020

Object	Description	Adopted Budget	Revised Budget	Revenue	Balance	% Rcvd
<b>Revenue Detail</b>						
<b>LCFF Revenue Sources</b>						
8011	Rev Lim/LCFF	3,174,726.00	3,109,425.00	2,513,588.00	595,837.00	80.84
8012	Education Protection Act	859,381.00	911,832.00	714,962.00	196,870.00	78.41
8019	Revenue Limit State Aid Prior			50,585.88	50,585.88-	NO BDGT
8021	Homeowners' Exemption	16,740.00	16,476.00	8,398.40	8,077.60	50.97
8041	Secured Rolls Tax	2,260,880.00	2,353,037.00	2,394,903.08	41,866.08-	101.78
8042	Unsecured Roll Taxes	71,448.00	79,952.00	73,831.47	6,120.53	92.34
8043	Prior Years' Taxes	7,206.00	5,765.00	8,223.44	2,458.44-	142.64
8044	Supplemental Taxes	47,358.00	54,439.00	47,158.72	7,280.28	86.63
8045	Education Rev Augmentation Fd	84,316.00	16,513.00	31,852.62-	48,365.62	-192.89
8096	Charter School Trans In Lieu P	1,113,309.00-	1,170,904.00-	950,588.00-	220,316.00-	81.18
<b>Total LCFF Revenue Sources</b>		<b>5,408,746.00</b>	<b>5,376,535.00</b>	<b>4,829,210.37</b>	<b>547,324.63</b>	<b>89.82</b>
<b>Federal Revenue</b>						
8181	Special Education Entitlement	206,255.00	206,255.00		206,255.00	
8182	Special Education Discretionary	2,634.00	2,634.00		2,634.00	
8290	All Other Federal Revenue	152,990.00	179,180.00	93,702.75	85,477.25	52.30
<b>Total Federal Revenue</b>		<b>361,879.00</b>	<b>388,069.00</b>	<b>93,702.75</b>	<b>294,366.25</b>	<b>24.15</b>
<b>Other State Revenues</b>						
8550	Mandated Cost Reimbursements	19,042.00	19,006.00	19,006.00		100.00
8560	State Lottery Revenue	126,349.00	133,109.00	66,110.51	66,998.49	49.67
8590	All Other State Revenues	1,640.00	29,263.00	38,515.00	9,252.00-	131.62
<b>Total Other State Revenues</b>		<b>147,031.00</b>	<b>181,378.00</b>	<b>123,631.51</b>	<b>57,746.49</b>	<b>68.16</b>
<b>Other Local Revenue</b>						
8650	Leases and Rentals	10,000.00	19,000.00	13,600.00	5,400.00	71.58
8660	Interest	27,500.00	27,530.00	16,225.63	11,304.37	58.94
8677	Interagency Services Between L	72,102.00	159,133.00	8,400.00	150,733.00	5.28
8689	All Other Fees and Contracts	15,000.00	15,000.00	6,804.57	8,195.43	45.36
8699	All Other Local Revenue	130,288.00	138,541.00	107,398.69	31,142.31	77.52
8792	Transfers of Apportionments Fr	550,269.00	562,192.00	447,118.00	115,074.00	79.53
<b>Total Other Local Revenue</b>		<b>805,159.00</b>	<b>921,396.00</b>	<b>599,546.89</b>	<b>321,849.11</b>	<b>65.07</b>
<b>Total Year To Date Revenues</b>		<b>6,722,815.00</b>	<b>6,867,378.00</b>	<b>5,646,091.52</b>	<b>1,221,286.48</b>	<b>82.22</b>

Object	Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Balance	% Used
<b>Expenditure Detail</b>							

Selection Grouped by Account Type - Sorted by Org, Fund, Object, Filtered by (Org = 603, Starting Period = 1, Ending Account Period = 10, Stmt Option? = R, Zero Amounts? = N, SACS? = N, Restricted? = Y)

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## Fund 010 - General Fund

Fiscal Year 2019/20 Through April 2020

Object	Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Balance	% Used
<b>Expenditure Detail (continued)</b>							
<b>Certificated Salaries</b>							
1100	Teachers' Salaries	2,183,371.00	2,169,686.00	384,439.44	1,763,593.55	21,653.01	81.28
1110	Substitute Teacher	40,375.00	40,375.00		37,435.00	2,940.00	92.72
1130	Stipend	24,100.00	29,800.00	12,350.00	12,350.00	5,100.00	41.44
1140	Extra Duty	75,425.00	87,050.00		64,051.01	22,998.99	73.58
1200	Certificated Pupil Support Sal	89,564.00	89,097.00	16,610.00	70,318.92	2,168.08	78.92
1240	Certificated Pupil Support Sal	1,250.00	1,275.00			1,275.00	
1301	Superintendent/Principal	164,850.00	164,850.00	27,475.00	137,375.00		83.33
1303	Assistant Principal	92,400.00	94,248.00	15,708.00	78,540.00		83.33
1940	Extra Duty-Parent Technology	350.00	567.00		315.00	252.00	55.56
<b>Total Certificated Salaries</b>		<b>2,671,685.00</b>	<b>2,676,948.00</b>	<b>456,582.44</b>	<b>2,163,978.48</b>	<b>56,387.08</b>	<b>80.84</b>
<b>Classified Salaries</b>							
2100	Instructional Aides' Salaries	173,738.00	181,210.00	23,613.76	131,090.83	26,505.41	72.34
2110	Substitute Aide	13,000.00	13,000.00		12,967.79	32.21	99.75
2130	Extra Duty Aide	5,950.00	8,059.00		8,057.92	1.08	99.99
2150	Instructional Aide Overtime	6,100.00	7,100.00		6,426.44	673.56	90.51
2200	Classified Support Salaries	340,319.00	339,361.00	49,910.38	251,543.33	37,907.29	74.12
2210	Classified Support Substitute	1,125.00	1,125.00			1,125.00	
2214	Substitute Maintenance	18,000.00	24,000.00		18,244.99	5,755.01	76.02
2216	Substitute Bus Driver	300.00	300.00			300.00	
2218	Substitute Lib/Comp Res	250.00	250.00		55.54	194.46	22.22
2250	Classified Support Overtime	28,500.00	45,100.00		39,959.80	5,140.20	88.60
2400	Clerical and Office Salaries	173,496.00	176,174.00	27,358.70	136,676.88	12,138.42	77.58
2410	Clerical Sub	1,000.00	3,000.00		2,810.98	189.02	93.70
2450	Clerical/Office Overtime	15,750.00	21,750.00		17,637.52	4,112.48	81.09
2900	Other Classified Salaries	103,723.00	102,014.00	12,759.60	77,521.71	11,732.69	75.99
2910	Other Classified Substitute	4,000.00	4,000.00		4,797.96	797.96-	119.95
2911	Site Coordinator-After School	33,326.00	33,326.00	5,332.02	24,125.01	3,868.97	72.39
2950	OTHER CLASS OVERTIME	8,050.00	8,050.00		6,595.56	1,454.44	81.93
<b>Total Classified Salaries</b>		<b>926,627.00</b>	<b>967,819.00</b>	<b>118,974.46</b>	<b>738,512.26</b>	<b>110,332.28</b>	<b>76.31</b>
<b>Employee Benefits</b>							
3101	STRS, certificated positions	482,230.00	457,622.00	78,075.68	366,370.51	13,175.81	80.06
3102	STRS, classified positions	5,784.00	9,533.00	1,699.28	7,767.40	66.32	81.48
3202	PERS, classified positions	163,227.00	156,837.00	20,180.48	112,457.24	24,199.28	71.70
3301	OASDI/Medicare/Alternative, ce	47,734.00	43,480.00	6,312.38	30,582.43	6,585.19	70.34
3302	OASDI/Medicare/Alternative, cl	67,858.00	69,387.00	8,208.14	52,280.55	8,898.31	75.35

Selection Grouped by Account Type - Sorted by Org, Fund, Object, Filtered by (Org = 603, Starting Period = 1, Ending Account Period = 10, Stmt Option? = R, Zero Amounts? = N, SACS? = N, Restricted? = Y)

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## Fund 010 - General Fund

Fiscal Year 2019/20 Through April 2020

Object	Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Balance	% Used
<b>Expenditure Detail (continued)</b>							
<b>Employee Benefits (continued)</b>							
3401	Health & Welfare Benefits, cer	354,684.00	344,168.00	68,395.76	273,595.04	2,177.20	79.49
3402	Health & Welfare Benefits, cla	141,494.00	128,246.00	22,852.44	100,518.06	4,875.50	78.38
3501	SUI, certificated positions	1,286.00	1,284.00	217.69	1,039.36	26.95	80.95
3502	SUI, classified positions	455.00	473.00	57.30	359.80	55.90	76.07
3601	Work Comp Ins, certificated po	56,249.00	49,308.00	8,412.08	39,872.43	1,023.49	80.86
3602	Work Comp Ins, classified posi	19,610.00	17,736.00	2,189.06	13,594.89	1,952.05	76.65
<b>Total Employee Benefits</b>		<b>1,340,611.00</b>	<b>1,278,074.00</b>	<b>216,600.29</b>	<b>998,437.71</b>	<b>63,036.00</b>	<b>78.12</b>
<b>Books and Supplies</b>							
4100	Textbooks	110,000.00	100,000.00		94,148.98	5,851.02	94.15
4200	Books Other Than Textbooks	2,300.00	3,243.00	878.29	1,466.29	898.42	45.21
4300	Materials and Supplies	203,500.00	228,356.00	20,237.23	169,790.17	38,328.60	74.35
4310	Bus Fuel	12,000.00	15,035.00	4,580.11	10,453.61	1.28	69.53
4319	Supplies Undesignated	44,177.00	26,702.00			26,702.00	
4400	Non-Capitalized Equipment	31,500.00	37,958.00	4,351.94	24,842.67	8,763.39	65.45
<b>Total Books and Supplies</b>		<b>403,477.00</b>	<b>411,294.00</b>	<b>30,047.57</b>	<b>300,701.72</b>	<b>80,544.71</b>	<b>73.11</b>
<b>Services and Other Operating Expenditures</b>							
5100	Sub Agreements for Prof Servic	54,260.00	74,696.00	17,388.43		57,307.57	
5200	Travel and Conferences	1,200.00	1,200.00		1,405.36	205.36-	117.11
5201	Car Allowance	4,800.00	2,400.00	400.00	2,000.00		83.33
5220	STAFF DEVELOPMENT	24,034.00	17,425.00		5,791.86	11,633.14	33.24
5300	Dues and Memberships	9,390.00	11,910.00		10,761.63	1,148.37	90.36
5450	Other Insurance	63,305.00	65,701.00		65,701.00		100.00
5501	Natural Gas	5,615.00	5,615.00	1,244.12	3,970.88	400.00	70.72
5502	Electricity	57,680.00	54,150.00	10,283.25	42,316.75	1,550.00	78.15
5504	Water	7,000.00	8,000.00	1,471.64	4,613.80	1,914.56	57.67
5505	Rubbish	15,190.00	13,350.00		14,844.70	1,494.70-	111.20
5506	Pest Control	11,330.00	11,330.00	1,384.00	6,416.00	3,530.00	56.63
5600	Rentals,Leases,Repairs & Nonca	149,000.00	138,858.00	9,263.41	129,490.54	104.05	93.25
5750	Direct Costs for Interfund Ser		36.00-		35.98-	.02-	99.94
5800	Professnl/Consult Serv & Opera	373,708.00	374,102.00	70,262.76	220,187.66	83,651.58	58.86
5801	Audit	20,250.00	20,250.00	6,700.00	12,550.00	1,000.00	61.98
5803	Business Services Authority	123,087.00	123,087.00	41,029.00	82,058.00		66.67
5804	Employment Fees	6,500.00	5,500.00		3,657.00	1,843.00	66.49
5899	Legal Services	22,500.00	66,500.00	4,775.74	64,614.10	2,889.84-	97.16
5901	Phone Services	7,460.00	7,460.00	1,301.72	4,484.28	1,674.00	60.11

Selection Grouped by Account Type - Sorted by Org, Fund, Object, Filtered by (Org = 603, Starting Period = 1, Ending Account Period = 10, Stmt Option? = R, Zero Amounts? = N, SACS? = N, Restricted? = Y)

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Fund 010 - General Fund		Fiscal Year 2019/20 Through April 2020					
Object	Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Balance	% Used
<b>Expenditure Detail (continued)</b>							
<b>Services and Other Operating Expenditures (continued)</b>							
5902	Internet Services	40,500.00	20,756.00	573.24	20,755.00	572.24-	100.00
5903	Postage	2,850.00	2,850.00	82.95	2,772.44	5.39-	97.28
<b>Total Services and Other Operating Expenditures</b>		<b>999,659.00</b>	<b>1,025,104.00</b>	<b>166,160.26</b>	<b>698,355.02</b>	<b>160,588.72</b>	<b>68.13</b>
<b>Capital Outlay</b>							
6210	Architect/Engineering Fees			.57		.57-	NO BDGT
6400	Equipment		21,454.00	11,284.02	10,168.12	1.86	47.39
6500	Equipment Replacement		13,360.00		15,046.87	1,686.87-	112.63
<b>Total Capital Outlay</b>		<b>.00</b>	<b>34,814.00</b>	<b>11,284.59</b>	<b>25,214.99</b>	<b>1,685.58-</b>	<b>72.43</b>
<b>Tuition</b>							
7142	Other Tuition/Excess Costs to	73,190.00	116,401.00	35,344.00	43,877.30	37,179.70	37.69
<b>Total Tuition</b>		<b>73,190.00</b>	<b>116,401.00</b>	<b>35,344.00</b>	<b>43,877.30</b>	<b>37,179.70</b>	<b>37.69</b>
<b>Other Transfers Out</b>							
7221	Transfers of Apportionments to	379,607.00	379,607.00	139,160.76	233,570.24	6,876.00	61.53
<b>Total Other Transfers Out</b>		<b>379,607.00</b>	<b>379,607.00</b>	<b>139,160.76</b>	<b>233,570.24</b>	<b>6,876.00</b>	<b>61.53</b>
<b>Transfers of Indirect/direct support costs</b>							
7350	Direct Support/Indirect Costs	4,436.00-	5,045.00-			5,045.00-	
<b>Total Transfers of Indirect/direct support costs</b>		<b>4,436.00-</b>	<b>5,045.00-</b>	<b>.00</b>	<b>.00</b>	<b>5,045.00-</b>	
<b>Total Year To Date Expenditures</b>		<b>6,790,420.00</b>	<b>6,885,016.00</b>	<b>1,174,154.37</b>	<b>5,202,647.72</b>	<b>508,213.91</b>	<b>75.56</b>



## Fund 010 - General Fund

Fiscal Year 2019/20 Through April 2020

Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Budget Balance	% of Budget
<b>Revenues, Expenditures, and Changes in Fund Balance</b>						
A. Revenues	6,722,815.00	6,867,378.00		5,646,091.52	1,221,286.48	82.22
B. Expenditures	6,790,420.00	6,885,016.00	1,174,154.37	5,202,647.72	508,213.91	75.56
C. Subtotal (Revenue LESS Expense)	67,605.00-	17,638.00-		443,443.80	713,072.57	
D. Other Financing Sources and Uses						
Sources						
LESS Uses						
E. Net Change in Fund Balance	67,605.00-	17,638.00-		443,443.80	713,072.57	
F. Fund Balance:						
Beginning Balance (9791)	1,366,688.00	1,538,092.00		1,538,093.44		
Audit Adjustments (9793)						
Other Restatements (9795)						
Adjusted Beginning Balance	1,366,688.00	1,538,092.00		1,538,093.44		
G. Calculated Ending Balance	1,299,083.00	1,520,454.00		1,981,537.24		
*Components of Ending Fund Balance						
Legally Restricted (9740)	44,350.00	63,944.00				
Other Designations (9780)						
Undesig/Unapprop (9790)	936,609.00	1,138,386.00				
Other	318,124.00	318,124.00		1,174,154.37		

## Fund 130 - Cafeteria Fund

Fiscal Year 2019/20 Through April 2020

Object	Description	Adopted Budget	Revised Budget	Revenue	Balance	% Rcvd
<b>Revenue Detail</b>						
<b>Federal Revenue</b>						
8220	Child Nutrition Programs	142,485.00	150,485.00	105,395.91	45,089.09	70.04
	<b>Total Federal Revenue</b>	<b>142,485.00</b>	<b>150,485.00</b>	<b>105,395.91</b>	<b>45,089.09</b>	<b>70.04</b>
<b>Other State Revenues</b>						
8520	Child Nutrition Programs	10,675.00	10,675.00	6,928.14	3,746.86	64.90
	<b>Total Other State Revenues</b>	<b>10,675.00</b>	<b>10,675.00</b>	<b>6,928.14</b>	<b>3,746.86</b>	<b>64.90</b>
<b>Other Local Revenue</b>						
8634	Food Services Sales	45,130.00	45,130.00	35,200.54	9,929.46	78.00
8660	Interest	863.00	863.00	969.88	106.88-	112.38
	<b>Total Other Local Revenue</b>	<b>45,993.00</b>	<b>45,993.00</b>	<b>36,170.42</b>	<b>9,822.58</b>	<b>78.64</b>
	<b>Total Year To Date Revenues</b>	<b>199,153.00</b>	<b>207,153.00</b>	<b>148,494.47</b>	<b>58,658.53</b>	<b>71.68</b>

Object	Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Balance	% Used
<b>Expenditure Detail</b>							
<b>Classified Salaries</b>							
2200	Classified Support Salaries	65,212.00	60,859.00	10,366.98	47,359.08	3,132.94	77.82
2212	Substitute Cafeteria Worker	2,450.00	2,450.00		514.69	1,935.31	21.01
2250	Classified Support Overtime	6,520.00	4,020.00		1,479.64	2,540.36	36.81
2400	Clerical and Office Salaries	5,787.00	5,903.00	1,007.50	4,533.75	361.75	76.80
2450	Clerical/Office Overtime	10.00	500.00		404.62	95.38	80.92
	<b>Total Classified Salaries</b>	<b>79,979.00</b>	<b>73,732.00</b>	<b>11,374.48</b>	<b>54,291.78</b>	<b>8,065.74</b>	<b>73.63</b>
<b>Employee Benefits</b>							
3202	PERS, classified positions	15,665.00	13,853.00	2,243.16	10,598.10	1,011.74	76.50
3302	OASDI/Medicare/Alternative, cl	5,853.00	5,397.00	822.50	3,962.68	611.82	73.42
3402	Health & Welfare Benefits, cla	10,339.00	12,801.00	2,560.18	10,240.72	.10	80.00
3502	SUI, classified positions	38.00	35.00	5.36	25.90	3.74	74.00
3602	Work Comp Ins, classified posi	1,698.00	1,356.00	209.28	998.90	147.82	73.67
	<b>Total Employee Benefits</b>	<b>33,593.00</b>	<b>33,442.00</b>	<b>5,840.48</b>	<b>25,826.30</b>	<b>1,775.22</b>	<b>77.23</b>
<b>Books and Supplies</b>							
4300	Materials and Supplies	11,710.00	11,710.00	1,185.07	5,888.91	4,636.02	50.29
4400	Non-Capitalized Equipment	5,000.00	39,446.00		39,445.91	.09	100.00
4700	Food	64,955.00	64,955.00	14,473.97	46,443.43	4,037.60	71.50
	<b>Total Books and Supplies</b>	<b>81,665.00</b>	<b>116,111.00</b>	<b>15,659.04</b>	<b>91,778.25</b>	<b>8,673.71</b>	<b>79.04</b>

## Services and Other Operating Expenditures

Selection Grouped by Account Type - Sorted by Org, Fund, Object, Filtered by (Org = 603, Starting Period = 1, Ending Account Period = 10, Stmt Option? = R, Zero Amounts? = N, SACS? = N, Restricted? = Y)

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## Fund 130 - Cafeteria Fund

Fiscal Year 2019/20 Through April 2020

Object	Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Balance	% Used
<b>Expenditure Detail (continued)</b>							
<b>Services and Other Operating Expenditures (continued)</b>							
5600	Rentals,Leases,Repairs & Nonca	2,900.00	3,800.00	579.02	2,839.90	381.08	74.73
5800	Professnl/Consult Serv & Opera	821.00	821.00		155.84	665.16	18.98
<b>Total Services and Other Operating Expenditures</b>		<b>3,721.00</b>	<b>4,621.00</b>	<b>579.02</b>	<b>2,995.74</b>	<b>1,046.24</b>	<b>64.83</b>
<b>Transfers of Indirect/direct support costs</b>							
7350	Direct Support/Indirect Costs	4,436.00	5,045.00			5,045.00	
<b>Total Transfers of Indirect/direct support costs</b>		<b>4,436.00</b>	<b>5,045.00</b>	<b>.00</b>	<b>.00</b>	<b>5,045.00</b>	
<b>Total Year To Date Expenditures</b>		<b>203,394.00</b>	<b>232,951.00</b>	<b>33,453.02</b>	<b>174,892.07</b>	<b>24,605.91</b>	<b>75.08</b>

## Fund 130 - Cafeteria Fund

Fiscal Year 2019/20 Through April 2020

Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Budget Balance	% of Budget
<b>Revenues, Expenditures, and Changes in Fund Balance</b>						
A. Revenues	199,153.00	207,153.00		148,494.47	58,658.53	71.68
B. Expenditures	203,394.00	232,951.00	33,453.02	174,892.07	24,605.91	75.08
C. Subtotal (Revenue LESS Expense)	4,241.00-	25,798.00-		26,397.60-	34,052.62	
D. Other Financing Sources and Uses						
Sources						
LESS Uses						
E. Net Change in Fund Balance	4,241.00-	25,798.00-		26,397.60-	34,052.62	
F. Fund Balance:						
Beginning Balance (9791)	82,798.00	108,139.00		108,138.67		
Audit Adjustments (9793)						
Other Restatements (9795)						
Adjusted Beginning Balance	82,798.00	108,139.00		108,138.67		
G. Calculated Ending Balance	78,557.00	82,341.00		81,741.07		
*Components of Ending Fund Balance						
Legally Restricted (9740)	80,405.00	82,341.00				
Other Designations (9780)						
Undesig/Unapprop (9790)	1,848.00-					
Other				33,453.02		

## Fund 140 - Deferred Maintenance Fund

Fiscal Year 2019/20 Through April 2020

Object	Description	Adopted Budget	Revised Budget	Revenue	Balance	% Rcvd
<b>Revenue Detail</b>						
<b>Other Local Revenue</b>						
8660	Interest	345.00	345.00	1,153.84	808.84-	334.45
<b>Total Other Local Revenue</b>		<b>345.00</b>	<b>345.00</b>	<b>1,153.84</b>	<b>808.84-</b>	<b>334.45</b>
<b>Total Year To Date Revenues</b>		<b>345.00</b>	<b>345.00</b>	<b>1,153.84</b>	<b>808.84-</b>	<b>334.45</b>

## Fund 140 - Deferred Maintenance Fund

Fiscal Year 2019/20 Through April 2020

Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Budget Balance	% of Budget
<b>Revenues, Expenditures, and Changes in Fund Balance</b>						
A. Revenues	345.00	345.00		1,153.84	808.84-	334.45
B. Expenditures						
C. Subtotal (Revenue LESS Expense)	345.00	345.00		1,153.84	808.84-	
D. Other Financing Sources and Uses						
Sources						
LESS Uses						
E. Net Change in Fund Balance	345.00	345.00		1,153.84	808.84-	
F. Fund Balance:						
Beginning Balance (9791)	118,071.00	118,184.00		118,184.06		
Audit Adjustments (9793)						
Other Restatements (9795)						
Adjusted Beginning Balance	118,071.00	118,184.00		118,184.06		
G. Calculated Ending Balance	118,416.00	118,529.00		119,337.90		
*Components of Ending Fund Balance						
Legally Restricted (9740)						
Other Designations (9780)						
Undesig/Unapprop (9790)	345.00	458.00				
Other	118,071.00	118,071.00				



## Fund 150 - Pupil Transportation Equipment

Fiscal Year 2019/20 Through April 2020

Object	Description	Adopted Budget	Revised Budget	Revenue	Balance	% Rcvd
<b>Revenue Detail</b>						
<b>Other Local Revenue</b>						
8660	Interest	415.00	415.00	239.54	175.46	57.72
<b>Total Other Local Revenue</b>		<b>415.00</b>	<b>415.00</b>	<b>239.54</b>	<b>175.46</b>	<b>57.72</b>
<b>Total Year To Date Revenues</b>		<b>415.00</b>	<b>415.00</b>	<b>239.54</b>	<b>175.46</b>	<b>57.72</b>

## Fund 150 - Pupil Transportation Equipment

Fiscal Year 2019/20 Through April 2020

Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Budget Balance	% of Budget
<b>Revenues, Expenditures, and Changes in Fund Balance</b>						
A. Revenues	415.00	415.00		239.54	175.46	57.72
B. Expenditures						
C. Subtotal (Revenue LESS Expense)	415.00	415.00		239.54	175.46	
D. Other Financing Sources and Uses						
Sources						
LESS Uses						
E. Net Change in Fund Balance	415.00	415.00		239.54	175.46	
F. Fund Balance:						
Beginning Balance (9791)	20,731.00	20,862.00		20,861.54		
Audit Adjustments (9793)						
Other Restatements (9795)						
Adjusted Beginning Balance	20,731.00	20,862.00		20,861.54		
G. Calculated Ending Balance	21,146.00	21,277.00		21,101.08		
*Components of Ending Fund Balance						
Legally Restricted (9740)						
Other Designations (9780)						
Undesig/Unapprop (9790)	415.00	546.00				
Other	20,731.00	20,731.00				

## Fund 171 - S/R Capital Outlay-Technology

Fiscal Year 2019/20 Through April 2020

Object	Description	Adopted Budget	Revised Budget	Revenue	Balance	% Rcvd
<b>Revenue Detail</b>						
<b>Other Local Revenue</b>						
8660	Interest	1,040.00	1,040.00	594.54	445.46	57.17
<b>Total Other Local Revenue</b>		<b>1,040.00</b>	<b>1,040.00</b>	<b>594.54</b>	<b>445.46</b>	<b>57.17</b>
<b>Total Year To Date Revenues</b>		<b>1,040.00</b>	<b>1,040.00</b>	<b>594.54</b>	<b>445.46</b>	<b>57.17</b>

## Fund 171 - S/R Capital Outlay-Technology

Fiscal Year 2019/20 Through April 2020

Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Budget Balance	% of Budget
<b>Revenues, Expenditures, and Changes in Fund Balance</b>						
A. Revenues	1,040.00	1,040.00		594.54	445.46	57.17
B. Expenditures						
C. Subtotal (Revenue LESS Expense)	1,040.00	1,040.00		594.54	445.46	
D. Other Financing Sources and Uses						
Sources						
LESS Uses						
E. Net Change in Fund Balance	1,040.00	1,040.00		594.54	445.46	
F. Fund Balance:						
Beginning Balance (9791)	51,719.00	52,043.00		52,043.07		
Audit Adjustments (9793)						
Other Restatements (9795)						
Adjusted Beginning Balance	51,719.00	52,043.00		52,043.07		
G. Calculated Ending Balance	52,759.00	53,083.00		52,637.61		
*Components of Ending Fund Balance						
Legally Restricted (9740)						
Other Designations (9780)						
Undesig/Unapprop (9790)	1,040.00	1,364.00				
Other	51,719.00	51,719.00				

## Fund 173 - S/R Capital Outlay-Equipment

Fiscal Year 2019/20 Through April 2020

Object	Description	Adopted Budget	Revised Budget	Revenue	Balance	% Rcvd
<b>Revenue Detail</b>						
<b>Other Local Revenue</b>						
8660	Interest	210.00	210.00	90.41	119.59	43.05
<b>Total Other Local Revenue</b>		<b>210.00</b>	<b>210.00</b>	<b>90.41</b>	<b>119.59</b>	<b>43.05</b>
<b>Total Year To Date Revenues</b>		<b>210.00</b>	<b>210.00</b>	<b>90.41</b>	<b>119.59</b>	<b>43.05</b>

## Fund 173 - S/R Capital Outlay-Equipment

Fiscal Year 2019/20 Through April 2020

Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Budget Balance	% of Budget
<b>Revenues, Expenditures, and Changes in Fund Balance</b>						
A. Revenues	210.00	210.00		90.41	119.59	43.05
B. Expenditures						
C. Subtotal (Revenue LESS Expense)	210.00	210.00		90.41	119.59	
D. Other Financing Sources and Uses						
Sources						
LESS Uses						
E. Net Change in Fund Balance	210.00	210.00		90.41	119.59	
F. Fund Balance:						
Beginning Balance (9791)	11,012.00	11,108.00		11,108.15		
Audit Adjustments (9793)						
Other Restatements (9795)						
Adjusted Beginning Balance	11,012.00	11,108.00		11,108.15		
G. Calculated Ending Balance	11,222.00	11,318.00		11,198.56		
*Components of Ending Fund Balance						
Legally Restricted (9740)						
Other Designations (9780)						
Undesig/Unapprop (9790)	210.00	306.00				
Other	11,012.00	11,012.00				

## Fund 212 - Building Fund - Nov 2018

Fiscal Year 2019/20 Through April 2020

Object	Description	Adopted Budget	Revised Budget	Revenue	Balance	% Rcvd
<b>Revenue Detail</b>						
<b>Other Local Revenue</b>						
8660	Interest		72,205.00	67,324.84	4,880.16	93.24
	<b>Total Other Local Revenue</b>	<b>.00</b>	<b>72,205.00</b>	<b>67,324.84</b>	<b>4,880.16</b>	<b>93.24</b>
	<b>Total Year To Date Revenues</b>	<b>.00</b>	<b>72,205.00</b>	<b>67,324.84</b>	<b>4,880.16</b>	<b>93.24</b>

Object	Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Balance	% Used
<b>Expenditure Detail</b>							
<b>Services and Other Operating Expenditures</b>							
5800	Professnl/Consult Serv & Opera		210.00		210.00		100.00
5899	Legal Services		1,449.00		1,448.00	1.00	99.93
	<b>Total Services and Other Operating Expenditures</b>	<b>.00</b>	<b>1,659.00</b>	<b>.00</b>	<b>1,658.00</b>	<b>1.00</b>	<b>99.94</b>
<b>Capital Outlay</b>							
6170	Site Improvement		211,000.00		210,614.33	385.67	99.82
6290	Inspection			5,000.00		5,000.00-	NO BDGT
	<b>Total Capital Outlay</b>	<b>.00</b>	<b>211,000.00</b>	<b>5,000.00</b>	<b>210,614.33</b>	<b>4,614.33-</b>	<b>99.82</b>
	<b>Total Year To Date Expenditures</b>	<b>.00</b>	<b>212,659.00</b>	<b>5,000.00</b>	<b>212,272.33</b>	<b>4,613.33-</b>	<b>99.82</b>



## Fund 212 - Building Fund - Nov 2018

Fiscal Year 2019/20 Through April 2020

Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Budget Balance	% of Budget
<b>Revenues, Expenditures, and Changes in Fund Balance</b>						
A. Revenues		72,205.00		67,324.84	4,880.16	93.24
B. Expenditures		212,659.00	5,000.00	212,272.33	4,613.33-	99.82
C. Subtotal (Revenue LESS Expense)	.00	140,454.00-		144,947.49-	9,493.49	
D. Other Financing Sources and Uses						
Sources						
LESS Uses						
E. Net Change in Fund Balance	.00	140,454.00-		144,947.49-	9,493.49	
F. Fund Balance:						
Beginning Balance (9791)		3,860,000.00		3,860,000.00		
Audit Adjustments (9793)						
Other Restatements (9795)						
Adjusted Beginning Balance	.00	3,860,000.00		3,860,000.00		
G. Calculated Ending Balance	.00	3,719,546.00		3,715,052.51		
*Components of Ending Fund Balance						
Legally Restricted (9740)						
Other Designations (9780)						
Undesig/Unapprop (9790)		3,719,546.00				
Other				5,000.00		

## Fund 251 - Developer Fees

Fiscal Year 2019/20 Through April 2020

Object	Description	Adopted Budget	Revised Budget	Revenue	Balance	% Rcvd
<b>Revenue Detail</b>						
<b>Other Local Revenue</b>						
8660	Interest	1,750.00	1,750.00	1,033.18	716.82	59.04
8681	Mitigation/Developer Fees		1,200.00	1,199.19	.81	99.93
<b>Total Other Local Revenue</b>		<b>1,750.00</b>	<b>2,950.00</b>	<b>2,232.37</b>	<b>717.63</b>	<b>75.67</b>
<b>Total Year To Date Revenues</b>		<b>1,750.00</b>	<b>2,950.00</b>	<b>2,232.37</b>	<b>717.63</b>	<b>75.67</b>

Object	Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Balance	% Used
<b>Expenditure Detail</b>							
<b>Services and Other Operating Expenditures</b>							
5750	Direct Costs for Interfund Ser		36.00		35.98	.02	99.94
<b>Total Services and Other Operating Expenditures</b>		<b>.00</b>	<b>36.00</b>	<b>.00</b>	<b>35.98</b>	<b>.02</b>	<b>99.94</b>
<b>Total Year To Date Expenditures</b>		<b>.00</b>	<b>36.00</b>	<b>.00</b>	<b>35.98</b>	<b>.02</b>	<b>99.94</b>

## Fund 251 - Developer Fees

Fiscal Year 2019/20 Through April 2020

Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Budget Balance	% of Budget
<b>Revenues, Expenditures, and Changes in Fund Balance</b>						
A. Revenues	1,750.00	2,950.00		2,232.37	717.63	75.67
B. Expenditures		36.00		35.98	.02	99.94
C. Subtotal (Revenue LESS Expense)	1,750.00	2,914.00		2,196.39	717.61	
D. Other Financing Sources and Uses						
Sources						
LESS Uses						
E. Net Change in Fund Balance	1,750.00	2,914.00		2,196.39	717.61	
F. Fund Balance:						
Beginning Balance (9791)	88,721.00	89,255.00		89,254.82		
Audit Adjustments (9793)						
Other Restatements (9795)						
Adjusted Beginning Balance	88,721.00	89,255.00		89,254.82		
G. Calculated Ending Balance	90,471.00	92,169.00		91,451.21		
*Components of Ending Fund Balance						
Legally Restricted (9740)	88,121.00					
Other Designations (9780)						
Undesig/Unapprop (9790)	2,350.00	92,169.00				
Other						

## Fund 355 - School Facilities Hardship

Fiscal Year 2019/20 Through April 2020

Object	Description	Adopted Budget	Revised Budget	Revenue	Balance	% Rcvd
<b>Revenue Detail</b>						
<b>Other Local Revenue</b>						
8660	Interest	1,050.00	1,050.00	626.26	423.74	59.64
<b>Total Other Local Revenue</b>		<b>1,050.00</b>	<b>1,050.00</b>	<b>626.26</b>	<b>423.74</b>	<b>59.64</b>
<b>Total Year To Date Revenues</b>		<b>1,050.00</b>	<b>1,050.00</b>	<b>626.26</b>	<b>423.74</b>	<b>59.64</b>

## Fund 355 - School Facilities Hardship

Fiscal Year 2019/20 Through April 2020

Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Budget Balance	% of Budget
<b>Revenues, Expenditures, and Changes in Fund Balance</b>						
A. Revenues	1,050.00	1,050.00		626.26	423.74	59.64
B. Expenditures						
C. Subtotal (Revenue LESS Expense)	1,050.00	1,050.00		626.26	423.74	
D. Other Financing Sources and Uses						
Sources						
LESS Uses						
E. Net Change in Fund Balance	1,050.00	1,050.00		626.26	423.74	
F. Fund Balance:						
Beginning Balance (9791)	54,351.00	54,679.00		54,679.46		
Audit Adjustments (9793)						
Other Restatements (9795)						
Adjusted Beginning Balance	54,351.00	54,679.00		54,679.46		
G. Calculated Ending Balance	55,401.00	55,729.00		55,305.72		
*Components of Ending Fund Balance						
Legally Restricted (9740)						
Other Designations (9780)						
Undesig/Unapprop (9790)	55,401.00	55,729.00				
Other						

## Fund 510 - Bond Interest &amp; Redem 67117056

Fiscal Year 2019/20 Through April 2020

Object	Description	Adopted Budget	Revised Budget	Revenue	Balance	% Rcvd
<b>Revenue Detail</b>						
<b>Other State Revenues</b>						
8571	Voted Indebtedness Levies, HOP	1,617.00	1,484.00	739.02	744.98	49.80
<b>Total Other State Revenues</b>		<b>1,617.00</b>	<b>1,484.00</b>	<b>739.02</b>	<b>744.98</b>	<b>49.80</b>
<b>Other Local Revenue</b>						
8611	Voted Indebtedness Levies, Sec	317,993.00	308,461.00	331,305.82	22,844.82-	107.41
8612	Voted Indebtedness Levies, Uns	8,884.00	8,275.00	8,929.93	654.93-	107.91
8613	Voted Indebtedness Levies, P/Y			297.98	297.98-	NO BDGT
8614	Voted Indebtedness Levies, Sup			2,486.38	2,486.38-	NO BDGT
8660	Interest	2,000.00	2,000.00	1,737.77	262.23	86.89
<b>Total Other Local Revenue</b>		<b>328,877.00</b>	<b>318,736.00</b>	<b>344,757.88</b>	<b>26,021.88-</b>	<b>108.16</b>
<b>Total Year To Date Revenues</b>		<b>330,494.00</b>	<b>320,220.00</b>	<b>345,496.90</b>	<b>25,276.90-</b>	<b>107.89</b>

Object	Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Balance	% Used
<b>Expenditure Detail</b>							
<b>Debt Service</b>							
7433	Bond Redemptions	195,000.00	195,000.00		195,000.00		100.00
7434	Bond Interest and Other Servic	129,200.00	129,200.00		129,200.00		100.00
<b>Total Debt Service</b>		<b>324,200.00</b>	<b>324,200.00</b>	<b>.00</b>	<b>324,200.00</b>	<b>.00</b>	<b>100.00</b>
<b>Total Year To Date Expenditures</b>		<b>324,200.00</b>	<b>324,200.00</b>	<b>.00</b>	<b>324,200.00</b>	<b>.00</b>	<b>100.00</b>

## Fund 510 - Bond Interest &amp; Redem 67117056

Fiscal Year 2019/20 Through April 2020

Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Budget Balance	% of Budget
<b>Revenues, Expenditures, and Changes in Fund Balance</b>						
A. Revenues	330,494.00	320,220.00		345,496.90	25,276.90-	107.89
B. Expenditures	324,200.00	324,200.00		324,200.00		100.00
C. Subtotal (Revenue LESS Expense)	6,294.00	3,980.00-		21,296.90	25,276.90-	
D. Other Financing Sources and Uses						
Sources						
LESS Uses						
E. Net Change in Fund Balance	6,294.00	3,980.00-		21,296.90	25,276.90-	
F. Fund Balance:						
Beginning Balance (9791)	314,927.00	326,519.00		326,519.00		
Audit Adjustments (9793)						
Other Restatements (9795)						
Adjusted Beginning Balance	314,927.00	326,519.00		326,519.00		
G. Calculated Ending Balance	321,221.00	322,539.00		347,815.90		
*Components of Ending Fund Balance						
Legally Restricted (9740)						
Other Designations (9780)						
Undesig/Unapprop (9790)	1.00-					
Other	321,222.00	322,539.00				

## Fund 511 - Bond Interest &amp; Redem 67118381

Fiscal Year 2019/20 Through April 2020

Object	Description	Adopted Budget	Revised Budget	Revenue	Balance	% Rcvd
<b>Revenue Detail</b>						
<b>Other State Revenues</b>						
8571	Voted Indebtedness Levies, HOP	1,456.00	1,332.00	662.88	669.12	49.77
<b>Total Other State Revenues</b>		<b>1,456.00</b>	<b>1,332.00</b>	<b>662.88</b>	<b>669.12</b>	<b>49.77</b>
<b>Other Local Revenue</b>						
8611	Voted Indebtedness Levies, Sec	286,299.00	276,740.00	289,690.05	12,950.05-	104.68
8612	Voted Indebtedness Levies, Uns	8,297.00	7,727.00	8,328.29	601.29-	107.78
8613	Voted Indebtedness Levies, P/Y			293.77	293.77-	NO BDGT
8614	Voted Indebtedness Levies, Sup			2,317.03	2,317.03-	NO BDGT
8660	Interest	2,000.00	2,000.00	1,634.45	365.55	81.72
<b>Total Other Local Revenue</b>		<b>296,596.00</b>	<b>286,467.00</b>	<b>302,263.59</b>	<b>15,796.59-</b>	<b>105.51</b>
<b>Total Year To Date Revenues</b>		<b>298,052.00</b>	<b>287,799.00</b>	<b>302,926.47</b>	<b>15,127.47-</b>	<b>105.26</b>

Object	Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Balance	% Used
<b>Expenditure Detail</b>							
<b>Debt Service</b>							
7433	Bond Redemptions	155,000.00	155,000.00		155,000.00		100.00
7434	Bond Interest and Other Servic	144,863.00	144,863.00		146,497.50	1,634.50-	101.13
<b>Total Debt Service</b>		<b>299,863.00</b>	<b>299,863.00</b>	<b>.00</b>	<b>301,497.50</b>	<b>1,634.50-</b>	<b>100.55</b>
<b>Total Year To Date Expenditures</b>		<b>299,863.00</b>	<b>299,863.00</b>	<b>.00</b>	<b>301,497.50</b>	<b>1,634.50-</b>	<b>100.55</b>



## Fund 511 - Bond Interest &amp; Redem 67118381

Fiscal Year 2019/20 Through April 2020

Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Budget Balance	% of Budget
<b>Revenues, Expenditures, and Changes in Fund Balance</b>						
A. Revenues	298,052.00	287,799.00		302,926.47	15,127.47-	105.26
B. Expenditures	299,863.00	299,863.00		301,497.50	1,634.50-	100.55
C. Subtotal (Revenue LESS Expense)	1,811.00-	12,064.00-		1,428.97	13,492.97-	
D. Other Financing Sources and Uses						
Sources						
LESS Uses						
E. Net Change in Fund Balance	1,811.00-	12,064.00-		1,428.97	13,492.97-	
F. Fund Balance:						
Beginning Balance (9791)	276,689.00	287,262.00		287,261.67		
Audit Adjustments (9793)						
Other Restatements (9795)						
Adjusted Beginning Balance	276,689.00	287,262.00		287,261.67		
G. Calculated Ending Balance	274,878.00	275,198.00		288,690.64		
*Components of Ending Fund Balance						
Legally Restricted (9740)						
Other Designations (9780)						
Undesig/Unapprop (9790)						
Other	274,878.00	275,198.00				

## Fund 512 - Bond Int &amp; Redem Nov 2018

Fiscal Year 2019/20 Through April 2020

Object	Description	Adopted Budget	Revised Budget	Revenue	Balance	% Rcvd
<b>Revenue Detail</b>						
<b>Other State Revenues</b>						
8571	Voted Indebtedness Levies, HOP	2,128.00	2,011.00	1,005.51	1,005.49	50.00
<b>Total Other State Revenues</b>		<b>2,128.00</b>	<b>2,011.00</b>	<b>1,005.51</b>	<b>1,005.49</b>	<b>50.00</b>
<b>Other Local Revenue</b>						
8611	Voted Indebtedness Levies, Sec	418,356.00	417,844.00	433,019.35	15,175.35-	103.63
8612	Voted Indebtedness Levies, Uns			10.68	10.68-	NO BDGT
8613	Voted Indebtedness Levies, P/Y			.98	.98-	NO BDGT
8614	Voted Indebtedness Levies, Sup			647.93	647.93-	NO BDGT
8660	Interest	500.00	500.00	1,422.22	922.22-	284.44
<b>Total Other Local Revenue</b>		<b>418,856.00</b>	<b>418,344.00</b>	<b>435,101.16</b>	<b>16,757.16-</b>	<b>104.01</b>
<b>Total Year To Date Revenues</b>		<b>420,984.00</b>	<b>420,355.00</b>	<b>436,106.67</b>	<b>15,751.67-</b>	<b>103.75</b>

Object	Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Balance	% Used
<b>Expenditure Detail</b>							
<b>Debt Service</b>							
7434	Bond Interest and Other Servic	121,859.00	121,859.00		121,859.25	.25-	100.00
<b>Total Debt Service</b>		<b>121,859.00</b>	<b>121,859.00</b>	<b>.00</b>	<b>121,859.25</b>	<b>.25-</b>	<b>100.00</b>
<b>Total Year To Date Expenditures</b>		<b>121,859.00</b>	<b>121,859.00</b>	<b>.00</b>	<b>121,859.25</b>	<b>.25-</b>	<b>100.00</b>

## Fund 512 - Bond Int &amp; Redem Nov 2018

Fiscal Year 2019/20 Through April 2020

Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Budget Balance	% of Budget
<b>Revenues, Expenditures, and Changes in Fund Balance</b>						
A. Revenues	420,984.00	420,355.00		436,106.67	15,751.67-	103.75
B. Expenditures	121,859.00	121,859.00		121,859.25	.25-	100.00
C. Subtotal (Revenue LESS Expense)	299,125.00	298,496.00		314,247.42	15,751.42-	
D. Other Financing Sources and Uses						
Sources						
LESS Uses						
E. Net Change in Fund Balance	299,125.00	298,496.00		314,247.42	15,751.42-	
F. Fund Balance:						
Beginning Balance (9791)	87,472.00	87,472.00		87,471.55		
Audit Adjustments (9793)						
Other Restatements (9795)						
Adjusted Beginning Balance	87,472.00	87,472.00		87,471.55		
G. Calculated Ending Balance	386,597.00	385,968.00		401,718.97		
*Components of Ending Fund Balance						
Legally Restricted (9740)						
Other Designations (9780)						
Undesig/Unapprop (9790)	1.00					
Other	386,596.00	385,968.00				

## MESA UNION SCHOOL DISTRICT

## ENROLLMENT REPORT

5/6/2020

Teacher	Subject	Period	Total Enrolled	
Morgan	Transitional		23	
Caluza	Kinder		19	
Puga	Kinder		20	
White	Kinder		<b>21</b>	
		Total	83	
Garza	First		23	
Ainsworth	First		<b>23</b>	
Vollmert	First		23	
Torres	SDC		3	
		Total	72	
Dahlin	Second		23	
Reyes	Second		24	
Willilams	Second		<b>23</b>	
Torres	SDC		2	
		Total	72	
Ford	Third		22	
Mayes	Third		23	
Fang	Third		23	
McCormick	SDC		<b>1</b>	
		Total	<b>69</b>	
Catlett	Fourth		26	
Fisher	Fourth		25	
McCormick	SDC		3	
		Total	54	
Chenez	Fifth		<b>30</b>	
Grogan	Fifth		31	
McCormick	SDC		1	
		Total	62	
	Elementary	Total	<b>412</b>	
Sixth Grade			<b>71</b>	
Seventh Grade			<b>67</b>	
Eighth Grade			<b>64</b>	
	Junior High	Total	202	
	Grand Total		<b>614</b>	
Mckenna	Homeroom	0	<b>23</b>	
McKenna	Science 6	1	23	
McKenna	Social Studies 6	2	23	
McKenna	Science 6	3	24	

McKenna	Social Studies 6	4	24	
Mckenna	Agriculture 6	5/6	16	
Davis	Homeroom	0	<b>24</b>	
Davis	Social Studies -6	1	24	
Davis	English Lang 6	2	23	
Davis	English-Lang 6	3	24	
Davis	English-Lang 6	4	<b>24</b>	
Davis	PE 6	5/6	<b>71</b>	
Buchanan	Homeroom	0	<b>24</b>	
Buchanan	Science	1	24	
Buchanan	Math 6	2	23	
Buchanan	Math-6	3	24	
Buchanan	Math-6	4	24	
Buchanan	Other Math	5/6	15	
Demaria	Homeroom	0	<b>34</b>	
Demaria	Language 7	1	34	
Demaria	Language 7	2	33	
Demaria	Spanish 8	3/4	12	
Demaria	Social Studies 7	5	34	
Demaria	Social Studies 7	6	<b>33</b>	
Jahr	Homeroom	0	<b>32</b>	
Jahr	Science 7	1	34	
Jahr	Science 8	2	32	
Jahr	Ocean 7	3/4	30	
Jahr	Science 7	5	33	
Jahr	Science 8	6	32	
Dwork	Homeroom	0	<b>32</b>	
Dwork	Language 8	1	32	
Dwork	Social Studies 8	2	32	
Dwork	Drama	3/4	25	
Dwork	Language 8	5	32	
Dwork	Social Studies 8	6	32	
Roberson	Homeroom	0	33	
Roberson	Math 7	1	33	
Roberson	Math 8	2	31	
Roberson	Robotics	3/4	18	
Roberson	Math 7	5	34	
Roberson	Math 8	6	32	
Rosen	7 PE	3/4	67	

Rosen	8 PE	3/4	64	
Goad	Music 7	3/4	27	
Goad	Music 8	3/4	37	
Goad	Music 6	5/6	40	

APRIL		
Grade	Teacher	Student Names
TK/K	Morgan	Donovan Gonzales, Mateo Lara Stephen Graybill
	Caluza	Carolina Carballo Gutierrez Robert Franco
	Puga	Abraham Torres Kaleb Ramos Sophia Avalos
	White	Monique Moore Zoie Roberson Ryan Stroud
1	Ainsworth	Gabriella Castellanos, Yislein Guel Logan Kaffer
	Garza	Abigail Barroso Mateo Soto Nathan Herrera
	Vollmert	Jacob Miranda Sofia Zabzdyr Quinn Poole
2	Dahlin	Samantha Saldana Efren Gavia Julian Rios
	Reyes	Sophie Henderson Matt Newman Brookelynn Ramirez Jayleen Arreguin
	Williams	Baya Redmond Jaylene Lopez Titus Rillo
3	Fang	Ella Wong Dominick Flores
	Ford	Isabella Leon Isaac Sonnenschein
	Mayes	Olivia Sanchez Aubri Marino
4	Catlett	Aiza Jolene Ronquillo Thomas Robb
	Fisher	Janet Flores Cervantes Gloria Samaniego Dominic Alfaro Lindsey Wallace
5	Grogan	Kaede Hamlyn Eli Engleson
	Chenez	Daniel Shen Courtney Pinkerton



## LICENSING AGREEMENT

This Agreement effective **July 1, 2020**, is made and entered into by **Ventura County Schools Business Services Authority** as Licensee and Document Tracking Services (DTS) as Licensor each a "Party" and collectively the "Parties".

Licensee desires that DTS provide a license to use DTS proprietary web-based application in accordance with the following provisions:

- A. License. DTS hereby grants to Licensee a non-exclusive license to use DTS application in order to create, edit, update, print and track specific documents as described in Exhibit **A** of this agreement.
  - (i) DTS retains all rights, title and interest in DTS application and any registered trademarks associated with the license.
  - (ii) Licensee retains all rights, title and interest in the documents as described in Exhibit **A** of this agreement.
- B. Internet Areas. All parties including third party licensees shall not be permitted to establish any "pointers" or links between the Online Area and any other area on or outside of the DTS login without the prior written approval.
- C. Term of License. The term of the Agreement is for **one (1) year** from the effective date (as noted in paragraph one) of the license agreement.
- D. Personnel. DTS will assign the appropriate personnel to represent DTS in all aspects of the license including but not limited to account set up and customer license inquiries.
- E. Content. DTS will be solely responsible for loading the content supplied by Licensee into DTS secure server and provide complete access to Licensee and its representatives.
- F. Security of Data. DTS at all times will have complete security of Licensee documents on dedicated servers that only authorized DTS personnel will have access to; all login by DTS authorized will be stored and saved as to time of log-in and log-out.
  - (i) Licensee may request DTS to only store Licensee documents for the period of time that allows Licensee and its authorized personnel to create, edit and update their documents.
- G. Management of Database. DTS shall allow Licensee to review, edit, create, update and otherwise manage all content of Licensee available through the Secure Login of DTS.
- H. Customer License. DTS shall respond promptly and professionally to questions, comments, complaints and other reasonable requests regarding any aspect of DTS application by Licensee. DTS business hours are Monday-Friday 8AM PST to 5PM PST except for national/state holidays.
- I. License Fee. Licensee shall pay a fee of **\$2,145**.





- J. Document Set Up Fee. The one-time set up fee for documents as described in Exhibit A and made a part of this Agreement is **waived**.
- K. Payment Terms. Licensee shall pay the annual licensing fee upon execution of the Agreement between parties and the electronic submittal of the invoice to Licensee.
- L. Number of Documents. The maximum number of documents per school district is limited to **five (5)**.
- M. Warranty. Licensee represents and warrants that all information provided to DTS, including but not limited to narratives, editorials, information regarding schools, is owned by Licensee and Licensee has the right to use and allow use by DTS as called for hereunder and that no copyrights, trademark rights or intellectual property rights of any nature of any third party will be infringed by the intended use thereof. In the event any claim is brought against DTS based on an alleged violation of the rights warranted herein, Licensee agrees to indemnify and hold DTS harmless from all such claims, including attorney fees and costs incurred by DTS in defending such claims.
- N. Definitions.
  - (i) Document. A document is defined as **a)** a specific template provided by CDE or; **b)** any specific word document or forms that have different fields or school references such as elementary, middle or high schools\* submitted by District or CDE; or **c)** individual inserts submitted by District or CDE that are integrated into existing documents or are offered as supplemental and/or addendums to other report documents.
    - \* Licensee submits a SPSA template for their elementary, middle and high schools, which is counted as three (3) separate documents.
  - (ii) Customized Documents. Any document that is not a standard CDE template is considered a custom document and as such may be subject to additional setup fees; DTS shall provide an estimated cost of these additional fees prior to the execution of this agreement.
- O. Document Setup Fee. **The document setup fee is waived for the Ventura County Schools Business Services Authority.**
- P. Additional Fees. Licensee shall pay additional fees if Licensee exceeds the number of documents as described in section L of this agreement. The fee for each additional document is \$39 per document times the number of schools in the district. The fee shall be payable within thirty (30) days from DTS invoice.
- Q. Additional Services. DTS can also provide Data Transfer and Document Translation services to Licensee for an additional fee. The fee for each additional service would be agreed upon between the parties and invoiced at the time the services were requested. The fee shall be payable within thirty (30) days from DTS invoice.



The Parties hereto have executed this Agreement as of the Effective Date.

Document Tracking Services, LLC

By: Aaron Tarazon, Director  
Document Tracking Services  
10225 Barnes Canyon Road, Suite A200  
San Diego, CA 92121  
858-784-0967 - Phone  
858-587-4640 - Corporate Fax

Date: April 15, 2020

Licensee

By: \_\_\_\_\_

Date: \_\_\_\_\_



### **Exhibit A**

The following are standard documents to be used in conjunction with the license.

1. 2020 School Accountability Report Card, English & Spanish (Custom Template)
2. 2020 School Plan for Student Achievement (CDE Template)
3. 2020 Local Control and Accountability Plan (CDE Template)
4. Others to be identified as needed.



## Exhibit B

The following Districts/Schools have been identified as participants in the Ventura County Schools Business Services Authority DTS Consortium:

District	School
Ventura County Schools Business Services Authority	Coordinator Account*
Ventura County Schools Business Services Authority	ACE Charter High School
Ventura County Schools Business Services Authority	Bridges Charter School
Ventura County Schools Business Services Authority	Meadow Arts & Technology Elementary School
Ventura County Schools Business Services Authority	River Oaks Academy***
Ventura County Schools Business Services Authority	Ventura Charter School of Arts and Global Education**
Briggs Elementary School District	Briggs Elementary School
Briggs Elementary School District	Olivelands Elementary School
Mesa Union Elementary School District	Mesa Elementary School
Mupu Elementary School District	Mupu Elementary School
Santa Clara Elementary School District	Santa Clara Elementary School
Somis Union Elementary School District	Somis Elementary School

\* Coordinator Account enables District/COE level staff to view school documents, track school plan update progress and extract school plan data as well as complete LEA level plans.

\*\* Added on 12/15/11

\*\*\* Added on 5/31/15



April 15, 2020

Ventura County Schools Business Services Authority  
5189 Verdugo Way  
Camarillo, CA 93012  
Re: Document Tracking Services

## **INVOICE #9300109**

Pursuant to the licensing agreement between Ventura County Schools Business Services Authority and Document Tracking Services (DTS):

### **Document Tracking Services**

Document Tracking Services [7/1/20 to 6/30/21]: \$2,145  
11 sites  
\$250 per site, discounted to \$195 per site  
License Agreement includes 5 documents

### **Translation Services**

2020 Spanish School Accountability Report Card: \$1,250  
\$125/SARC x 10 School Accountability Report Cards  
Based on 2016 SARC translation purchase  
1. ACE Charter High School  
2. Bridges Charter School  
3. Meadow Arts & Technology Elementary School  
4. River Oaks Academy\*\*\*  
5. Ventura Charter School of Arts and Global Education\*\*  
6. Briggs Elementary School  
7. Oliveland Elementary School  
8. Mesa Elementary School  
9. Mupu Elementary School  
10. Somis Elementary School

**Total Balance Due: \$3,395**

**Please Make Checks Payable To: Document Tracking Services. Send to:**

Aaron Tarazon, Director  
Document Tracking Services  
10225 Barnes Canyon Road, Suite A200  
San Diego, CA 92121  
858-784-0967 - Phone  
858-587-4640 - Corporate Fax

Thank you!

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Approved Per Payment (Signature)

---

Name/Role (Printed)

April 29, 2020

To: Mr. Turner

Mesa Union Support Team Association presents its 2020-2021 initial proposal for a collective bargaining agreement to the Mesa Union School District. We propose to open the following Articles:

- Article XVI : Compensation
- Article XVII : Evaluations
- Article XI: Hours

Christina Mendoza M.U.S.T. President

Alice Villa M.U.S.T. Vice President

**BEFORE THE BOARD OF TRUSTEES OF THE  
MESA UNION SCHOOL DISTRICT**  
Somis, California

Resolution No. 19-20-08

**RESOLUTION REGARDING LAYOFF OF CLASSIFIED PERSONNEL**  
(Education Code Sections 45117, 45298, 45308)

**WHEREAS**, the Board of Trustees of the Mesa Union School District (“District”) has determined in evaluating the needs of the District for the 2020-2021 school year that the best interests of this District would be served by the reduction and/or elimination of services being provided in certain classified employee positions and, based upon such reduction in services, classified employees will be subject to layoff for lack of work and/or lack of funds within the meaning of Education Code sections 45117, 45298, 45308.

**WHEREAS**, the reduction/elimination in classified positions referred to herein are as follows:

**POSITION**

**ELIMINATE**

Part-Time Facilities Worker

1 position – 0.4375 FTE (239 days (11 months) per year, 5 days per week, 3.5 hours per day)

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees as follows:

1. That the above recitals are true and correct.
2. That due to a lack of work and/or lack of funds, the number of classified employees and the amount of service rendered shall be eliminated by layoff as specified above, pursuant to Education Code sections 45117, 45298, 45308.
3. That the employee(s) holding the affected position(s) may have bumping rights to another classified position in accordance with the law and/or the collective bargaining agreement between the District and the Mesa Union Support Team
4. That, in lieu of being laid off, affected employees may voluntarily accept reassignment to a vacant position with equal or less hours, or shall have preference for reemployment into any vacant classified position for which the affected employee is qualified and meets minimum qualifications
5. That the Superintendent/Principal is directed to give notice of layoff to the affected classified employee(s) pursuant to the requirements of law.

6. That said layoff shall become effective sixty (60) calendar days after notice is given to the affected employee(s).
7. That the employee(s) laid off pursuant to this Resolution shall be eligible for reemployment pursuant to Education Code section 45298.
8. That the Superintendent/Principal or his designated representative is delegated authority to take all actions necessary and appropriate to the accomplishment of the purposes of this Resolution.

ADOPTED by the Board of Trustees of the Mesa Union School District on this 19<sup>th</sup> day of May, 2020, by the following vote:

ROLL CALL VOTE:

<u>Name</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Neil Canby				
Krista Nowak				
Steven Sullivan				
Roddie Villa				
Jayne Dryden				

---

**Neil Canby**  
President, Board of Trustees  
Mesa Union School District

I, Steven Sullivan, Clerk of the Board of Trustees of the Mesa Union School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Trustees at its regular meeting held on May 19, 2020.

---

**Steven Sullivan**  
Clerk, Board of Trustees  
Mesa Union School District



**Board of Trustees:**  
Dr. Neil Canby  
Mary Crull  
Krista Nowak  
Steven Sullivan  
Roddie Villa



**Superintendent**  
Jeff Turner  
**Assistant Principal**  
Kim Kuklenski

*"Honor the Past, Live in the Present, Drive to the Future....The Mesa Way!"*

To: Christina Mendoza

From: Jeff Turner

Date: April 6, 2020

Reason: Tentative Agreement between the Mesa Union School District and Mesa Union Support Team

**Article XII: Overtime/Compensatory Time Off**

- 12.1.2 Any intermittent extra time shall be offered on a rotating basis in the same job classification title.
- 12.1.3 If extra time is refused, the unit member's place in the rotation in line does not change.

**Article XV: Leave**

**15.15. 3 Unpaid Leave of Absence for Further Education**

All such leaves shall require a minimum of 20 school days prior notice. No more than 4 days per contract year may be granted. Each request shall be for no less than 2 consecutive days. If a substitute is available the leave shall be granted.

- 15.16.1 Full-time unit members shall be entitled to one day per month of sick leave ~~work~~ plus an additional one (1) day for purposes of personal illness, injury, or quarantine. ~~two (2) days will be for purposes of personal illness, injury or quarantine~~ Unit Members covered by this agreement working less than full-time shall be entitled to sick leave in the same ratio that his/her employment bears to full-time employment

***Attendance Reward Incentive Program***

*All full-time unit members employed by the district, who in a school year use three (3) days or less of sick leave, family illness leave and/or personal necessity leave, shall be credited with an additional one day of sick leave at the start of the ensuing school year. Part-time unit members who qualify shall be credited with a pro-rata share.*

## **XVI Compensation**

- 16.1 The classified salary schedule for 2019-2020 shall increase by 2% retro activated to July 1, 2019.

## **XVII Evaluations**

- 17.1.1 Probationary Employees: Employees shall be evaluated at least twice during the probationary period.

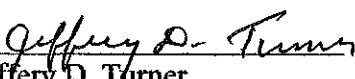
A pre-evaluation conference will be held with the probationary employee's supervisor within the first 30 days of employment to collaboratively develop annual professional goals. Prior to said meeting, the probationary employee will prepare one to three goals for discussion. The agreed upon goals will be signed by both the employee and supervisor and placed in the employee's personnel file.

Probationary employee evaluations shall occur at approximately the seventh (7th) and eighteenth (18th) workweeks subsequent to probationary employment.


- 17.1.2 Permanent Employees

A pre-evaluation conference will be held with the permanent employee's supervisor by November 30 to collaboratively develop annual professional goals. Prior to said meeting, the permanent employee will prepare one to three goals for discussion. The agreed upon goals will be signed by both the employee and supervisor and placed in the employee's personnel file.

The performance report interval shall be no less than one (1) per fiscal year.

  
Jeffery D. Turner  
Superintendent

4/6/2020  
Date

  
Christina Mendoza  
MUST President

4/6/2020  
Date



**M.U.T.A.**

Mesa Union Teachers' Association  
3901 NORTH Mesa School Road  
Somis, CA 93066 (805) 485-1411

**Executive Officers:**

Matt Demaria / Amabel Puga - Co-Presidents  
Christina Jahr - Vice-President  
Amy Williams - Secretary  
Kristine Garza / Spencer Goad - Co-Treasurers

April 7, 2020

Mr. Jeffrey Turner, Superintendent  
Mesa Union School District  
3901 N. Mesa School Road  
Somis, CA 93066

Dear Mr. Turner,

The Mesa Union Teachers' Association hereby presents its 2020-2021 initial proposal for a collective bargaining agreement to the Mesa Union School District. We propose to open the following articles:

XVI: Salary

XVII: Employee Benefits

XI: Hours

XVIII: Class Size

Sincerely,

Matt Demaria / Amabel Puga  
MUTA Co-Presidents

**MESA UNION SCHOOL DISTRICT  
TEMPORARY LOANS BETWEEN DISTRICT FUNDS  
FISCAL YEAR 2020-21  
RESOLUTION NO. 19-20-09**

**WHEREAS**, pursuant to Education Code section 42603, the governing board of any school district may direct that moneys held in any fund or account may be temporarily transferred to another fund or account of the district for payment of obligations. The transfer shall be accounted for as temporary borrowing between funds or accounts and shall not be available for appropriation or be considered income to the borrowing fund or account. Amounts transferred shall be repaid either in the same fiscal year, or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year. Borrowing shall occur only when the fund or account receiving the money will earn sufficient income, during the current fiscal year, to repay the amount transferred. No more than 75 percent of the maximum of moneys held in any fund or account during a current fiscal year may be transferred.

**WHEREAS**, when there are insufficient funds to meet district obligations in the fund, and

**WHEREAS**, funds can be temporarily transferred from one or more funds to another fund of the district to be used for the payment of district obligations, and

**WHEREAS**, repayment of the temporary loan will be made from income received, and

**THEREFORE, BE IT RESOLVED** that the Board of Education of the Mesa Union School District authorizes the temporary transfer of cash from one district fund to another in order to meet the financial obligations of the District as the need may arise during the 2020-21 fiscal year.

**PASSED AND ADOPTED** this 19<sup>th</sup> day of May 2020 by the Governing Board of the Mesa Union School District of Ventura County, California, by the following vote:

AYES:                      NOES:                      ABSENT:

\_\_\_\_\_ Authorized Agent

**APPROPRIATION TRANSFERS  
FISCAL YEAR 2020-21  
RESOLUTION NO. 19-20-10**

**WHEREAS**, the Mesa Union School District may have a need during the fiscal year to make appropriation transfers to permit the payment of obligations of the district, and

**WHEREAS**, the District may authorize a district employee to make such transfers between unappropriated fund balances and any expenditure classifications to balance any expenditure classification,

**THEREFORE, BE IT RESOLVED** that the Mesa Union School District authorizes the appropriation transfers necessary to permit payment of obligations of the District incurred during the 2020-21 fiscal year. These transfers are to be presented for ratification at the next board meeting.

**ADOPTED** this 19<sup>th</sup> day of May, 2020.

AYES:                NOES:                ABSENT:

**THIS IS TO CERTIFY** that the above resolution was adopted by the Board of Trustees at a regular meeting of the Board.

---

Authorized Agent

**AUTHORITY FOR THE BOARD OF EDUCATION TO IMPROVE COMPENSATION  
FOR CERTAIN CATEGORIES OF EMPLOYEES AFTER JULY 1, 2020  
RESOLUTION#19-20-11**

The recommendation is that the Board of Education reserves the right to grant to those employees who are members of the confidential, supervisory, or management groups, and as such are not covered by labor contracts, the right to compensation improvements. This Resolution would remove any doubt that the Board of Education has the right to improve compensation to non-represented employees on or after July 1, 2020, and to set the amounts and effective date of any such improvements.

**WHEREAS**, employees who are in confidential, supervisory, or management positions, whether certificated or classified, and as such, not members of collective bargaining units, and their compensation is not negotiated in labor contracts; and,

**WHEREAS**, the Board of Education believes that compensation consideration should be given to employees in confidential, supervisory, or management positions,

**THEREFORE BE IT RESOLVED** that the Board of Education of Mesa School District reserves the right to consider and to improve compensation of confidential, supervisory or management employees in Fiscal Year 2020-21 and to make any such compensation improvements effective July 1, 2020, or at any date thereafter during Fiscal Year 2020-21.

This is to certify that the above Resolution was adopted by the Board of Education at a regular meeting of the Board held on May 19<sup>th</sup>, 2020.

**AYES:                NOES:                ABSENT:**

Authorized Agent

-----

## **EXAMPLE - GOVERNING BOARD ACTIONS**

### Advance indefinite action for 2020-21 to be taken before July 1, 2020:

“As a result of financial uncertainties, negotiations, legislation, and other factors, the governing board hereby declares that all management, confidential, and other unrepresented employee compensation is declared indefinite for 2020-21.”

### Subsequent example action:

1. The following could be used when the board is subsequently acting on all unrepresented employees:

“As a follow-up to governing board action taken (earlier date), the governing board hereby approves compensation increases, effective July 1, 2020, for all unrepresented employees, including the superintendent and associate / assistant superintendents.”

2. The following could be used if only some, but not all unrepresented employees are subsequently acted upon:

“As a follow-up to governing board action taken (earlier date), the governing board hereby approves a compensation increase effective July 1, 2020, for classified management and confidential employees. Certificated management, superintendent and associate / assistant superintendents, and other unrepresented compensation is still declared indefinite.”



TECHNOLOGIES, INC.

**MJP Technologies, Inc**  
**3036 Seaborg Ave, Suite A**  
**Ventura, CA 93003**

## MJP Quote

Date: 4/6/2020

Estimate # 232155

Name / Address	Ship To		
Mesa Union Elementary School District 5189 Verdugo Way - Suite BSA Camarillo, CA 93012 ATTN: Accounts Payable **EMAIL & MAIL**	Mesa Union Elementary School District 3901 North Mesa School Road Somis, CA 93066 ATTN: Roxanne Sonnenschein		
	P.O. #		
	Contact:      Roxanne		
Description	Qty	Cost	Total
Lenovo ThinkPad L13 Yoga 20R5 - Flip design - Core i5 10210U / 1.6 GHz - Win 10 Pro 64-bit - 8 GB RAM - 256 GB SSD TCG Opal Encryption 2, NVMe - 13.3" IPS touchscreen 1920 x 1080 (Full HD) - UHD Graphics - Wi-Fi, Bluetooth - black - kbd: US Dimensions (WxDxH):12.3 in x 8.6 in x 0.7 in Weight:3.15 lbs Manufacturer Warranty:Limited warranty - 3 years - pick-up and return	38	1,115.50	42,389.00T
California Electronic Waste Recycling Fee (**NEW RATES** Effective as of Jan. 1, 2020): -\$4: 4" to 14.9" display -\$5: 15" to 34.9" display -\$6: 35" display and above	38	4.00	152.00
Lenovo ThinkPad USB 3.0 Ethernet adapter - Network adapter - USB 3.0 - Gigabit Ethernet - for 100e Chromebook (2nd Gen); 300e (2nd Gen); 300e Chromebook (2nd Gen); ThinkPad T490	38	21.50	817.00T
*NOTE: ** Memory can not be ugraded on the Lenovo L13 Yoga***			0.00
Subtotal:    \$43,358.00		Sales Tax: (7.25%)    \$3,132.44	
		Total                    \$46,490.44	
Quote Valid Until:    05/06/2020			
Quote valid for 30 days unless otherwise specified. Email purchase orders to orders@mjp.net or fax to (805)981-3775. Please inspect goods upon receipt. Damage claims must be processed immediately or may not be honored.			

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Customer Signature: \_\_\_\_\_

Phone #: 805-981-9511

Fax #

805-981-3775

E-mail:

orders@mjp.net

Web Site: www.mjp.net





## MJP Quote

TECHNOLOGIES, INC.

**MJP Technologies, Inc**  
**3036 Seaborg Ave, Suite A**  
**Ventura, CA 93003**

Date: 4/20/2020

Estimate # 232309

Name / Address		Ship To	
Mesa Union Elementary School District 5189 Verdugo Way - Suite BSA Camarillo, CA 93012 ATTN: Accounts Payable **EMAIL & MAIL**		Mesa Union Elementary 3901 North Mesa School Road Somis, CA 93066	
		P.O. #	
		Contact:      Roxanne	
Description	Qty	Cost	Total
For: Mesa - Student Laptops Lenovo 300e (2nd Gen) 81M9 - Flip design - Celeron N4100 / 1.1 GHz - Windows 10 Pro National Academic - 4 GB RAM - 64 GB eMMC 5.1 - 11.6" IPS touchscreen 1366 x 768 (HD) - UHD Graphics 600 - Wi-Fi, Bluetooth - black - kbd: US Dimensions (WxDxH):11.4 in x 8 in x 0.8 in Weight: 2.89 lbs Manufacturer Warranty: Limited warranty - 1 year - carry-in Interfaces:USB 3.0   USB 3.0 (Always On)   USB-C 3.0 (Power Delivery)   Headphone/microphone combo jack   HDMI	185	270.00	0.00 49,950.00T
*CMAS Contract #:3-17-70-1811AE California Electronic Waste Recycling Fee (**NEW RATES** Effective as of Jan. 1, 2020): -\$4: 4" to 14.9" display -\$5: 15" to 34.9" display -\$6: 35" display and above	185	4.00	0.00 740.00
White Glove services, per device. Open boxes, load image ( Provided by client), configure, deliver and install	185	30.00	5,550.00
*NOTE: The Lenovo 300e needs to be back ordered.			0.00
<b>Subtotal:    \$56,240.00</b>		<b>Sales Tax: (7.25%)    \$3,621.38</b>	
		<b>Total                    \$59,861.38</b>	
<b>Quote Valid Until:    05/20/2020</b>			
Quote valid for 30 days unless otherwise specified. Email purchase orders to orders@mjp.net or fax to (805)981-3775. Please inspect goods upon receipt. Damage claims must be processed immediately or may not be honored.			

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Customer Signature: \_\_\_\_\_

Phone #: 805-981-9511 Fax # 805-981-3775 E-mail: orders@mjp.net Web Site: www.mjp.net



## MJP Quote

TECHNOLOGIES, INC.

MJP Technologies, Inc  
3036 Seaborg Ave, Suite A  
Ventura, CA 93003

Date:	4/13/2020
Estimate #	232247

Name / Address		Ship To	
Mesa Union Elementary School District 5189 Verdugo Way - Suite BSA Camarillo, CA 93012 ATTN: Accounts Payable **EMAIL & MAIL**		Mesa Union Elementary School District 3901 North Mesa School Road Somis, CA 93066 ATTN: Roxanne Sonnenschein	
P.O. #			
Contact:		Roxanne	
Description	Qty	Cost	Total
Bump Armor RSP case™ (Real Stylish Protection) *Fits most 11-inch laptops and Chromebooks.	300	28.50	8,550.00T
Subtotal:		\$8,550.00	
Sales Tax: (7.25%)		\$619.88	
Total			\$9,169.88
Quote Valid Until: 05/10/2020			
Quote valid for 30 days unless otherwise specified. Email purchase orders to <a href="mailto:orders@mjp.net">orders@mjp.net</a> or fax to (805)981-3775. Please inspect goods upon receipt. Damage claims must be processed immediately or may not be honored.			

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Customer Signature: \_\_\_\_\_

Phone #: 805-981-9511 Fax #: 805-981-3775 E-mail: [orders@mjp.net](mailto:orders@mjp.net)

Web Site: [www.mjp.net](http://www.mjp.net)

**BID FORM AND PROPOSAL**

To: Governing Board of Mesa Union School District ("District" or "Owner")

From: DASH CONSTRUCTION COMPANY, INC.  
(Proper Name of Bidder)

The undersigned declares that the Contract Documents, including, without limitation, the Notice to Bidders and the Instructions to Bidders, have been read, and agrees and proposes to furnish all necessary labor, materials, and equipment to perform and furnish all work in accordance with the terms and conditions of the Contract Documents, including, without limitation, the Drawings and Specifications of Bid No. \_\_\_\_\_ ("Work") for the following project known as:

SECURITY GATE PROJECT

("Project") and will accept in full payment for that Work the following total lump sum amount, all taxes included:

Seventy Six Thousand One Hundred Twenty Dollars Zero Cents

**BASE BID**

\_\_\_\_\_ dollars

\$ 76,120.00

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]



### **Additional Detail Regarding Calculation of Base Bid**

1. **Allowance.** The Bidder's Base Bid and each alternate shall include a ten percent (10%) allowance for unforeseen items.  
  
The above allowance shall only be allocated for unforeseen items relating to the Work. Contractor shall not bill for or be due any portion of this allowance unless the District has identified specific work, Contractor has submitted a price for that work or the District has proposed a price for that work, the District has accepted the cost for that work, and the District has prepared a change order incorporating that work. Contractor hereby authorizes the District to execute a unilateral deductive change order at or near the end of the Project for all or any portion of the allowance not allocated.
2. The undersigned has reviewed the Work outlined in the Contract Documents and fully understands the scope of Work required in this Proposal, understands the construction and project management function(s) as described in the Contract Documents, and that each Bidder who is awarded a contract shall be in fact a prime contractor, not a subcontractor, to the District, and agrees that its Proposal, if accepted by the District, will be the basis for the Bidder to enter into a contract with the District in accordance with the intent of the Contract Documents.
3. The undersigned has notified the District in writing of any discrepancies or omissions or of any doubt, questions, or ambiguities about the meaning of any of the Contract Documents, and has contacted the Construction Manager or other official point of contact for the District before Bid date to verify the issuance of any clarifying Addenda.
4. The undersigned agrees to commence work under this Contract on the date established in the Contract Documents and to complete all Work within the time specified in the Contract Documents.
5. **The liquidated damages clause of the Agreement is hereby acknowledged.**
6. It is understood that the District reserves the right to reject this Bid and that the Bid shall remain open to acceptance and is irrevocable for a period of ninety (90) days.
7. The following documents are attached with this Bid Form and Proposal:
  - Bid Bond on the District's form or other security
  - Registered Subcontractors List
  - Non-Collusion Declaration

8. Receipt and acceptance of the following Addenda is hereby acknowledged:

No. <u>1</u> , Dated <u>4/6/2020</u>	No. _____, Dated _____
No. _____, Dated _____	No. _____, Dated _____
No. _____, Dated _____	No. _____, Dated _____

9. Bidder acknowledges that the license required for performance of the Work is a \_\_\_\_\_ license.
10. Bidder hereby certifies that Bidder is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the Work.
11. Bidder specifically acknowledges and understands that if it is awarded the Contract, that it shall perform the Work of the Project while complying with all requirements of the Department of Industrial Relations.
12. Bidder hereby certifies that its bid includes sufficient funds to permit Bidder to comply with all local, state or federal labor laws or regulations during the Project, including payment of prevailing wage, and that Bidder will comply with the provisions of Labor Code section 2810(d) if awarded the Contract.
13. Bidder represents that it is competent, knowledgeable, and has special skills with respect to the nature, extent, and inherent conditions of the Work to be performed. Bidder further acknowledges that there are certain peculiar and inherent conditions existent in the construction of the Work that may create, during the Work, unusual or peculiar unsafe conditions hazardous to persons and property.
14. Bidder expressly acknowledges that it is aware of such peculiar risks and that it has the skill and experience to foresee and to adopt protective measures to adequately and safely perform the Work with respect to such hazards.
15. Bidder expressly acknowledges that it is aware that if a false claim is knowingly submitted (as the terms "claim" and "knowingly" are defined in the California False Claims Act, Gov. Code, § 12650 et seq.), the District will be entitled to civil remedies set forth in the California False Claim Act. It may also be considered fraud and the Contractor may be subject to criminal prosecution.
16. The undersigned Bidder certifies that it is, at the time of bidding, and shall be throughout the period of the contract, licensed by the State of California to do the type of work required under the terms of the Contract Documents and registered as a public works contractor with the Department of Industrial Relations. Bidder further certifies that it is regularly engaged in the general class and type of work called for in the Contract Documents.

Furthermore, Bidder hereby certifies to the District that all representations, certifications, and statements made by Bidder, as set forth in this bid form, are true and correct and are made under penalty of perjury.

**MESA UNION SCHOOL DISTRICT**

**INFORMAL BID PACKET - CUPCCAA**  
BID FORM AND PROPOSAL - 3

Dated this 11 day of MAY 20 20

Name of Bidder DASH CONSTRUCTION COMPANY, INC.

Type of Organization S-CORPORATION

Signed by DARIUSH SHAHNAVAZ

Title of Signer PRESIDENT

Address of Bidder PO. BOX 261321, ENCINO. CA 91426

Taxpayer's Identification No. of Bidder 51-0617885

Telephone Number 818-620-7547

Fax Number \_\_\_\_\_

E-mail dariushshahnavazx@yahoo.com Web page \_\_\_\_\_

Contractor's License No(s): No.: 869505 Class: A, B, C13, C8 Expiration Date: 8/31/21

No.: 869505 Class: C27, C33, Expiration Date: 8/31/21

No.: \_\_\_\_\_ Class: C23 Expiration Date: \_\_\_\_\_

Public Works Contractor Registration No.: 1000027444

END OF DOCUMENT



## BID BOND

(Note: If Bidder is providing a bid bond as its bid security, Bidder must use this form, NOT a surety company form.)

KNOW ALL PERSONS BY THESE PRESENTS:

That the undersigned, Dash Construction, Inc., as Principal ("Principal"),  
and Western National Mutual Insurance Company, as  
Surety ("Surety"), a corporation organized and existing under and by virtue of the laws of the  
State of California and authorized to do business as a surety in the State of California, are held  
and firmly bound unto the Mesa Union School District ("District") of Ventura County, State of  
California, as Obligee, in an amount equal to ten percent (10%) of the Base Bid plus  
alternates, in the sum of

Ten Percent of The Total Amount of The Bid Dollars (\$ 10% )

lawful money of the United States of America, for the payment of which sum well and truly to  
be made, we, and each of us, bind ourselves, our heirs, executors, administrators, successors,  
and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal has submitted a bid  
to the District for all Work specifically described in the accompanying bid for the following  
project: Security Gates at Mesa Union School ("Project" or "Contract").

NOW, THEREFORE, if the Principal is awarded the Contract and, within the time and manner  
required under the Contract Documents, after the prescribed forms are presented to Principal  
for signature, enters into a written contract, in the prescribed form in accordance with the bid,  
and files two bonds, one guaranteeing faithful performance and the other guaranteeing  
payment for labor and materials as required by law, and meets all other conditions to the  
Contract between the Principal and the Obligee becoming effective, or if the Principal shall fully  
reimburse and save harmless the Obligee from any damage sustained by the Obligee through  
failure of the Principal to enter into the written contract and to file the required performance  
and labor and material bonds, and to meet all other conditions to the Contract between the  
Principal and the Obligee becoming effective, then this obligation shall be null and void;  
otherwise, it shall be and remain in full force and effect. The full payment of the sum stated  
above shall be due immediately if Principal fails to execute the Contract within seven (7) days  
of the date of the District's Notice of Award to Principal.

Surety, for value received, hereby stipulates and agrees that no change, extension of time,  
alteration or addition to the terms of the Contract or the call for bids, or to the work to be  
performed thereunder, or the specifications accompanying the same, shall in any way affect its  
obligation under this bond, and it does hereby waive notice of any such change, extension of  
time, alteration or addition to the terms of the Contract or the call for bids, or to the work, or  
to the specifications.

In the event suit is brought upon this bond by the Obligee and judgment is recovered, the  
Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorneys'  
fee to be fixed by the Court.

**MESA UNION SCHOOL DISTRICT**

**INFORMAL BID PACKET - CUPCCAA  
BID BOND - 1**

If the District awards the bid, the security of unsuccessful bidder(s) shall be returned within sixty (60) days from the time the award is made. Unless otherwise required by law, no bidder may withdraw its bid for ninety (90) days after the date of the bid opening.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on the 15th day of May, 2020.

Dash Construction, Inc.

Principal

By

Western National Mutual Insurance Company

Surety

By Pietro Micciche, Attorney-In-Fact

Preferred Bonding & Insurance Services

Name of California Agent of Surety

3455 Ocean View Blvd, #200, Glendale, CA 91208

Address of California Agent of Surety

(323) 663-7814

Telephone Number of California Agent of Surety

**Bidder must attach Power of Attorney and Certificate of Authority for Surety and a Notarial Acknowledgment for all Surety's signatures. The California Department of Insurance must authorize the Surety to be an admitted Surety Insurer.**

END OF DOCUMENT



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

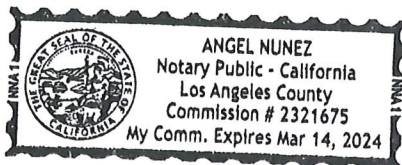
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
 County of Los Angeles )  
 On **MAY 15 2020** before me, Angel Nunez, Notary Public,  
 Date Here Insert Name and Title of the Officer  
 personally appeared Pietro Micciche  
 Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Partner — ☐ Limited ☐ General

☐ Individual ☒ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



The relationship company

## POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Western National Mutual Insurance Company, a Minnesota mutual insurance company, does make, constitute and appoint: Pietro Micciche

Its true and lawful Attorney(s)-in-Fact, with full power and authority for and on behalf of the Company as surety, to execute and deliver and affix the seal of the Company thereto (if a seal is required) bond, undertakings recognizances or other written obligations in the nature thereof, (other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits, hazardous waste remediation bonds or black lung bonds), as follows:

All written instruments in an amount not to exceed an aggregate of Seven Million Five Hundred Thousand and 00/100 (\$7,500,000) for any single obligation, regardless of the number of instruments issued for the obligation.

and to bind Western National Mutual Insurance Company thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a meeting held on September 28, 2010. This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of Western National Mutual Insurance Company on September 28, 2010:

RESOLVED that the president, any vice president, or assistant vice president in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the Company to bonds, undertakings, recognizances, and suretyship obligations of all kinds, and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

- RESOLVED FURTHER that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company
- (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
  - (ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or
  - (iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the Company to such person or persons.

RESOLVED FURTHER that the signature of any authorized officer and the seal of the company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, Western National Mutual Insurance Company has caused these presents to be signed by its proper officer and its corporate seal to be affixed this 16th day of December, 2015.

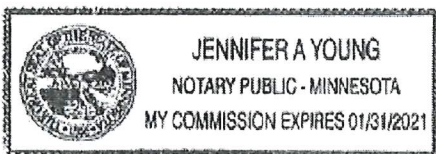
Jon R. Hebeisen, Secretary



Larry A. Byers, Sr. Vice President

STATE OF MINNESOTA, COUNTY OF DAKOTA

On this 16th day of December, 2015, personally came before me, Jon R. Hebeisen and Larry A. Byers and to me known to be the individuals and officers of the Western National Mutual Insurance Company who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally dispose and say; that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.



Jennifer A. Young, Notary Public  
My commission expires January 31, 2021

### CERTIFICATE

I, the undersigned, assistant secretary of the Western National Mutual Insurance Company, a Minnesota corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.



Signed and sealed at the City of Edina, MN this 15th day of May, 2020

Jennifer A. Young, Assistant Secretary



**DESIGNATED SUBCONTRACTORS LIST**  
**(Public Contract Code Sections 4100-4114)**

Bidder acknowledges and agrees that it must clearly set forth below the name, location and California contractor license number of each subcontractor who will perform work or labor or render service to the Bidder in or about the construction of the Work or who will specially fabricate and install a portion of the Work according to detailed drawings contained in the plans and specifications in an amount in excess of one-half of one percent (0.5%) of Bidder's total Base Bid and the kind of Work that each will perform. Vendors or suppliers of materials only do not need to be listed.

Bidder acknowledges and agrees that, if Bidder fails to list as to any portion of Work, or if Bidder lists more than one subcontractor to perform the same portion of Work, Bidder must perform that portion itself or be subjected to penalty under applicable law. In case more than one subcontractor is named for the same kind of Work, state the portion of the kind of Work that each subcontractor will perform.

If alternate bid(s) is/are called for and Bidder intends to use subcontractors different from or in addition to those subcontractors listed for work under the Base Bid, Bidder must list subcontractors that will perform Work in an amount in excess of one half of one percent (0.5%) of Bidder's total Base Bid plus alternate(s).

If further space is required for the list of proposed subcontractors, attach additional copies of page 2 showing the required information, as indicated below.

**Subcontractor Name:** No Subcontractors

CA Cont. Lic. #: \_\_\_\_\_ Location: \_\_\_\_\_

Portion of Work: \_\_\_\_\_

**Subcontractor Name:** \_\_\_\_\_

CA Cont. Lic. #: \_\_\_\_\_ Location: \_\_\_\_\_

Portion of Work: \_\_\_\_\_

**Subcontractor Name:** \_\_\_\_\_

CA Cont. Lic. #: \_\_\_\_\_ Location: \_\_\_\_\_

Portion of Work: \_\_\_\_\_

**Subcontractor Name:** \_\_\_\_\_

CA Cont. Lic. #: \_\_\_\_\_ Location: \_\_\_\_\_

Portion of Work: \_\_\_\_\_

**Subcontractor Name:** \_\_\_\_\_

CA Cont. Lic. #: \_\_\_\_\_ Location: \_\_\_\_\_

Portion of Work: \_\_\_\_\_

**Subcontractor Name:** \_\_\_\_\_

CA Cont. Lic. #: \_\_\_\_\_ Location: \_\_\_\_\_

Portion of Work: \_\_\_\_\_

**Subcontractor Name:** \_\_\_\_\_

CA Cont. Lic. #: \_\_\_\_\_ Location: \_\_\_\_\_

Portion of Work: \_\_\_\_\_

**Subcontractor Name:** \_\_\_\_\_

CA Cont. Lic. #: \_\_\_\_\_ Location: \_\_\_\_\_

Portion of Work: \_\_\_\_\_

**Subcontractor Name:** \_\_\_\_\_

CA Cont. Lic. #: \_\_\_\_\_ Location: \_\_\_\_\_

Portion of Work: \_\_\_\_\_

**Subcontractor Name:** \_\_\_\_\_

CA Cont. Lic. #: \_\_\_\_\_ Location: \_\_\_\_\_

Portion of Work: \_\_\_\_\_

Date: 5/11/2020

Proper Name of Bidder: DASH CONSTRUCTION COMPANY, INC.

Signature: 

Print Name: DARIUSH SHAHNAVAZ

Title: PRESIDENT

END OF DOCUMENT

**SITE VISIT CERTIFICATION**

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID  
IF SITE VISIT WAS MANDATORY

PROJECT: SECURITY GATE PROJECT, SURVEILLANCE SYSTEM

Check option that applies:

       I certify that I visited the Site of the proposed Work, received the attached        pages of information, and became fully acquainted with the conditions relating to construction and labor. I fully understand the facilities, difficulties, and restrictions attending the execution of the Work under contract.

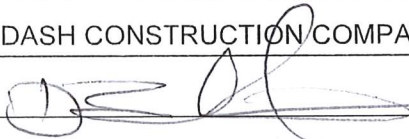
  X   I certify that HUGO LARA (Bidder's representative) visited the Site of the proposed Work, received the attached   5   pages of information, and became fully acquainted with the conditions relating to construction and labor. The Bidder's representative fully understood the facilities, difficulties, and restrictions attending the execution of the Work under contract.

Bidder fully indemnifies the Mesa Union School District, its Architect, its Engineers, its Construction Manager, and all of their respective officers, agents, employees, and consultants from any damage, or omissions, related to conditions that could have been identified during my visit and/or the Bidder's representative's visit to the Site.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 5/11/2020

Proper Name of Bidder: DASH CONSTRUCTION COMPANY, INC.

Signature: 

Print Name: DARIUSH SHAHNAVAZ

Title: PRESIDENT

**ATTACHMENTS:**

- 1.
- 2.
- 3.

END OF DOCUMENT

**NON-COLLUSION DECLARATION**  
**To Be Executed By Bidder And Submitted With Bid**  
**Public Contract Code Section 7106**


The undersigned declares:

I am the CEO of DASH, the party making the foregoing Bid.

The Bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The Bid is genuine and not collusive or sham. The Bidder has not directly or indirectly induced or solicited any other Bidder to put in a false or sham Bid. The Bidder has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham Bid, or to refrain from bidding. The Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the Bid price of the Bidder or any other Bidder, or to fix any overhead, profit, or cost element of the Bid price, or of that of any other Bidder. All statements contained in the Bid are true. The Bidder has not, directly or indirectly, submitted his or her Bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham Bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a Bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the Bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on 5/11/20 [date], at Encino [city], CA [state].

Date:	<u>5/11/2020</u>
Proper Name of Bidder:	<u>DASH CONSTRUCTION COMPANY, INC.</u>
Signature:	<u></u>
Print Name:	<u>DARIUSH SHAHNAVAZ</u>
Title:	<u>PRESIDENT</u>

END OF DOCUMENT



Board of Trustees:

Neil Canby Krista Nowak Steven Sullivan

Roddie Villa Jayme Drydem



Superintendent / Principal  
Jeff Turner

from Job walk on 5/1/2020

"We teach students to create, connect, and collaborate—for life!"

5/1/2020

Mesa Union School 3901 N. Mesa School Road Somis, CA 93066

*Security Gates, Fencing, Surveillance System*

## Specifications

4/30/2020

**Scope of work:** Supplying all materials and labor for the fabrication and installation of Security Gates, Fencing, Surveillance System and ADA concrete ramp as specified in the approved set of DSA plans.

**Work Time Frame:** Project to begin on June 19, 2020 and be completed by July 17, 2020.

### Materials

#### Gate lock specifications:

- Provide Von Duprin 22 SP28 Rim exit device with 230 NL pull trim to include ASSA #E6552IC-5 620 cores (Large format) with control key also construction cores and 4 construction keys.
- Provide Von Duprin 6100 electric strike. Provide subfloor conduit for switches located at two office desks.
- Provide Locinox Mammoth stylish hydraulic gate closer for heavy duty gates (color-Silver). Supports 330 lbs. gate weight.
- Main Entrance Gate Lockset; SIMPLEX L1021B (Simplex Part #LP1020 to work with; Von Duprin 22 SP28 Rim exit device. Cypher Combination Lock, Left Hand, Satin Chrome, Lock Core: ASSA Large format core with control key also construction core and 2 construction keys.
- Perforated steel panels, to be attached to the inside of the gate; perforated steel panel to restrict inside hand access from opening the gate. (16-gauge, staggered hole pattern-40% open, hole size 1/4" round. paint to match.

### Protection

- Throughout the entire project provide barricades and warning devices as required to protect the work site and the general public.

### Details

Mesa School has an ASSA Twin High security lock system with restricted keyway to prevent unauthorized duplication of keys. The keyway locks utilize a key that is controlled by a single source factory authorized locksmith so only that locksmith can order and set up the barrel to match keys.

**Email:** Assaorders@assalock.com

Contact David Norris (805) 910-9438 Prior to ordering locksets and cores

## Mesa Union School District

### Prequalification and/or CUPCCA

#### Pre-Qualification

Mesa Union School District has contracted with Colbi Technologies to provide a web-based process for submitting to their Prequalified Contractor CUPCCAA lists called Quality Bidders. Contractors must be prequalified with the District in order to bid on the project. The prequalification process for this project is ongoing currently and will remain open until one day prior to bid opening. For information on the prequalifying process go to the link at Quality Bidders <https://www.qualitybidders.com/bids>

Next, in the drop-down box labeled "District" select our district. Next, go to the far-right column labeled "Actions" and click on "view" to see our project information.

If you need assistance go the help desk at: <http://www.colbitech.com/support/> Or call a Support Technician ready to assist you (714) 505-9544, weekdays 9 AM to 5 PM, PST Or Email them at [support@colbitech.com](mailto:support@colbitech.com) they will respond within one business day.

Please contact David Norris with any questions at [dnorris@vcoe.org](mailto:dnorris@vcoe.org) or (805) 910-9438. You may also contact [gbsupport@colbitech.com](mailto:gbsupport@colbitech.com) with any questions about the use of the Quality Bidders web-based tool.

California Assembly Bill (AB) 1565 went into effect on January 1, 2014. AB 1565 requires ALL General Contractors and M/E/P Subcontractors be prequalified, if the project is valued at \$1 million or more and funded whole or in part with State Facility Bond funds, per...

Public Contract Code 20111.5 enables districts to require prime contractors to be prequalified prior to accepting bids.

Public Contract Code 20111.6 requires the district to do so for certain projects. This applies to prime contractors and MEP sub-contractors with the following licenses:

- General Contractors (A and B), Mechanical, Electrical, and Plumbing subcontractors (C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and C-46)

The District must receive complete applications at least ten (10) business days prior to the scheduled bid opening on any advertised project in order for the candidate to qualify for a project in excess of \$1,000,000 and partially funded by the State. Pre-qualification approval will remain valid for one (1) calendar year from the date of notice of qualification except as noted in the pre-qualification documents.

- Link to law: [Click Here](#)



## CUPCCA (informal bidding)

(a) Public projects of sixty thousand dollars (\$60,000) or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order. (b) Public projects of two hundred thousand dollars (\$200,000) If all bids received are in excess of two hundred thousand dollars (\$200,000), (c) the governing body of the public agency may, by adoption of a resolution by a four-fifths vote, award the contract, at two hundred twelve thousand five hundred dollars (\$212,500) or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.

- per Public Contract Code 22032 and Public Contract Code 22034

Thank you for your interest in working with Mesa Union School District.

**Approved Contractors List:** [Click Here](#)

**CUPCCAA Contractor List:** [Click Here](#)

Neal Tyner

COLBI Account Manager

**COLBi**

[ntyner@colbitech.com](mailto:ntyner@colbitech.com)

12841 Newport Ave. Tustin, CA 92780

Office (714) 505-9544 | Cell (909) 615-7363

[www.ColbiTech.com](http://www.ColbiTech.com)

### **Delivery and storage of materials**

- Protection of materials and equipment against vandalism and theft is the responsibility of the contractor.
- All materials shall be protected against damage by construction traffic.

### **General Provisions**

- Contractor will maintain a safe work area and is responsible for the storage and security of all materials on the job site.

### **Substitution Procedures**

- A bidder who proposes to quote based on an alternate system or materials shall submit to the School District a written application for approval of the alternate, to include the following:
  1. An explanation of why the alternate should be considered.
  2. A detailed description, and specifications, for the alternate system.

Note: The proposed alternates will not be considered without sufficient time for thorough examination by the School District, therefore any application for approval of alternates must be received in a timely manner.

- The Mesa Union School District requests that any application for approval of alternates be submitted minimum of seven (7) days PRIOR to the scheduled bid opening date.
- The Mesa Union School District reserves the right to be the final authority on the acceptance or rejection of any proposed alternate material or system.

### **Warranty**

- Contractor to provide a one-year warranty on materials and workmanship.
- Contractor shall water test the concrete prior to acceptance. All puddles shall not exceed 1/8-inch depth.

**Contact Person: David Norris / Phone # (805) 910-9438 / Email address: [dnorris@vcoe.org](mailto:dnorris@vcoe.org)**

Mesa Union School District  
3901 N. Mesa School Road  
Somis, CA 93066

**Mesa School - Bid & Construction Schedule  
for  
Security Gate Project**

March 13, 2020 - Secured dates with IOR and PO is processed

April 21, 2020 - Obtain approval from the Board to advertise for "Request for Bids"

April 22, 2020 - Post Notice of Informal Bid

May 1, 2020 - Mandatory Pre-Bid Conference

**Time:** 10:00 A.M.

**Location:** Mesa Union School

3901 N. Mesa Road, Somis, CA 93066

Plan  
ordered

May 15, 2020 - Bid Due Date

**Time:** 1:30 P.M.

**Location:** Mesa Union School District Office

3901 N. Mesa Road, Somis, CA 93066

(1) - Bid No?  
(2) - Request?  
(3) - Value?  
\$210,000K

May 18, 2020 - Review documents for completeness

May 19, 2020 - Board Meeting / Award of Contract & Notice to Proceed

June 19, 2020 - Start construction (possibly sooner, TBA)

August 17, 2020 - Complete construction

EXP. = 7/10/20

# Mesa Security Fencing Project





May 5, 2020

Proposal No.: VEN-20-04-014

Mesa Union School District  
Attention: Jeff Turner  
3901 Mesa School Road  
Somis, CA 93066

Project: Mesa Elementary School Security Fence  
3901 Mesa School Road, Somis Area, Ventura County, California  
Subject: Proposal to Provide Materials Inspection and Testing Services during Construction  
Ref.:  
1. Division of the State Architect, November 7, 2019, Documents Required List for Project Certification, DSA File No. 56-42, DSA Application No. 03-119306.  
2. Mainstreet Architects and Planners Inc., DSA Approval Date August 18, 2018, Project Plans

Earth Systems Pacific (Earth Systems) is pleased to submit this proposal to provide materials inspection and testing services during the construction phase of the subject project. Based on information provided in the referenced Documents Required List and Project Plans, our experience with projects of a similar nature, the following scope of work is anticipated:

### **Review of Concrete Mix Designs**

An Engineer will review the submitted concrete mix designs and check for conformance with project specifications. A summary letter will be issued.

### **Concrete Batch Plant Inspection**

An Inspector will observe the batch plant operation at the time concrete is mixed for the project. Six hours of batch plant inspection has been assumed for this proposal.

### **Concrete Testing and Sampling at Site**

An Inspector will observe and provide testing such as slump measurement during concrete placement. The inspector will also sample the concrete at the site. Cylinders will be transported to the lab after initial curing at the site. Four hours of on-site inspection time has been assumed for this proposal.

### **Concrete Strength Testing**

Concrete cylinders will be stored in a temperature controlled environment for curing until compression tests are performed. Compression tests will be performed to test concrete strength at the specified intervals. Reports documenting the results will be provided. It has been assumed that 10 cylinders will be tested.

**Steel Identification at the Fabrication Shop**

Steel used to fabricate the security fence will be identified and tagged by a special inspector at the fabrication shop. One full day of material identification has been assumed for this task.

**Welding Inspection at Site**

An Inspector will observe the welding where required by the project plans. One week of on-site welding inspection has been assumed for this task.

**Welding Inspection at Fabrication Shop**

An Inspector will observe the welding to fabricate the security fence at the fabrication shop. One week of welding inspection at the fabrication shop has been assumed for this task.

**Project Management, Engineering Review, Consultation, and Box Filing**

Each aspect of testing and inspection discussed above includes some project management, including filing of DSA progress forms within the project Box. Some engineering review, consultation, and preparation of reports are also included within each section of testing and inspection. The Geotechnical Engineer for the project will be Anthony Mazzei (GE 2823).

**Services Not Expected to Be Provided**

The Testing and Inspection List for the project does not include geotechnical services, such as grading observation, compaction testing, or foundation observations. Furthermore, no inspections of masonry or epoxy bolt installations, or testing of steel components is expected to be required. As such, the scope and fees proposed herein do not include these items, although they could be provided if it is determined that they will be required.

**BASIS FOR CHARGES**

The basis of estimated charges included in this proposal is the Fee Schedule currently in effect for Earth Systems Pacific dated January 1, 2020, a copy of which is enclosed. Actual fees will be based on the number of hours of work provided toward the project and the fee schedule in effect at the time the work is performed.

Our proposal is based on the understanding that the services proposed herein are subject to California Prevailing Wage law. Earth Systems Pacific is in compliance with California Senate Bill 854 (Registration Number 1000003643). In the event that the Department of Industrial Relations approves increased Prevailing Wage law during the work period, Client agrees to allow Consultant to increase hourly rates to similarly adjust Consultant's employees' wages.

**ESTIMATED FEES**

The estimated presented herein have been made without the benefit of a construction schedule. Such a schedule would be helpful in refining these estimates. Because of this, the following estimates are for general budgeting purposes only.

All estimates provided below include some project management and/or reporting time.

Concrete Mix Design Review, Batch Plant and On-site Inspection & Testing:	\$2,500.00
Steel Identification:	\$1,000.00
Shop & Field Welding Inspection:	\$8,500.00
Additional Services:	Per Fee Schedule
<b>Total Estimate</b>	<b>\$12,000.00</b>

#### **TERMS FOR SERVICES**

**1. Investigation, Monitoring and Inspection.** If the services include monitoring or inspection of soil, construction and/or materials, Client shall authorize and pay for Consultant to provide sufficient observation and professional inspection to permit Consultant to form opinions according to accepted statistical sampling methods as to whether the work has been performed in accordance with recommendations. Such opinions, while statistically valid, do not guaranty uniformity of conditions or materials. Similarly, soils and geology investigations do not guaranty uniformity of subsurface conditions. Client hereby represents and warrants that it has provided and shall provide to Consultant all information and sufficient advance notice necessary in order for Consultant to perform the appropriate level of services. No statement or action of Consultant can relieve Client's contractors of their obligation to perform their work properly. Consultant has no authority to supervise or stop the work of others.

**2. Site Access and Utilities.** Client has sole responsibility for securing site access and locating utilities.

**3. Billing and Payment.** Client will pay Consultant the proposal amount or, if none is stated, according to the fee schedule attached to the proposal. Prior to initiation of field work, a retainer is required. This retainer shall be maintained throughout the project and shall be applied to the final invoice. Payment is due on presentation of invoices, and is delinquent if Consultant has not received payment within thirty (30) days from date of an invoice. Client will pay an additional charge of 1 1/2 (1.5) percent per month (or the maximum percentage allowed by law, whichever is lower) on any delinquent amount, excepting any portion of the invoiced amount that is disputed in good faith. Each payment will first be applied to accrued interest, costs and fees and then to the principal unpaid amount. Services to be performed by Consultant hereunder which are not set forth in this proposal and/or Work Order are additional services. Any additional services provided by Consultant shall be subject to the terms of this contract and charged per Consultant's current fee schedule. Client shall provide written confirmation within three (3) days of any verbal authorization to the Consultant for additional services, but Client's failure to do so shall not relieve the Client from its obligation to pay the Consultant for such services.

**4. Ownership of Documents.** Consultant owns all documents it creates and grants Client limited license to use the documents for the purposes stated in the documents. Consultant



reserves the right to withhold delivery of documents to Client until payment in full of current invoices has been received.

**5. Termination.** This agreement may be terminated by either party effective seven (7) days from the date of written notice, or if the client suspends the work for three (3) months. In the event of termination, Consultant will be paid for services performed prior to the date of termination plus reasonable termination expenses. If Consultant has not received payment for any invoice within thirty (30) days from the date of the invoice, or in the event of anticipatory breach by Client, Consultant may suspend performance of its services immediately and may terminate this contract.

**6. Risk Allocation.** In order for Client to obtain the benefit of a fee which includes a lesser allowance for compensating Consultant for its litigation risk, Client agrees to indemnify, hold harmless and defend Consultant, its agents, employees, or officers, from and against any and all loss, claim, expenses, including attorney's fees, injury, damages, liability or costs arising out of non-design services (i.e., services other than as defined by Civil Code Section 2784) performed by Consultant on this project, except where such loss injury, damage, liability, cost, expenses or claims are the result of the sole negligence or willful misconduct of Consultant. To the maximum extent permitted by law, Client agrees that the liability of Consultant, its parent, subsidiaries, affiliates and subcontractors, including their respective officers, directors, employees and agents, for any claims based in contract, in tort or otherwise arising out of or in connection with Consultant's services shall be limited to the aggregate sum of \$25,000.00 or the total fees paid to Consultant for its services, whichever is greater. Consultant shall not be responsible for any consequential, incidental or liquidated damages. These terms may be negotiable depending on the particular facts of your project. You should consult with an attorney experienced in construction contracts and litigation regarding this provision.

**7. Hazardous Materials.** Consultant is responsible only for hazardous materials brought by Consultant onto the site. Client retains ownership and responsibility in all respects for other hazardous materials and associated damage.

**8. Third Parties and Assignment.** This Contract is intended only to benefit the parties hereto. No person who is not a signatory to this Contract shall have any rights hereunder to rely on this Contract or on any of Consultant's services or reports without the express written authorization of Consultant. This Contract shall not be assigned by Client without the Consultant's written consent. This Contract is binding on any successor companies to Client or Consultant, and on the surviving corporation in the event of a merger or acquisition.

**9. Governing Law, Survival and Forum Selection.** The contract shall be governed by laws of the State of California. If any of the provisions contained in this agreement are held invalid, the enforceability of the remaining provisions will not be impaired. Limitations of liability, indemnities, representations and warranties by Client will survive termination of this agreement. The signatories represent and warrant that they are authorized by the entities on



May 5, 2020

-5-

Proposal No.: VEN-20-04-014

whose behalf they sign to enter into this contract and that their principals have filed fictitious business name statements, if required. All disputes between Consultant and Client related to this agreement will be submitted to the court of the county where Consultant's principal place of business is located and Client waives the right to remove the action to any other county or judicial jurisdiction.

**10. Standard of Care.** Consultant will perform its services using that degree of skill and care ordinarily exercised under similar conditions by members of Consultant's profession practicing in the same or similar locality at the time of performance.

Upon acceptance of this proposal, please sign, date, and return a copy to **Earth Systems Pacific**, 1731 Walter Street, Suite A, Ventura, California 93003.

Respectfully submitted,

**EARTH SYSTEMS PACIFIC**



Patrick V. Boales

Engineering Geologist No. 1346/Sr. Vice-President

Agreed to and Accepted

\_\_\_\_\_  
Client Signature and Title

\_\_\_\_\_  
Client Name (in print)

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone No.

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Date

Enclosure: January 1, 2020 Fee Schedule

Copies: 1 - Mesa Union School District c/o David Norris (via email)  
1 - Proposal File

EARTH SYSTEMS

**REQUEST FOR ALLOWANCE OF ATTENDANCE  
DUE TO EMERGENCY CONDITIONS**

**Form J-13A**

(Revised December 2017)

**California Department of Education**

School Fiscal Services Division

Website: <https://www.cde.ca.gov/fg/>

Telephone: 916-324-4541

Email: [attendanceaccounting@cde.ca.gov](mailto:attendanceaccounting@cde.ca.gov)

# Form J-13A Instructions

## Why file:

The Request for Allowance of Attendance Due to Emergency Conditions, Form J-13A is used to obtain approval of attendance and instructional time credit under one or more of the following conditions:

- When one or more schools were closed because of conditions described in *Education Code (EC)* Section 41422.
- When one or more schools were kept open but experienced a material decrease in attendance pursuant to *EC* Section 46392 and *California Code of Regulations (CCR)*, Title 5, Section 428.
- When attendance records have been lost or destroyed as described in *EC* Section 46391.

The California Department of Education's (CDE) approval of the J-13A, combined with other attendance records, serve to document the local educational agency's (LEA) compliance with instructional time laws and provide authority to maintain school for less than the required instructional days and minutes without incurring a fiscal penalty to the LEA's Local Control Funding Formula (LCFF) funding.

## How to file:

The Form J-13A is available at <https://www.cde.ca.gov/fq/aa/pa/j13a.asp>. Also available on the J-13A Web page are FAQs and supplemental pages for sections B and C in Excel format. All affidavits must have original signatures.

Charter schools must file separately from the authorizing school district or county office of education (COE).

The LEA governing board must approve each request by completing Section E, Affidavit of School District, County Office of Education, or Charter School Governing Board Members. Once the majority of the governing board members have approved the request, the LEA should keep a copy of the request and then submit the original to the county superintendent who must approve the request before it can be submitted to the State Superintendent of Public Instruction, CDE. Charter schools must submit the request to their authorizing LEA for approval, who will then forward to the county superintendent for approval.

The following summarizes the J-13A submittal and CDE review process:

- The county superintendent executes the Affidavit of County Superintendent of Schools, certifying the approval.
- The COE should keep a copy of the request and mail the original request to the listed CDE address.
- Once CDE has received the Form J-13A, the request will go through a review process. If the request is approved, CDE will e-mail the approval letter and a copy of the request to all contacts listed on the form. CDE will also mail a hardcopy of the approval letter. If the request is denied, CDE will e-mail the denial letter and a copy of the request to all contacts listed on the form. CDE will also mail a hardcopy of the denial letter.

## Where to file:

Mail the entire original Form J-13A to:

School Fiscal Services Division  
California Department of Education  
1430 N Street, Suite 3800  
Sacramento, CA 95814

## General Instructions:

- Multiple emergency events and schools may be included on one Form J-13A. Be sure to include specific detailed information and supporting documents for each event and school.
- If the emergency event resulted in a closure and material decrease, complete sections B and C.
- Supplemental pages for sections B and C are available in Excel format for a request that requires more lines than allocated on Form J-13A.
- Attach supporting documentation. Redact any personally identifiable information. Examples of required supporting documentation:
  - Declaration of a State of Emergency
  - News articles
  - E-mails
  - Invoices

# Form J-13A Instructions

- A local safety officer letter for any incident involving police activity, threats, cyber threats, etc.
- A county public health officer letter for any incident involving epidemic-type illness. The letter is to specify that the illness was an epidemic or that there was an increase in the number of cases of a disease above what is normally expected of the population in that area.

## SECTION A: REQUEST INFORMATION

Refer to the California School Directory at <https://www.cde.ca.gov/schooldirectory/> for information needed to complete this section.

### PART I: LOCAL EDUCATIONAL AGENCY (LEA)

- LEA Name – Enter the name of the school district, COE, or charter school submitting the Form J-13A.
- County Code – Enter the two-digit county code associated with this entity.
- District Code – Enter the five-digit district code associated with this entity.
- Charter Number – If this request is for a charter school, enter the charter number associated with this entity.
- LEA Superintendent or Administrator Name – Enter the name of the superintendent or administrator associated with this entity.
- Fiscal Year – Enter the fiscal year of the requested emergency closure, material decrease and/or lost or destroyed attendance records.
- Address – Enter the LEA's full address including:
  - Number and street
  - County name
  - City
  - State
  - Zip code
- Contact Information – Enter a contact person for this request. Include the following:
  - Name
  - Title
  - Phone number
  - E-mail address

## PART II: LEA TYPE AND SCHOOL SITE INFORMATION APPLICABLE TO THIS REQUEST

Select the LEA type associated with the request and, for a school district or COE request, if all or select school sites are included in the request. Only one LEA type may be selected.

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

Read each condition carefully and select one or more that apply to this request. In addition, indicate if the request is associated with a Declaration of a State of Emergency by the Governor of California.

## SECTION B: SCHOOL CLOSURE

This section is used for closures pursuant to EC Section 41422. If the request does not include any school closures, select the "Not Applicable" box on the top right corner and proceed to Section C.

### PART I: NATURE OF EMERGENCY

Use this field to describe in detail the nature of the emergency(s) that caused the school closure.

### PART II: SCHOOL INFORMATION

The fields below correspond to the columns on Form J-13A.

- A. School Name – Enter the school name of each school closed on a separate line. Use the supplemental Excel form at <https://www.cde.ca.gov/fg/aa/pa/j13a.asp> if more than 10 lines are needed for this request and select the "Supplemental Page(s) Attached" box on the top right corner.
- B. School Code – Enter the seven-digit school code associated with the school listed in Column A. Use the California School Directory at <https://www.cde.ca.gov/schooldirectory/> to locate the school code.
- C. Site Type – Enter the site type associated with the school listed in Column A. This site information is need for CDE to determine the specific instructional time requirements for the listed school. Choose one of the following site type options:
  - Charter School
  - Community Day
  - Continuation School
  - County Community
  - Juvenile Court School

## Form J-13A Instructions

- Opportunity School
- Special Education
- Traditional

- D. Days in School Calendar – Provide the number of days in the school calendar. Attach a copy of the school calendar to the request. If the request includes multiple schools, attach a copy of each different school calendar and clearly identify which schools follow each calendar. If all schools have the same school calendar, note “all schools” at the top of the calendar.
- E. Emergency Days Built In – Provide the number of additional days the school has built in to the school calendar to use as make-up days for emergency closures.
- F. Built In Emergency Days Used – Provide the number of built in emergency days the school has used so far in the school year.
- G. Date(s) of Emergency Closure – Enter the date(s) closed for the emergency in the current request.
- H. Closure Dates Requested – Of the dates provided in Column G, enter the dates the school will not be able to make-up, and is requesting as part of the Form J-13A.
- I. Total Number of Days Requested – Enter the total number of days for the dates requested in Column H.

### PART III: CLOSURE HISTORY

In this section, provide the closure history for the current and five prior fiscal years for all schools included in the request, regardless if a J-13A request was submitted. For example, if a school had multiple closures in one year, group the closures by fiscal year and nature.

School Name	School Code	Fiscal Year	Closure Dates	Nature	Weather Related Yes/No
School #1	0123456	2016-17	12/5, 2/10	Flooding	Yes
School #1	0123456	2016-17	4/17-4/18	Power Outage	No
School #1	0123456	2015-16	12/15-12/6	Road Closures	Yes

### SECTION C: MATERIAL DECREASE

This section is used to claim attendance for material decreases pursuant to *EC* Section 46392. If the request does not include any credits for a material decrease in attendance, select the “Not

Applicable” box on the top right corner and proceed to Section D.

If the attendance of an LEA or a school is less than or equal to 90 percent of “normal” attendance for a reasonable time during or after an emergency event, the LEA may assume that a case exists for claiming emergency attendance credit for the “material decrease” of attendance. According to *CCR*, Title 5, Section 428, “normal” attendance is the average daily attendance (ADA) for the month of either October or May of the same school year. If the emergency occurred between July and September of the current year, the LEA must wait to submit the request until after October ADA of the current year can be calculated. The October or May ADA is used as a proxy for a normal day of attendance for the emergency day. However, if an emergency occurs in October or May, the LEA may request to use a different month as a proxy for a normal day of attendance for the emergency day.

Pursuant to *EC* Section 46392, the 90 percent threshold may be waived when the Governor has declared a “State of Emergency.” A copy of the Governor’s declaration should be included in the submittal. Any reduction of attendance in a necessary small school (NSS), even if less than 10 percent, may be considered material.

Attendance must be provided at the school site level. Approval of a districtwide material decrease is contingent upon the inclusion of all district sites, and a districtwide percentage of 90 percent or less on each emergency day. For non-districtwide emergencies, each school must meet the 90 percent threshold on each emergency day for approval of attendance credit.

### PART I: NATURE OF EMERGENCY

Use this field to describe in detail the nature of the emergency(s) that caused the material decrease in attendance. Provide a detailed explanation for any gap in between emergencies. Request should be accompanied by supporting documents, if applicable.

### PART II: MATERIAL DECREASE CALCULATION

The information provided in Parts II and III will be used to determine if the loss of attendance meets the 90 percent threshold for attendance credit approval (except when the governor declares a state of emergency or in the case of a NSS site), and to calculate the estimated attendance credit



## Form J-13A Instructions

amount. The fields below correspond to the columns on Form J-13A.

- A. School Name – Enter the school name of each school requesting attendance credit on a separate line. Use the supplemental Excel form at <https://www.cde.ca.gov/fq/aa/pa/j13a.asp> if more than 10 lines are needed for this request and select the “Supplemental Page(s) Attached” box on the top right corner.
- B. School Code – Enter the seven-digit school code associated with the school listed in Column A. Use the California School Directory at <https://www.cde.ca.gov/schooldirectory/> to locate the school code
- C. “Normal” Attendance – Provide the ADA for the school month of October or May of the same school year.

A school month is 20 days, or four weeks of five days each, including legal holidays but excluding weekend makeup classes (*EC* Section 37201). The school calendar begins on the first Monday of the week that includes July 1 or the Monday of the first week of school. As a result, school months can be split between September and October; October and November; April and May; May and June. Therefore, the CDE advises LEAs to use the school month that has the most school days in either October or May.

- D. Dates Used for Determining “Normal” Attendance – Enter the date range of the school month used to provide the ADA in Column C.
- E. Date of Emergency – Enter the date of the emergency. **If the emergency lasted for more than one day, use a separate line for each date.**
- F. Actual Attendance – Provide the actual attendance for the school site on the date of emergency listed in Column E.
- G. Qualifier: 90 Percent or Less (F/C) – Calculated field. If the nature of emergency is consistent with *EC* Section 46392, the school may qualify for an attendance

adjustment when the Actual Attendance (Column F) divided by the “Normal” Attendance (Column C) yields a percentage of 90 percent or less. Exclude any emergency day that yields a percentage of more than 90 percent except when the governor declares a state of emergency or in a case of a NSS site.

- H. Net Increase of Apportionment Days (C-F) – Calculated field. The Actual Attendance (Column F) is subtracted from the “Normal” Attendance (Column C) to determine the Net Increase of Apportionment Days (Column H). When attendance on the date of emergency is greater than the “normal” attendance, this field will yield zero and should be removed from the material decrease calculation table.

**If the request is approved, CDE’s approval letter will include the total net increase of apportionment days, which may differ from the amount shown.** The LEA will then divide this number by the days in the applicable P-1, P-2, or Annual reporting period to determine the ADA increase.

### PART III: MATERIAL DECREASE CALCULATION FOR CONTINUATION HIGH SCHOOLS

Continuation education is an hourly program, therefore the attendance must be provided in hours for continuation schools. Three hours equals one apportionment day. The fields below correspond to the columns on Form J-13A.

- A. School Name – Enter the school name of each continuation school requesting attendance credit on a separate line. Use the supplemental Excel file at <https://www.cde.ca.gov/fq/aa/pa/j13a.asp> if more than five lines are needed for this request and select the “Supplemental Page(s) Attached” box on the top right corner.
- B. School Code – Enter the seven-digit school code associated with the school listed in Column A. Use the California School Directory at <https://www.cde.ca.gov/schooldirectory/> to locate the school code.

## Form J-13A Instructions

- C. "Normal" Attendance Hours – Provide the attendance hours for the continuation school on the same day of the week prior to, or the week following the emergency.

Example: If the emergency day is on a Tuesday, provide the attendance hours on the Tuesday of the week prior to or following the emergency.

- D. Date Used for Determining "Normal" Attendance – Enter the date of the school day used to provide the attendance hours in Column C.
- E. Date of Emergency – Enter the date of the emergency. **If the emergency lasted for more than one day, use a separate line for each date.**
- F. Actual Attendance Hours – Provide the actual attendance hours for the continuation school on the date of emergency.
- G. Qualifier: 90 Percent or Less (F/C) – Calculated field. If the nature of emergency is consistent with *EC* Section 46392, the school may qualify for an attendance adjustment when the Actual Attendance Hours (Column F) divided by the "Normal" Attendance Hours (Column C) yields a percentage of 90 percent or less. Exclude any emergency day that yields a percentage of more than 90 percent except when the governor declares a state of emergency or in a case of a NSS site.
- H. Net Increase of Hours (C-F) – Calculated field. The Actual Attendance Hours (Column F) is subtracted from the "Normal" Attendance Hours (Column C) to determine the Net Increase of Hours (Column H). When attendance on the date of emergency is greater than the "normal" attendance, this field will yield zero and should be removed from the material decrease calculation table.

**If the request is approved, the approval letter will include the total net increase of hours for all continuation schools on the form, which may differ from the amount shown.** The LEA will then convert the hours to apportionment days and divide this number by the days in the applicable P-1,

P-2, or Annual reporting period to determine the ADA increase.

### SECTION D: LOST OR DESTROYED ATTENDANCE RECORDS

If this request does not include any lost or destroyed attendance records, select the "Not Applicable" box on the top right corner and proceed to Section E.

#### PART I: PERIOD OF REQUEST

Enter the dates of the records that were lost or destroyed.

#### PART II: CIRCUMSTANCES

Provide a detailed explanation on the emergency condition(s) and the extent of the lost or destroyed records.

#### PART III: PROPOSAL

Provide a detailed proposal or estimation in the allotted space.

### SECTION E: AFFIDAVIT

A completed affidavit is required before submitting the entire Form J-13A request to CDE.

#### PART I: AFFIDAVIT OF SCHOOL DISTRICT, COUNTY OFFICE OF EDUCATION, OR CHARTER SCHOOL GOVERNING BOARD MEMBERS

- Enter the name of the school district, COE, or charter school.
- Enter the names of the all the board members.
- At least a majority of the board members must sign this affidavit.
- The governing board signatures must be witnessed. The witness person must complete the following fields:
  - Witnessed date
  - Name
  - Signature
  - Title
  - County name

#### PART II: APPROVAL BY SUPERINTENDENT OF CHARTER SCHOOL AUTHORIZER

Only complete for a charter school request. Once the governing board members and witness fields have been completed, this request will be submitted to the charter school's authorizer for approval. An authorizer for a charter school may be

## Form J-13A Instructions

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a school district, COE or State Board of Education.

If approved, the superintendent of the charter school's authorizer will complete the following fields:

- Name
- Signature
- Authorizing LEA Name

### **PART III: AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS**

All requests must go to the COE for approval. If approved, the COE will complete Part III of the affidavit. The county superintendent's signature must be witnessed.

- Name of the County Superintendent of Schools (or designee)
- Signature of the County Superintendent of Schools (or designee)
- Witnessed date
- Witness name
- Witness signature
- Witness title
- County name
- Contact person/individual responsible for completing the county affidavit.  
Include the contact person's name, title, phone number and e-mail address.



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

**SECTION A: REQUEST INFORMATION**

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

**PART I: LOCAL EDUCATIONAL AGENCY (LEA)**

LEA NAME: <b>Mesa Union School District</b>		COUNTY CODE: <b>56</b>	DISTRICT CODE: <b>72470</b>	CHARTER NUMBER (IF APPLICABLE):
LEA SUPERINTENDENT OR ADMINISTRATOR NAME: <b>Jeff Turner</b>			FISCAL YEAR: <b>2019-2020</b>	
ADDRESS: <b>3901 N. Mesa School Road</b>			COUNTY NAME: <b>Ventura County</b>	
CITY: <b>Somis</b>		STATE: <b>CA</b>		ZIP CODE: <b>93066</b>
CONTACT NAME: <b>Jeff Turner</b>	TITLE: <b>Superintendent</b>	PHONE: <b>805-485-1411</b>		E-MAIL: <b>jturner@mesaschool.org</b>

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

<input checked="" type="checkbox"/> <b>SCHOOL DISTRICT</b> Choose one of the following: <input checked="" type="checkbox"/> All district school sites <input type="checkbox"/> Select district school sites	<input type="checkbox"/> <b>COUNTY OFFICE OF EDUCATION (COE)</b> Choose one of the following: <input type="checkbox"/> All COE school sites <input type="checkbox"/> Select COE school sites	<input type="checkbox"/> <b>CHARTER SCHOOL</b>
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**PART III: CONDITION(S) APPLICABLE TO THIS REQUEST:**

<input checked="" type="checkbox"/> <b>SCHOOL CLOSURE:</b> When one or more schools were closed because of conditions described in <i>EC</i> Section 41422. LCFF apportionments should be maintained and instructional time credited in Section B for the school(s) without regard to the fact that the school(s) were closed on the dates listed, due to the nature of the emergency. Approval of this request authorizes the LEA to disregard these days in the computation of ADA (per <i>EC</i> Section 41422) without applicable penalty and obtain credit for instructional time for the days and the instructional minutes that would have been regularly offered on those days pursuant to <i>EC</i> Section 46200, et seq. <input checked="" type="checkbox"/> There was a Declaration of a State of Emergency by the Governor of California during the dates associated with this request.
<input type="checkbox"/> <b>MATERIAL DECREASE:</b> When one or more schools were kept open but experienced a material decrease in attendance pursuant to <i>EC</i> Section 46392 and <i>CCR</i> , Title 5, Section 428. Material decrease requests that include all school sites within the school district must demonstrate that the school district as a whole experienced a material decrease in attendance. Material decrease requests for one or more but not all sites within the school district must show that each site included in the request experienced a material decrease in attendance pursuant to <i>EC</i> Section 46392 and <i>CCR</i> , Title 5, Section 428. The request for substitution of estimated days of attendance for actual days of attendance is in accordance with the provisions of <i>EC</i> Section 46392. Approval of this request will authorize use of the estimated days of attendance in the computation of LCFF apportionments for the described school(s) and dates in Section C during which school attendance was materially decreased due to the nature of the emergency. <input type="checkbox"/> There was a Declaration of a State of Emergency by the Governor of California during the dates associated with this request.
<input type="checkbox"/> <b>LOST OR DESTROYED ATTENDANCE RECORDS:</b> When attendance records have been lost or destroyed as described in <i>EC</i> Section 46391. Requesting the use of estimated attendance in lieu of attendance that cannot be verified due to the loss or destruction of attendance records. This request is made pursuant to <i>EC</i> Section 46391: <i>"Whenever any attendance records of any district have been lost or destroyed, making it impossible for an accurate report on average daily attendance for the district for any fiscal year to be rendered, which fact shall be shown to the satisfaction of the Superintendent of Public Instruction by the affidavits of the members of the governing board of the district and the county superintendent of schools, the Superintendent of Public Instruction shall estimate the average daily attendance of such district. The estimated average daily attendance shall be deemed to be the actual average daily attendance for that fiscal year for the making of apportionments to the school district from the State School Fund."</i>



**SECTION C: MATERIAL DECREASE**

☒ **Not Applicable (Proceed to Section D)**

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

☐ **Supplemental Page(s) Attached**

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

A	B	C	D	E	F	G*	H
School Name	School Code	"Normal" Attendance (October/May)	Dates Used for Determining "Normal" Attendance	Date of Emergency	Actual Attendance	Qualifier: 90% or Less (F/C)	Net Increase of Apportionment Days (C-F)
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
Total:		0.00			0		0.00

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

A	B	C	D	E	F	G*	H
School Name	School Code	"Normal" Attendance Hours	Date Used for Determining "Normal" Attendance	Date of Emergency	Actual Attendance Hours	Qualifier: 90% or Less (F/C)	Net Increase of Hours (C-F)
						0.00%	0.00
						0.00%	0.00
						0.00%	0.00
						0.00%	0.00
						0.00%	0.00
Total:		0.00			0.00		0.00

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

SECTION D: LOST OR DESTROYED ATTENDANCE RECORDS

☒ Not Applicable (Proceed to Section E)

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

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

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

**SECTION E: AFFIDAVIT**

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

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

Board Members Names

Board Members Signatures

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

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

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

Witness: \_\_\_\_\_ Title: \_\_\_\_\_ of \_\_\_\_\_ County, California  
(Name) (Signature)

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

Superintendent (or designee): \_\_\_\_\_ Authorizing LEA Name: \_\_\_\_\_  
(Name) (Signature)

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**PART III: AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS**

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

County Superintendent of Schools (or designee): \_\_\_\_\_  
(Name) (Signature)

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

Witness: \_\_\_\_\_ Title: \_\_\_\_\_ of \_\_\_\_\_ County, California  
(Name) (Signature)

COE contact/individual responsible for completing this section:

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**CHARTER SCHOOL AUTHORIZATION**

The Governing Board recognizes that charter schools may assist the district in offering diverse learning opportunities for students. In considering any petition to establish a charter school within the district, the Board shall give thoughtful consideration to the potential of the charter school to provide students with a high-quality education that enables them to achieve to their fullest potential.

One or more persons may submit a petition to the Board for a charter school to be established within the district or for the conversion of an existing district school to a charter school. (Education Code 47605)

Any petition for a charter school shall include all components, signatures, and statements required by law, as specified in the accompanying administrative regulation. The proposed charter shall be attached to the petition. (Education Code 47605)

The Superintendent or designee shall consult with legal counsel, as appropriate, regarding compliance of the charter petition with legal requirements.

The Superintendent or designee may work with charter school petitioners prior to the formal submission of the petition in order to ensure compliance of the petition with legal requirements. As needed, the Superintendent or designee may also meet with the petitioners to establish workable plans for contracted services which the district may provide to the proposed charter school.

The Board shall not require any district student to attend the charter school nor shall it require any district employee to work at the charter school. (Education Code 47605)

**Timelines for Board Action**

Within 60 days of receiving a charter petition, the Board shall hold a public hearing on the charter provisions, at which time the Board shall consider the level of support for the petition by teachers, other district employees, and parents/guardians. A petition is deemed received on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. (Education Code 47605)

The Board shall either grant or deny the petition at a public hearing held within 90 days of receiving the petition, or within 120 days with the consent of both the petitioner and the Board. (Education Code 47605)

*(cf. 9320 - Meetings and Notices)*

9.T.  
3/31/2020

## **CHARTER SCHOOL AUTHORIZATION (continued)**

At least 15 days before the public hearing at which the Board will grant or deny the charter, the district shall publish all staff recommendations regarding the petition, including any recommended findings and, if applicable, certification from the County Superintendent of Schools regarding the potential fiscal impact of the charter school on the district. During the public hearing, the petitioners shall have equal time and opportunity to present evidence and testimony in response to the staff recommendations and findings. (Education Code 47605)

The Superintendent or designee shall maintain accurate records, in relation to each charter petition, of documents submitted, the Board's proceedings, and the findings upon which the Board's decision is made.

### **Approval of Petition**

A charter petition shall be granted only if the Board is satisfied that doing so is consistent with sound educational practice and the interests of the community in which the school is proposing to locate. In granting charters, the Board shall consider the academic needs of the students the charter school proposes to serve and shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences for students who are identified by the petitioner as academically low-achieving, based on standards established by California Department of Education (CDE). (Education Code 47605)

Prior to authorizing any charter, the Board shall verify that the charter includes adequate processes and measures for monitoring and holding the school accountable for fulfilling the terms of its charter and complying with all applicable laws, including Education Code 47604.1. Such processes and measures shall include, but are not limited to, fiscal accountability systems, multiple measures for evaluating the educational program, inspection and observations of any part of the charter school, and regular reports to the Board.

*(cf. 0420.41 - Charter School Oversight)*

The approval or denial of a charter petition shall not be controlled by collective bargaining agreements nor subject to review or regulation by the Public Employment Relations Board. (Education Code 47611.5)

The Board may approve one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school. Any such memorandum of understanding shall be annually reviewed by the Board and charter school governing body and amended as necessary.

## **CHARTER SCHOOL AUTHORIZATION (continued)**

The Board may initially grant a charter for a specified term not to exceed five years. (Education Code 47607)

*(cf. 0420.42 - Charter School Renewal)*

*(cf. 0420.43 - Charter School Revocation)*

When a petition is approved by the Board, it shall be the responsibility of the petitioners to provide written notice of the Board's approval and a copy of the charter to the County Superintendent of Schools, the CDE, and the State Board of Education (SBE). (Education Code 47605)

### **Denial of Petition**

The Board shall summarily deny any charter petition that proposes to:

1. Operate a charter school as or by a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization (Education Code 47604)
2. Convert a private school to a charter school (Education Code 47602)
3. Serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district (Education Code 47605)
4. Offer nonclassroom-based instruction (Education Code 47612.7)

Regarding all other charter petitions, the Board shall deny a petition only if the Board makes written factual findings specific to the petition that one or more of the following conditions exist: (Education Code 47605; 5 CCR 11967.5.1)

1. The charter school presents an unsound educational program that has a likelihood of physical, educational, or psychological harm to, or which is not likely to provide an educational benefit for, the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required.



**CHARTER SCHOOL AUTHORIZATION (continued)**

4. The petition does not contain a clear, unequivocal statement described in Education Code 47605(e), including that the charter school will be nonsectarian and that the school shall not charge tuition or discriminate against any student based on the characteristics specified in Education Code 220.
5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(c).
6. The petition does not contain a declaration as to whether or not the charter school shall be deemed the exclusive public employer of the school's employees for purposes of collective bargaining pursuant to Government Code 3540-3549.3.
7. The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding shall detail specific facts and circumstances regarding:
  - a. The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings
  - b. Whether the proposed charter school would duplicate a program currently offered within the district, when the existing program has sufficient capacity for the students proposed to be served within reasonable proximity to where the charter school intends to locate
8. The district is not positioned to absorb the fiscal impact of the proposed charter school. The district meets this criterion if it has a negative interim certification, or has a qualified interim certification and the County Superintendent certifies that approving the charter school would result in the district having a negative interim certification.

The Board shall not deny a petition based on the actual or potential costs of serving students with disabilities, nor shall it deny a petition solely because the charter school might enroll students with disabilities who reside outside the special education local plan area in which the district participates. (Education Code 47605.7, 47647)

*(cf. 0430 - Comprehensive Local Plan for Special Education)*

**CHARTER SCHOOL AUTHORIZATION** (continued)

**Appeals**

If the Board denies a petition, the petitioner may choose to submit the petition to the County Board of Education and, if then denied by the County Board, to SBE. (Education Code 47605)

At the request of the petitioner, the Board shall prepare the documentary record, including a transcript of the public hearing at which the Board denied the charter, no later than 10 business days after the petitioner makes the request. (Education Code 47605)

Within 30 days of receipt of an appeal submitted to SBE, the Board may submit a written opposition to SBE detailing, with specific citations to the documentary record, how the Board did not abuse its discretion in denying the petition. (Education Code 47605)

If either the County Board or SBE remands the petition to the Board because the petition on appeal contains new or different material terms, the Board shall reconsider the petition and grant shall or deny the petition within 30 days. (Education Code 47605)

*Legal Reference: (see next page)*

**CHARTER SCHOOL AUTHORIZATION (continued)**

*Legal Reference:*

EDUCATION CODE

200 *Equal rights and opportunities in state educational institutions*  
220 *Nondiscrimination*  
1240 *Duties of County Superintendent*  
17078.52-17078.66 *Charter schools facility funding; state bond proceeds*  
17280-17317 *Field Act*  
17365-17374 *Field Act, fitness for occupancy*  
32282 *Comprehensive safety plan*  
33126 *School Accountability Report Card*  
41365 *Charter school revolving loan fund*  
42131 *Interim certification*  
42238.51-42238.2 *Funding for charter districts*  
44237 *Criminal record summary*  
44830.1 *Certificated employees, conviction of a violent or serious felony*  
45122.1 *Classified employees, conviction of a violent or serious felony*  
46201 *Instructional minutes*  
47600-47616.7 *Charter Schools Act of 1992*  
47640-47647 *Special education funding for charter schools*  
47650-47652 *Funding of charter schools*  
49011 *Student fees*  
51745-51749.6 *Independent study*  
52052 *Accountability: numerically significant student subgroups*  
52060-52077 *Local control and accountability plan*  
56026 *Special education*  
56145-56146 *Special education services in charter schools*

CORPORATIONS CODE

5110-6910 *Nonprofit public benefit corporations*

GOVERNMENT CODE

1090-1099 *Prohibitions applicable to specified officers*  
3540-3549.3 *Educational Employment Relations Act*  
6250-6270 *California Public Records Act*  
54950-54963 *Ralph M. Brown Act*  
81000-91014 *Political Reform Act of 1974*

CODE OF REGULATIONS, TITLE 5

11700.1-11705 *Independent study*  
11960-11968.5.5 *Charter schools*

*Legal Reference continued: (see next page)*

## CHARTER SCHOOL AUTHORIZATION (continued)

### *Legal Reference: (continued)*

UNITED STATES CODE, TITLE 20

7223-7225 Charter schools

### COURT DECISIONS

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

### ATTORNEY GENERAL OPINIONS

Opinion No. 11-201 (2018)

89 Ops.Cal.Atty.Gen. 166 (2006)

80 Ops.Cal.Atty.Gen. 52 (1997)

78 Ops.Cal.Atty.Gen. 297 (1995)

### *Management Resources:*

#### CSBA PUBLICATIONS

Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018

Charter Schools in Focus, Issue 1: Managing the Petition Review Process, Governance Brief, November 2016

Charter Schools and Board Member Responsibilities, Education Insights Legal Update Webcast, March 2016

Charter Schools: A Guide for Governance Teams, rev. February 2016

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Sample Copy of a Memorandum of Understanding

#### U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Dear Colleague Letter: Guidance Regarding the Oversight of Charter Schools Program and Regulatory Requirements, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, August 2016

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

Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools, December 2011

#### WEB SITES

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

California Charter Schools Association: <http://www.ccsa.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.qualitycharters.org>

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

**CHARTER SCHOOL AUTHORIZATION**

**Petition Signatures**

A petition for the establishment of a start-up charter school must be signed by either of the following: (Education Code 47605)

1. A number of parents/guardians equivalent to at least one-half of the number of students that the charter school estimates will enroll in the school for its first year of operation
2. A number of teachers equivalent to at least one-half of the total number of teachers that the charter school estimates will be employed at the school during its first year of operation

A petition that proposes to convert an existing public school to a charter school must be signed by at least 50 percent of the permanent status teachers currently employed at the school. (Education Code 47605)

*(cf. 4116 - Probationary/Permanent Status)*

Any petition circulated to collect signatures shall include a prominent statement explaining that a parent/guardian's signature means that the parent/guardian is meaningfully interested in having a child attend the charter school, or a teacher's signature means that the teacher is meaningfully interested in teaching at the charter school. (Education Code 47605)

**Staff Advisory Committee**

The Superintendent or designee may establish a staff advisory committee to evaluate the completeness of a charter petition based on the requirements in Education Code 47605 and to identify any concerns that should be addressed by the petitioners.

*(cf. 2230 - Representative and Deliberative Groups)*

**Components of Charter Petition**

All charter petitions shall comply with the applicable requirements of Education Code 47605, other state and federal laws, and district policies.

The charter petition shall include affirmations that the charter school will be nonsectarian in its programs, admission policies, employment practices, and operations; will not charge

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**CHARTER SCHOOL AUTHORIZATION (continued)**

tuition; and will not discriminate against a student on the basis of characteristics listed in Education Code 220. The petition shall also contain reasonably comprehensive descriptions of: (Education Code 47605)

1. The educational program of the proposed school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling students to become self-motivated, competent, and lifelong learners.

The petition shall include a description of the charter school's annual goals for all students and for each numerically significant subgroup of students identified pursuant to Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. These goals shall be aligned with the state priorities listed in Education Code 52060 that apply to the grade levels served. The petition also shall describe specific annual actions to achieve those goals. The petition may identify additional priorities established for the proposed school, goals aligned with those priorities, and specific annual actions to achieve those goals.

(cf. 0420.41 - Charter School Oversight)

(cf. 0460 - Local Control and Accountability Plan)

If the proposed charter school will serve high school students, the petition shall describe the manner in which the school will inform parents/guardians about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable, and courses approved by the University of California or the California State University as creditable under the "a-g" admissions criteria may be considered to meet college entrance requirements.

2. The measurable student outcomes identified for use by the charter school. *Student outcomes* means the extent to which all students of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program, including outcomes that address increases in student academic achievement both schoolwide and for each numerically significant subgroup of students served by the charter school. The student outcomes shall align with the state priorities identified in Education Code 52060 that apply for the grade levels served by the charter school.

**CHARTER SCHOOL AUTHORIZATION (continued)**

3. The method by which student progress in meeting the identified student outcomes is to be measured. To the extent practicable, the method for measuring student outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

*(cf. 0510 - School Accountability Report Card)*

4. The governance structure of the charter school, including, but not limited to, the process to be followed by the school to ensure parent/guardian involvement.
5. The qualifications to be met by individuals to be employed by the charter school.
6. The procedures that the charter school will follow to ensure the health and safety of students and staff, including the following requirements:
  - a. Each charter school employee shall furnish the school with a criminal record summary as described in Education Code 44237.
  - b. The charter school shall develop a school safety plan which includes the topics listed in Education Code 32282(a)(2)(A)-(J).
  - c. The charter school's safety plan shall be reviewed and updated by March 1 each year.
7. The means by which the charter school will achieve a balance of racial and ethnic students, special education students, and English learner students, including redesignated fluent English proficient students, that is reflective of the general population residing within the district's territorial jurisdiction.
8. The charter school's student admission policy. The petition shall, in accordance with Education Code 47605(e), specify procedures for determining enrollment when the number of applicants exceeds the school's capacity, including requirements for the use of a public random drawing, admission preferences, and priority order of preferences as required by law and subject to Governing Board approval.
9. The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the Board's satisfaction.

**CHARTER SCHOOL AUTHORIZATION (continued)**

10. The procedures by which students can be suspended or expelled for disciplinary reasons or otherwise involuntarily removed for any reason, including an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements as specified in Education Code 47605 and a statement that the suspension procedures will include requirements pertaining to the provision of homework assignments to suspended students as specified in Education Code 47606.2.

Such procedures shall also include processes by which the charter school will notify the superintendent of a district, and by which the charter school may be notified by the superintendent of a district, when a student or former student of the charter school is expelled or subject to any of the circumstances specified in Education Code 47605(e)(3).

11. The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.
12. The public school attendance alternatives for students residing within the district who choose to not attend the charter school.
13. A description of the rights of any district employee upon leaving district employment to work in the charter school and of any rights of return to the district after employment at the charter school.
14. The procedures to be followed by the charter school and the Board to resolve disputes relating to charter provisions.
15. A declaration as to whether or not the charter school will be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining under Government Code 3540-3549.3.
16. Consistent with 5 CCR 11962, the procedures to be used if the charter school closes, including, but not limited to:
  - a. Designation of a responsible entity to conduct closure-related activities
  - b. Notification to parents/guardians, the Board, the county office of education, the special education local plan area in which the charter school participates,



**CHARTER SCHOOL AUTHORIZATION (continued)**

the retirement systems in which the school's employees participate, and the California Department of Education, providing at least the following information:

- (1) The effective date of the closure
  - (2) The name(s) and contact information of the person(s) to whom reasonable inquiries may be made regarding the closure
  - (3) The students' districts of residence
  - (4) The manner in which parents/guardians may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements
- c. Provision of a list of students at each grade level, the classes they have completed, and their districts of residence to the responsible entity designated in accordance with item #16a above
  - d. Transfer and maintenance of all student records, all state assessment results, and any special education records to the custody of the responsible entity designated in accordance with item #16a above, except for records and/or assessment results that the charter may require to be transferred to a different entity
  - e. Transfer and maintenance of personnel records in accordance with applicable law
  - f. Completion of an independent final audit within six months after the closure of the charter school that includes an accounting of all financial assets and liabilities pursuant to 5 CCR 11962 and an assessment of the disposition of any restricted funds received by or due to the school
  - g. Disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed pursuant to 5 CCR 11962
  - h. Completion and filing of any annual reports required pursuant to Education Code 47604.33
  - i. Identification of funding for the activities identified in item #16a-h above

## **CHARTER SCHOOL AUTHORIZATION (continued)**

Charter school petitioners shall provide information to the Board regarding the proposed operation and potential effects of the school, including, but not limited to: (Education Code 47605)

1. The facilities to be used by the charter school, including where the school intends to locate

*(cf. 7160 - Charter School Facilities)*

2. The manner in which administrative services of the charter school are to be provided
3. Potential civil liability effects, if any, upon the charter school and district
4. Financial statements that include a proposed first-year operational budget, including start-up costs and cash-flow and financial projections for the first three years of operation
5. If the charter school is to be operated by or as a nonprofit public benefit corporation, the names and relevant qualifications of all persons whom the petitioner nominates to serve on the governing body of the charter school

### **Location of Charter School**

Unless otherwise exempted by law, the charter petition shall identify a single charter school that will operate within the geographic boundaries of the district. A charter school may propose to operate at multiple sites within the district as long as each location is identified in the petition. (Education Code 47605, 47605.1)

A charter school may establish a resource center, meeting space, or other satellite facility within the jurisdiction of the school district where the charter school is physically located if both of the following conditions are met: (Education Code 47605.1)

1. The facility is used exclusively for the educational support of students who are enrolled in nonclassroom-based independent study of the charter school.
2. The charter school provides its primary educational services in, and a majority of the students it serves are residents of, the county in which the school is authorized.

Regulation  
approved:

CSBA MANUAL MAINTENANCE SERVICE  
March 2020

**CHARTER SCHOOL OVERSIGHT**

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

*(cf. 0420.4 - Charter School Authorization)*

*(cf. 0500 - Accountability)*

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

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

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

**Waivers**

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

*(cf. 1431 - Waivers)*

**Provision of District Services**

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

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

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

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## **CHARTER SCHOOL OVERSIGHT (continued)**

### **Material Revisions to Charter**

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

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

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

### **Monitoring Charter School Performance**

The Superintendent or designee shall monitor each charter school that is authorized by the district to determine whether it complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32. Any violations of law shall be reported to the Board.

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

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

**CHARTER SCHOOL OVERSIGHT (continued)**

The district may charge up to one percent of a charter school's revenue for the actual costs of supervisorial oversight of the school. However, if the charter school is able to obtain substantially rent-free facilities from the district, the district may charge up to three percent of the charter school's revenue for actual costs of supervisorial oversight or, if the facility is provided under Education Code 47614, the pro-rata share facilities costs calculated pursuant to 5 CCR 11969.7. If the district charges the pro-rata share, it may also charge one percent of the charter school's revenue in oversight fees. If the district is given responsibility for supervisorial oversight of a charter school that was authorized by SBE on appeal, the district is not limited to these percentages and may charge for the actual costs of supervisorial oversight and for the administrative costs necessary to secure charter school funding. (Education Code 47613)

*(cf. 7160 - Charter School Facilities)*

**Technical Assistance/Intervention**

Whenever a charter school is identified for technical assistance based on the performance of one or more numerically significant student subgroups on SBE-established criteria, the charter school shall receive technical assistance from the County Superintendent of Schools. Such technical assistance shall be focused on building the charter school's capacity to develop and implement actions and services responsive to student and community needs, including, but not limited to, any of the following: (Education Code 45607.3)

1. Assisting the charter school to identify its strengths and weaknesses in regard to the state priorities applicable to the charter school pursuant to Education Code 47605. This shall include working collaboratively with the charter school to review performance data on the state and local indicators included in the California School Dashboard and other relevant local data and to identify effective, evidence-based programs or practices that address any areas of weakness.
2. Working collaboratively with the charter school to secure assistance from an academic, programmatic, or fiscal expert or team of experts to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the charter school. Another service provider, including, but not limited to, a school district, county office of education, or charter school, may be solicited to act as a partner to the charter school in need of technical assistance.

**CHARTER SCHOOL OVERSIGHT (continued)**

3. Obtaining from the charter school timely documentation demonstrating that it has completed the activities described in items #1 and 2 or substantially similar activities, or has selected another service provider to work with the charter school to complete the activities described in items #1 and 2 or substantially similar activities, and ongoing communication with the Board to assess the charter school's progress in improving student outcomes.

In addition, if, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more numerically significant student subgroups, or for all of the student subgroups if the school has fewer than three subgroups, in regard to one or more state or school priorities identified in the charter, the district: (Education Code 47607.3)

1. Shall provide technical assistance to the charter school based on the California School Dashboard
2. May request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074

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

*(cf. 0420.42 - Charter School Renewal)*  
*(cf. 0420.43 - Charter School Revocation)*

**Complaints**

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

**CHARTER SCHOOL OVERSIGHT (continued)**

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

**School Closure**

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

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

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

*Legal Reference: (see next page)*

## CHARTER SCHOOL OVERSIGHT (continued)

### *Legal Reference:*

#### EDUCATION CODE

- 215 Suicide prevention policy
- 215.5 Student identification cards, inclusion of safety hotlines
- 220 Nondiscrimination
- 221.61 Posting of Title IX information on web site
- 221.9 Sex equity in competitive athletics
- 222 Lactation accommodations for students
- 222.5 Pregnant and parenting students, notification of rights
- 231.5-231.6 Sexual harassment policy
- 234.4 Mandated policy on bullying prevention
- 234.6 Bullying and harassment prevention information
- 234.7 Student protections relating to immigration and citizenship status
- 17070.10-17079.30 Leroy F. Greene School Facilities Act
- 17280-17317 Field Act
- 17365-17374 Field Act, fitness for occupancy
- 32282 Comprehensive safety plan
- 32283.5 Online training on bullying prevention
- 33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act
- 35179.4-35179.6 Interscholastic athletic programs, safety
- 35183.1 Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance
- 35330 Field trips and excursions; student fees
- 38080-38086 School meals
- 39831.3 Transportation safety plan
- 39843 Disciplinary action against bus driver; report to Department of Motor Vehicles
- 41024 Report of expenditure of state facility funds
- 42100 Annual statement of receipts and expenditures
- 44030.5 Reporting change in employment status due to alleged misconduct
- 44237 Criminal record summary
- 44691 Information on detection of child abuse
- 44830.1 Certificated employees, conviction of a violent or serious felony
- 45122.1 Classified employees, conviction of a violent or serious felony
- 45125.1 Fingerprinting; employees of contracting entity
- 46015 Accommodations for pregnant and parenting students; parental leave
- 47600-47616.7 Charter Schools Act of 1992
- 47634.2 Nonclassroom-based instruction
- 47640-47647 Special education funding for charter schools
- 47651 Apportionment of funds, charter schools
- 48000 Minimum age of admission for kindergarten; transitional kindergarten
- 48010-48011 Minimum age of admission (first grade)
- 48206.3-48208 Students with temporary disabilities; individual instruction

*Legal Reference continued: (see next page)*



## CHARTER SCHOOL OVERSIGHT (continued)

*Legal Reference: (continued)*

EDUCATION CODE (continued)

48850-48859 Educational placement of foster youth and homeless students  
48901.1 Suspension and expulsion, willful defiance  
48907 Students' exercise of free expression; rules and regulations  
48913.5 Suspended students, homework assignments  
48950 Student speech and other communication  
48985 Parental notification,  
49005-49006.4 Seclusion and restraint  
49011 Student fees  
49014 Public School Fair Debt Collection Act  
49061 Student records  
49062.5 Student records, name or gender changes  
49070 Challenging student records  
49073.2 Privacy of student and parent/guardian personal information  
49076.7 Student records; data privacy; Social Security numbers  
49110 Authority to issue work permits  
49381 Human trafficking prevention  
49414 Epinephrine auto-injectors  
49414.3 Administration of opioid antagonist  
49428 Notification of mental health services  
49430-49434 The Pupil Nutrition, Health, and Achievement Act of 2001, especially:  
49431.9 Advertisement of non-nutritious foods  
49475 Health and safety, concussions and head injuries  
49557.5 Child Hunger Prevention and Fair Treatment Act of 2017  
49564 Meals for needy students  
51224.7 Mathematics placement policy  
51225.1-51225.2 Exemption from local graduation requirements; acceptance of coursework  
51225.6 Instruction in cardiopulmonary resuscitation  
51513 Diploma of graduation, without passage of high school exit examination  
51745-51749.6 Independent study  
51930-51939 California Healthy Youth Act  
52052 Accountability; numerically significant student subgroups  
52060-52077 Local control and accountability plans  
52075 Uniform complaint procedures  
56026 Special education  
56040.3 Availability of assistive technology devices  
56145-56146 Special education services in charter schools  
56365-56366.12 Nonpublic, nonsectarian schools

*Legal Reference continued: (see next page)*

**CHARTER SCHOOL OVERSIGHT (continued)**

*Legal Reference: (continued)*

EDUCATION CODE (continued)

60600-60649 *Assessment of academic achievement*

64000 *Categorical programs included in consolidated application*

64001 *School plan for student achievement, consolidated application programs*

65000-65001 *School site councils*

69432.9-69432.92 *Cal Grant program; notification of grade point average and high school graduation*

CORPORATIONS CODE

5110-6910 *Nonprofit public benefit corporations*

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1090-1099 *Prohibitions applicable to specified officers*

3540-3549.3 *Educational Employment Relations Act*

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54950-54963 *Ralph M. Brown Act*

81000-91014 *Political Reform Act of 1974*

HEALTH AND SAFETY CODE

104420 *Tobacco Use Prevention Education grant program*

104559 *Tobacco-free schools*

LABOR CODE

1198.5 *Personnel records related to performance and grievance*

PENAL CODE

667.5 *Definition of violent felony*

1192.7 *Definition of serious felony*

VEHICLE CODE

28160 *Child safety alert system*

CALIFORNIA CONSTITUTION

Article 9, Section 5 *Common school system*

Article 16, Section 8.5 *Public finance; school accountability report card*

CODE OF REGULATIONS, TITLE 5

4600-4670 *Uniform complaint procedures*

11700.1-11705 *Independent study*

11960-11969 *Charter schools*

CODE OF REGULATIONS, TITLE 24

101 et seq. *California Building Standards Code*

UNITED STATES CODE, TITLE 20

1681-1688 *Title IX of the Education Amendments of 1972; discrimination based on sex*

6311 *State plan*

7221-7221j *Charter schools*

UNITED STATES CODE, TITLE 42

11431-11435 *McKinney-Vento Homeless Assistance Act*

*Legal Reference continued: (see next page)*

## CHARTER SCHOOL OVERSIGHT (continued)

### *Legal Reference: (continued)*

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.78 Accountability

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Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

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Opinion No. 11-201 (2018)

89 Ops. Cal. Atty. Gen. 166 (2006)

80 Ops. Cal. Atty. Gen. 52 (1997)

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### WEB SITES

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

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.qualitycharters.org>

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

**CHARTER SCHOOL OVERSIGHT**

**REQUIREMENTS FOR CHARTER SCHOOLS**

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

**Governance**

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

**Operations**

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

**Admission/Enrollment**

5. Adhere to all laws establishing the minimum age for public school attendance (Education Code 47610)

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**CHARTER SCHOOL OVERSIGHT (continued)**

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

If a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admission preference for students who are currently enrolled in that public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)
  - b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing, with preference extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. (Education Code 47605)
  - c. Other admission preferences may be permitted by the Board of the district on an individual school basis consistent with law. (Education Code 47605)
9. Not discourage a student from enrolling or seeking to enroll in the charter school, nor encourage a current student from disenrolling, for any reason, including, but not limited to, the student's academic performance, nationality, race, ethnicity, or sexual orientation or because the student is a student with disabilities, academically low achieving, an English learner, neglected or delinquent, homeless, economically disadvantaged, or a foster youth. The charter school shall not request or require a student's records to be submitted before enrollment. The charter school shall post on

**CHARTER SCHOOL OVERSIGHT (continued)**

its web site the California Department of Education's (CDE) notice of these requirements and shall provide the notice to parents/guardians or students age 18 and older when the parent/guardian or student inquires about enrollment, before conducting an enrollment lottery, and before disenrollment of a student. (Education Code 47605)

10. Immediately enroll a homeless student, except where such enrollment would conflict with Education Code 47605(d) (Education Code 48850; 42 USC 11431-11435)
11. Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of foster youth (Education Code 48853.5, 48859)
12. Allow a student who is enrolled in the charter school but receiving individual instruction at home or a hospital due to a temporary disability to return to the charter school when well enough to do so, provided the student returns during the school year in which the individual instruction was initiated (Education Code 48207.3)

**Nondiscrimination**

13. Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)
14. Adopt policy that is consistent with the model policy developed by the California Attorney General addressing the charter school's response to immigration enforcement, notify parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, prohibit the collection of information or documents regarding the immigration status of students or their family members, and fulfill other requirements of Education Code 234.7
15. Post specified information related to the prohibition against discrimination under Title IX of the Education Amendments of 1972 in a prominent and conspicuous location on the school web site or on the web site of the charter operator (Education Code 221.61)
16. If the charter school offers competitive athletics, annually post on the school's web site or on the web site of the charter operator the total enrollment of the school classified by gender, the number of students who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level (Education Code 221.9)

**CHARTER SCHOOL OVERSIGHT (continued)**

17. Provide specified accommodations to pregnant and parenting students, including, but not limited to, the provision of parental leave and reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. The charter school shall notify pregnant and parenting students and parents/guardians of the rights and options available to pregnant and parenting students. (Education Code 222, 222.5, 46015)
18. If a direct-funded charter school, adopt and implement uniform complaint procedures to resolve complaints of unlawful discrimination or alleged violation of a state or federal law or regulation governing educational programs, in accordance with 5 CCR 4600-4670 (5 CCR 4600)

**Tuition and Fees**

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

**School Plans**

22. Adopt a local control and accountability plan (LCAP) and update the plan by July 1 each year, after holding a public hearing, consulting with specified stakeholders, and using the template adopted by the State Board of Education (SBE). As part of the LCAP adoption and annual update to the LCAP, the governing body of the charter school shall separately adopt a local control funding formula budget overview for parents/guardians, based on the template developed by the SBE. (Education Code 47604.33, 47606.5, 52064, 52064.1)
23. If the charter school applies for federal and/or state categorical program funding through the state's consolidated application, establish a school site council to develop and annually review a school plan for student achievement, unless the school chooses to use its LCAP for this purpose (Education Code 64000-64001, 65000-65001)

**CHARTER SCHOOL OVERSIGHT (continued)**

24. Develop a comprehensive safety plan in accordance with Education Code 32282 and review and update the plan by March 1 each year (Education Code 47605)
25. Develop a transportation safety plan that includes procedures to ensure that a student is not left unattended on a school bus, student activity bus, youth bus, or child care motor vehicle and procedures for designating an adult chaperone, other than the driver, to accompany students on a school activity bus. In addition, ensure that each school bus, student activity bus, youth bus, or child care motor vehicle is equipped with a child safety alert system that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting, unless the student activity bus is exempted by law. (Education Code 39831.3; Vehicle Code 28160)

**Curriculum and Instruction**

26. Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code 47612.5)
27. If the charter school offers a kindergarten program, also offer a transitional kindergarten program to students whose fifth birthday is from September 2 through December 2 (Education Code 48000)
28. If the charter school serves students in grade 9, adopt a fair, objective, and transparent mathematics placement policy with specified components (Education Code 51224.7)
29. If the charter school serves students in any of grades 7-12, provide comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education at least once in junior high or middle school and once in high school (Education Code 51931, 51934)
30. If the charter school serves students in any of grades 6-12, identify and implement methods of informing parents/guardians of human trafficking prevention resources (Education Code 49381)
31. If the charter school provides independent study, meet the requirements of Education Code 51745-51749.6, except that the school may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705)



**CHARTER SCHOOL OVERSIGHT (continued)**

32. Accept and provide full or partial credit for coursework satisfactorily completed by a foster youth, homeless student, former juvenile court school student, child of a military family, migrant student, or a student participating in a newcomer program while attending another school (Education Code 51225.2)
33. Meet all statewide standards and conduct any statewide assessments applicable to noncharter public schools (Education Code 47605, 47612.5, 60605)

**Special Education**

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

**High School Graduation**

36. Exempt a foster youth, homeless student, former juvenile court school student, child of a military family, or migrant student who transfers between schools after the second year of high school, or a student participating in a newcomer program for newly immigrant students in grades 11-12, from any of the charter school's graduation requirements that exceed state requirements, unless the charter school determines that the student is reasonably able to complete the requirements by the end of the fourth year of high school (Education Code 51225.1, 51225.2)

**CHARTER SCHOOL OVERSIGHT (continued)**

37. Grant a high school diploma to any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination (Education Code 51413)

**Student Expression**

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

**Staffing**

40. Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) as required for the teacher's certificated assignment. Teachers employed by the charter school during the 2019-20 school year shall have until July 1, 2025 to obtain the required certificate required. (Education Code 47605, 47605.4)
41. Not hire any person who has been convicted of a violent or serious felony except as otherwise provided by law, and, if the charter school contracts with an entity for specified services, verify that any employee of that entity who will have contact with students has had a criminal background check (Education Code 44830.1, 45122.1, 45125.1)
42. Report to the CTC any change in a certificated employee's employment status (dismissal, nonreelection, resignation, suspension, unpaid administrative leave for more than 10 days, retirement, or other decision not to employ or reemploy) as a result of an allegation of misconduct or while an allegation of misconduct is pending (Education Code 44030.5)
43. If the charter school chooses to make the state teachers' retirement plan available to its employees, meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)

**CHARTER SCHOOL OVERSIGHT (continued)**

44. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)

**Parent/Guardian Involvement**

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

**Nutrition**

48. Provide each eligible student with one nutritionally adequate free or reduced-price meal during each school day, except as provided for a charter school that offers nonclassroom-based instruction (Education Code 47613.5)
49. If the charter school participates in the National School Lunch and/or Breakfast program, not promote any food or beverage during the school day that does not comply with state nutritional standards pursuant to Education Code 49430-49434, and not participate in a corporate incentive program that offers free or discounted non-nutritious foods or beverages as rewards for students who reach certain academic goals (Education Code 49431.9)
50. If the charter school participates in the National School Lunch and/or Breakfast program, notify parents/guardians within 10 days of their child's meal account reaching a negative balance; not take any action directed at a student to collect unpaid school meal fees; ensure that a student with unpaid school meal fees is not denied a meal of the student's choice, shamed, or treated differently; and prohibit student discipline from resulting in the denial or delay of a nutritionally adequate meal (Education Code 49557.5)

**CHARTER SCHOOL OVERSIGHT (continued)**

51. If the charter school participates in the National School Lunch and/or Breakfast program and is a very high poverty school, as defined, apply to the California Department of Education (CDE) to provide lunch and/or breakfast free of charge to all students under a federal universal service provision (Education Code 49564)

**Student Health**

52. Adopt a policy on suicide prevention, intervention, and postvention for grades 7-12, and an age-appropriate policy for grades K-6, and review the policy at least every five years (Education Code 215)
53. If the charter school serves grades 7-12 and issues student identification cards, print the telephone numbers of the National Suicide Prevention Lifeline and the National Domestic Violence Hotline on the identification cards (Education Code 215.5)
54. Notify students and parents/guardians at least twice during the school year on how to initiate access to available student mental health services on campus or in the community (Education Code 49428)
55. Provide annual training on child abuse and neglect reporting requirements to employees and persons working on the charter school's behalf who are mandated reporters, within the first six weeks of each school year or within six weeks of employment (Education Code 44691)
56. If the charter school offers an athletic program, annually provide information sheets about concussions/head injuries and sudden cardiac arrest to athletes and their parents/guardians, which must be signed and returned to the school before the athlete initiates practice or competition. In the event that an athlete is suspected of sustaining a concussion or head injury, passes out, or faints during or immediately after participation in an athletic activity, the student shall be immediately removed from the activity for the remainder of the day and shall not be permitted to return to the activity until the student is evaluated by a licensed health care provider and receives written clearance to do so. (Education Code 33479-33479.5, 49475)
57. If the charter school offers an interscholastic athletic program, develop and post a written emergency action plan that describes procedures to be followed in the event of sudden cardiac arrest and other medical emergencies, acquire at least one automated external defibrillator (AED) for the school, and make the AED available at on-campus athletic activities or events (Education Code 35179.4, 35179.6)

**CHARTER SCHOOL OVERSIGHT (continued)**

58. Provide school nurses or other voluntary, trained personnel with emergency epinephrine auto-injectors of the type required pursuant to Education Code 49414 (Education Code 49414)
59. If the charter school chooses to make an opioid antagonist available to persons suffering, or reasonably believed to be suffering, from an opioid overdose, comply with the requirements of Education Code 49414.3, including, but not limited to, providing training to personnel who volunteer to administer the opioid antagonist

**Student Conduct/Discipline**

60. Adopt a policy on bullying and cyberbullying prevention, post specified information on bullying and harassment prevention, and annually make CDE's online training module on bullying prevention available to school site certificated employees and other employees who have regular interaction with students (Education Code 234.4, 234.6, 32283.5)
61. Adopt and display a written policy on sexual harassment, include the policy as part of any orientation for new and continuing students, and post a poster notifying students of the policy (Education Code 231.5, 231.6)
62. Prohibit seclusion and behavioral restraint of students as a means of discipline, and only use such methods to control student behavior that poses a clear and present danger of serious physical harm to a student or others that cannot be immediately prevented by a less restrictive response (Education Code 49005-49006.4)
63. Neither recommend for expulsion a student in grades K-12 nor suspend a student in grades K-8 for disrupting school activities or otherwise willfully defying the authority of school personnel in the performance of their duties (Education Code 48901.1)
64. Upon request, provide a student who is suspended for two or more days with the homework assigned during the period of suspension (Education Code 48913.5)

**Student and Parent/Guardian Records**

65. Not collect or solicit social security numbers or the last four digits of social security numbers from students or their parents/guardians unless otherwise required to do so by state or federal law (Education Code 49076.7)

**CHARTER SCHOOL OVERSIGHT (continued)**

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

**Facilities**

70. Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)
  - a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.
  - b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.

**CHARTER SCHOOL OVERSIGHT (continued)**

**Finance**

71. Promptly respond to all reasonable inquiries from the district, the county office of education, or the Superintendent of Public Instruction (SPI), including, but not limited to, inquiries regarding the charter school's financial records (Education Code 47604.3)
72. Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)
73. Identify and report to the SPI any portion of the charter school's average daily attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)
74. Annually prepare and submit financial reports to the district Board and the County Superintendent of Schools in accordance with the following reporting cycle:
  - a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)
  - b. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)
  - c. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)
  - d. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)
  - e. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the State Controller and CDE. (Education Code 47605)

**CHARTER SCHOOL OVERSIGHT** (continued)

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

**Accountability**

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



**CHARTER SCHOOL RENEWAL**

The Governing Board believes that the ongoing operation of a charter school should be dependent on the school's effectiveness in achieving its mission and goals for student learning and other student outcomes. Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition thoroughly and in a timely manner. The Board shall consider renewal petitions only of charters originally authorized by the Board itself or by the State Board of Education on appeal after initial denial by the Board.

*(cf. 0420.4 - Charter School Authorization)*  
*(cf. 0420.41 - Charter School Oversight)*  
*(cf. 0420.43 - Charter School Revocation)*  
*(cf. 0500 - Accountability)*

The Board shall deny the renewal petition of any charter school operated as or by a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. (Education Code 47604)

When a charter school, concurrently with its renewal petition, proposes to expand operations to one or more additional sites or grade levels, the charter school shall request a material revision to its charter. The material revision may be made only with the approval of the Board and in accordance with the standards and criteria in Education Code 47605 for material revisions. (Education Code 47607)

The Board recommends that a charter school submit its petition for renewal to the Board sufficiently early before the expiration of the term of the charter to allow the Board's deliberations and decision on the renewal petition to be completed with minimal disruption to the charter school's educational program in the renewal year.

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. (Education Code 47607; 5 CCR 11966.4)

**Criteria for Granting or Denying Renewal**

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. However, a charter renewal shall not be denied based on the fiscal impact of the charter school on the district or a finding that the charter school is unlikely to serve the interests of the entire community in which the school is located, as described in Education Code 47605. (Education Code 47607)

The signature requirement for charter authorization petitions is not applicable to petitions for renewal. (Education Code 47607)

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**CHARTER SCHOOL RENEWAL (continued)**

In determining whether to grant a charter renewal, the Board shall review both schoolwide performance and the performance of numerically significant student subgroups on the state and local indicators included in the California School Dashboard, giving greater weight to performance on measurements of academic performance. If the Dashboard indicators are not yet available for the most recently completed academic year before renewal, the Board shall consider verifiable data provided by the charter school related to the Dashboard indicators, such as data from the California Assessment of Student Performance and Progress, or any successor system, for the most recent academic year. (Education Code 47607)

Following the Board's review, a renewal of the charter petition may be granted in accordance with a three-tiered system based on school performance, as follows:

1. Renewal of Five to Seven Years

A renewal shall be granted for a period of five to seven years to a charter school that is not eligible for technical assistance pursuant to Education Code 47607.3 and that, for two consecutive years immediately preceding the renewal, achieved either of the following: (Education Code 47607)

- a. Received the two highest performance levels schoolwide on all the state indicators included in the Dashboard for which the charter school receives performance levels
- b. For all measurements of academic performance, received performance levels schoolwide that are the same or higher than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average

2. Renewal of Five Years

- a. A renewal shall be granted for five years if clear and convincing evidence, demonstrated by verified data, shows either of the following: (Education Code 47607.2)
  - (1) Measurable increases in academic achievement, as defined by at least one year's progress for each year in school
  - (2) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers

**CHARTER SCHOOL RENEWAL (continued)**

- b. For any such charter school, the Board may deny the renewal petition upon making written factual findings that the charter school failed to meet or make sufficient progress toward meeting standards that provide a benefit to students at the school, that the closure of the charter school is in the best interest of students, and that the Board's decision provided greater weight to performance on measurements of academic performance. (Education Code 47607.2)

**3. Denial with Option for Two-Year Renewal**

- a. The Board shall generally not renew a charter if, for two consecutive years immediately preceding the renewal decision, either of the following applies: (Education Code 47607.2)
  - (1) The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the Dashboard for which it receives performance levels.
  - (2) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average.
- b. However, the Board may grant a two-year renewal to any such charter school if the Board makes written factual findings, setting forth specific facts to support the findings, that:
  - (1) The charter school is taking meaningful steps to address the underlying cause(s) of low performance, and those steps are reflected, or will be reflected, in a written plan adopted by the governing body of the charter school.
  - (2) There is clear and convincing evidence, demonstrated by verified data, showing achievement of the criteria specified in item #2a above

**CHARTER SCHOOL RENEWAL (continued)**

In addition to all the grounds stated above for denial of a charter renewal, the Board may deny renewal of a charter upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors or a finding that the school is not serving all students who wish to attend. When denying a charter renewal for either of these reasons, the Board shall provide the charter school at least 30 days' notice of the alleged violation and a reasonable opportunity to cure the violation, including the submission of a proposed corrective action plan. The renewal shall be denied if the Board finds either that the corrective action proposed by the charter school has been unsuccessful or that the violations are sufficiently severe and pervasive as to render a corrective action plan unviable. Any finding that a school is not serving all students who wish to attend shall specifically identify the evidence supporting the finding. (Education Code 47607)

A charter school that is eligible for the state's Dashboard Alternative School Status shall not be subject to any of the above criteria. Instead, in determining whether to grant a charter renewal for such a charter school, the Board shall consider, in addition to the charter school's performance on the state and local indicators included in the Dashboard, the charter school's performance on alternative metrics applicable to the charter school based on the student population served. The Board shall meet with the charter school during the first year of the charter school's term to mutually agree to discuss alternative metrics to be considered and shall notify the charter school of the alternative metrics to be used within 30 days of this meeting. The Board may deny a charter renewal only upon making written findings, setting forth specific facts to support the findings, that the closure of the charter school is in the best interest of students. (Education Code 47607)

**Timelines for Board Action**

Within 60 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school and obtain public input. A petition is deemed received on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. (Education Code 47605)

The Board shall either grant or deny the charter renewal within 90 days of receiving the petition, or within 120 days with the consent of both the petitioner and the Board. (Education Code 47605)

At least 15 days before the public hearing at which the Board will grant or deny the charter petition, the Board shall publish all staff recommendations and recommended findings

## **CHARTER SCHOOL RENEWAL** (continued)

regarding the petition. During the public hearing, petitioners shall have equal time and opportunity to present evidence and testimony to respond to the staff recommendations and findings. (Education Code 47605)

If the Board fails to make a written factual finding when required for denial of the petition pursuant to the section "Criteria for Granting or Denying Renewal" above within the required time period, the absence of a written factual finding shall be deemed an approval of the renewal petition. (5 CCR 11966.4)

The Superintendent or designee shall provide notification to CDE, within 10 calendar days of the Board's action, whenever a renewal of the charter is granted or denied. (Education Code 47604.32; 5 CCR 11962.1)

If the Board denies a renewal petition, the charter school may submit its application for renewal to the County Board within 30 days of the Board's written factual findings supporting the denial. (Education Code 47605, 47607.5)

### **School Closure**

If a charter is not renewed and the charter school ceases operation, the Board and/or the charter school shall implement the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962. (Education Code 47603.32)

*Legal Reference: (see next page)*

## CHARTER SCHOOL RENEWAL (continued)

### *Legal Reference:*

#### EDUCATION CODE

47600-47616.7 *Charter Schools Act of 1992*

52052 *Definition of numerically significant student subgroup*

56145-56146 *Special education services in charter schools*

60600-60649 *Assessment of academic achievement*

#### CODE OF REGULATIONS, TITLE 5

11960-11969 *Charter schools*

#### UNITED STATES CODE, TITLE 20

7223-7225 *Charter schools*

### *Management Resources:*

#### CSBA PUBLICATIONS

*The Role of the Charter School Authorizer, Online Course*

*Charter Schools: A Guide for Governance Teams, rev. 2016*

#### WEB SITES

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

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.charterauthorizers.org>

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

## CHARTER SCHOOL REVOCATION

The Governing Board expects any charter school it authorizes to provide a sound educational program that promotes student learning and to carry out its operations in a manner that complies with law and the terms of its charter. The Board may revoke a charter in accordance with law.

*(cf. 0420.4 - Charter School Authorization)*

*(cf. 0420.41 - Charter School Oversight)*

*(cf. 0420.42 - Charter School Renewal)*

*(cf. 0500 - Accountability)*

When the Board determines, in writing, that any violation under Education Code 47607 constitutes a severe and imminent threat to the health or safety of students, the Board may immediately revoke the school's charter. When such a determination is made, the Board shall approve and deliver to the charter school's governing body, the County Board of Education, and the California Department of Education (CDE) a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety. (Education Code 47607; 5 CCR 11968.5.3)

In all other circumstances, the Board may revoke a charter after providing due process and using the procedures described below. The Board may revoke a charter if it makes a written factual finding specific to that charter school and supported by substantial evidence that the charter school has done any of the following: (Education Code 47607)

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter
2. Failed to meet or pursue any of the student outcomes identified in the charter
3. Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement
4. Violated any law

The Board shall also consider revoking the charter of any charter school for which the California Collaborative for Educational Excellence (CCEE) has provided advice and assistance pursuant to Education Code 47607.3 if CCEE has issued either of the following findings: (Education Code 47607.3)

1. That the charter school has failed or is unable to implement the recommendations of the CCEE

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## **CHARTER SCHOOL REVOCATION (continued)**

2. That the inadequate performance of the charter school, as based on the California School Dashboard, is so persistent or acute as to require revocation of the charter

In determining whether to revoke a charter, the Board shall consider increases in student academic achievement for all numerically significant groups of students served by the charter school, as defined in Education Code 52052. (Education Code 47607, 47607.3)

### **Revocation Procedures**

If the Board is considering a revocation of a charter school, it shall take action to approve and deliver a Notice of Violation to the charter school's governing body. The Notice of Violation shall identify: (Education Code 47607; 5 CCR 11965, 11968.5.2)

1. The charter school's alleged violation(s).
2. All evidence relied upon by the Board in determining that the charter school committed the alleged violation(s), including the date and duration of the alleged violation(s). The Notice shall show that each alleged violation is both material and uncured and that it occurred within a reasonable period of time before the Notice of Violation is issued.
3. The period of time that the Board has concluded is a reasonable period of time for the charter school to remedy or refute the identified violation(s). In identifying this time period, the Board shall consider the amount of time reasonably necessary to remedy each identified violation, which may include the charter school's estimation as to the anticipated remediation time.

At least 72 hours prior to any meeting at which the Board will consider issuing a Notice of Violation, the Board shall provide the charter school with notice and all relevant documents related to the proposed action. (5 CCR 11968.5.2)

*(cf. 9320 - Meetings and Notices)*

By the end of the remedy period identified in the Notice of Violation, the charter school's governing body may submit to the Board a detailed written response and supporting evidence addressing each identified violation, including, as applicable, a refutation, remedial action taken, or proposed remedial action. (5 CCR 11968.5.2)



## **CHARTER SCHOOL REVOCATION (continued)**

At the conclusion of the remedy period specified in the Notice of Violation, the Board shall evaluate any response and supporting evidence provided by the charter school's governing body and shall take one of the following actions: (5 CCR 11968.5.2)

1. Discontinue revocation of the charter and provide timely written notice of such action to the charter school's governing body
2. Continue revocation of the charter, by issuing a Notice of Intent to Revoke to the charter school's governing body within 60 calendar days of the conclusion of the remedy period, if there is substantial evidence that the charter school has failed to remedy a violation identified in the Notice of Violation or to refute a violation to the Board's satisfaction. All evidence relied upon by the Board for the decision shall be included in the Notice of Intent to Revoke.

If the Board issues a Notice of Intent to Revoke, it shall hold a public hearing concerning the revocation on the date specified in the notice, which shall be no later than 30 days after providing the notice. Within 30 calendar days after the public hearing, or within 60 calendar days if extended by written mutual agreement of the Board and the charter school, the Board shall issue a final decision on the revocation of the charter. (Education Code 47607; 5 CCR 11968.5.2)

If the Board fails to meet the timelines specified above for issuing a Notice of Intent to Revoke or a final decision, the revocation process shall be deemed terminated. (5 CCR 11968.5.2)

Within 10 calendar days of the Board's final decision, the Superintendent or designee shall provide a copy of the final decision to CDE and the County Board. (Education Code 47604.32; 5 CCR 11968.5.2)

### **Appeals**

If the Board revokes a charter, the charter school may, within 30 days of the Board's final decision, appeal the revocation to the County Board. The County Board's decision may subsequently be appealed to the State Board of Education by either the charter school or the district. However, a revocation based upon the findings of CCEE pursuant to Education Code 47607.3 may not be appealed. (Education Code 47607, 47607.3; 5 CCR 11968.5.3-11968.5.5)

## CHARTER SCHOOL REVOCATION (continued)

### School Closure

If a charter school ceases operation due to revocation, the Board and/or the charter school shall implement the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962. (Education Code 47603.32)

#### *Legal Reference:*

##### EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992, especially:

47607 Charter renewals and revocations

52052 Accountability: numerically significant student subgroups; definition

##### CODE OF REGULATIONS, TITLE 5

11960-11969 Charter schools, especially:

11968.5.1-11968.5.5 Charter revocations

##### COURT DECISIONS

*Today's Fresh Start, Inc. v. Los Angeles County Office of Education* (2013) 57 Cal.4th 197

#### *Management Resources:*

##### CSBA PUBLICATIONS

*The Role of the Charter School Authorizer*, Online Course

*Charter Schools: A Guide for Governance Teams*, rev. 2016

##### WEB SITES

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

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.qualitycharters.org>

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

**PARCEL TAXES**

The Governing Board recognizes its obligation to provide a high-quality educational program within safe facilities and secure campuses, and that additional funds are at times necessary to fulfill this responsibility. The Board may consider appropriate methods of financing and, when it is in the best interest of the district, may order the placement of a parcel tax on the ballot for approval by the voters.

*(cf. 3100 - Budget)*  
*(cf. 3470 - Debt Issuance and Management)*  
*(cf. 7110 - Facilities Master Plan)*  
*(cf. 7210 - Facilities Financing)*  
*(cf. 7214 - General Obligation Bonds)*

The Board shall hold a noticed public hearing prior to approving a resolution for the adoption of a parcel tax. The resolution shall be approved by a two-thirds vote of the Board in order to be placed on the ballot. The resolution shall include the type and rate of the tax to be levied, the method of collection, and the date upon which an election shall be held to approve the levy of the tax. (Government Code 50077, 53724)

*(cf. 9320 - Meetings and Notices)*  
*(cf. 9323.2 - Actions by the Board)*

The parcel tax shall apply uniformly to all taxpayers or all real property within the district, except that unimproved property may be taxed at a lower rate than improved property. (Government Code 50079)

The Board shall consult with legal counsel to ensure compliance with all requirements of law, including its determination of the appropriate amount of the proposed parcel tax and whether exemptions from the tax will be granted.

Any parcel tax to be proposed for voter approval shall provide for accountability measures, including, but not limited to, a statement indicating the specific purposes of the special tax and that the proceeds of the tax shall be used only for the specific purposes identified, creation of a separate account into which the proceeds shall be deposited, and annual reporting pursuant to Government Code 50075.3. (Government Code 50075.1)

No district funds, services, supplies, or equipment shall be used to support or defeat a parcel tax ballot measure. The Superintendent or designee may use district resources to provide students, parents/guardians, and community members with fair and impartial information related to a parcel tax ballot measure, including information about the impact of the parcel tax on the district. (Education Code 7054)

*(cf. 1160 - Political Processes)*  
*(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)*

Upon approval of the tax by two-thirds of the votes, the district may levy the tax or contract with the county to collect the tax on the district's behalf. (Government Code 50077)

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**PARCEL TAXES** (continued)

**Exemptions**

The Board may grant an exemption from the parcel tax for any or all of the following: (Government Code 50079)

1. Persons who are 65 years of age or older
2. Persons receiving Supplemental Security Income for a disability, regardless of age
3. Persons receiving Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guideline issued by the U.S. Department of Health and Human Services

Any exemption granted by the Board shall remain in effect until the taxpayer becomes ineligible. If the taxpayer becomes ineligible for the exemption for any reason, a new exemption may be granted in the same manner. (Government Code 50079)

If the district provides for an exemption from the parcel tax and contracts or enters into an agreement with the county to collect such tax, the district shall annually provide to the tax collector a phone number where requests for exemption information may be directed and the link, if available, to the location on the district's web site that contains exemption information and the application for exemption. (Government Code 50079)

*Legal Reference: (see next page)*

## PARCEL TAXES (continued)

### *Legal Reference:*

#### EDUCATION CODE

7054 Prohibition against use of district property for campaigning; informational only

#### ELECTIONS CODE

324 General election, definition

328 Local election, definition

341 Primary election, definition

348 Regular election, definition

356 Special election, definition

357 Statewide election, definition

1302 Local election to select governing board members

15372 Elections official certificate statement of election results

#### GOVERNMENT CODE

50075-50077.5 Voter-approved special taxes

50079 Qualified special taxes of school district

53724 Board resolution for special tax

54952 Definition of legislative body, Brown Act

#### REVENUE AND TAXATION CODE

2611.6 County tax bill special tax information

#### CALIFORNIA CONSTITUTION

Article 13A Taxation

#### COURT DECISIONS

*Borikas v. Alameda Unified School District* (2013) 214 Cal.App.4<sup>th</sup> 135

### *Management Resources:*

#### CSBA PUBLICATIONS

*The Impact of Pension Cost Increases on California Schools*, January 2018

*Behind the Numbers: The Cold, Hard Facts of California Public School Funding*, January 2018

*California Education Funding: Students Deserve Better*, Fact Sheet, August 2017

*California's Challenge: Adequately Funding Education in the 21st Century*, December 2015

*Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates*, Fact Sheet, February 2011

#### WEB SITES

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

U.S. Department of Health and Human Services: <https://www.hhs.gov>



**FOOD SERVICE OPERATIONS/CAFETERIA FUND**

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

*(cf. 3100 - Budget)*

*(cf. 3300 - Expenditures and Purchases)*

*(cf. 3311 - Bids)*

*(cf. 3550 - Food Service/Child Nutrition Program)*

*(cf. 3552 - Summer Meal Program)*

*(cf. 5030 - Student Wellness)*

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

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

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

**Meal Sales**

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

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

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760. Students who are enrolled in the free or reduced-price meal program shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation.

*(cf. 3553 - Free and Reduced Price Meals)*

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments, including delinquent meal payments. Such procedures shall conform with BP/AR 3553 - Free and Reduced Price Meals, 2 CFR 200.426, and any applicable CDE

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## **FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

guidance. The Superintendent or designee shall clearly communicate these procedures to students and parents/guardians, and shall make this policy and the accompanying administrative regulation available to the public pursuant to Education Code 49557.5.

The Superintendent or designee shall ensure that a student whose parent/guardian has unpaid school meal fees or a student who is enrolled in the free or reduced-price meal program is not overtly identified by the use of special tokens, tickets, or other means and is not shamed, treated differently, or denied a meal of the student's choice. (Education Code 49557, 49557.5)

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

*(cf. 0415 - Equity)*

### **Cafeteria Fund**

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

~~**OPTION 1:** The wages, salaries, and benefits of food service employees shall be paid from the district's general fund. At any time, the Board may order reimbursement from the district's cafeteria fund for these payments in amounts prescribed by the Board and not exceeding the costs actually incurred. (Education Code 38103)~~

**OPTION 2:** The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

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

*(cf. 3230 - Federal Grant Funds)*

*(cf. 3400 - Management of District Assets/Accounts)*

*(cf. 3460 - Financial Reports and Accountability)*

### **Contracts with Outside Services**

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

*(cf. 3312 - Contracts)*

*(cf. 3600 - Consultants)*

## **FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

### **Procurement of Foods, Equipment and Supplies**

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

A nondomestic food product may be purchased for use in the district's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient and reasonably available quantities of a satisfactory quality, or when competitive bids reveal the costs of a United States product are significantly higher than the nondomestic product. In such cases, the Superintendent or designee shall retain documentation justifying the use of the exception.

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

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

### **Program Monitoring and Evaluation**

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

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

(cf. 3555 - Nutrition Program Compliance)

*Legal Reference: (see next page)*



**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

*Legal Reference:*

EDUCATION CODE

38080-38086.1 Cafeteria, establishment and use  
38090-38095 Cafeterias, funds and accounts  
38100-38103 Cafeterias, allocation of charges  
42646 Alternate payroll procedure  
45103.5 Contracts for management consulting services; restrictions  
49490-49493 School breakfast and lunch programs  
49500-49505 School meals  
49550-49564.5 Meals for needy students, especially:  
49550.5 Universal breakfast  
49554 Contract for services  
49580-49581 Food recovery program

FOOD AND AGRICULTURE CODE

58595 Preference for California-grown agricultural products

HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

PUBLIC CONTRACT CODE

2000-2002 Responsive bidders

20111 Contracts

CODE OF REGULATIONS, TITLE 5

15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769j School lunch programs

1771-1793 Child nutrition, including:

1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 2

200.56 Indirect costs, definition

200.317-200.326 Procurement standards

200.400-200.475 Cost principles

200 Appendix VII Indirect cost proposals

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.33 National School Lunch Program

220.1-220.22 National School Breakfast Program

245.8 Nondiscrimination practices for students eligible for free and reduced price meals and free milk

250.1-250.70 USDA foods

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Food Distribution Program Administrative Manual

Paid Lunch Equity Requirement and Calculation Tool-Updated Guidance for School Year 2019-20,

NSD Management Bulletin, SNP-11-2019, May 2019

Professional Standards in the SNP and New Hiring Flexibility, NSD Management Bulletin, SNP-10-  
2019, April 2019

Senate Bill 250: Child Hunger Prevention and Fair Treatment Act of 2017 and USDA Meal Charge  
Policy Requirements, NSD Management Bulletin, SNP-05-2018, January 2018

*Management Resources continued: (see next page)*

## **FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

### *Management Resources: (continued)*

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS (continued)

*Storage and Inventory Management of U.S. Department of Agriculture Foods, NSD Management Bulletin, FDP-01-2018, January 2018*

*Unpaid Meal Charges: Local Meal Charge Policies, Clarification on Collection of Delinquent Meal Payments, and Excess Student Account Balances, NSD Management Bulletin, SNP-03-2017, April 2017*

*Procuring and Monitoring of Food Service Management Contracts, NSD Management Bulletin, SNP-13-2015, January 2015*

*Cafeteria Funds--Allowable Uses, NSD Management Bulletin, NSD-SNP-07-2013, May 2013*

*Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, NSD Management Bulletin, 00-111, July 2000*

#### U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

*School Meals - FAQs*

*Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP 38-2017, June 2017*

*Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools, SP 29-2017, May 2017*

*Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017*

*Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016, September 2016*

*Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016*

*Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014*

#### WEB SITES

*California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>*

*California School Nutrition Association: <http://www.calsna.org>*

*U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>*

**FOOD SERVICE OPERATIONS/CAFETERIA FUND**

**Payments for Meals**

With the exception of students who are eligible to receive meals at no cost, students may pay on a per-meal basis or may submit payments in advance. The Superintendent or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.

*(cf. 3550 - Food Service/Child Nutrition Program)*  
*(cf. 3552 - Summer Meal Program)*  
*(cf. 3553 - Free and Reduced Price Meals)*  
*(cf. 3555 - Nutrition Program Compliance)*

At the beginning of the school year, and whenever a student enrolls during the school year, parents/guardians shall be notified of the district's meal payment policies and be encouraged to prepay for meals whenever possible. The Superintendent or designee shall communicate the district's meal payment policies through multiple methods, including, but not limited to:

1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year
2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually
3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of applications at the start of the school year
4. Posting the policy on the district's web site
5. Establishing a system to notify parents/guardians when a student's meal payment account has a low or negative balance

*(cf. 1113 - District and School Web Sites)*  
*(cf. 5145.6 - Parental Notifications)*

In any school that uses a system of meal tickets or other similar medium of exchange rather than an electronic point-of-sale system, the Superintendent or designee shall develop a process for providing replacement tickets to any student who reports a ticket as lost or stolen.

However, whenever any student reports an excessive number of lost or stolen tickets, the Superintendent or designee shall notify the parent/guardian and may provide an alternative method of tracking meal usage for that student.

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**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

In order to avoid potential misuse of a student's food service account by someone other than the student in whose name the account has been established, the Superintendent or designee shall verify a student's identity when setting up the account and when charging any meal to the account. The Superintendent or designee shall investigate any claim that a bill does not belong to a student or is inaccurate, and shall open a new account as appropriate for a student whose account appears to have been misused.

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

*(cf. 3580 - District Records)*

Any payments made to a student's food service account shall, if not used within the school year, be carried over into the next school year or refunded to the student's parents/guardians.

**Unpaid and Delinquent Meal Charges**

The district shall not direct any action toward a student to collect unpaid school meal fees. (Education Code 49557.5)

Students who have unpaid meal charges shall be served a meal of their choice throughout the school year regardless of the level of debt incurred by the household. Such students shall not be overtly identified by the use of special tokens, tickets, or other means and shall not be shamed, treated differently, or denied a meal of their choice. (Education Code 49557, 49557.5)

No later than 10 days after a student's school meal account has reached a negative balance, the Superintendent or designee shall so notify the student's parent/guardian. Before sending this notification, the district shall exhaust all options and methods to directly certify the student for free or reduced-price meals. If the district is not able to directly certify the student, the notice to the parent/guardian shall include a paper copy of, or an electronic link to, an application for free or reduced-price meals and the Superintendent or designee shall contact the parent/guardian to encourage submission of the application. (Education Code 49557.5)

The district may attempt to collect unpaid school meal fees from a parent/guardian, but shall not use a debt collector. (Education Code 49557.5)

The Superintendent or designee may enter into an agreement with a student's parent/guardian for payment of the student's unpaid meal charge balance over a period of time. As necessary, the repayment plan may allow the unrecovered or delinquent debt to carry over into the next fiscal year.

The district's efforts to collect debt shall be consistent with district policies and procedures, California Department of Education (CDE) guidance, and 2 CFR 200.426. The district shall not spend more than the actual debt owed in efforts to recover unpaid meal charges.

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

The Superintendent or designee shall maintain records of the efforts made to collect unpaid meal charges and, if applicable, financial documentation showing when the unpaid meal balance has become an operating loss.

**Reimbursement Claims**

The Superintendent or designee shall maintain records of the number of meals served each day by school site and by category of free, reduced-price, and full-price meals. The Superintendent or designee shall submit reimbursement claims for school meals to CDE using the online Child Nutrition Information and Payment System.

**Donation of Leftover Food**

To minimize waste and reduce food insecurity, the district may provide sharing tables where students and staff may return appropriate unused cafeteria food items to be made available to students during the course of a regular school meal time. If food on the sharing tables is not taken by a student, the school cafeteria may donate the food to a food bank or any other nonprofit charitable organization. (Health and Safety Code 114079)

*(cf. 3510 - Green School Operations)*

Food that may be donated includes prepackaged, nonpotentially hazardous food with the packaging still intact and in good condition, whole uncut produce that complies with Health and Safety Code 113992, unopened bags of sliced fruit, unopened containers of milk that are immediately stored in a cooling bin maintained at 41 degrees Fahrenheit or below, and perishable prepackaged food if it is placed in a proper temperature-controlled environment. The preparation, safety, and donation of food shall be consistent with Health and Safety Code 113980. (Health and Safety Code 114079)

**Cafeteria Fund**

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. (Education Code 38090, 38093)

*(cf. 3100 - Budget)*

*(cf. 3300 - Expenditures and Purchases)*

The cafeteria fund shall be used only for those expenditures authorized by the Board as necessary for the operation of school cafeterias in accordance with Education Code 38100-38103, 2 CFR Part 200 Appendix VII, and the California School Accounting Manual.

With CDE approval, the district may use cafeteria funds to supplement the provision of universal breakfast. On or before July 1 of each year, the district shall submit to CDE a



**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

Board-signed application certifying that breakfast will be provided to all students at no charge and that any cost above the amount provided in federal reimbursement will be covered by the district with nonfederal funds. (Education Code 49550.5)

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of the purpose of and basis for the expenditure. (Education Code 38101)

*(cf. 3110 - Transfer of Funds)*

Indirect costs charged to the food service program shall be based on either the district's prior year indirect cost rate as approved by CDE or the statewide average approved indirect cost rate for the second prior fiscal year, whichever is less. (Education Code 38101)

Net cash resources in the nonprofit school food service shall not exceed three months' average expenditures. (7 CFR 210.14, 220.7)

**U.S. Department of Agriculture Foods**

The district shall provide facilities for the storage and control of foods received through the U.S. Department of Agriculture (USDA) that protect against theft, spoilage, damage, or other loss. Such storage facilities shall maintain donated foods in sanitary conditions, at the proper temperature and humidity, and with adequate air circulation. The district shall comply with all federal, state, or local requirements related to food safety and health and procedures for responding to a food recall, as applicable, and shall obtain all required health inspections. (7 CFR 250.14)

The Superintendent or designee shall maintain inventories of USDA foods in accordance with 7 CFR 250.59 and CDE procedures, and shall ensure that foods are used before their expiration dates.

USDA donated foods shall be used in school lunches as far as practicable. USDA foods also may be used in other nonprofit food service activities, including, but not limited to, school breakfasts or other meals, a la carte foods sold to students, meals served to adults directly involved in the operation and administration of the food service and to other school staff, and training in nutrition, health, food service, or general home economics instruction for students, provided that any revenues from such activities accrue to the district's nonprofit food service account. (7 CFR 250.59)

**Contracts with Outside Services**

The term of any contract for food service management or consulting services shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such services shall be considered on a year-to-year basis. (Education Code 45103.5; 7 CFR 210.16)

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

Any contract for management of the food service operation shall be approved by CDE and comply with the conditions in Education Code 49554 and 7 CFR 210.16 as applicable. The district shall retain control of the quality, extent, and general nature of its food services, including prices to be charged to students for meals, and shall monitor the food service operation through periodic on-site visits. The district shall not enter into a contract with a food service company to provide a la carte food services, unless the company agrees to offer free, reduced-price, and full-price reimbursable meals to all eligible students. (Education Code 49554; 42 USC 1758; 7 CFR 210.16)

Any contract for consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (Education Code 45103.5)

*(cf. 3312 - Contracts)*

*(cf. 3515.6 - Criminal Background Checks for Contractors)*

*(cf. 3600 - Consultants)*

*(cf. 4112.4/4212.4/4312.4 - Health Examinations)*

*(cf. 4212 - Appointments and Conditions of Employment)*

**CERTIFICATION**

The Governing Board recognizes that the district's ability to provide a high-quality educational program is dependent upon the employment of certificated staff who are adequately prepared and have demonstrated proficiency in basic skills and in the subject matter to be taught. The Superintendent or designee shall ensure that persons employed to fill positions requiring certification qualifications possess the appropriate credential, permit, or other certification document from the Commission on Teacher Credentialing (CTC) and fulfill any additional state, federal, or district requirements for the position.

*(cf. 4111/4211/4311 - Recruitment and Selection)*  
*(cf. 4112.21 - Interns)*  
*(cf. 4112.22 - Staff Teaching English Learners)*  
*(cf. 4112.23 - Special Education Staff)*  
*(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)*  
*(cf. 4113 - Assignment)*  
*(cf. 4121 - Temporary/Substitute Personnel)*  
*(cf. 5148 - Child Care and Development)*  
*(cf. 6178 - Career Technical Education)*  
*(cf. 6200 - Adult Education)*

The Superintendent or designee shall provide assistance and support to teachers holding preliminary credentials to enable them to meet the qualifications required for the clear credential.

*(cf. 4131 - Staff Development)*  
*(cf. 4131.1 - Teacher Support and Guidance)*

**Priorities for Hiring Based on Unavailability of Credentialed Teacher**

The Superintendent or designee shall make reasonable efforts to recruit a fully prepared teacher who is authorized in the subject or setting for each assignment or, when necessary, a fully prepared teacher serving on a local assignment option. Whenever a teacher with a clear or preliminary credential is not available, the Superintendent or designee shall make reasonable efforts to recruit an individual for the assignment in the following order: (Education Code 44225.7)

1. A candidate who enrolls in an approved intern program in the region of the district and possesses an intern credential
2. A candidate who is scheduled to complete preliminary credential requirements within six months and who is granted a provisional internship permit (PIP) or short-term staff permit issued by the CTC

The Board shall approve, as an action item at an open Board meeting, a notice of its intent to employ a PIP applicant for a specific position. (5 CCR 80021.1)

3/21/2014



**CERTIFICATION (continued)**

3. An individual who has been granted a credential waiver by the CTC

Prior to requesting that the CTC issue an emergency permit or a limited assignment permit, the Board shall annually approve a Declaration of Need for Fully Qualified Educators. The Declaration of Need shall be approved by the Board as an action item at a regularly scheduled open Board meeting, with the entire Declaration of Need being included in the Board agenda. (Education Code 44225, 44225.7; 5 CCR 80023.2, 80026, 80027, 80027.1)

The Declaration of Need shall certify that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) and that the district has made reasonable efforts to recruit individuals who meet the qualifications specified in items #1-2 above. The Declaration of Need shall also indicate the number and type of emergency permits that the district estimates it will need during the valid period of the Declaration of Need, based on the previous year's actual needs and projections of enrollment. Whenever the actual number of permits needed exceeds the estimate by 10 percent, the Board shall revise and resubmit the Declaration of Need. (5 CCR 80026)

Whenever it is necessary to employ noncredentialed teachers to fill a position requiring certification qualifications, the Superintendent or designee shall provide support and guidance in accordance with law to ensure the quality of the instructional program.

**National Board for Professional Teaching Standards Certification**

The Superintendent or designee shall promote a career continuum that includes participation of district teachers in professional learning that supports their completion of advanced certification awarded by the National Board for Professional Teaching Standards (NBPTS). The Superintendent or designee may coordinate a cohort of teachers through school or district programs or other available networks.

With Board approval and funding, and consistent with the collective bargaining agreement and applicable law, the Superintendent may provide an incentive program for teacher participation in NBPTS certification, which may include:

1. Defraying, subsidizing, or reimbursing the registration, certification, or maintenance fees for NBPTS certification
2. Providing bonuses, step increases, or differential pay for teachers who maintain their certification and continue to teach in the district, with priority given to teachers at Title I schools and schools serving a majority of low-income students

**CERTIFICATION (continued)**

3. Providing substitute teachers to provide release time for participating teachers
4. Providing stipends for teacher participation that match other professional development stipends
5. Compensating mentor teachers who support other teachers' professional learning aligned to NBPTS standards

*(cf. 4161.3 - Professional Leaves)*

**Parental Notifications**

At the beginning of each school year, the Superintendent or designee shall notify the parents/guardians of each student attending a school receiving Title I funds that they may request information regarding the professional qualifications of their child's classroom teacher including, but not limited to, whether the teacher: (20 USC 6312)

1. Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction
2. Is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived
3. Is teaching in the field of discipline of the teacher's certification

*(cf. 5145.6 - Parental Notifications)*

In addition, the Superintendent or designee shall notify parents/guardians in a timely manner whenever their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area to which the teacher has been assigned. (20 USC 6312)

*Legal Reference: (see next page)*

## CERTIFICATION (continued)

### *Legal Reference:*

#### EDUCATION CODE

8360-8370 *Qualifications of child care personnel*  
32340-32341 *Unlawful issuance of a credential*  
35186 *Complaints regarding teacher vacancy or misassignment*  
44066 *Limitations on certification requirements*  
44200-44399.1 *Teacher credentialing, especially:*  
44250-44277 *Credential types; minimum requirements*  
44300-44302 *Emergency permit*  
44325-44328 *District interns*  
44330-44355 *Certificates and credentials*  
44420-44440 *Revocation and suspension of credentials*  
44450-44468 *University intern program*  
44830-44929 *Employment of certificated persons; requirement of proficiency in basic skills*  
56060-56063 *Substitute teachers in special education*

#### CODE OF REGULATIONS, TITLE 5

80001-80674.6 *Commission on Teacher Credentialing*

#### UNITED STATES CODE, TITLE 20

6312 *Title I local educational agency plans; notifications regarding teacher qualifications*

#### CODE OF FEDERAL REGULATIONS, TITLE 34

200.48 *Parent notification regarding teacher qualifications*

#### COURT DECISIONS

*Association of Mexican-American Educators et al. v. State of California and the Commission on Teacher Credentialing*, (1993) 836 F.Supp. 1534

### *Management Resources:*

#### COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

CL-667 *Basic Skills Requirement*

CL-856 *Provisional Internship Permit*

CL 858 *Short-Term Staff Permit*

#### Credential Information Guide

*Approved Addition and Amendments to Title 5 of the California Code of Regulations Pertaining to Teaching Permit for Statutory Leave (TPSL)*, Coded Correspondence 16-10, August 23, 2016

*Waiver Requests Guidebook*, 2015

*Hiring Hierarchy in Education Code 44225.7*, Coded Correspondence 13-01, January 30, 2013

*Subject Matter Authorization Guideline Book*, 2012

*Management Resources continued: (see next page)*

## **CERTIFICATION (continued)**

### *Management Resources: (continued)*

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS (continued)

Supplementary Authorization Guideline Book, 2012

California Standards for the Teaching Profession, 2009

The Administrator's Assignment Manual, rev. September 2007

NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS PUBLICATIONS

Considerations for Using Federal Funds to Support National Board Certification, 2018

### WEB SITES

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

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Commission on Teacher Credentialing, Credential Information Guide (for employers' use only):

<http://www.ctc.ca.gov/credentials/cig>

National Board for Professional Teaching Standards: <http://www.nbpts.org>

National Board Resource Center: [nbcalistrong.net](http://nbcalistrong.net)

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



**All Personnel**

E 4112.9(a)

4212.9

**EMPLOYEE NOTIFICATIONS**

4312.9

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

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
<b>I. To All Employees</b>			
At the beginning of school year or upon employment	Education Code 231.5; Government Code 12950; 2 CCR	AR 4119.11 4219.11 4319.11	The district's policy on sexual harassment, legal remedies, complaints
Annually to all employees, and 72 hours before pesticide application	Education Code 17612	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information
To all employees, prior to implementing year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round program
To all employees, prior to implementing alternative schedule	Education Code 46162	AR 6112	Public hearing on alternative schedule
Annually to all employees	Education Code 49013; 5 CCR 4622	AR 1312.3 BP 0460 BP 3260	Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan
Annually to all employees	Education Code 49414	AR 5141.21	Request for volunteers to be trained to administer epinephrine auto-injectors
At least once per year	Education Code 49414.3	AR 5141.21	Request for volunteers to be trained to administer opioid antagonist

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E 4112.9(b)  
4212.9  
4312.9

# **EMPLOYEE NOTIFICATIONS (continued)**

<b>When/Whom to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>I. To All Employees (continued)</b>			
To all employees	Government Code 1126	BP 4136 4236 4336	Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal
Prior to beginning employment	Government Code 3102	AR 4112.3 4212.3 4312.3	Oath or affirmation of allegiance required of disaster service workers
To all employees	Government Code 8355; 41 USC 8102; 34 CFR 84.205, 84.210	BP 4020 BP 4159 4259 4359	District's drug- and alcohol- free workplace; actions to be taken if violated; available employee assistance programs
Upon employment	Government Code 21029	None	Right to purchase PERS service credit for military service performed prior to public employment
Upon placement of automated external defibrillator (AED) in school, and annually thereafter	Health and Safety Code 1797.196	AR 5141	Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan
To all employees, if the district receives Tobacco-Use Prevention Education funds	Health and Safety Code 104420	AR 3513.3	District's tobacco-free schools policy and enforcement procedures
Annually to all employees, or more frequently if there is new information	Health and Safety Code 120875, 120880	AR 4119.43 4219.43 4319.43	AIDS and hepatitis B, including methods to prevent exposure
To all employees, with each paycheck	Labor Code 246	AR 4161.1 4361.1 AR 4261.1	Amount of sick leave available
Upon hire, in employee handbook, and upon request for parental leave	Labor Code 1034	BP 4033	The district's policy on lactation accommodation

E 4112.9(c)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
<b>I. To All Employees (continued)</b>			
To covered employees and former employees	Labor Code 2800.2	AR 4154 4254 4354	Availability of COBRA/ Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage
To employees participating in a flexible spending account	Labor Code 2810.7	None	Deadline to withdraw funds from account before the end of the plan year
To every new employee, either at the time employee is hired or by end of first pay period	Labor Code 3551	BP 4157.1 4257.1 4357.1	Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor
Prior to beginning employment	Penal Code 11165.7, 11166.5	AR 5141.4	Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law
Upon employment, and when employee goes on leave for specified reasons	Unemployment Insurance Code 2613	AR 4154 4254 4354	Disability insurance rights and benefits
To all employees and job applicants	2 CCR 11023; 34 CFR 104.8, 106.9	BP 0410 BP 4030	District's policy on nondiscrimination and related complaint procedures
To all employees via employee handbook, or to each new employee	2 CCR 11091, 11095; 29 CFR 825.300	AR 4161.8 4261.8 4361.8	Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible
Annually to all employees	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; inspections, response actions, post-response actions planned or in progress

E 4112.9(d)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

### II. To Certificated Employees

To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire	Education Code 22455.5	AR 4121	Criteria for membership in retirement system; right to elect membership at any time
Upon employment of a retired certificated individual	Education Code 22461	AR 4117.14 4317.14	Postretirement earnings limitation or employment restriction; monthly report of compensation
To certificated employees	Education Code 35171	AR 4115 BP 4315	District regulations related to performance evaluations
30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated	Education Code 44663	AR 4115	Copy of employee's evaluation
To a certificated employee with unsatisfactory evaluation, once per year for probationary employee or at least once every other year for permanent employee	Education Code 44664	AR 4115	Notice and description of the unsatisfactory performance
By May 30, if district issues reemployment notices to certificated employees	Education Code 44842	AR 4112.1	Request that the employee notify district of intent to remain in service next year
To certificated employees upon employment, and to nonpermanent employees in July of each school year	Education Code 44916	AR 4112.1 AR 4121	Employment status and salary
By March 15 of employee's second year of employment, in districts that grant permanent status after two years	Education Code 44929.21	BP 4116	Whether or not employee is reelected for next school year



E 4112.9(e)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
<b>II. To Certificated Employees (continued)</b>			
When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year	Education Code 44934, 44934.1, 44936	BP 4118 AR 4118	Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice
To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/dismissal notice	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings	Education Code 44940.5	AR 4118	Notice of intent to dismiss 30 days from notice unless employee demands hearing
To probationary employees 30 days prior to dismissal during school year, but not later than March 15 for second-year probationary employees	Education Code 44948.3	AR 4118	Reasons for dismissal and opportunity to appeal
By March 15 when necessary to reduce certificated personnel, with final notice by May 15	Education Code 44949, 44955	BP 4117.3	Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination
On or before June 30, to temporary employee who served 75 percent of school year but will be released	Education Code 44954	BP 4121	District's decision not to reelect employee for following school year

E 4112.9(f)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
<b>II. To Certificated Employees (continued)</b>			
To teacher, when a student engages in or is reasonably suspected of specified acts	Education Code 49079	AR 4158 4258 4358	Student has committed specified act that constitutes ground for suspension or expulsion
To certificated employee upon change in employment status due to alleged misconduct or while allegation is pending	5 CCR 80303	AR 4117.7 4317.7	Contents of state regulation re: report to Commission on Teacher Credentialing
<b>III. To Classified Employees</b>			
To classified employee charged with mandatory leave of absence offense, in merit system district	Education Code 44940.5	AR 4218	Notice of intent to dismiss in 30 days
When classified employee is subject to disciplinary action for cause, in nonmerit district	Education Code 45113	AR 4218	Notice of charges, right to hearing, timeline for requesting hearing
To classified employees at least 60 days prior to layoff, or by April 29 for specially funded program that expires at end of school year	Education Code 45117	AR 4217.3	Notice of layoff and reemployment rights
To classified employees upon employment and upon each change in classification	Education Code 45169	AR 4212	Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek
To classified permanent employee whose leave is exhausted	Education Code 45192, 45195	AR 4261.1 AR 4261.11	Exhaustion of leave, opportunity to request additional leave
To school bus drivers and school activity bus drivers prior to expiration of specified documents	13 CCR 1234	AR 3542	Expiration date of driver's license, driver's certificate and medical certificate; need to renew

E 4112.9(g)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
<b>III. To Classified Employees (continued)</b>			
To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter	13 CCR 2480	AR 3542	Limitations on vehicle idling; consequences of not complying
To school bus drivers, prior to district drug testing program and thereafter upon employment	49 CFR 382.601	BP 4112.42 4212.42 4312.42	Explanation of federal requirements for drug testing program and district's policy
<b>IV. To Administrative/Supervisory Personnel</b>			
To superintendent, deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract	Education Code 35031	BP 2121 BP 4312.1	Decision not to reelect or reemploy upon expiration of contract or term
Upon request by administrative or supervisory employee transferred to teaching position	Education Code 44896	AR 4313.2	Statement of the reasons for the release or reassignment
By March 15 to employee who may be released/reassigned the following school year	Education Code 44951	AR 4313.2	Notice that employee may be released or reassigned the following school year
<b>V. To Individual Employees Under Special Circumstances</b>			
In the event of a breach of security of district records, to affected employees	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies
Prior to placing derogatory information in personnel file	Education Code 44031	AR 4112.6 4212.6 4312.6	Notice of derogatory information, opportunity to review and comment

E 4112.9(h)  
4212.9  
4312.9

# **EMPLOYEE NOTIFICATIONS (continued)**

<b>When/Whom to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>V. To Individual Employees Under Special Circumstances (continued)</b>			
To employees who volunteer to administer epinephrine auto-injector	Education Code 49414	AR 5141.21	Defense and indemnification from civil liability by the district
To employees returning from military leave of absence, within 30 days of return	Government Code 20997	AR 4161.5 4261.5 4361.5	Right to receive PERS service credit for military service; application form
24 hours before Board meets in closed session to hear complaints or charges against employee	Government Code 54957	BB 9321	Employee's right to have complaints/charges heard in open session
When taking disciplinary action against employee for disclosure of confidential information	Government Code 54963	BP 4119.23 4219.23 4319.23	Law prohibiting disclosure of confidential information obtained in closed session
Within one working day of work-related injury or victimization of crime	Labor Code 3553, 5401	BP 4157.1 4257.1 4357.1	Potential eligibility for workers' compensation benefits, claim form
When adverse employment action is based on DOJ criminal history information or subsequent arrest notification	Penal Code 11105, 11105.2	AR 4112.5 4212.5 4312.5	Copy of DOJ notification
To any employee with exposure to blood or other potentially infectious materials, upon initial employment and at least annually thereafter	8 CCR 3204	AR 4119.42 4219.42 4319.42	The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records
To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation	8 CCR 5191	AR 3514.1	Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material

E 4112.9(i)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

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



**SUICIDE PREVENTION**

The Governing Board recognizes that suicide is a leading cause of death among youth and that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. In an effort to reduce suicidal behavior and its impact on students and families, the Superintendent or designee shall develop measures and strategies for suicide prevention, intervention, and postvention.

In developing policy and strategies for suicide prevention and intervention, the Superintendent or designee shall consult with school and community stakeholders such as administrators, other staff, parents/guardians, and students; school-employed mental health professionals such as school counselors, school psychologists, school social workers, and school nurses; suicide prevention experts such as local health agencies, mental health professionals, and community organizations; law enforcement; and, in developing policy for grades K-6, the county mental health plan. (Education Code 215)

*(cf. 1220 - Citizen Advisory Committees)*

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

The Board shall ensure that measures and strategies for students in grades K-6 are age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students. (Education Code 215)

Measures and strategies for suicide prevention, intervention, and postvention shall include, but are not limited to:

1. Staff development on suicide awareness and prevention for teachers, school counselors, and other district employees who interact with students, as described in the accompanying administrative regulation

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

2. Instruction to students in problem-solving and coping skills to promote students' mental, emotional, and social health and well-being, as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others

*(cf. 6142.8 - Comprehensive Health Education)*

3. Methods for promoting a positive school climate that enhances students' feelings of connectedness with the school and that is characterized by caring staff and harmonious interrelationships among students

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**SUICIDE PREVENTION (continued)**

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

4. The provision of information to parents/guardians regarding risk factors and warning signs of suicide, the severity of the suicide problem among youth, the district's suicide prevention curriculum, basic steps for helping suicidal youth, and/or school and community resources that can help youth in crisis
5. Encouragement for students to notify appropriate school personnel or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions
6. Crisis intervention procedures for addressing suicide threats or attempts
7. Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning. (Education Code 215)

If a referral is made for mental health or related services for a student in grade K-6 who is a Medi-Cal beneficiary, the Superintendent or designee shall coordinate and consult with the county mental health plan. (Education Code 215)

*(cf. 5141.6 - School Health Services)*

District employees shall act only within the authorization and scope of their credential or license. Nothing in this policy shall be construed as authorizing or encouraging district employees to diagnose or treat mental illness unless they are specifically licensed and employed to do so. (Education Code 215)

The Board shall review, and update as necessary, this policy at least every five years. (Education Code 215)

## **SUICIDE PREVENTION (continued)**

The Superintendent or designee shall post this policy on the district's web site, in a prominent location and in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)

### *Legal Reference:*

#### EDUCATION CODE

215 Student suicide prevention policies

215.5 Suicide prevention hotline contact information on student identification cards

216 Suicide prevention online training programs

234.6 Posting suicide prevention policy on web site

32280-32289.5 Comprehensive safety plan

49060-49079 Student records

49602 Confidentiality of student information

49604 Suicide prevention training for school counselors

#### GOVERNMENT CODE

810-996.6 Government Claims Act

#### PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

#### WELFARE AND INSTITUTIONS CODE

5698 Emotionally disturbed youth; legislative intent

5850-5886 Children's Mental Health Services Act

#### COURT DECISIONS

*Corales v. Bennett (Ontario-Montclair School District)*, (2009) 567 F.3d 554

### *Management Resources:*

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve*, 2008

*Health Framework for California Public Schools, Kindergarten Through Grade Twelve*, 2019

#### CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

*School Connectedness: Strategies for Increasing Protective Factors Among Youth*, 2009

#### NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONS

*Preventing Suicide: Guidelines for Administrators and Crisis Teams*, 2015

#### U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

*National Strategy for Suicide Prevention: Goals and Objectives for Action*, rev. 2012

*Preventing Suicide: A Toolkit for High Schools*, 2012

*Management Resources continued: (see next page)*



## **SUICIDE PREVENTION (continued)**

### *Management Resources: (continued)*

#### WEB SITES

*American Association of Suicidology: <http://www.suicidology.org>*

*American Foundation for Suicide Prevention: <https://afsp.org>*

*American Psychological Association: <http://www.apa.org>*

*American School Counselor Association: <https://www.schoolcounselor.org>*

*California Department of Education, Mental Health: <http://www.cde.ca.gov/ls/cg/mh>*

*California Department of Health Care Services, Mental Health Services:*

*<http://www.dhcs.ca.gov/services/MH>*

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

*National Association of School Psychologists: <https://www.nasponline.org>*

*National Institute for Mental Health: <http://www.nimh.nih.gov>*

*Suicide Prevention Resource Center: <https://www.sprc.org/about-suicide> ~~Suicide Prevention~~  
~~Lifeline: <https://suicidepreventionlifeline.org>~~*

*Trevor Project: <http://thetrevorproject.org>*

*U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services  
Administration: <http://www.samhsa.gov>*

## SUICIDE PREVENTION

### Staff Development

Suicide prevention training shall be provided to teachers, counselors, and other district employees who interact with students. The training shall be offered under the direction of a district counselor/psychologist and/or in cooperation with one or more community mental health agencies.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

Materials for training shall include how to identify appropriate mental health services at the school site and within the community, and when and how to refer youth and their families to those services. Materials also may include programs that can be completed through self-review of suitable suicide prevention materials. (Education Code 215)

Staff development shall include research and information related to the following topics:

1. The higher risk of suicide among certain groups, including, but not limited to, students who are impacted by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning
2. Individual risk factors such as previous suicide attempt(s) or self-harm, history of depression or mental illness, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, impulsivity, and other factors

*(cf. 5131.6 - Alcohol and Other Drugs)*

3. Warning signs that may indicate depression, emotional distress, or suicidal intentions, such as changes in students' personality or behavior and verbalizations of hopelessness or suicidal intent
4. Protective factors that may help to decrease a student's suicide risk, such as resiliency, problem-solving ability, access to mental health care, and positive connections to family, peers, school, and community
5. Instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health
6. School and community resources and services, including resources and services that meet the specific needs of high-risk groups

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## **SUICIDE PREVENTION (continued)**

*(cf. 5141.6 - School Health Services)*

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

7. Appropriate ways to interact with a student who is demonstrating emotional distress or is suicidal and procedures for intervening when a student attempts, threatens, or discloses the desire to die by suicide, including, but not limited to, appropriate protocols for monitoring the student while the immediate referral of the student to medical or mental health services is being processed
8. District procedures for responding after a suicide has occurred

### **Instruction**

The district's comprehensive health education program shall promote the healthy mental, emotional, and social development of students and shall be aligned with the state content standards and curriculum framework. Suicide prevention instruction shall be incorporated into the health education curriculum in an age appropriate manner and shall be designed to help students:

1. Identify and analyze signs of depression and self-destructive behaviors in oneself and others and understand how feelings of depression, loss, isolation, inadequacy, and anxiety can lead to thoughts of suicide
2. Develop coping and resiliency skills and self-esteem
3. Learn to listen, be honest, share feelings, and get help when communicating with friends who show signs of suicidal intent
4. Identify trusted adults, school resources, and/or community crisis intervention resources where youth can get help and recognize that there is no stigma associated with seeking services for mental health, substance abuse, and/or suicide prevention

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 5141.6 - School Health Services)*

*(cf. 6142.8 - Comprehensive Health Education)*

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

### **Student Identification Cards**

Student identification cards for students in grades 7-12 shall include the National Suicide Prevention Lifeline telephone number and may also include the Crisis Text Line and/or a local suicide prevention hotline telephone number. (Education Code 215.5)

## **SUICIDE PREVENTION (continued)**

### **Intervention**

Students shall be encouraged to notify a teacher, principal, counselor, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

Every statement regarding suicidal intent shall be taken seriously. Whenever a staff member suspects or has knowledge of a student's suicidal intentions based on the student's verbalizations or act of self-harm, the staff member shall promptly notify the principal or school counselor, who shall implement district intervention protocols as appropriate.

Although any personal information that a student discloses to a school counselor shall generally not be revealed, released, referenced, or discussed with third parties, the counselor may report to the principal or student's parents/guardians when there is reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student or others within the school community. In addition, the counselor may disclose information of a personal nature to psychotherapists, other health care providers, or the school nurse for the sole purpose of referring the student for treatment. (Education Code 49602)

*(cf. 5141 - Health Care and Emergencies)*

Whenever schools establish a peer counseling system to provide support for students, peer counselors shall receive training that includes identification of the warning signs of suicidal behavior and referral of a suicidal student to appropriate adults.

*(cf. 5138 - Conflict Resolution/Peer Mediation)*

When a suicide attempt or threat is reported, the principal or designee shall ensure student safety by taking the following actions:

1. Immediately securing medical treatment and/or mental health services as necessary
2. Notifying law enforcement and/or other emergency assistance if a suicidal act is being actively threatened
3. Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene
4. Removing other students from the immediate area as soon as possible

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 5141 - Health Care and Emergencies)*

## **SUICIDE PREVENTION (continued)**

The principal or designee shall document the incident in writing, including the steps that the school took in response to the suicide attempt or threat.

*(cf. 5125 - Student Records)*

The Superintendent or designee shall follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed. If the parent/guardian does not access treatment for the student, the Superintendent or designee may meet with the parent/guardian to identify barriers to treatment and assist the family in providing follow-up care for the student. If follow-up care is still not provided, the Superintendent or designee shall consider whether it is necessary, pursuant to laws for mandated reporters of child neglect, to refer the matter to the local child protective services agency.

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

For any student returning to school after a mental health crisis, the principal or designee and/or school counselor may meet with the parents/guardians and, if appropriate, with the student to discuss re-entry and appropriate next steps to ensure the student's readiness for return to school and determine the need for ongoing support.

### **Postvention**

In the event that a student dies by suicide, the Superintendent or designee shall communicate with the student's parents/guardians to offer condolences, assistance, and resources. In accordance with the laws governing confidentiality of student record information, the Superintendent or designee shall consult with the parents/guardians regarding facts that may be divulged to other students, parents/guardians, and staff.

The Superintendent or designee shall implement procedures to address students' and staff's grief and to minimize the risk of imitative suicide or suicide contagion. The Superintendent or designee shall provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. Students significantly affected by suicide death and those at risk of imitative behavior should be identified and closely monitored. School staff may receive assistance from school counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.

Any response to media inquiries shall be handled by the district-designated spokesperson who shall not divulge confidential information. The district's response shall not sensationalize suicide and shall focus on the district's postvention plan and available resources.

*(cf. 1112- Media Relations)*

**SUICIDE PREVENTION** (continued)

After any suicide or attempted suicide by a student, the Superintendent or designee shall provide an opportunity for all staff who responded to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

**SUSPENSION AND EXPULSION/DUE PROCESS**

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

*(cf. 5131 - Conduct)*

*(cf. 5131.1 - Bus Conduct)*

*(cf. 5131.2 - Bullying)*

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when the behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

*(cf. 5112.5 - Open/Closed Campus)*

4. During, going to, or coming from a school-sponsored activity

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

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

**Appropriate Use of Suspension Authority**

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying

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## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

administrative regulation, or when the student's presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

*(cf. 5138 - Conflict Resolution/Peer Mediation)*

*(cf. 5144 - Discipline)*

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

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

*(cf. 6164.5 - Student Success Teams)*

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

**OPTION 1:** ~~No student in grades K-8 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)~~

**OPTION 2:** No student may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Chronic Absence and Truancy)*

### **On-Campus Suspension**

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

### **Authority to Expel**

A student may be expelled only by the Board. (Education Code 48918(j))



**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation, the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in an open session of a Board meeting.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

No child enrolled in a preschool program shall be expelled except under limited circumstances as specified in AR 5148.3 - Preschool/Early Childhood Education.

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

### **Due Process**

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

*(cf. 5119 - Students Expelled from Other Districts)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

### **Maintenance and Monitoring of Outcome Data**

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

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

*Legal Reference: (see next page)*

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

*Legal Reference:*

EDUCATION CODE

212.5 Sexual harassment  
233 Hate violence  
1981-1981.5 Enrollment of students in community school  
8239.1 Prohibition against expulsion of preschool student  
17292.5 Program for expelled students  
32261 Interagency School Safety Demonstration Act of 1985  
35145 Open board meetings  
35146 Closed sessions (regarding suspensions)  
35291 Rules (for government and discipline of schools)  
35291.5 Rules and procedures on school discipline  
48645.5 Readmission; contact with juvenile justice system  
48660-48666 Community day schools  
48853.5 Foster youth  
48900-48927 Suspension and expulsion  
48950 Speech and other communication  
48980 Parental notifications  
49073-49079 Privacy of student records  
52052 Numerically significant student subgroups  
52060-52077 Local control and accountability plan  
64000-64001 Consolidated application

CIVIL CODE

47 Privileged communication  
48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt  
54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia  
11053-11058 Standards and schedules

LABOR CODE

230.7 Employee time off to appear in school on behalf of a child

*Legal Reference continued: (see next page)*

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

*Legal Reference: (continued)*

PENAL CODE

31 Principal of a crime, defined  
240 Assault defined  
241.2 Assault fines  
242 Battery defined  
243.2 Battery on school property  
243.4 Sexual battery  
245 Assault with deadly weapon  
245.6 Hazing  
261 Rape defined  
266c Unlawful sexual intercourse  
286 Sodomy defined  
288 Lewd or lascivious acts with child under age 14  
288a Oral copulation  
289 Penetration of genital or anal openings  
417.27 Laser pointers  
422.55 Hate crime defined  
422.6 Interference with exercise of civil rights  
422.7 Aggravating factors for punishment  
422.75 Enhanced penalties for hate crimes  
626.2 Entry upon campus after written notice of suspension or dismissal without permission  
626.9 Gun-Free School Zone Act of 1995  
626.10 Dirks, daggers, knives, razors, or stun guns  
868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting

7961 Gun-free schools

*Legal Reference continued: (see next page)*

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

### *Legal Reference: (continued)*

UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

### COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 118

Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

### ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)

80 Ops.Cal.Atty.Gen. 348 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 85 (1997)

### *Management Resources:*

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

### WEB SITES

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

California Attorney General's Office: <http://www.oag.ca.gov>

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

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Healthy Students:

<http://www2.ed.gov/about/offices/list/oese/oshs>

**SUSPENSION AND EXPULSION/DUE PROCESS**

**Definitions**

*Suspension* means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910

*Expulsion* means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code 48925)

**Notice of Regulations**

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980)

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

**Grounds for Suspension and Expulsion: Grades K-12**

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows and in the sections "Additional Grounds for Suspension and Expulsion: Grades 4-12" and "Additional Grounds for Suspension and Expulsion: Grades 9-12" below:

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))

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**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))

*(cf. 5131 - Conduct)*

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))

*(cf. 3513.4 - Drug and Alcohol Free Schools)*

*(cf. 5131.6 - Alcohol and Other Drugs)*

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))

7. Stole or attempted to steal school property or private property (Education Code 48900(g))

8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing prescription products (Education Code 48900(h))

*(cf. 5131.62 - Tobacco)*

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

**SUSPENSION AND EXPULSION/DUE PROCESS** (continued)

10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm (Education Code 48900(m))

*Imitation firearm* means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

*Hazing* means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. *Hazing* does not include athletic events or school-sanctioned events. (Education Code 48900(q))

17. Engaged in an act of bullying (Education Code 48900(r))

*Bullying* means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of



**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

placing a reasonable student in fear of harm to self or property; cause the student to experience a substantially detrimental effect on physical or mental health; or cause the student to experience substantial interferences with academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Bullying includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in the section "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

*Electronic act* means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to: (Education Code 48900(r))

- a. A message, text, sound, video, or image
- b. A post on a social network Internet web site, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

*Reasonable student* means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of the student's age, or for a person of the student's age and disability. (Education Code 48900(r))

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

*(cf. 1114 - District-Sponsored Social Media)*

*(cf. 5131.2 - Bullying)*

*(cf. 6163.4 - Student Use of Technology)*

*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*

*(cf. 6164.6 - Identification and Education under Section 504)*

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))
19. Made terrorist threats against school officials and/or school property (Education Code 48900.7)

A *terrorist threat* includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

### **Additional Grounds for Suspension and Expulsion: Grades 4-12**

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that the student:

1. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)

*Sexual harassment* means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

*(cf. 5145.7 - Sexual Harassment)*

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3)

*Hate violence* means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race,

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

*(cf. 5145.9 - Hate-Motivated Behavior)*

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

*(cf. 5145.3 - Nondiscrimination/Harassment)*

**~~Additional Grounds for Suspension and Expulsion: Grades 9-12~~**

~~Any student in grades 9-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))~~

*~~(cf. 5131.4 - Student Disturbances)~~*

**Suspension from Class by a Teacher**

A teacher may suspend a student from class for the remainder of the day and the following day for any of the acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades ~~K-12~~<sup>1-12</sup> above or for disruption or willful defiance at any grade level, including grades K-8. (Education Code 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, the student shall be appropriately supervised during the class periods from which the student has been suspended. (Education Code 48910)

As soon as possible after the teacher decides to suspend the student, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension.

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which the student was suspended. (Education Code 48910)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

**Suspension by Superintendent, Principal or Principal's Designee**

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to have committed any of the acts listed in the Board policy under "Authority to Expel" for which a recommendation of expulsion is required. (Education Code 48915(c))

The Superintendent, principal, or designee may impose a suspension for a first offense if it is determined that the student violated any of items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain the documentation in the student's record. (Education Code 48900.5)

*(cf. 5125 - Student Records)*

### **Length of Suspension**

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, the student may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

*(cf. 6184 - Continuation Education)*

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

### **Due Process Procedures for Suspension**

Suspensions shall be imposed in accordance with the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against the student, and shall be given the opportunity to present the student's version and evidence. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference and the conference shall be held within two school days, unless the student waives the right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)
3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school.

4. **Parent/Guardian Conference:** Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. **Extension of Suspension:** If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code 48911)

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

- a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.
- b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)
- c. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

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

- d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)

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

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct the behavior and keep the student in school.

**Suspension by the Board**

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above and within the limits specified under "Suspension by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)



## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information that would violate a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

*(cf. 9321 - Closed Session)*

The Board shall provide the student and parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

### **On-Campus Suspension**

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to on-campus suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The on-campus suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. The student shall be responsible for contacting the student's teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification may be made in writing. (Education Code 48911.1)



## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

### **Superintendent or Principal's Authority to Recommend Expulsion**

Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, the Superintendent or principal shall recommend a student's expulsion for any of the following acts: (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication or other medication prescribed by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

### **Student's Right to Expulsion Hearing**

Any student recommended for expulsion shall be entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation. (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

### **Stipulated Expulsion**

After a determination that a student has committed an expellable offense, the Superintendent, principal, or designee shall offer the student and parent/guardian the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after the student or parent/guardian has been given written notice of the expulsion hearing pursuant to Education Code 48918.

The stipulation agreement shall be in writing and shall be signed by the student and parent/guardian. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of the right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion agreed to by the student and parent/guardian shall be effective upon approval by the Board.

### **Rights of Complaining Witness**

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, the Superintendent or designee shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of the right to: (Education Code 48918.5)

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

1. Receive five days' notice of the scheduled testimony at the hearing
2. Have up to two adult support persons present at the hearing at the time the witness testifies
3. Have a closed hearing during the time the witness testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

**Written Notice of the Expulsion Hearing**

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment

This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

*(cf. 5119 - Students Expelled from Other Districts)*

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney adviser

*Legal counsel* means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

*Nonattorney adviser* means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing
7. The opportunity to confront and question all witnesses who testify at the hearing
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

### **Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students**

If the student facing expulsion is a foster student, the Superintendent or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing. (Education Code 48918.1)

If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 days prior to the hearing. (Education Code 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

### **Conduct of Expulsion Hearing**

1. **Closed Session:** Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code 48918)

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to testify in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. **Record of Hearing:** A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))
3. **Subpoenas:** Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. **Presentation of Evidence:** Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above. (Education Code 48918(h))

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

**5. Testimony by Complaining Witnesses:** The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during the testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person who is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
  - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
  - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.
  - (3) The person conducting the hearing may:
    - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
    - (b) Limit the time for taking the testimony of a complaining witness to normal school hours, if there is no good cause to take the testimony during other hours
    - (c) Permit one of the support persons to accompany the complaining witness to the witness stand

- 6. **Decision:** The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from school, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

**Alternative Expulsion Hearing: Hearing Officer or Administrative Panel**

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a



**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

hearing officer. The Board may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918)

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (Education Code 48918(a) and (d))

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by the student's parent/guardian, the Superintendent or designee shall consult with the parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Board has ruled on the recommendation. (Education Code 48917, 48918)

**Final Action by the Board**

Whether the expulsion hearing is conducted in closed or open session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion



**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

agreement, the final action to expel shall be taken by the Board in public. (Education Code 48918(j))

The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any "mandatory recommendation and mandatory expulsion" act listed in the section "Authority to Expel" in the accompanying Board policy, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

**Written Notice to Expel**

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

**Decision to Suspend Expulsion Order**

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

**Appeal**

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation. (Education Code 48919)

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

If the student submits a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board, the district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

### **Notification to Law Enforcement Authorities**

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance, or of any student acts involving the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate county or district law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

### **Placement During Expulsion**

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these
3. Not housed at the school site attended by the student at the time of suspension

*(cf. 6158 - Independent Study)*

*(cf. 6185 - Community Day School)*

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in items #6-12 under "Grounds for Suspension and Expulsion: Grades K-12" and items #1-3 under "Additional Grounds for Suspension and Expulsion: Grades 4-12" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

**Readmission After Expulsion**

Prior to the date set by the Board for the student's readmission:

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board a recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

**Maintenance of Records**

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

*(cf. 5119 - Students Expelled from Other Districts)*

**CONCURRENT ENROLLMENT IN COLLEGE CLASSES**

The Governing Board desires to provide opportunities for eligible district students to enroll concurrently in courses offered at postsecondary institutions in order to foster individual student achievement, increase opportunities for students to complete college preparatory course requirements and/or participate in career technical education (CTE), and prepare students for a smooth transition into college by providing exposure to the collegiate environment.

*(cf. 6143 - Courses of Study)*  
*(cf. 6172 - Gifted and Talented Student Program)*  
*(cf. 6178 - Career Technical Education)*  
*(cf. 6178.2 - Regional Occupational Center/Program)*

When it is determined that the postsecondary course in which the student intends to enroll is substantially equivalent to a course provided by the district, the student may receive credit toward high school graduation requirements in addition to credit received from the college.

*(cf. 6146.1 - High School Graduation Requirements)*  
*(cf. 6146.11 - Alternative Credits Toward Graduation)*

**Approval of Concurrent Enrollment**

The Board may approve a limited number of students of any age or grade level to apply for part-time or full-time concurrent enrollment in a community college or four-year college when it is determined to be in the student's best interest and the student is adequately prepared for such coursework.

Upon recommendation of the principal and with parent/guardian consent, the Board may authorize a student to attend a community college during any session or term as a special part-time or full-time student and to undertake one or more courses of instruction offered at the community college level. (Education Code 48800)

Within the enrollment limits and exceptions allowed by law, the principal may recommend a student for community college summer session if that student demonstrates adequate preparation in the discipline to be studied and exhausts all opportunities to enroll in an equivalent course, if any, at the school of attendance. (Education Code 48800)

A student's parent/guardian, regardless of the student's age or grade level, may petition the Board to authorize special full-time attendance at a community college on the ground that the student would benefit from advanced scholastic or career technical work that would be available. If the petition is denied, an appeal may be filed with the County Board of Education. (Education Code 48800.5)

If the Board denies a request for special part-time or full-time enrollment at a community college for a student who is identified as highly gifted and talented, the Board shall issue its

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## **CONCURRENT ENROLLMENT IN COLLEGE CLASSES (continued)**

written recommendation and the reasons for the denial at its next regularly scheduled Board meeting that falls at least 30 days, but within 60 days, after the request has been submitted. (Education Code 48800, 48800.5)

The Board may authorize a student who is pursuing a high school diploma or a high school equivalency certificate through an adult education program, upon recommendation of the administrator of the student's adult school, to attend a community college during any session or term as a special part-time student. (Education Code 52620)

*(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)*  
*(cf. 6200 - Adult Education)*

### **College and Career Access Pathways Partnerships**

The Board may enter into a College and Career Access Pathways (CCAP) partnership agreement with the board of a community college district for the purpose of offering or expanding dual enrollment opportunities for students. The agreement shall be approved at an open public Board meeting, with an opportunity for public input provided prior to the Board taking action. If the CCAP agreement provides for CTE pathways, the Board shall consult with and consider input from appropriate local workforce board(s) to determine the extent to which the pathways are aligned with regional and statewide employment needs. (Education Code 76004)

### **Program Evaluation**

The Superintendent or designee shall regularly report to the Board regarding the number and demographics of district students participating in the concurrent enrollment option, their success in completing college preparatory courses ("a-g" courses) and postsecondary courses, and any impact on their achievement in district courses and graduation rates.

*(cf. 0500 - Accountability)*  
*(cf. 6162.5 - Student Assessment)*  
*(cf. 6190 - Evaluation of the Instructional Program)*

*Legal Reference: (see next page)*



## CONCURRENT ENROLLMENT IN COLLEGE CLASSES (continued)

### *Legal Reference:*

#### EDUCATION CODE

11300-11302 *Early and middle college high schools*  
42238.02 *Definition of unduplicated student*  
46141 *Minimum day, high school*  
46145-46147 *Minimum day, high school*  
48800-48802 *Enrollment of gifted students in community college*  
51225.3 *Alternative means of satisfying graduation requirements*  
52620 *Adult education and attendance at community college*  
76000-76004 *Enrollment in community college*  
76140 *No community college fee/tuition for special part-time students*  
87010 *Definition of sex offense*  
87011 *Definition of controlled substance offense*

### *Management Resources:*

#### WEB SITES

California Community Colleges: <http://www.cccco.edu>  
California Department of Education: <http://www.cde.ca.gov>  
California Postsecondary Education Commission: <http://www.cpec.ca.gov>  
California State University: <http://www.calstate.edu>  
Foundation for California Community Colleges: <https://foundationccc.org>  
University of California: <http://www.universityofcalifornia.edu>

**CONCURRENT ENROLLMENT IN COLLEGE CLASSES****Credit**

Unless enrolled as part of a College and Career Access Pathways (CCAP) partnership agreement in which students are authorized to take up to 15 units per term in a community college, as described below, district students enrolled in a community college as special part-time students may enroll in up to 11 units per semester, or the equivalent. Such students shall receive credit for community college courses that they complete in an amount jointly determined appropriate by the district and the community college governing board. (Education Code 48800, 76001, 76004)

*(cf. 6146.11 - Alternative Credits Toward Graduation)*

A written agreement regarding the student's enrollment in postsecondary courses and the credits to be awarded for successful completion shall be signed by the student, parent/guardian, principal, and college representative. The student shall be informed whether the credits to be earned are considered academic credits or elective credits, whether the credits count towards high school graduation requirements, and whether the course would need to be completed again during the college years to satisfy college graduation requirements.

To receive district credit for coursework completed at a community college or four-year college, the student or parent/guardian shall submit a transcript showing completion of the course with a passing grade.

*(cf. 5125 - Student Records)*

**College and Career Access Pathways Partnerships**

The district may enter into a CCAP agreement, in accordance with Education Code 76004, which includes terms regarding course offerings, student eligibility, protocols for sharing information, joint facilities use, and staff qualifications.

A copy of the CCAP agreement shall be filed with the Office of the Chancellor of the California Community Colleges and with the California Department of Education before the start of the agreement. (Education Code 76004)

Only courses that provide career technical education or preparation for transfer, assist in improving high school graduation rates, or help high school students achieve college and career readiness shall be offered, and physical education courses shall not be provided. (Education Code 76004)

Students may enroll in up to 15 units of community college courses per term if all of the following circumstances are satisfied: (Education Code 76004)

1. The units constitute no more than four community college courses per term.

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**CONCURRENT ENROLLMENT IN COLLEGE CLASSES** (continued)

2. The units are part of an academic program that is part of a CCAP agreement.
3. The units are part of an academic program that is designed to award students both a high school diploma and an associate degree or a certificate or credential.

A high school student shall submit one parental consent form and principal recommendation for the duration of the student's concurrent enrollment under a CCAP partnership. (Education Code 76004)

The district shall report information annually to the office of the Chancellor of the California Community Colleges as specified in Education Code 76004.

**Minimum School Day**

The minimum day of attendance in district schools shall be 180 minutes for any student who is enrolled part-time in a community college and any student in grades 11-12 who is enrolled part-time in the California State University or University of California, when the student is enrolled in classes for which academic credit will be provided upon satisfactory completion of enrolled courses. (Education Code 46146, 48801)

*(cf. 6112 - School Day)*

A student enrolled full-time at a community college shall be exempted from full-time attendance in the district's regular education program. (Education Code 48800.5)

*(cf. 5112.1 - Exemptions from Attendance)*

However, both part-time and full-time community college students shall be required to undertake courses of instruction of a scope and duration sufficient to satisfy the requirements of law. (Education Code 48800.5, 48801)

**Community College Classes on High School Campus**

If a community college class is to be offered at a district high school campus, the class shall be held during the time the campus is open to the general public as determined by the Governing Board. Members of the public who are enrolled in community college class(es) shall register immediately upon entering school buildings or grounds.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 1250 - Visitors/Outsiders)*  
*(cf. 3515 - Campus Security)*  
*(cf. 4157/4257/4357 - Employee Safety)*  
*(cf. 5142 - Safety)*

Regulation  
approved:

CSBA MANUAL MAINTENANCE SERVICE  
March 2020