

Superintendent
Teresa Healy

Board Members
Jordan Dodson
Myra Chavoya-Perez
Carrie Guthrie
Nick Scott
Kevin Nicholson

**TULELAKE BASIN JOINT
UNIFIED SCHOOL DISTRICT
Regular Board Meeting
March 24, 2021
Closed Session: 5:00 p.m.
Open Session: 6:00 p.m.
District Conference Room
400 G Street, Tulelake, CA**

Meeting facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting please provide a written request to the Superintendent at the Tulelake Basin Joint Unified School District Office at least three working days prior to any public meeting. This meeting is being recorded.

AGENDA

Call to Order by Presiding Officer Jordan Dodson at ____ p.m.

Roll Call: Jordan Dodson, President —
Myra Chavoya-Perez, Clerk —
Carrie Guthrie, Member —
Nick Scott, Member —
Kevin Nicholson —
Teresa Healy, Superintendent —

APPROVAL of AGENDA

[Motion , Second]

PUBLIC COMMENTS ON CLOSED SESSION AGENDA:

Under this item, the public is invited to address the Board regarding items that are on the Closed Session agenda. Speakers are limited to three minutes each. Please introduce yourself to the board. The Board is not allowed under the law to take action on matters that are not listed on the agenda.

Motion to go into Closed Session.

[Motion , Second]

CLOSED SESSION AGENDA

The board will adjourn to closed session to discuss:

1. PERSONNEL: PUBLIC EMPLOYEE EMPLOYMENT: Government Code § 54957

Recommendations for Approval:

- a) Employment of Para Professional Substitute – Stephanie Wright
- b) Employment of Softball Coach – Rodney Guthrie
- c) Employment of Track Coach – Joel Quinn
- d) Addition to Volunteer List – Paul Greenwood
- e) Accept Letter of Resignation – Holly Ramstead
- f) Accept Letter of Resignation Track Coach – Raul Figueroa-Tamayo
- g) Approve Subsequent Variable Term Waiver Request for Classroom Driver Education & Training for Nick Fenyves.

2. PERSONNEL: Closed Session – Government Code § 54957

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Various Certificated and Classified Employees)

3. PERSONNEL: Closed Session – Government Code § 54957

PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

4. POTENTIAL LITIGATION: Closed Session - Government Code § 54956.9

5. NEGOTIATIONS: Conference with labor negotiator pursuant to {Government Code § 54957.6}:

Agency Negotiator: Teresa Healy; Employee Organization: Classified School Employees' Association (CSEA)

6. NEGOTIATIONS: Conference with labor negotiator pursuant to {Government Code § 54957.6}: Agency Negotiator: Teresa

Healy; Employee Organization: California Teacher's Association, Tulelake Basin Teacher's Association (CTA, TBTA)

Motion to come out of Closed Session

[Motion , Second]

*****Pledge of Allegiance*****

Reporting of Closed session Items:

1. PERSONNEL: PUBLIC EMPLOYEE EMPLOYMENT: Government Code § 54957

Recommendations for Approval: a) Employment of Para Professional Substitute – Stephanie Wright

b) Employment of Softball Coach – Rodney Guthrie

c) Employment of Track Coach – Joel Quinn

d) Addition to Volunteer List – Paul Greenwood

e) Accept Letter of Resignation – Holly Ramstead

f) Accept Letter of Resignation Track Coach – Raul Figueroa-Tamayo

g) Approve Subsequent Variable Term Waiver Request for Classroom Driver Education & Training for Nick Fenyes.

2. PERSONNEL: Closed Session – Government Code § 54957

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Various Certificated and Classified Employees)

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Agency Negotiator: Teresa Healy; Employee Organization: Classified School Employees' Association (CSEA)

6. NEGOTIATIONS: Conference with labor negotiator pursuant to {Government Code § 54957.6}: Agency Negotiator: Teresa

Healy; Employee Organization: California Teacher's Association, Tulelake Basin Teacher's Association (CTA, TBTA)

REPORTS

1. Financial Reports - Mrs. Thompson.
 - a. Cash Balances Report
 - b. Cash Flow Report
 - c. Edward Jones Investment Statement
 - d. Second Interim Report
2. Athletic Report - Mrs. Brown.
3. Elementary School Report - Dr. Butler.
4. Tulelake High School/Superintendent Report - Mrs. Healy.
 - a. District Enrollment
 - b. FFA – Quotes for New Barn
5. Board Member Reports

PUBLIC COMMENTS ON ITEMS NOT ON AGENDA: Under this item, the public is invited to address the Board regarding items that are not on tonight's agenda. Speakers are limited to three minutes each. Please introduce yourself to the board. The Board is not allowed under the law to take action on matters that are not on the agenda. The public will have the opportunity to comment on all agenda items as they are presented this evening.

CONSENT AGENDA

The consent agenda, if approved, will be recorded in the minutes as if each item had been acted upon individually. Requests by members of the board to have any item taken off the consent agenda for discussion will be honored without debate. Requests by the public to have an item taken off the consent agenda will be considered prior to the Board taking action.

Motion That all consent items to be approved as recommended by the superintendent.
Alternative Motion That consent items with the exception of (name items) be approved as recommended by the Superintendent

Approval of Consent Agenda

1. Review of consent agenda
2. Approval of consent agenda [Motion , Second]

1. Administration

1.1 Approve Minutes.

- 1.1.1 Approve the Minutes of the Regular Meeting February 19, 2021
- 1.1.2 Approve the Minutes of the Regular Meeting February 24, 2021

2. Budget and Finance

- 2.1.1 Bills Listing

3. Board Policies

3.1 First Reading of Revised Board Policies/Administrative Regulations – March 2021

Board Policy 0420.42 - Charter School Renewal
Board Policy 3110 - Transfer of Funds
Board Policy 3230 - Federal Grant Funds
Administrative Regulation 3230 - Federal Grant Funds
Administrative Regulation 3311.2 - Lease-Leaseback Contracts
Administrative Regulation 3311.3 - Design-Build Contracts
Administrative Regulation 3320 - Claims and Actions Against the District
Board Policy 3452 - Student Activity Funds
Board Policy 3515.3 - District Police/Security Department
Administrative Regulation 3515.3 - District Police/Security Department
Board Policy 3600 - Consultants
Exhibit 4112.9/4212.9/4312.9 - Employee Notifications
Administrative Regulation 4161.2/4261.2/4361.2 - Personal Leaves
Administrative Regulation 4161.8/4261.8/4361.8 - Family Care and Medical Leave
Board Policy 6142.8 - Comprehensive Health Education
Administrative Regulation 6142.8 - Comprehensive Health Education
Board Policy 7210 - Facilities Financing

END OF CONSENT AGENDA

Motion to close Tulelake Basin Joint Unified School District Board Meeting and open Public Hearing.
[Motion , Second _/_/_]

PUBLIC HEARING

- A. Sunshine/Acknowledge Receipt of Negotiations Letter from CSEA
- B. Sunshine Opening Bargaining Position of District for CSEA
- C. Sunshine/Acknowledge Receipt of Negotiations Letter from TBTA
- D. Sunshine Opening Bargaining Position of District for TBTA

Motion to close Public Hearing and re-open Tulelake Basin Joint Unified School District Board Meeting.
[Motion , Second _/_/_]

ACTION ITEMS/DISCUSSION ITEMS

- A. Discussion/Approval of Final LC COVID-19 IIPP Addendum Re-Opening Plan Revision January 2021
Public Comments:
[Motion , Second]
- B. Approve Second Interim Report (Insert) [Motion , Second]
- C. Quarterly Uniform Complaint Summary/Williams Act Summary [Motion , Second]
- D. Approve Surplus Book List [Motion , Second]
- E. Report\Approval District Vision, Mission & Goals [Motion , Second]
- F. Review/Discussion of Board By-Laws:
BB 9000 Role of the Board
BB 9905 Governance Standards
BB 9400 Board Self-Evaluation

BOARD MEMBER REQUEST FOR ITEMS FOR NEXT REGULAR BOARD MEETING

- 1. Items from the Board Calendar
- 2. Next Regular Board Meeting – April 28, 2021

ADJOURNMENT at p.m. [Motion , Second]

**TULELAKE BASIN JOINT UNIFIED SCHOOL DISTRICT
Board of Trustees**

NOTICE OF PUBLIC HEARING

The Tulelake Basin Joint Unified School District hereby gives notice that a Public Hearing will be held as follows:

TOPIC OF HEARING

I. PUBLIC HEARING

- A. Sunshine/Acknowledge Receipt of Negotiations Letter from CSEA
- B. Sunshine Opening Bargaining Position of District for CSEA
- C. Sunshine/Acknowledge Receipt of Negotiations Letter from TBTA
- D. Sunshine Opening Bargaining Position of District for TBTA

Hearing Date: March 24, 2021

Time: 6:00 p.m.

Location: District Office Conference Room

CLOSED SESSION

To Tulelake Basin Joint School Unified District Superintendent,

I am writing my letter of resignation to work for the Tulelake Basin Joint School Unified District in regards to the school position as the Head Track Coach for the calendar year of 2021. As I'm currently on track to achieving my teaching certification and Bachelors's degree and have very little spare time now with the intensity and stress of current classes. I do regret that it has come to this as I very much enjoyed the little time I was able to coach last year and help students their athletic goals and surpass what they taught was their physical limit.

With a heavy heart,

Raul Figueroa Tamayo

**TULELAKE BASIN JOINT UNIFIED SCHOOL
DISTRICT**



P. O. Box 640
Tulelake, CA 96134

(530) 667-2295 FAX (530) 667-4298
Teresa Healy, Principal/Superintendent
thealy@tbjUSD.org

March 24, 2021

Raul Figueroa-Tamayo
P O Box 932
Tulelake, Ca. 96134

Dear Raul,

On behalf of the Board of Trustees of the Tulelake Basin Joint Unified School District, I accept your letter of March 1, 2021, resigning your position as Track Coach.

I also want to take this opportunity to thank you for your hard work and dedication to the students of our District.

Sincerely,

A handwritten signature in black ink. The signature is cursive and appears to read 'Teresa Healy'. It is written in a fluid, connected style.

Teresa Healy
Superintendent/Principal

February 24, 2021

OFFICIAL LETTER OF RESIGNATION

TBJUSD administration and school board,

Effective today I, Holly Ramstead, am initiating a letter of resignation, with the intention of terminating my employment with Tullake Basin Joint Unified School District, effective for the 2021-2022 school year. I have tremendous gratitude for the teaching experience I gained while serving in the district. I cherish the connections I have made with students and families in the community. I hope that school leadership will choose to reinvest in families, work toward healing the communities' relationship to the institution of public education, and commit to eliminating the prolific achievement and opportunity gaps that exist within Tullake schools. I continue to hope that the district will address student's social and emotional wellbeing as a precursor to a rich education, with the development of student identity at the forefront. I hope that future leadership will make these opportunities possible, when the district restores value in the cultural wealth of our students and families and creates a school experience that reflects the needs of the local community.

Warm Regards,

Holly Ramstead

Holly Ramstead
2/24/21

TULELAKE BASIN JOINT UNIFIED SCHOOL
DISTRICT



P. O. Box 640
Tulelake, CA 96134

(530) 667-2295 FAX (530) 667-4298
Teresa Healy, Principal/Superintendent
thealy@tbjUSD.org

March 24, 2021

Holly Ramstead
P O Box 30
Malin, OR 97632

Dear Holly,

On behalf of the Board of Trustees of the Tulelake Basin Joint Unified School District, I accept your letter of February 24, 2021, resigning your position as an Elementary Teacher for the District.

I also want to take this opportunity to thank you for your hard work and dedication to the students of our District.

Sincerely,

A handwritten signature in black ink, appearing to read "Teresa Healy". The signature is fluid and cursive, with the first name "Teresa" being more prominent than the last name "Healy".

Teresa Healy
Superintendent/Principal

FINANCIAL REPORT

Tulelake Basin Joint Unified School District

Current Unreconciled Cash Balances as of March 17, 2021

Account	March 17, 2021 Current Balance	February 17, 2021 Prior Balance	January 20, 2021 Prior Balance	December 9, 2020 Prior Balance	November 18, 2020 Prior Balance	October 21, 2020 Prior Balance
Fund 01 - General Fund	\$744,472.00	\$1,099,489.76	\$1,517,910.59	\$764,625.62	\$1,208,983.78	\$1,176,250.98
Fund 11 - Adult Education Fund	\$77,739.78	\$82,510.18	\$51,573.92	\$56,596.73	\$56,596.73	\$57,117.10
Fund 13 - Cafeteria Fund	\$27,583.27	\$20,326.79	\$38,616.29	\$38,105.57	\$59,731.07	\$56,578.86
Fund 17 - Special Reserve Fund	\$4,063.84	\$4,063.84	\$4,054.01	\$4,054.01	\$4,054.01	\$4,042.00
Fund 40 - Capital Outlay Fund	\$876.27	\$880.61	\$878.48	\$878.48	\$878.48	\$875.79
Edward Jones	\$2,217,802.93	\$2,217,802.93	\$2,217,189.32	\$2,209,367.01	\$2,209,367.01	\$2,208,773.26
Reserve Account	\$256,115.11	\$256,111.18	\$256,106.83	\$256,102.48	\$256,098.27	\$256,093.92
	\$3,328,653.20	\$3,681,185.29	\$4,086,329.44	\$3,329,729.90	\$3,795,709.35	\$3,759,731.91

Account	March 16, 2020 Prior Balance	February 20, 2020 Prior Balance	January 22, 2020 Prior Balance	December 13, 2019 Prior Balance	November 15, 2019 Prior Balance	October 17, 2019 Prior Balance
Fund 01 - General Fund	\$285,557.18	\$556,609.71	\$883,564.74	\$400,964.65	\$696,313.76	\$652,340.11
Fund 11 - Adult Education Fund	\$41,969.57	\$47,339.70	\$51,396.55	\$55,133.38	\$59,857.05	\$66,347.12
Fund 13 - Cafeteria Fund	\$67,590.30	\$60,577.62	\$68,128.90	\$43,940.50	\$52,373.19	\$31,252.13
Fund 17 - Special Reserve Fund	\$4,012.31	\$4,012.31	\$4,012.31	\$3,991.58	\$3,991.58	\$3,974.03
Fund 40 - Capital Outlay Fund	\$3,730.82	\$3,730.82	\$3,730.82	\$3,711.55	\$3,711.55	\$3,695.23
Edward Jones	\$2,110,581.45	\$2,106,830.18	\$2,103,589.62	\$2,095,239.38	\$2,095,239.38	\$2,092,680.08
Reserve Account	\$256,063.89	\$256,059.82	\$256,055.47	\$256,051.12	\$256,046.91	\$256,042.56
	\$2,769,605.52	\$3,035,160.16	\$3,370,478.41	\$2,859,032.16	\$3,167,533.42	\$3,106,331.26

Cash Flow Projections- FY2020/2021

Rsrce	Program Title	2020/21	TOTAL CASH		JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH
		AWARD AMT	Prior Yr	Funds									
0012	MAA	6,350.04		9,513.12				2904.01			6,609.11		
0200	Mandated Costs	15,186.00		15,186.00					15,186.00				
1100	Lottery	58,599.00	7,916.71				7,916.71			21,198.25			
3010	Title I	203,237.00		93,005.00				49,046.00		43,959.00			
3210	CARES-ESSER	132,205.00		33,236.00			33,051.00			6,210.00	185.00		
3215	Learning Loss Mitigation												
3220	Learning Loss Mitigation	414,253.00		414,253.00									
4035	Title II, Part A	21,198.00		9,293.00							8,943.00		
4126	Title V, Part B	6,304.00		0.00									
4127	Title IV	11,792.00		0.00									
4128	NSAEC	0.00	2,128.50							5,701.00			
4203	Title III, LEP	24,102.00		5,701.00	12,561.00								
6010	After School Education & Safety	176,317.00		12,561.00	114,606.46					114,606.46			
6300	Lottery-Prop 20	20,682.00	8,578.02	8,710.53			8,578.02			132.51			
6387	CTE Incentive Grant	133,964.52	36,207.48	170,172.00									
6690	TUPE	0.00		0.00									
7010	Ag Incentive	16,462.00	2,599.00	14,946.00			2,599.00			12,347.00			
7311	Classified Employee Prof Dev	0.00	0.00	0.00									
7388	COVID-19	0.00	0.00	0.00									
7420	Learning Loss Mitigation	40,860.00		40,860.00			40,860.00						
7510	Low Performing Student	0.00	0.00	0.00									
0000	LCFF	2,726,989.00		1,763,918.00	378,373.00	378,373.00	378,373.00	378,373.00			151,349.00	99,077.00	
	Prior Year - 8019	0.00	595,127.00	587,889.00	595,127.00							(7,238.00)	
	One-time discretionary												
1400	EPA	830,271.00	(227,833.00)	290,558.00	(227,833.00)		259,195.00			259,195.00			
0000	SELPA EI PS Grant	0.00		0.00									
0000	Property Taxes	1,403,318.00		887,894.84	21,643.11		43.31	20,168.33		843,041.76	(28,299.52)	2,998.33	
0000	ERAF			(53,850.82)			(25,551.30)						
0000	Forest Reserves	98,340.00		53,613.11							53,613.11		
0000	Interest	10,000.00		6,448.38	1,898.15			1,920.44			2,629.79		
0000	Other	223,951.00		90,990.52				76244.63			14,745.89		
	Transfers	(30,000.00)	(137,846.89)	(284,497.89)			(137,846.89)			(5,000.00)	(141,651.00)		
		6,544,380.56	424,723.71	4,314,121.21	781,769.26	420,840.12	1,109,176.73	529,006.41	15,186.00	1,301,390.98	68,124.38	94,837.33	0.00



EDJ TULELAKE BASIN JOINT UNIFIED SCH
ACCOUNT NUMBER: [REDACTED]

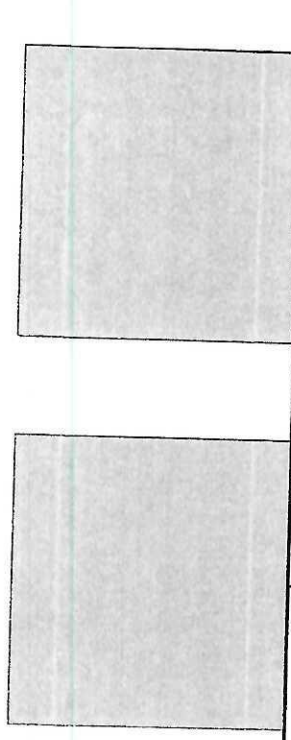
MARKET VALUE SUMMARY

	Current Period 02/01/21 to 02/28/21	Year-to-Date 01/01/21 to 02/28/21
Beginning Market Value	\$2,205,857.65	\$2,207,810.56
Taxable Interest	3,789.50	4,403.11
Change in Investment Value	-3,078.74	-5,645.26
Ending Market Value	\$2,206,568.41	\$2,206,568.41

Current Period 02/01/21 to 02/28/21

Change: 710.76

\$2,500,000
\$2,000,000
\$1,500,000
\$1,000,000
\$500,000
\$0



Beginning
MV
\$2,205,857.65

Ending
MV
\$2,206,568.41

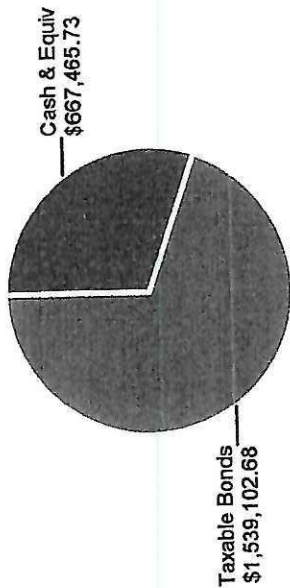


EDJ TULELAKE BASIN JOINT UNIFIED SCH
ACCOUNT NUMBER: [REDACTED]

February 1, 2021 to February 28, 2021

ASSET SUMMARY

Assets	Current Period Market Value	% of Total	Estimated Annual Income
Cash & Equivalents	667,465.73	30.20	39.95
Taxable Bonds	1,539,102.68	69.80	35,048.00
Total Market Value	\$2,206,568.41	100.00	\$35,087.95





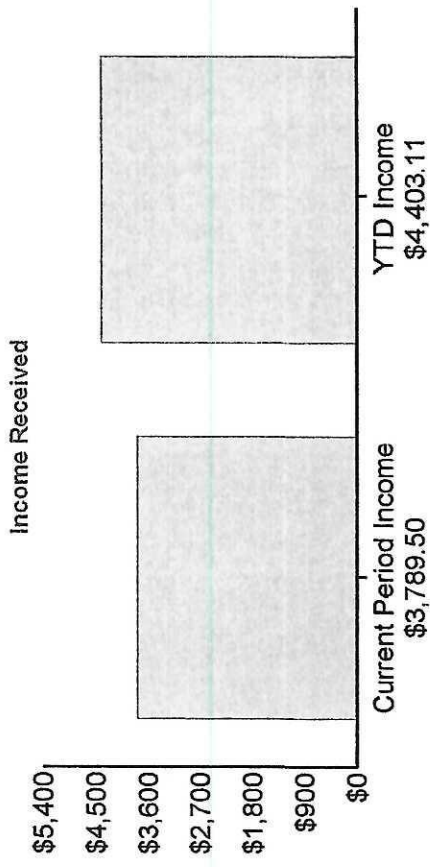
EDJ TULELAKE BASIN JOINT UNIFIED SCH
ACCOUNT NUMBER: [REDACTED]

February 1, 2021 to February 28, 2021

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INCOME SUMMARY

	Income Received Current Period	Income Received YTD
Taxable Interest	3,789.50	4,403.11
Total Current Period Income	\$3,789.50	\$4,403.11





EDJ TULELAKE BASIN JOINT UNIFIED SCH

ACCOUNT NUMBER: [REDACTED]

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February 1, 2021 to February 28, 2021**CASH SUMMARY**

	Principal Cash	Income Cash	Total Cash
Beginning Cash 02/01/2021	-\$266,920.29	\$266,920.29	\$0.00
Taxable Interest		3,789.50	3,789.50
Net Money Market Activity	-3,789.50		-3,789.50
Ending Cash 02/28/2021	-\$270,709.79	\$270,709.79	\$0.00



EDJ TULELAKE BASIN JOINT UNIFIED SCH
ACCOUNT NUMBER: [REDACTED]

February 1, 2021 to February 28, 2021

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ASSET DETAIL

Security Description	Shares/Face Amt	Price	Market Value	Tax Cost	Unrealized Gain/Loss	Percent of Total Portfolio	Estimated Annual Income	Estimated Current Yield
Cash & Equivalents								
Cash/Money Market								
First American Government - 31846V203 Oblig Fd Cl Y #3763	667,465.730	1.0000	667,465.73	667,465.73	0.00	30.2	39.95	0.01
Total Cash/Money Market			\$667,465.73	\$667,465.73	\$0.00	30.2	\$39.95	
Cash								
Principal Cash			-270,709.79	-270,709.79		-12.3		
Income Cash			270,709.79	270,709.79		12.3		
Total Cash			\$0.00	\$0.00	\$0.00	0.0	\$0.00	
Total Cash & Equivalents								
			\$667,465.73	\$667,465.73	\$0.00	30.2	\$39.95	

Taxable Bonds

Corporate Issues

Capital One Bank (USA) - 140420F62 C D 1.650 09/21/2021	88,000.000	100.7880	88,693.44	88,000.00	693.44	4.0	1,452.00	1.64
Wells Fargo Bk N A Sioux Falls Sd - 949763CQ7 C D 1.800 11/16/2021	245,000.000	101.2540	248,072.30	245,000.00	3,072.30	11.2	4,410.00	1.78

Security Description	Shares/Face Amt	Price	Market Value	Tax Cost	Unrealized Gain/Loss	Percent of Total Portfolio	Estimated Annual Income	Estimated Current Yield
Morgan Stanley Dean Witter Bank Inc - 61747MX55 C D 3.000 05/10/2022	245,000.000	103.5220	253,628.90	245,000.00	8,628.90	11.5	7,350.00	2.90
Citibank Na - 17312QL49 C D 3.000 05/11/2022	58,000.000	103.5300	60,047.40	58,000.00	2,047.40	2.7	1,740.00	2.90
Amerant Bank Na - 02357QAF4 C D 1.850 12/20/2022	150,000.000	103.1090	154,663.50	150,000.00	4,663.50	7.0	2,775.00	1.79
Sallie Mae Bank - 795450L29 C D 2.800 02/22/2023	225,000.000	105.2700	236,857.50	225,000.00	11,857.50	10.7	6,300.00	2.66
Bank Hapoalim Bm Ny - 06251AW48 C D 2.900 03/25/2024	241,000.000	108.2360	260,848.76	241,000.00	19,848.76	11.8	6,989.00	2.68
Raymond James Bk Natl Assn ST - 75472RAK7 C D 1.800 11/08/2024	224,000.000	105.4870	236,290.88	224,000.00	12,290.88	10.7	4,032.00	1.71
Total Corporate Issues			\$1,539,102.68	\$1,476,000.00	\$63,102.68	69.8	\$35,048.00	
Total Taxable Bonds			\$1,539,102.68	\$1,476,000.00	\$63,102.68	69.8	\$35,048.00	
Total Assets			\$2,206,568.41	\$2,143,465.73	\$63,102.68	100.0	\$35,087.95	
Estimated Current Yield								1.59



EDJ TULELAKE BASIN JOINT UNIFIED SCH
ACCOUNT NUMBER: [REDACTED]

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February 1, 2021 to February 28, 2021

ASSET DETAIL MESSAGES

Time of trade execution and trading party (if not disclosed) will be provided upon request.

Publicly traded assets are valued in accordance with market quotations or valuation methodologies from financial industry services believed by us to be reliable. Assets that are not publicly traded may be reflected at values from other external sources. Assets for which a current value is not available may be reflected at a previous value or as not valued, at par value, or at a nominal value. Values shown do not necessarily reflect prices at which assets could be bought or sold. Values are updated based on internal policy and may be updated less frequently than statement generation.

Estimated Current Yield and Estimated Annual Income are estimates provided for informational purposes only and should not be relied on for making investment, trading, or tax decisions. The estimates may not represent the actual value earned by your investments and they provide no guarantee of what your investments may earn in the future.



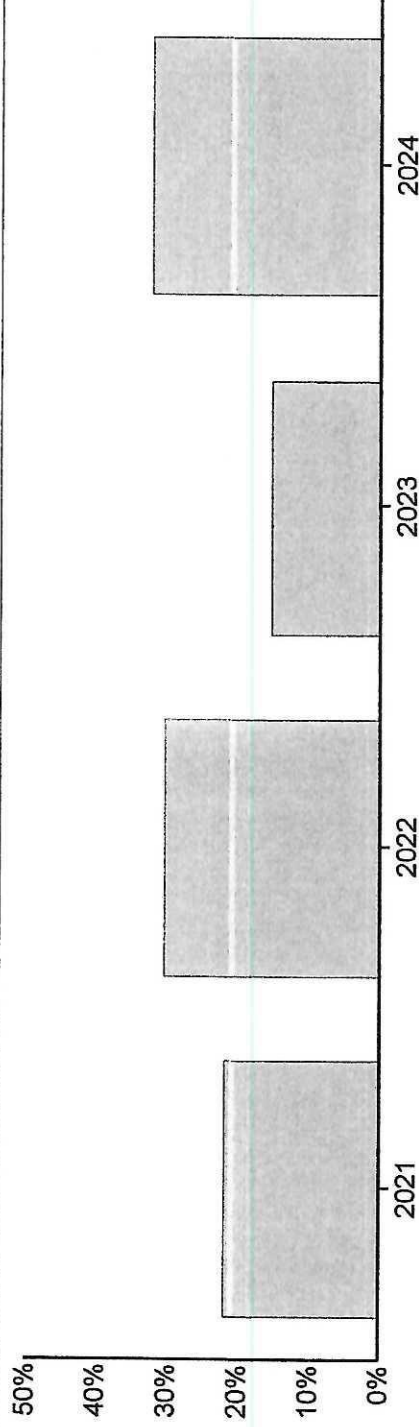
TRANSACTION DETAIL

Date Posted	Activity	Description	Income Cash	Principal Cash	Tax Cost
Beginning Balance 02/01/2021					
02/01/21	Asset Income	Interest Earned On First Am Govt Ob Fd Cl Y Interest From 1/1/21 To 1/31/21	\$266,920.29	-\$266,920.29	\$2,139,676.23
			3.37		
02/16/21	Asset Income	Interest Earned On Wells Fargo Bk C D 1.800% 11/16/21 0.001529 USD/\$1 Pv On 245,000 Par Value Due 2/16/21	374.55		
02/22/21	Asset Income	Interest Earned On Amerant Bank Na C D 1.850% 12/20/22 0.001571 USD/\$1 Pv On 150,000 Par Value Due 2/20/21	235.69		
02/22/21	Asset Income	Interest Earned On Sallie Mae Bank C D 2.800% 2/22/23 0.014115 USD/\$1 Pv On 225,000 Par Value Due 2/22/21	3,175.89		
	Purchase	Combined Purchases For The Period 2/ 1/21 - 2/28/21 Of First Am Govt Ob Fd Cl Y		-3,789.50	3,789.50
Ending Balance 02/28/2021			\$270,709.79	-\$270,709.79	\$2,143,465.73



EDJ TULELAKE BASIN JOINT UNIFIED SCH
ACCOUNT NUMBER: [REDACTED]

BOND SUMMARY



MATURITY	Par Value	Market Value	Percentage of Category
2021	333,000.00	336,765.74	21.89
2022	453,000.00	468,339.80	30.43
2023	225,000.00	236,857.50	15.38
2024	465,000.00	497,139.64	32.30
Total of Category	\$1,476,000.00	\$1,539,102.68	100.00

MOODY'S RATING			
N/A	715,000.00	738,558.70	47.99
NOT RATED	761,000.00	800,543.98	52.01
Total of Category	\$1,476,000.00	\$1,539,102.68	100.00



EDJ TULELAKE BASIN JOINT UNIFIED SCH
ACCOUNT NUMBER: [REDACTED]

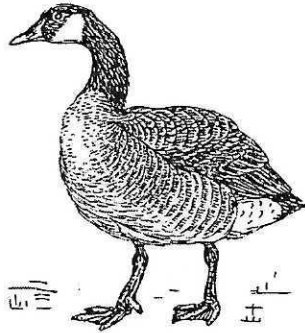
BOND SUMMARY (continued)

	Par Value	Market Value	Percentage of Category
S&P RATING			
NOT RATED	1,476,000.00	1,539,102.68	100.00
Total of Category	\$1,476,000.00	\$1,539,102.68	100.00

BOND SUMMARY MESSAGES

Data contained within this section excluded Mutual Funds, Exchange Traded Funds, and Closed-Ended Funds.

ATHLETIC REPORT



Honker Athletic Report

March 2021

Athletics:

*We currently have 15 softball players and 15 baseball players. Schedules are attached.

*We have about 10 kids interested in track. Trying to find local track meets. Most have been cancelled. Siskiyou County said that we can travel to Klamath to participate in track but Klamath County/City isn't sure if we are allowed to come there.

*Basketball games will start the first week of May if we are under 7 cases per 100,000. We will play 3 games per week through the end of May.

*Soccer will play throughout the month of May with 2 games per week.



Tulelake High School Softball
2021

<u>Date</u>	<u>Opponent</u>	<u>Place</u>	<u>Time</u>	<u>Games</u>
March 23	Modoc	Modoc	2:00	2
April 6	Weed	Weed	2:00	2
April 13	Etna	Tulelake	2:00	2
April 16	Hayfork	Hayfork	2:00	2
April 20	Yreka	Tulelake	3:00	1
April 23	Hayfork	Tulelake	2:00	2
April 28	Redding Christian	Redding	1:00	2

Head Coach: Rod Guthrie

Principal: Teresa Healy 530.667.2292

Athletic Director: Tricia Brown 530.260.8066

Revised: 3/17/2021



Tulelake High School Baseball
2021

<u>Date</u>	<u>Opponent</u>	<u>Place</u>	<u>Time</u>	<u>Games</u>
March 23	Modoc	Modoc	2:00	2
April 6	Weed	Tulelake	2:00	2
April 8	Dunsmuir	Tulelake	1:00	2
April 13	Etna	Tulelake	2:00	2
April 16	Happy Camp	Happy Camp	2:00	2
April 20	Yreka	Tulelake	3:00	1
April 23	Happy Camp	Tulelake	2:00	2
April 28	Redding Christian	Redding	1:00	2

Head Coach: Scott Thomas
Principal: Teresa Healy 530.667.2292
Athletic Director: Tricia Brown 530.260.8066

Revised: 3/03/21

ELEMENTARY REPORT



Elementary Board Report

March 2021

- Dr. Suess Day was March 18, and it was a success.
 - We had Mr. Misso read to the students and give out small gifts. We had a door decorating contest. K-6 students participated in STEM activities where they either built structures with apples and mini marshmallows, or they built a parachute and tested its ability to glide.
- Conferences were March 10 and were successful (virtually).
- End of Quarter 3 is March 26th.

HIGH SCHOOL REPORT
SUPERINTENDENT REPORT

Memo

To: Teresa Healy
From: Mark Mahan
CC: Board of Trustees
Date: March 16, 2021
Re: Enrollment for 2019/20 and 2020/21 schools years

	Sep-19	Sep-20	Oct-19	Oct-20	Nov-19	Nov-20	Dec-19	Dec-20	Jan-20	Jan-21	Feb-20	Feb-21	Mar-20	Mar-21	Apr-20	Apr-21	May-20	May-21
TBES	235	224	235	224	226	217	227	213	223	218	226	217	227	218	228		228	
THS	179	193	178	194	179	194	177	196	177	195	179	191	180	190	180		180	
Total	414	417	413	418	405	411	404	409	400	413	405	408	407	408	408		408	
Difference	3				5	6		5	5	13		3					1	
Average	3				4	4.67		4.75		6.40		5.83		5.14				

P1 ADA		
	2019/20	2020/21
K-8	265.33	
9-12	111.33	

P2 ADA		
	2019/20	2020/21
K-8	259.75	
9-12	110.22	

CONSENT AGENDA

TULELAKE BASIN JOINT UNIFIED SCHOOL DISTRICT

**Special Board Meeting- Budget Workshop/Board Training
Board of Trustees**

**Friday
February 19, 2021
Open Session 9:00 am
District Conference Room**

Meeting Facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting please provide a written request to the Superintendent at the Tulalake Basin Joint Unified School District Office at least three working days prior to any public meeting.

MINUTES

Call to Order by Presiding Officer Dodson, at 9:10 a.m.

Roll Call: Jordan Dodson, President	present
Myra Chavoya-Perez, Clerk	present
Carrie Guthrie, Member	present
Nick Scott, Member	present
Kevin Nicholson, Member	present
Teresa Healy, Superintendent	present

Approval of Agenda **[Motion Myra Chavoya-Perez, Second Nick Scott 5/0/0]**

PUBLIC COMMENTS ON CLOSED SESSION AGENDA:

Under this item, the public is invited to address the Board regarding items that are on the Closed Session agenda. Speakers are limited to three minutes each. Please introduce yourself to the board. The Board is not allowed under the law to take action on matters that are not listed on the agenda.

Pledge of Allegiance

Motion to go into Closed Session. **[Motion Myra Chavoya-Perez, Second Carrie Guthrie 5/0/0]**

I. DISCUSSION

- A. BUDGET**
- B. BROWN ACT**

II. CLOSED SESSION

- A. PERSONNEL: Closed Session- Government Code §54957
PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
(Various Certificated and Classified Employees)**

Motion to come out of Closed Session. **[Motion Nick Scott, Second Kevin Nicholson 5/0/0]**

Reporting of Closed Session Items – No Reports.

III. ADJOURNMENT: Time 3:30 p.m. **[Motion Myra Chavoya-Perez, Second Nick Scott 5/0/0]**

Superintendent
Teresa Healy

Board Members
Jordan Dodson
Myra Chavoya-Perez
Carrie Guthrie
Nick Scott
Kevin Nicholson

**TULELAKE BASIN JOINT
UNIFIED SCHOOL DISTRICT
Regular Board Meeting
February 24, 2021
Closed Session: 5:00 p.m.
Open Session: 6:00 p.m.
District Conference Room
400 G Street, Tulelake, CA**

Meeting facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting please provide a written request to the Superintendent at the Tulelake Basin Joint Unified School District Office at least three working days prior to any public meeting. This meeting is being recorded.

MINUTES

Call to Order by Presiding Officer Dodson at 5:04 p.m.

Roll Call: Jordan Dodson, President	present
Myra Chavoya-Perez, Clerk	present
Carrie Guthrie, Member	present
Nick Scott, Member	present
Kevin Nicholson, Member	present
Teresa Healy, Superintendent	present

APPROVAL of AGENDA (change Action Item G. from Special Education Classified Aide to Special Education Para Professional)

[Motion Scott, Second Chavoya-Perez 5/0/0]

PUBLIC COMMENTS ON CLOSED SESSION AGENDA:

Under this item, the public is invited to address the Board regarding items that are on the Closed Session agenda. Speakers are limited to three minutes each. Please introduce yourself to the board. The Board is not allowed under the law to take action on matters that are not listed on the agenda.

Motion to go into Closed Session.

[Motion Scott, Second Chavoya-Perez 5/0/0]

CLOSED SESSION AGENDA

The board will adjourn to closed session to discuss:

- 1. PERSONNEL: Public Employee Employment:** Government Code § 54957
- 2. PERSONNEL: Closed Session – Government Code § 54957**
PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Various Certificated and Classified Employees)
- 3. PERSONNEL: Closed Session – Government Code § 54957**
PUBLIC EMPLOYEE PERFORMANCE EVALUATION: (Superintendent)
- 4. POTENTIAL LITIGATION: Closed Session - Government Code § 54956.9**
- 5. NEGOTIATIONS:** Conference with labor negotiator pursuant to {Government Code § 54957.6}:
Agency Negotiator: Teresa Healy; Employee Organization: Classified School Employees' Association (CSEA)
- 6. NEGOTIATIONS:** Conference with labor negotiator pursuant to {Government Code § 54957.6}: Agency Negotiator: Teresa Healy; Employee Organization: California Teacher's Association, Tulelake Basin Teacher's Association (CTA, TBTA)

Motion to come out of Closed Session

[Motion Scott, Second Chavoya-Perez 5/0/0]

Pledge of Allegiance

Reporting of Closed session Items:

1. **PERSONNEL: Public Employee Employment:** Government Code § 54957
2. **PERSONNEL: Closed Session – Government Code § 54957**
PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Various Certificated and Classified Employees)
3. **PERSONNEL: Closed Session – Government Code § 54957**
PUBLIC EMPLOYEE PERFORMANCE EVALUATION: (Superintendent)
4. **POTENTIAL LITIGATION: Closed Session - Government Code § 54956.9**
5. **NEGOTIATIONS:** Conference with labor negotiator pursuant to {Government Code § 54957.6}:
Agency Negotiator: Teresa Healy; Employee Organization: Classified School Employees' Association (CSEA)
6. **NEGOTIATIONS:** Conference with labor negotiator pursuant to {Government Code § 54957.6}: Agency
Negotiator: Teresa Healy; Employee Organization: California Teacher's Association, Tulelake Basin Teacher's Association (CTA, TBTA)

REPORTS

1. Financial Reports presented by Mrs. Thompson.
 - a. Cash Balances Report
 - b. Cash Flow Report
 - c. Edward Jones Investment Statement
2. Athletic Report presented by Mrs. Brown.
In addition Mrs. Brown reported that baseball/softball started conditioning today the first baseball game is scheduled for March 19th. We are currently searching for a softball and track coach. Track can begin on Monday once a coach is hired.
3. Elementary School Report presented by Dr. Butler.
In addition Dr. Butler reported that they are hard at work on the Winter Program, March 11th is Dr. Seuss Day, Thank You to the Para-Professional Staff for all they have done to help make things run smoothly during this year.
4. Tulelake High School/Superintendent Report presented by Mrs. Healy.
 - a. District EnrollmentIn addition Mrs. Healy reported that our ACA-DECA team placed second in the county, thank you to FFA Advisors Brown, Schaad & Hartung for all their work organizing the FFA Competition, thank you to Tricia Brown for all the work on the ever changing Athletic Plans during COVID, thank you to the Board for the recent Board Workshop/Training, thank you to the Boosters for the Valentine Treats, many staff members have participated in COVID Vaccination Clinics and CASP Testing is scheduled for the Spring.
5. Board Member Reports
Board Clerk Chavoya-Perez thanked Tricia Brown for working so hard on Athletics, thank you to Tara Wright for working with students during COVID, Hang On everyone!

Member Guthrie thank you to Tim & Kyle and all the community members for all their work with the FFA competition, Thank you to all staff for your work during this time, thankful for the changes to the lunch program Gus is eating at school!

Member Nicholson – no report.

Member Scott – thanks for the behind the scenes work to make all this happen. It's cool to be able to tell people we are/have been in school this whole year!!!

President Dodson – I appreciate every single person for being here for the kids – it is important for their mental well-being to be in school! Thank you to Monica for all the Budget Workshop information.

PUBLIC COMMENTS ON ITEMS NOT ON AGENDA: Under this item, the public is invited to address the Board regarding items that are not on tonight's agenda. Speakers are limited to three minutes each. Please introduce yourself to the board. The Board is not allowed under the law to take action on matters that are not on the agenda. The public will have the opportunity to comment on all agenda items as they are presented this evening.

CONSENT AGENDA

The consent agenda, if approved, will be recorded in the minutes as if each item had been acted upon individually. Requests by members of the board to have any item taken off the consent agenda for discussion will be honored without debate. Requests by the public to have an item taken off the consent agenda will be considered prior to the Board taking action.

Motion That all consent items to be approved as recommended by the superintendent.

Alternative Motion That consent items with the exception of (name items) be approved as recommended by the Superintendent

Approval of Consent Agenda

1. Review of consent agenda
2. Approval of consent agenda

[Motion Guthrie, Second Chavoya-Perez 5/0/0]

1. Administration

1.1 Approve Minutes.

- 1.1.1 Approve the Minutes of the Regular Meeting January 27, 2021

2. Budget and Finance

- 2.1.1 Bills Listing

3. Board Policies

3.1 Second Reading and Approval of Revised Board Policies/Administrative Regulations – December 2020

Administrative Regulation 0430 - Comprehensive Local Plan for Special Education
Board Policy 1312.3 - Uniform Complaint Procedures
Administrative Regulation 1312.3 - Uniform Complaint Procedures
Board Policy 4119.25/4219.25/4319.25 - Political Activities of Employees
Administrative Regulation 4119.25/4219.25/4319.25 - Political Activities of Employees
Board Policy 4140/4240/4340 - Bargaining Units
Board Policy 5113.2 - Work Permits
Administrative Regulation 5113.2 - Work Permits
Board Policy 5126 - Awards for Achievement
Administrative Regulation 5126 - Awards for Achievement
Board Policy 5141.31 - Immunizations
Administrative Regulation 5141.31 - Immunizations
Board Policy 5148.3 - Preschool/Early Childhood Education
Administrative Regulation 5148.3 - Preschool/Early Childhood Education
Board Policy 6146.1 - High School Graduation Requirements
Board Policy 6146.2 - Certificate of Proficiency/High School Equivalency
Administrative Regulation 6146.2 - Certificate of Proficiency/High School Equivalency
NEW - Exhibit 6146.2 - Certificate of Proficiency/High School Equivalency
Board Policy 6170.1 - Transitional Kindergarten
Board Bylaw 9012 - Board Member Electronic Communications
Board Bylaw 9320 - Meetings and Notices

4. Declare First Week in March "Week of the School Administrator"

Motion to close Tulelake Basin Joint Unified School District Board Meeting and open Public Hearing
[Motion Scott, Second Nicholson 5/0/0]

PUBLIC HEARING

This meeting is declared a public hearing for the purpose of members of the public to comment on the proposed Items:

- A. Public Disclosure of the Cost of the Tulelake Basin Joint Unified School District Contract with the Tulelake Basin Classified School Employees' Association

Ratify Tulelake Basin Joint Unified School District Contract and Memorandum of Understanding with the Tulelake Basin Classified School Employees' Association

[Motion Chavoya-Perez, Second Guthrie 5/0/0]

Motion to close Public Hearing and reopen Tulelake Basin Joint Unified School District Board Meeting.

[Motion Scott, Second Guthrie 5/0/0]

ACTION ITEMS

- A. Approve TES and THS Safety Plans **[Motion Guthrie, Second Chavoya-Perez 5/0/0]**
- B. Approve TES and THS Single Plan for Student Achievement (SPSA)
[Motion Guthrie, Second Chavoya-Perez 5/0/0]
- C. 2021/2022 School Calendar Discussion and Approval **[Motion Chavoya-Perez, Second Nicholson 5/0/0]**
- D. Approve CARS Winter Release **[Motion Scott, Second Chavoya-Perez 5/0/0]**
- E. Approval of 2021 Ballots for CSBA Delegate Assembly **[Motion Guthrie, Second Chavoya-Perez 5/0/0]**
- F. Establish and approve new Certificated Position: Special Education Teacher
[Motion Scott, Second Chavoya-Perez 5/0/0]
- G. Establish and approve the new classification and job description Of Classified Position: Special Education Para Educator.
[Motion Guthrie, Second Nicholson 5/0/0]
- H. Establish and approve the new classification and job description Of Classified Position: Office Clerk
[Motion Scott, Second Chavoya-Perez 5/0/0]

CORRESPONDENCE

- A. WASC Affirmation of Accreditation

BOARD MEMBER REQUEST FOR ITEMS FOR NEXT REGULAR BOARD MEETING

1. Items from the Board Calendar
2. Next Regular Board Meeting – March 24, 2021

ADJOURNMENT: Time: 6:39 p.m.

[Motion Scott, Second Chavoya-Perez 5/0/0]

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Check # 30059029, Dated 02/25/2021, Printed (000838), PO# ,BatchId AP02252021A										
Direct Employee Hartung, Matthew J (0000058)										
1246 Co. Road 104										
Tulelake, CA 96134										
2020/21	02/24/21		Reimburse for Domain and Pro Website Purchase	101277	02/25/21	Paid	Printed	577.70		577.70
2021	01.0000.0.0000.7100.5800.670.									
Check # 30059030, Dated 02/25/2021, Printed (000838), PO# PO21-00300, BatchId AP02252021A										
AP Vendor CCSESA (000721/1)										
1121 L. Street, Suite 510										
Sacramento, CA 95814										
F	2020/21	02/24/21	VR21-00301	NGSS Registratrion	9396	02/25/21	Printed	1,000.00		1,000.00
2021	01.4035.0.1110.1000.5202.071.050.									
Check # 30059031, Dated 02/25/2021, Printed (000838), PO# PO21-00025, BatchId AP02252021A										
AP Vendor Ed Staub & Sons (000143/2)										
PO Box 488										
Klamath Falls, OR 97601-0339										
2020/21	02/25/21	VR21-00025	Propane and Fuel for ALL SITES	3995194	02/25/21	Paid	Printed	2,299.12		2,299.12
2021	01.0000.0.0000.8200.5502.071.									
2021	01.0000.0.0000.8200.5502.670.									
2021	01.0000.0.0000.8200.5506.272.					2,299.12				
2021	01.0672.0.8100.8200.5506.670.									
2021	01.8100.0.0000.8100.4300.670.									
2021	13.5310.0.0000.8200.5506.670.									
2020/21	01/15/21	VR21-00025	Propane and Fuel for ALL SITES	4100586	02/25/21	Paid	Printed	2,137.70		2,137.70
2021	01.0000.0.0000.8200.5502.071.									
2021	01.0000.0.0000.8200.5502.670.					237.03				
2021	01.0000.0.0000.8200.5506.272.					376.00				
2021	01.0672.0.8100.8200.5506.670.					1,524.67				
2021	01.8100.0.0000.8100.4300.670.									
2021	13.5310.0.0000.8200.5506.670.									
2020/21	02/24/21	VR21-00025	Propane and Fuel for ALL SITES	4370548	02/25/21	Paid	Printed	2,280.51		2,280.51
2021	01.0000.0.0000.8200.5506.670.									

Selection See last page for selection criteria

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ReqPay05e

Payment Register by Check

Bank Account COUNTY - County AP										
Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Check # 30059031, Dated 02/25/2021, Printed (000838), PO# PO21-00025, Batchld AP02252021A (continued)										
AP Vendor	Ed Staub & Sons (000143/2)		(continued)							
2020/21	02/24/21	VR21-00025	Propane and Fuel for ALL SITES	4370548 (continued)	02/25/21	Paid	Printed	(continued)		(continued)
	2021	01.0000.	0.0000.8200.5502.071.							
	2021	01.0000.	0.0000.8200.5502.670.							
	2021	01.0000.	0.0000.8200.5506.272.							
	2021	01.0672.	0.8100.8200.5506.670.							
	2021	01.8100.	0.0000.8100.4300.670.							
	2021	13.5310.	0.0000.8200.5506.670.							
								2,280.51		
Check # 30059032, Dated 02/25/2021, Printed (000838), PO# PO21-00269, Batchld AP02252021A										
AP Vendor	First Class Auto Glass (001025/1)							6,717.33		
	PO Box 5122									
	Klamath Falls, OR 97601									
F	2020/21	02/24/21	VR21-00270	Replace Cracked Windshield on Bus	101278	Paid	Printed	250.00		250.00
				111						
	2021	01.0000.	0.0000.3600.5631.670.							
Check # 30059033, Dated 02/25/2021, Printed (000838), PO# PO21-00006, Batchld AP02252021A										
AP Vendor	Quill Corporation (000321/3)							250.00		
	P.O. Box 37600									
	Philadelphia, PA 19101-0600									
2020/21	02/24/21	VR21-00006	TES, THS and District Office Supplies	14610589	02/25/21	Paid	Printed	43.74		43.74
	2021	01.0000.	0.0000.2700.4300.272.							
	2021	01.0000.	0.0000.2700.4330.071.							
	2021	01.0000.	0.0000.7200.4330.670.							
								43.74		
Check # 30059034, Dated 02/25/2021, Printed (000838), PO# PO21-00266, Batchld AP02252021A										
AP Vendor	SYNCB/AMAZON (000016/2)							43.74		
	PO Box 530958									
	Atlanta, GA 30353-0958									
F	2020/21	02/24/21	VR21-00267	EFL T-Post Bracket	46895378649	02/25/21	Paid	Printed	25.73	25.73
	2021	01.0000.	0.0000.8200.4300.071.							
Selection See last page for selection criteria										
005 - Tulelake Basin J.U.S.D.										
Generated for Angie Forrester (AEOFBESTED) Mar 18 2024										
Page 2 of 15										

Bank Account COUNTY - County AP

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Check # 30059034, Dated 02/25/2021, Printed (000838), PO# PO21-00271, BatchId AP02252021A (continued)										
AP Vendor	2020/21	02/24/21	SYNCE/AMAZON (000016/2)	(continued)						(continued)
F	2020/21	02/24/21	VR21-00272	Replacement Wand for Backpack sprayer THS	778837755674	02/25/21	Printed	148.00		148.00
			2021 01. 8100. 0. 0000. 8100. 4300. 272.							
	2020/21	02/24/21	VR21-00258	Computer Components and supplies	789694593687	02/25/21	Printed	798.61		798.61
			2021 01. 1100. 0. 1110. 1000. 4300. 670. 090.							
F	2020/21	02/24/21	VR21-00278	Mr. Clean Magic Erasers	847434654756	02/25/21	Printed	51.40		51.40
			2021 01. 0000. 0. 0000. 8200. 4300. 071.							
Check # 30059071, Dated 03/04/2021, Printed (000839), PO# PO21-00310, BatchId AP03042021										
AP Vendor	Swiftreach Networks, LLC (000985/2)									
			Box 83463							
			Woburn, MA 01813-3463							
F	2020/21	03/02/21	VR21-00311	SwiftK12 renewal	INV-31939	03/03/21	Printed	700.00		700.00
			2021 01. 0000. 0. 0000. 7100. 5800. 670.							
Check # 30059072, Dated 03/04/2021, Printed (000839), PO# , BatchId AP03042021										
Direct Vendor	City of Tulelake (000104/1)									
			PO Box 847							
			Tulelake, CA 96134							
2020/21	03/01/21		Util.- water/sewer/garbage ALL SITES	101279	03/03/21	Printed		3,018.68		3,018.68
			2021 01. 0000. 0. 0000. 8200. 5503. 071.					183.48		
			2021 01. 0000. 0. 0000. 8200. 5503. 272.					347.06		
			2021 01. 0000. 0. 0000. 8200. 5504. 071.					867.24		
			2021 01. 0000. 0. 0000. 8200. 5504. 272.					562.70		
			2021 01. 0000. 0. 0000. 8200. 5504. 670.					126.34		
			2021 01. 0672. 0. 8100. 8200. 5503. 670.					74.76		
			2021 01. 0672. 0. 8100. 8200. 5504. 670.					378.80		
			2021 13. 5310. 0. 0000. 8200. 5504. 670.					478.30		
								Check Amount for 30059072		
								3,018.68		

Selection See last page for selection criteria

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Payment Register by Check

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8:23AM

Bank Account COUNTY - County AP										
Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Check # 30059076, Dated 03/04/2021, Printed (000839), PO# PO21-00024, BatchId AP03042021										
AP Vendor	Hue & Cry, Inc. (000909/2)									
	1751 Bruce Drive									
	Anderson, CA 96007									
2020/21	03/02/21	VR21-00024	Alarm and Sprinkler inspections	773047	03/03/21	Paid	Printed	470.00		470.00
			2021 01. 0672. 0. 8100. 8200. 5800. 670.							
			2021 01. 8100. 0. 0000. 8100. 5630. 071.							
			2021 01. 8100. 0. 0000. 8100. 5630. 272.			470.00				
			2021 01. 8100. 0. 0000. 8100. 5630. 670.							
Check # 30059077, Dated 03/04/2021, Printed (000839), PO# , BatchId AP03042021										
Direct Vendor	Modoc County Office of Education (000259/1)							470.00		
	139 Henderson Street									
	Alturas, CA 96101									
2020/21	03/02/21		CalPERS Social Security Administration 218 Annual fee	AR21-00074	03/03/21	Paid	Printed	500.00		500.00
			2021 01. 0000. 0. 0000. 7200. 5800. 670.							
Check # 30059078, Dated 03/04/2021, Printed (000839), PO# , BatchId AP03042021										
Direct Vendor	Pacific Power (000297/2)							500.00		
	PO Box 26000									
	Portland, OR 97256-0001									
2020/21	03/01/21		Utilities/Electric All Sites	101280	03/03/21	Paid	Printed	11,141.07		11,141.07
			2021 01. 0000. 0. 0000. 8200. 5501. 071.			3,948.43				
			2021 01. 0000. 0. 0000. 8200. 5501. 272.			6,324.07				
			2021 01. 0672. 0. 8100. 8200. 5501. 670.			868.57				
Check # 30059079, Dated 03/04/2021, Printed (000839), PO# PO21-00283, BatchId AP03042021										
AP Vendor	Perma-Bound Books (000306/1)							11,141.07		
	617 E. Vandalia Road									
	Jacksonville, IL 62650-3599									
F	2020/21	03/01/21	VR21-00284	Library books	1882935	03/03/21	Paid	Printed	49.19	49.19
Selection	See last page for selection criteria									
005 - Tulelake Basin J.U.S.D.										
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Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
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Check # 30059079, Dated 03/04/2021, Printed (000839), PO# PO21-00283, BatchId AP03042021

AP Vendor	Perma-Bound Books (000306/1)		(continued)							
F	2020/21	03/01/21	VR21-00284	Library books	1882935 (continued)	03/03/21	Printed	(continued)		
		2021	01.0000	0.0000	2420.4200	272.				

Check Amount for 30059079 49.19

Check # 30059080, Dated 03/04/2021, Printed (000839), PO# PO21-00081, BatchId AP03042021

AP Vendor	Pitney Bowes (000960/1)									
	8000-9090-1013-9934									
	PO BOX 371874									
	Pittsburgh, PA 15250-7874									
	2020/21	03/02/21	VR21-00082	Annual Refills for Postage Machine	101281	03/03/21	Printed	301.50		301.50
		2021	01.0000	0.0000	7200.5904	670.				

Check Amount for 30059080 301.50

Check # 30059081, Dated 03/04/2021, Printed (000839), PO# PO21-00031, BatchId AP03042021

AP Vendor	Stateline Auto Parts, Inc. (000378/1)									
	P.O. Box 260									
	22301 Stateline Road									
	Merrill, OR 97633									
	2020/21	03/03/21	VR21-00031	Parts and Supplies for Vehicles and Buses	458746	03/03/21	Printed	225.12		225.12
		2021	01.0000	0.0000	3600.4314	670.				
		2021	01.0000	0.0000	8101.4314	670.				

Check Amount for 30059081 225.12

Check # 30059082, Dated 03/04/2021, Printed (000839), PO# , BatchId AP03042021

Direct Vendor	US Bank Corporate									
	Payment Systems (000423/1)									
	PO Box 790428									
	St. Louis, MO 63179-0428									
	2020/21	03/03/21		Credit card Charges and fees owed on Account	101282	03/03/21	Printed	121.16		121.16
		2021	01.0000	0.0000	7100.4305	670.				
		2021	01.0000	0.0000	7200.5904	670.				
	2020/21	03/03/21	VR21-00181	PBIS Pictures-Shutterfly	101283	03/03/21	Printed	11.28		11.28

Selection See last page for selection criteria

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ReqPay05e

Payment Register by Check

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Bank Account COUNTY - County AP										
Check # 30059082, Dated 03/04/2021, Printed (000839), PO# PO21-00180, BatchId AP03042021 (continued)										

AP Vendor	US Bank Corporate									
2020/21	03/03/21	VR21-00181	Payment Systems (000423/1)	(continued)						(continued)
			PBIS Pictures-Shutterfly	101283 (continued)	03/03/21	Paid	Printed	(continued)		
	2021	01.0000.0.1110.1000.4300.071.								
F	2020/21	03/03/21	VR21-00286	Restroom Door Latch TES Restrooms	101284	Paid	Printed	61.61		61.61
	2021	01.8100.0.0000.8100.4300.071.								
F	2020/21	03/03/21	VR21-00274	Wall Mounted Faucets for Tub Sinks THS	101285	Paid	Printed	357.90	24.28	382.18
	2021	01.8100.0.0000.8100.4300.670.								
F	2020/21	03/03/21	VR21-00282	Books from Thirtfbbooks for Library	101286	Paid	Printed	205.12		205.12
	2021	01.0000.0.0000.2420.4200.272.								

Check # 30059083, Dated 03/04/2021, Printed (000839), PO# ,BatchId AP03042021

Direct Vendor	Verizon Wireless (000433/1)									
	P.O. Box 660108									
	Dallas, TX 75266-0108									
2020/21	03/02/21		Cell phone Charges	9783872335	03/03/21	Paid	Printed	94.20		94.20
	2021	01.0000.0.0000.3600.5902.670.								
	2021	01.0000.0.0000.7100.5902.670.								
	2021	01.0000.0.0000.7700.5902.670.								
	2021	01.0000.0.1110.4200.5902.272.								
	2021	01.8100.0.0000.8100.5902.670.								
	2021	11.0000.0.4110.1000.5902.375.								

Check Amount for 30059082

757.07

Check # 30059097, Dated 03/08/2021, Printed (000840), PO# ,BatchId AP03082021

Direct Vendor	AlSCO Medford (000014/1)									
	P.O. Box 1280									
	Medford, OR 97501									

Check Amount for 30059083

94.20

Selection See last page for selection criteria

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8:23AM

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Bank Account COUNTY - County AP

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
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Check # 30059097, Dated 03/08/2021, Printed (000840), PO# ,BatchId AP03082021

Direct Vendor	2020/21	03/01/21	Alisco Medford (000014/1) (continued)	LMED1914678	03/08/21	Paid	Printed	227.92		227.92
			Laundry Services for THS and TES Cafeterias							
			2021 13. 5310. 0. 0000. 8200. 5505. 670.							

Check # 30059098, Dated 03/08/2021, Printed (000840), PO# ,BatchId AP03082021

Direct Vendor	2020/21	03/08/21	Cal-Ore Telephone (000065/1) P.O. Box 847 Dorris, CA 96023	101287	03/08/21	Paid	Printed	2,230.56		2,230.56
			Phone, Honker -TASSEL							
			2021 01. 0000. 0. 0000. 3600. 5901. 670.					317.05		
			2021 01. 0000. 0. 0000. 7200. 5901. 670.					438.67		
			2021 01. 0000. 0. 0000. 7700. 5901. 670. 090.					49.92		
			2021 01. 0000. 0. 0000. 8200. 5901. 071.					359.98		
			2021 01. 0000. 0. 0000. 8200. 5901. 272.					390.49		
			2021 01. 0000. 0. 1110. 1000. 5903. 071. 090.					297.40		
			2021 01. 0000. 0. 1110. 1000. 5903. 272. 090.					326.35		
			2021 01. 6010. 0. 1131. 4000. 4300. 670.					50.70		

Check Amount for 30059097 227.92

Check Amount for 30059098 2,230.56

Check # 30059099, Dated 03/08/2021, Printed (000840), PO# PO21-00182, BatchId AP03082021

AP Vendor	2020/21	03/08/21	Ed Staub & Sons (000143/2) PO Box 488 Klamath Falls, OR 97601-0339	4439370	03/08/21	Paid	Printed	357.44		357.44
			Propane							
			2021 01. 7010. 0. 3800. 1000. 4300. 272.							

Check Amount for 30059099 357.44

Check # 30059100, Dated 03/08/2021, Printed (000840), PO# ,BatchId AP03082021

Direct Vendor	2020/21	03/05/21	LEAF (001022/1) P.O. Box 5066 Hartford, CT 06102-5066	11627250	03/08/21	Paid	Printed	873.04		873.04
			ALL Copiers Contract fee and sales/use tax fees							
			2021 01. 0000. 0. 0000. 7550. 5630. 670.							

Selection See last page for selection criteria

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Bank Account COUNTY - County AP

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
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Check # 30059101, Dated 03/08/2021, Printed (000840), PO# PO21-00072, Batchld AP03082021

AP Vendor Merrill Lumber Company										
Acct. 1520 (000454/1)										
284 E. Front Street										
Drawer E										
Merrill, OR 97633										
2020/21	03/05/21	VR21-00073	Shop/Greenhouse/F arm Supplies	B191490	03/08/21	Paid	Printed	59.28	4.30	63.58
	2021	01. 7010. 0. 3800. 1000. 4300. 272.				63.58				
2020/21	03/05/21	VR21-00139	Assorted Supplies for TES	C186090	03/08/21	Paid	Printed	77.98	5.65	83.63
	2021	01. 0000. 0. 0000. 8200. 4300. 071.				83.63				

Check Amount for 30059100 873.04

Check # 30059188, Dated 03/16/2021, Printed (000841), PO# .Batchld AP03162021A

Direct Vendor California Department of Tax and Fee Administration (000965/1)										
Motor Carrier Office										
PO Box 942879										
Sacramento, CA 94279-6155										
2020/21	03/12/21		Use Tax	101292	03/15/21	Paid	Printed	3,785.00		3,785.00
	2021	01. 0000. 0. .	. 9502. .			2,476.89				
	2021	01. 0000. 0. .	. 9510. .			1,303.77				
	2021	11. 0000. 0. .	. 9510. .			26.49				
	2021	13. 0000. 0. 0000. 0000. 9510. 000. .	. 9510. 000. .			26.49-				
	2021	40. 0000. 0. .	. 9502. .			4.34				

Check Amount for 30059101 137.26

Check # 30059189, Dated 03/16/2021, Printed (000841), PO# PO21-00328, Batchld AP03162021A

AP Vendor California FFA Association (000067/1)										
PO Box 460										
Galt, CA 95632										
F	2020/21	03/15/21	VR21-00329	Registration for State Conference	101293	Paid	Printed	500.00		500.00
	2021	01. 6387. 0. 3800. 1000. 5204. 670. .								

Check Amount for 30059188 3,785.00

Check # 30059190, Dated 03/16/2021, Printed (000841), PO# PO21-00296, Batchld AP03162021A

Check Amount for 30059189 500.00

Selection See last page for selection criteria

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Payment Register by Check

Selection	See last page for selection criteria
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Bank Account COUNTY - County AP

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Check # 30059193, Dated 03/16/2021, Printed (000841), PO# ,Batchld AP03162021A										
Direct Vendor	2020/21	03/12/21	Envoy Plan Services (000465/5)	(continued)						
			Admin fees for October and December 2020	61582	03/15/21	Paid	Printed	52.50		52.50
	2021	01. 0000.	0. 0000. 7200. 5800. 670.							
Check # 30059194, Dated 03/16/2021, Printed (000841), PO# PO21-00312, Batchld AP03162021A										
AP Vendor			Juniper Paper and Supply (000031/2)					52.50		
			1028 SE Paiute Way Bend, OR 97702							
F	2020/21	03/12/21	VR21-00313 Liners for Cafeteria	344636	03/15/21	Paid	Printed	480.48		480.48
		2021	13. 5310. 0. 0000. 3700. 4300. 670.							
Check # 30059195, Dated 03/16/2021, Printed (000841), PO# PO21-00047, Batchld AP03162021A										
AP Vendor			K & K Produce (000949/1)					480.48		
			P.O. Box 144 Alturas, CA 96101							
	2020/21	03/12/21	VR21-00047 Milk and Food for Cafeterias	5051783	03/15/21	Paid	Printed	4,314.74		4,314.74
		2021	13. 5310. 0. 0000. 3700. 4300. 670.			150.10				
		2021	13. 5310. 0. 0000. 3700. 4700. 670.			4,164.64				
Check # 30059196, Dated 03/16/2021, Printed (000841), PO# ,Batchld AP03162021A										
Direct Vendor			Lozano Smith, LLP (000587/1)					4,314.74		
			7404 North Spalding Fresno, CA 93720-3370							
	2020/21	03/15/21	General Legal Issues	2129499 2129500	03/15/21	Paid	Printed	510.00		510.00
		2021	01. 0000. 0. 0000. 7100. 5800. 670.							
Check # 30059197, Dated 03/16/2021, Printed (000841), PO# ,Batchld AP03162021A										
Direct Vendor			MCI (000253/1)					510.00		
			P.O. Box 15043 Albany, NY 12212-5043							

Selection See last page for selection criteria

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Bank Account COUNTY - County AP										
Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Check # 30059197, Dated 03/16/2021, Printed (000841), PO#, BatchId AP03162021A										
Direct Vendor										

Check # 30059197, Dated 03/16/2021, Printed (000841), PO# PO21-00309, BatchId AP03162021A

Direct Vendor		MCI (000253/1)	(continued)							
2020/21	03/08/21		Long Distance phone service	101289	03/15/21	Paid	Printed	140.39		140.39
		2021	01. 0000. 0. 0000. 3600. 5901. 670.			26.11				
		2021	01. 0000. 0. 0000. 7200. 5901. 670.			35.69				
		2021	01. 0000. 0. 0000. 7700. 5901. 670. 090.			8.79				
		2021	01. 0000. 0. 0000. 8200. 5901. 071.			36.32				
		2021	01. 0000. 0. 0000. 8200. 5901. 272.			33.48				

Check # 30059198, Dated 03/16/2021, Printed (000841), PO# PO21-00309, BatchId AP03162021A

AP Vendor		Mt. Lassen Math Council (000526/3) Attn: Maureen Clements 20615 Matamoros Street Redding, CA 96002								
F	2020/21	03/12/21	VR21-00310	Mt. Lassen Math Conference	MLMC-21-011	03/15/21	Paid	Printed	10.00	10.00
		2021	01. 4035. 0. 1110. 1000. 5202. 071. 050.							

Check # 30059199, Dated 03/16/2021, Printed (000841), PO# PO21-00320, BatchId AP03162021A

Direct Vendor		Office Technologies, Inc. (001021/1) 1912 United Way Medford, OR 97504								
2020/21	03/08/21		Contract Base Rate for ALL COPIERS	INV16289	03/15/21	Paid	Printed	253.51		253.51
		2021	01. 0000. 0. 0000. 7550. 5630. 071.			135.80				
		2021	01. 0000. 0. 0000. 7550. 5630. 272.			62.78				
		2021	01. 0000. 0. 0000. 7550. 5630. 670.			54.93				

Check # 30059200, Dated 03/16/2021, Printed (000841), PO# PO21-00320, BatchId AP03162021A

AP Vendor		Read Naturally (000327/2) 1284 Corporate Center Dr, Suite 600 St Paul, MN 55121-1279								
F	2020/21	03/15/21	VR21-00321	Read Naturally Live Licenses	245746	03/15/21	Paid	Printed	1,380.00	1,380.00
		2021	01. 0000. 0. 1110. 1000. 5800. 071.							

Selection See last page for selection criteria

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Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Bank Account COUNTY - County AP	
									Unpaid Sales Tax	Expense Amount

Check # 30059201, Dated 03/16/2021, Printed (000841), PO# ,Batchld AP03162021A

Direct Vendor Staples Credit Plan (000375/4)
DEPT 51-7820044922
PO Box 78004
Phoenix, AZ 85062-8004

Check Amount for 30059200 1,380.00

2020/21	03/12/21		Toner	278603857	03/15/21	Paid	Printed	573.07		573.07
	2021	01	1100	0	1110	1000	4300	670	090	
F	2020/21	03/12/21	VR21-00040	Computer Parts	278604001					
	2021	01	1100	0	1110	1000	4300	670	090	
					03/15/21	Paid	Printed	536.23		536.23

Check # 30059202, Dated 03/16/2021, Printed (000841), PO# PO21-00227, Batchld AP03162021A

AP Vendor Sysco Portland (000387/1)
P.O. Box 2210
Wilsonville, OR 97070-0527

Check Amount for 30059201 1,109.30

2020/21	03/12/21	VR21-00228	Food and Supplies for the Cafeteria	101291	03/15/21	Paid	Printed	8,217.81		8,217.81
	2021	13	5310	0	0000	3700	4300	670		
	2021	13	5310	0	0000	3700	4700	670		
						786.14				
						7,431.67				

Check # 30059203, Dated 03/16/2021, Printed (000841), PO# ,Batchld AP03162021A

Direct Vendor Tulelake Basin Joint
Unified School District (000407/1)
Revolving Account
PO Box 640
Tulelake, CA 96134

Check Amount for 30059202 8,217.81

2020/21	03/08/21		Reimburse Revolving Cash Fund for Mailings and Expenses	101288	03/15/21	Paid	Printed	402.29		402.29
	2021	01	0000	0	0000	7200	5904	670		

Check # 30059204, Dated 03/16/2021, Printed (000841), PO# ,Batchld AP03162021A

Direct Vendor Tulelake High School (000412/1)
PO Box 640
Tulelake, CA 96134

Check Amount for 30059203 402.29

Selection See last page for selection criteria

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Bank Account COUNTY - County AP

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Check # 30059204, Dated 03/16/2021, Printed (000841), PO#, BatchId AP03162021A										
Direct Vendor	Tulelake High School (000412/1)		(continued)							
2020/21	03/12/21		Reimburse for Subway sandwiches for translators at Conf.	101280	03/15/21	Paid	Printed	94.49		94.49
2021 01.0000.0.1110.1000.4305.272.										

Check Amount for 30059204

94.49

EXPENSES BY FUND - Bank Account COUNTY			
Fund	Expense	Cash Balance	Difference
01	43,890.03	744,470.94	700,580.91
11	247.50	77,739.78	77,492.28
13	13,821.01	27,583.27	13,762.26
40	4.34	876.27	871.93
Total	57,962.88		

Number of Payments	54
Number of Checks	41
Number of ACH Advice	0
Number of vCard Advice	0
Total Check/Advice Amount	\$57,928.65
Total Unpaid Sales Tax	\$34.23
Total Expense Amount	\$57,962.88

CHECK/ADVICE AMOUNT DISTRIBUTION COUNTS

\$0 - \$99	7
\$100 - \$499	14
\$500 - \$999	7
\$1,000 - \$4,999	10
\$5,000 - \$9,999	2
\$10,000 - \$14,999	1
\$15,000 - \$99,999	
\$100,000 - \$199,999	
\$200,000 - \$499,999	
\$500,000 - \$999,999	
\$1,000,000 -	

***** ITEMS OF INTEREST *****

* Number of payments to a different vendor
 ! Number of Prepaid payments
 @ Number of Liability payments
 & Number of Employee Also Vendors

? denotes check name different than payment name
 F denotes Final Payment

Report Totals -	Payment Count	54	Check Count	41	ACH Count	0	vCard Count	0	Total Check/Advice Amount	57,928.65
Report Selection Criteria	Sorted by Check #, Filtered by (Org = 5, Payment Method = N, Bank Account(s) IN ('COUNTY'), Payment Type = N, On Hold? = Y, Starting Create Date = 2/19/2021, Ending Create Date = 3/18/2021, Page Break by Check/Advice? = N, Zero? = Y, Fund = 01-40)									

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TULELAKE BASIN JOINT UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES

ITEM:

DATE: March 24, 2021

SUBJECT TITLE:

First Reading of Updated Board Policies and Administrative Regulations – March 2021

REQUESTED ACTION:

Action: X Information: Discussion: Information/Discussion:

BACKGROUND INFORMATION:

First Reading of Updated Board Policies and Administrative Regulations

PROPOSED PLAN/PROGRAM REPORT:

First Reading-March 2021

Board Policy 0420.42 - Charter School Renewal
Board Policy 3110 - Transfer of Funds
Board Policy 3230 - Federal Grant Funds
Administrative Regulation 3230 - Federal Grant Funds
Administrative Regulation 3311.2 - Lease-Leaseback Contracts
Administrative Regulation 3311.3 - Design-Build Contracts
Administrative Regulation 3320 - Claims and Actions Against the District
Board Policy 3452 - Student Activity Funds
Board Policy 3515.3 - District Police/Security Department
Administrative Regulation 3515.3 - District Police/Security Department
Board Policy 3600 - Consultants
Exhibit 4112.9/4212.9/4312.9 - Employee Notifications
Administrative Regulation 4161.2/4261.2/4361.2 - Personal Leaves
Administrative Regulation 4161.8/4261.8/4361.8 - Family Care and Medical Leave
Board Policy 6142.8 - Comprehensive Health Education
Administrative Regulation 6142.8 - Comprehensive Health Education
Board Policy 7210 - Facilities Financing

SPECIFIC FINANCIAL IMPACT OF ACTION PROPOSED/TAKEN:

N/A

RECOMMENDATION:

First Reading of Updated Board Policies and Administrative Regulation

ORIGINATOR:

Teresa Healy, Superintendent

APPROVED FOR SUBMISSION TO THE BOARD BY:

Teresa Healy, Superintendent

CSBA POLICY GUIDE SHEET

March 2021

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

Board Policy 0420.42 - Charter School Renewal

Policy updated to reflect **NEW LAW (SB 98, 2020)** which amends the criteria for renewal when the two consecutive years immediately preceding the renewal include the 2019-20 school year (i.e., renewals submitted in 2020-21 and 2021-22). Policy adds the requirement that the determination of a charter school's academic progress be based on all the state indicators in the California School Dashboard for which it receives performance levels, provided that the charter school has schoolwide performance levels on at least two measurements of academic performance per year and for at least two student subgroups. Policy also reflects action taken by the State Board of Education (SBE) in November 2020 to approve a list of valid and reliable indicators of academic progress and postsecondary outcomes that may be used to demonstrate a charter school's academic performance.

Board Policy 3110 - Transfer of Funds

Policy updated to reflect **NEW LAW (SB 98, 2020)** which authorizes, for the 2020-21 and 2021-22 fiscal years if the state defers any payments owed to districts, the temporary transfer of up to 85 percent of the maximum amount held in any fund or account for the payment of obligations. Item #4 revised to clarify requirements for transfers from special reserve funds for capital outlay or other purposes into the general fund for general operating purposes of the district.

Board Policy 3230 - Federal Grant Funds

Policy updated to reflect **NEW FEDERAL REGULATIONS (85 Fed. Reg. 49506)**, effective November 12, 2020, which clarify and renumber requirements for the use and accounting of federal grant funds pursuant to the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (commonly called the "Uniform Guidance"). Policy reflects an amendment to the Uniform Guidance which extends the timeframe for submitting the final performance report from 90 to 120 calendar days after the ending date of the grant.

Administrative Regulation 3230 - Federal Grant Funds

Regulation updated to reflect **NEW FEDERAL REGULATIONS (85 Fed. Reg. 49506)**, effective November 12, 2020, which clarify and renumber requirements for the use and accounting of federal grant funds pursuant to the Uniform Guidance. Regulation reflects amendments to the Uniform Guidance which (1) extend the timeframe for paying all obligations of federal funds from 90 to 120 calendar days after the end of the funding period; (2) require districts to give a preference to the purchase, acquisition, or use of goods, products, or materials from the United States as practicable; and (3) increase the threshold for "micro-purchases" and "small purchases" that qualify for simplified procurement procedures. Regulation also adds the requirement to provide for disciplinary actions to be applied when officers, employees, or representatives of the district violate conflict of interest standards. Section on "Personnel" revised to (1) add the district's responsibility to check employee records and ensure that the charges are accurate, allowable, and properly allocated and (2) clarify the documentation requirements for employees whose salary is paid with state or local funds but is used to meet a cost-sharing or matching requirement of the federal grant.

Administrative Regulation 3311.2 - Lease-Leaseback Contracts

Regulation updated to (1) include the maximum term for the lease-leaseback contract as specified in law, (2) reflect the requirement for site and plan approval prior to entering into an agreement, (3) add optional language for a board resolution declaring the intent to enter into a lease-leaseback contract, and (4) move evaluation criteria into the list of items that must be included in the request for sealed proposals. Regulation also reflects **NEW LAW (AB 2311, 2020)** which requires districts to include in all bid documents and construction contracts a notice that the project is subject to state "skilled and trained workforce" requirements.

Administrative Regulation 3311.3 - Design-Build Contracts

Regulation updated to reflect **NEW LAW (AB 2311, 2020)** which requires districts to include in all bid documents and construction contracts a notice that the project is subject to state "skilled and trained workforce" requirements. Regulation also adds a definition of "skilled and trained workforce," and describes the district's responsibilities if the contractor fails to demonstrate compliance with these requirements.

Administrative Regulation 3320 - Claims and Actions Against the District

Regulation updated to add introductory information explaining the procedures that may be used to file a claim for money or damages against the district depending on the cause of action. Section on "Time Limitations" reorganized and clarified, especially with regard to the time limits for claims related to causes of actions which are excepted from the Government Claims Act, are not governed by any other claim presentation statute or regulation, and are addressed through procedures established by the district. Regulation also reflects **NEW LAW (SB 1473, 2020)** which allows a person to submit a claim, amendment to a claim, or application for a late claim by electronic means, if so authorized by a board resolution, in which case the subsequent notices provided by the district must be sent to the electronic address from which the claim was sent unless the claimant specifies an alternative electronic address for that purpose.

Board Policy 3452 - Student Activity Funds

Policy updated to clarify that the policy does not apply to school-connected organizations that are not composed entirely of students or subject to the board's control and regulation. Section on "Fundraising" adds a reference to policy that addresses online fundraising, and addresses fundraising events that involve the sale of foods and/or beverages. Section on "Management and Reporting of Funds" updated to reflect Governmental Accounting Standards Board (GASB) Statement 84, which provides that, if the district has administrative or direct financial involvement with the student organization's assets, as defined, the student activity fund may be considered a governmental fund subject to specific accounting and financial reporting requirements.

Board Policy 3515.3 - District Police/Security Department

Policy updated to reflect **NEW LAW (SB 98, 2020)** which encourages districts to redirect resources currently allocated to district police departments into student support services and professional development on cultural competency and restorative justice. Policy also updates the board's philosophical statement, adds optional language regarding staff training on appropriate contact with district police or security officers, and reflects **NEW LAW (AB 846, 2020)** which requires districts to review the job description that is used in recruitment and hiring and make changes that emphasize community-based policing and collaborative problem solving while de-emphasizing the paramilitary aspects of the job. Section on "Conduct of Officers" revised to prohibit discrimination based on protected characteristics, prohibit district officers from assisting with immigration enforcement at district schools, and reflect requirement for district police departments to adopt policy that provides a minimum standard on the use of force. Policy also reflects the district's eligibility to receive surplus military equipment if the board approves the acquisition of such equipment, and adds a section on "Records" which limits officers' access to or release of student records except when otherwise authorized or required by law.

Administrative Regulation 3515.3 - District Police/Security Department

Regulation updated to reflect law which, effective July 1, 2021, extends the requirement to complete a specified course of training to include security officers who work 20 hours per week or less. Regulation also clarifies that the additional training requirements of Penal Code 832 apply to security officers who carry a firearm while performing their duties. Section on "Qualifications of Police Officers" adds the requirement to complete specialized training within two years of the first date of employment. New section on "Use of Force" reflects (1) **NEW LAW (AB 1196, 2020)** which prohibits a law enforcement agency from authorizing the use of carotid restraints or choke holds, and (2) the requirement for district police departments to adopt policy that provide a minimum standard on the use of force that includes specified components and is consistent with guidelines established by the Commission on Peace Officer Standards and Training.

Board Policy 3600 - Consultants

Policy updated to reflect **NEW LAW (AB 2257, 2020)** which recodifies the three-part test established in Dynamex Operations West, Inc. v. Superior Court of Los Angeles to determine whether a person providing services for remuneration should be classified as an employee or an independent contractor, and **NEW LAWS (AB 2257 and AB 323, 2020)** which establish exceptions to the use of the three-part test. Requirement to afford equal opportunity for contracts revised to add ethnicity and reflect **NEW LAW (AB 3364, 2020)** which changes the term "military and veteran status" to "veteran or military status."

Exhibit 4112.9/4212.9/4312.9 - Employee Notifications

Exhibit updated to add employee notifications related to (1) the rights of employees who are victims of crime or abuse; (2) potential exposure to COVID-19 at a district facility; (3) the right and procedure to access the district's injury and illness prevention program; (4) nondiscrimination on the basis of sex and contact information for the district's Title IX Coordinator; and (5) following an investigation of an alleged misconduct of a district police officer, the district's decision to impose discipline.

Administrative Regulation 4161.2/4261.2/4361.2 - Personal Leaves

Regulation updated to reflect **NEW LAW (AB 2992, 2020)** which extends leave for employees who are victims of domestic violence, sexual assault, or stalking to include employees who are victims of a crime that caused physical injury, or mental injury with a threat of physical injury, and employees whose immediate family member is deceased as a direct result of a crime. Regulation also reflects provisions of AB 2992 which require districts to inform employees of their rights for such leave and authorize employees, when an unscheduled absence occurs, to submit documentation from a victim advocate or any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or an individual acting on the employee's behalf.

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

Regulation updated to reflect **NEW LAW (SB 1383, 2020)** which, for purposes of leave under the California Family Rights Act, (1) revises the definition of "child" to include the child of a registered domestic partner; (2) includes an employee's grandparent, grandchild, sibling, and registered domestic partner as persons for whom an employee may take leave for a serious health condition; (3) repeals a provision of law which had limited any leave related to the birth or placement of the child to only one parent if a district employs both parents, thereby requiring the district to grant leave to each employee; (4) eliminates the district's authority to deny reinstatement, upon return from leave, for an employee who is among the highest paid 10 percent of district employees when the employee's absence would cause substantial and grievous economic injury to district operations; and (5) authorizes military family leave to attend to an exigency arising when the employee's registered domestic partner is on active duty or on call to active duty status in the National Guard or Reserves or is a member of the regular Armed Forces on deployment to a foreign country.

Board Policy 6142.8 - Comprehensive Health Education

Policy updated to reflect the 2019 state curriculum framework for health education, including emphasis on the physical, mental, and social well-being of students and integration of health education with other content areas of the district's curriculum. Policy also reflects law which authorizes districts to provide age-appropriate comprehensive sexual health education prior to grade 7, and law which authorizes instruction in grades K-12 in sexual abuse and sexual assault awareness and prevention provided students are allowed to be excused from such instruction with the written request of the parent/guardian.

Administrative Regulation 6142.8 - Comprehensive Health Education

Regulation updated to more directly reflect state content standards for injury prevention and safety and for personal and community health. Regulation also adds a new section on "High School Health Education" for districts that require a course in health education for graduation, which reflects law requiring that the course in health education include instruction in sexual harassment and violence and instruction in performing compression-only cardiopulmonary resuscitation. Section on "Students Excused from Health Instruction" expanded to address excusals from (1) comprehensive sexual health education and HIV prevention education; (2) instruction in sexual abuse and/or sexual assault awareness and prevention; (3) any exam, survey, or questionnaire which contains questions about the student's or family's personal beliefs or practices in sex,

family life, morality, or religion; and (4) anonymous, voluntary, and confidential tests, questionnaires, and surveys containing age-appropriate questions about students' attitudes concerning or practices relating to sex.

Board Policy 7210 - Facilities Financing

Policy updated to add state facilities funding from the Leroy F. Greene School Facilities Act as a method of funding facilities and to reflect **NEW LAW (SB 820, 2020)** which requires filing the audit of completed facilities projects with the California State Controller. Policy also adds the requirement to comply with law and board policy regarding debt issuance and management.

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, consistent with the timelines set out in the Education Code. The Board shall consider renewal petitions only of charters originally authorized by the Board itself or by the State Board of Education (SBE) 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)

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. The Board shall only consider data from sources adopted by SBE. (Education Code 47607, 47607.2)

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. A charter school that is not eligible for technical assistance pursuant to Education Code 47607.3 shall be granted renewal for a period of five to seven years when, for two consecutive years immediately preceding the renewal, or for two of the three years immediately preceding the renewal for any renewal submitted in the 2020-21 or 2021-22 school year, the charter school achieved either of the following: (Education Code 47607)
 - (1) Received the two highest performance levels schoolwide on all the state indicators included in the Dashboard for which the charter school receives performance levels, provided the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years
 - (2) 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, provided that the charter school has performance levels on at least two measurements of academic performance for at least two subgroups
- b. If the charter school satisfies the above criteria, it shall only be required to update the renewal petition to include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed and, as necessary, to reflect the current program offered by the charter school. (Education Code 47607)

2. Renewal of Five Years

CHARTER SCHOOL RENEWAL (continued)

- 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
 - 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/Two-Year Renewal
- a. The Board shall generally not renew a charter if, for two consecutive years immediately preceding the renewal decision, or for two of the three years immediately preceding the renewal for any renewal submitted in the 2020-21 or 2021-22 school year, 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, provided the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years
 - (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, provided that the charter school has performance levels on at least two measurements of academic performance for at least two subgroups
 - 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: (Education Code 47607.2)

CHARTER SCHOOL RENEWAL (continued)

- (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

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 Board may deny the renewal for these reasons only upon a finding that either 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 qualifies 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, determine the level of support for the petition, 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)

CHARTER SCHOOL RENEWAL (continued)

The Board shall either grant or deny the charter renewal within 90 days of receiving the petition. The date may be extended by an additional 30 days if both the petitioner and the Board agree to the extension. (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 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 school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962 shall be implemented. (Education Code 47604.32, 47605)

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

11962-11962.1 *Definitions*

11966.4 *Submission of charter renewal petition*

11966.5 *Charter petitions that have not been renewed; submission to county board of education*

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 Authorizing Professionals: <https://calauthorizers.org>

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

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

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

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

TRANSFER OF FUNDS

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

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

(cf. 3400 - Management of District Assets/Accounts)

(cf. 3460 - Financial Reports and Accountability)

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

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

1. At any time, adopt a written resolution providing for transfers from the designated fund balance or the unappropriated fund balance to any expenditure classification or between classifications. The resolution shall be filed with the County Superintendent of Schools and the County Auditor. (Education Code 42600)

(cf. 9323.2 - Actions by the Board)

2. Direct the temporary transfer of monies held in any district fund or account to another fund or account as necessary for the payment of obligations. Such borrowing shall occur only when the fund or account receiving the money will earn sufficient income during the current fiscal year to repay the amount transferred. No more than 75 percent of the maximum amount held in any fund or account during the current fiscal year may be transferred. Amounts transferred shall be repaid in the same fiscal year, or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year. (Education Code 42603)

For the 2020-21 and 2021-22 fiscal years only, if the state defers any payments owed to districts, the Board may direct the temporary transfer of up to 85 percent of the maximum amount held in any fund or account during the current fiscal year for the payment of obligations. Such borrowing shall occur only when the fund or account receiving the money will earn sufficient income during the current fiscal year to repay the amount transferred. Prior to exercising this authority, the Board shall hold a public hearing and adopt a resolution authorizing such transfer. (Education Code 42603.1)

3. At the close of a school year, request that the County Superintendent make transfers between the designated fund balance or the unappropriated fund balance and any

TRANSFER OF FUNDS (continued)

expenditure classification(s), or balance any expenditure classifications of the district budget as necessary for the payment of obligations incurred during that school year. (Education Code 42601)

4. If any special reserve funds that are maintained for capital outlay or other purposes pursuant to Education Code 42842 are not actually encumbered for ongoing expenses, transfer those monies into the general fund for the general operating purposes of the district. If any monies remain in the special reserve fund at the conclusion of a project, the Board may submit a written request to the County Superintendent, Auditor, and Treasurer to discontinue the special reserve fund and transfer those monies to the district's general fund. (Education Code 42841-42843)
5. Transfer monies between other funds or accounts when authorized by law.

*Legal Reference:*EDUCATION CODE

78 Definition, governing board

5200 Districts governed by boards of education

16095 Transfer of district funds to district state school building fund

41010 California School Accounting Manual

41301 Section A state school fund allocation schedule

42125 Designated and unappropriated fund balances

42238-42251 Apportionments to districts, especially:

42238.01-42238.07 Local control funding formula

42600 District budget limitation on expenditure

42601 Transfers between funds to permit payment of obligations at close of year

42603 Temporary Transfer of monies held in any fund or account to another fund; repayment

42603.1 Temporary transfer of monies held in any fund or account to another fund; state deferrals;
fiscal years 2020-21 and 2021-22

42840-42843 Special reserve fund

52616.4 Expenditures from adult education fund

*Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

WEB SITES

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

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

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

FEDERAL GRANT FUNDS

The Governing Board recognizes the district's responsibility to maintain fiscal integrity and transparency in the use of all funds awarded through federal grants. The district shall comply with all requirements detailed in any grant agreement with an awarding agency and with the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards specified in 2 CFR 200.0-200.521 and any stricter state laws and district policy.

Any goods or services purchased with federal funds shall be reasonable in cost and necessary for the proper and efficient performance or administration of the program.

The Superintendent or designee shall ensure that the district's financial management systems and procedures provide for the following: (2 CFR 200.302)

1. Identification in district accounts of each federal award received and expended and the federal program under which it was received

(cf. 3100 - Budget)

2. Accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with the reporting requirements of 2 CFR 200.328 and 200.329

(cf. 3460 - Financial Reports and Accountability)

3. Records and supporting documentation that adequately identify the source and application of funds for federally funded activities, including information pertaining to federal awards, authorizations, financial obligations, unobligated balances, assets, expenditures, income, and interest

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

4. Effective control over and accountability for all funds, property, and other assets and assurance that all assets are used solely for authorized purposes
5. Comparison of actual expenditures with budgeted amounts for each federal award
6. Written procedures to implement provisions governing payments as specified in 2 CFR 200.305
7. Written procedures for determining the allowability of costs in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the federal grant award

(cf. 3400 - Management of District Assets/Accounts)

FEDERAL GRANT FUNDS (continued)

The Superintendent or designee shall develop and implement appropriate internal control processes to reasonably assure that transactions are properly executed, recorded, and accounted for so that the district can prepare reliable financial statements and federal reports, maintain accountability over assets, and demonstrate compliance with federal laws, regulations, and conditions of the federal award. (2 CFR 200.61, 200.62, 200.303)

Equipment purchased with federal funds shall be properly inventoried and adequately maintained to safeguard against loss, damage, or theft of the property.

(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)

(cf. 3440 - Inventories)

(cf. 3512 - Equipment)

All staff involved in the administration or implementation of programs and activities supported by federal funds shall receive information and training on the allowable use of federal funds, purchasing procedures, and reporting processes commensurate with their duties.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The district shall submit financial and performance reports to the awarding agency in accordance with the schedule and indicators required for that federal grant by law and the awarding agency. As required, such reports may include a comparison of actual accomplishments to the objectives of the federal award, the relationship between financial data and performance accomplishments, the reasons that established goals were not met if applicable, cost information to demonstrate cost-effective practices, analysis and explanation of any cost overruns or high unit costs, and other relevant information. The final performance report shall be submitted no later than 120 calendar days after the ending date of the grant. (2 CFR 200.301, 200.328, 200.329)

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference: (see next page)

FEDERAL GRANT FUNDS (continued)

Legal Reference:

EDUCATION CODE

42122-42129 Budget requirements

64001 School plan for student achievement, consolidated application programs

CODE OF FEDERAL REGULATIONS, TITLE 2

180.220 Amount of contract subject to suspension and debarment rules

200.0-200.521 Federal uniform grant guidance, especially:

200.1-200.99 Definitions

200.100-200.113 General provisions

200.317-200.326 Procurement standards

200.327-200.329 Monitoring and reporting

200.333-200.337 Record retention

200.400-200.475 Cost principles

200.500-200.521 Audit requirements

CODE OF FEDERAL REGULATIONS, TITLE 34

76.730-76.731 Records related to federal grant programs

CODE OF FEDERAL REGULATIONS, TITLE 48

2.101 Federal acquisition regulation; definitions

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Department of Education Audit Guide

California School Accounting Manual

EDUCATION AUDIT APPEALS PANEL PUBLICATIONS

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

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Questions and Answers Regarding 2 CFR Part 200

WEB SITES

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

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

Office of Management and Budget, Uniform Guidance: <https://www.whitehouse.gov/omb>

State Controller's Office: <http://www.sco.ca.gov>

System for Award Management (SAM): <http://www.sam.gov/SAM>

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

U.S. Government Accountability Office: <http://www.gao.gov>

FEDERAL GRANT FUNDS

To ensure the lawful expenditure of any federal formula or discretionary grant funds awarded to the district, the Superintendent or designee shall comply with the requirements of the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (the "Uniform Guidance"), as contained in 2 CFR 200.0-200.521 and Appendices I-XII.

Allowable Costs

Prior to obligating or spending any federal grant funds, the Superintendent or designee shall determine whether a proposed purchase is an allowable expenditure in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the award. The Superintendent or designee shall also determine whether the expense is a direct or indirect cost as defined in 2 CFR 200.413 and 200.414 and, if the purchase will benefit other programs not included in the grant award, the appropriate share to be allocated to the federal grant.

(cf. 3350 - Travel Expenses)

The Superintendent or designee shall review and approve all transactions involving federal grant funds and shall ensure the proper coding of expenditures consistent with the California School Accounting Manual.

(cf. 3300 - Expenditures and Purchases)

(cf. 3314 - Payment for Goods and Services)

Period of Performance

All obligations of federal funds shall occur on or between the beginning and ending dates of the grant project and shall be paid no later than 120 calendar days after the end of the funding period, unless specifically authorized by the grant award to be carried over beyond the initial term of the grant. (2 CFR 200.77, 200.308, 200.309, 200.344)

Procurement

When procuring goods and services with a federal grant, the Superintendent or designee shall comply with the standards contained in 2 CFR 200.317-200.327 and Appendix II of Part 200, and with any applicable state bidding or procurement law or district policy that is more restrictive.

As appropriate to encourage greater economy and efficiency, the Superintendent or designee shall avoid acquisition of unnecessary or duplicative items, give consideration to consolidating or breaking out procurements, analyze lease versus purchase alternatives, consider entering into an interagency agreement for procurement of common or shared goods and services, and/or use federal excess or surplus property. (2 CFR 200.318)

FEDERAL GRANT FUNDS (continued)

The procurement of goods or services with federal funds shall be conducted in a manner that provides full and open competition in accordance with state laws and district regulations and the following requirements:

1. Any purchase of supplies or services that does not exceed the "micro-purchase" threshold established by the district in accordance with 48 CFR 2.101 may be awarded without soliciting competitive quotes, provided that the district considers the price to be reasonable and maintains written evidence of this reasonableness in the record of all micro-purchases. (2 CFR 200.67, 200.320)
2. For any purchase that exceeds the micro-purchase threshold but is less than the bid limit required by Public Contract Code 20111, the Superintendent or designee shall utilize "small-purchase" procedures that include obtaining price or rate quotes from an adequate number of qualified sources. (2 CFR 200.320)
3. Contracts for goods or services over the bid limits required by Public Contract Code 20111 shall be awarded pursuant to California law and AR 3311 - Bids, unless exempt from bidding under the law.

(cf. 3311 - Bids)

4. If a purchase is exempt from bidding and the district's solicitation is by a request for proposals, the award may be made by either a fixed-price or cost-reimbursement type contract awarded to the entity whose proposal is most advantageous to the program, with price and other factors considered. (2 CFR 200.320)

(cf. 3312 - Contracts)

5. Procurement by noncompetitive proposals (sole sourcing) may be used only when the item is available exclusively from a single source, the need or emergency will not permit a delay resulting from competitive solicitation, the awarding agency expressly authorizes sole sourcing in response to the district's request, and/or competition is determined inadequate after solicitation of a number of sources. (2 CFR 200.320)
6. Time and materials type contracts may be used only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. *Time and materials type contract* means a contract for which the cost is the sum of the actual cost of materials and direct labor hours charged at fixed hourly rates that reflect wages, general administrative expenses, and profit. (2 CFR 200.318)

FEDERAL GRANT FUNDS (continued)

For any purchase of \$25,000 or more, the Superintendent or designee shall verify that any vendor which is used to procure goods or services is not excluded or disqualified by the federal government. (2 CFR 180.220, 200.214)

All solicitations shall incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description shall avoid detailed product specifications to the extent possible, but may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. When it is impractical or not economical to make a clear and accurate description of the technical requirements, a brand name or equivalent description may be used to define the performance or other salient requirements of procurement, clearly stating the specific features of the named brand which must be met by offers. In addition, every solicitation shall identify all requirements which the offer must fulfill and any other factors to be used in evaluating bids or proposals. (2 CFR 200.319)

The Superintendent or designee shall maintain sufficient records to document the procurement, including, but not limited to, the rationale for the method of procurement, selection of the contract type, contractor selection or rejection, and the basis for the contract price. (2 CFR 200.318)

The Superintendent or designee shall ensure that all contracts for purchases using federal grant funds contain the applicable contract provisions described in Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards. (2 CFR 200.327)

Capital Expenditures

The Superintendent or designee shall obtain prior written approval from the awarding agency before using federal funds to make capital expenditures, including the acquisition of land, facilities, equipment, and intellectual property and expenditures to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life. (2 CFR 200.313, 200.439)

Conflict of Interest

Governing Board members, district employees, and other district representatives shall not participate in the selection, award, or administration of a contract supported by federal funds if they have a real or apparent conflict of interest, such as when they or a member of their

FEDERAL GRANT FUNDS (continued)

immediate family, their partner, or an organization which employs or is about to employ any of them has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. Such persons are prohibited from soliciting or accepting gratuities, favors, or anything of monetary value from contractors or subcontractors unless the gift is an unsolicited item of nominal value. (2 CFR 200.318)

Employees engaged in the selection, award, and administration of contracts shall also comply with BB 9270 - Conflict of Interest.

(cf. 9270 - Conflict of Interest)

Persons involved in the selection, award, or administration of a contract supported by federal funds shall be subject to discipline for any violation of conflict of interest standards. (2 CFR 200.318)

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

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

(cf. 4218.1 - Dismissal/Suspension/Disciplinary Action (Merit System))

Cash Management

The Superintendent or designee shall ensure the district's compliance with 2 CFR 200.305 pertaining to payments and cash management, including compliance with applicable methods and procedures that minimize the time elapsing between the transfer of funds to the district and the district's disbursement of funds. (2 CFR 200.305)

When authorized by law, the district may receive advance payments of federal grant funds, limited to the minimum amounts needed and timed in accordance with the actual immediate cash requirements of the district for carrying out the purpose of the program or project. Except under specified conditions, the district shall maintain the advance payments in an interest-bearing account. The district shall remit interest earned on the advanced payment to the awarding agency on an annual basis, but may retain interest amounts specified in 2 CFR 200.305 for administrative expenses. (2 CFR 200.305)

When required by the awarding agency, the district shall instead submit a request for reimbursement of actual expenses incurred. The district may also request reimbursement as an alternative to receiving advance payments. (2 CFR 200.305)

The Superintendent or designee shall maintain source documentation supporting the expenditure of federal funds, such as invoices, time sheets, payroll stubs, or other appropriate documentation.

FEDERAL GRANT FUNDS (continued)**Personnel**

All district employees who are paid in full or in part with federal funds shall document the amount of time they spend on grant activities. Such records shall be incorporated into the official records of the district and shall be subject to a system of internal controls which provides reasonable assurance that the charges are accurate, allowable, and properly allocated in accordance with 2 CFR 200.430. (2 CFR 200.430)

Salaries and wages of employees whose salary is paid with state or local funds but are used to meet a cost-sharing or matching requirement of the federal grant shall be documented in the same manner as salaries and wages claimed for reimbursement under a federal grant. (2 CFR 200.430)

Records

Except as otherwise provided in 2 CFR 200.334, or where state law or district policy requires a longer retention period, financial records, supporting documents, statistical records, and all other district records related to a federal award shall be retained for a period of three years from the date of submission of the final expenditure report or, for a federal award that is renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report. (2 CFR 200.334)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Audits

Whenever the district expends \$750,000 or more in federal grant funds during a fiscal year, it shall arrange for either a single audit or a program-specific audit in accordance with 2 CFR 200.507 or 200.514. (2 CFR 200.501)

The Superintendent or designee shall ensure that the audit meets the requirements specified in 2 CFR 200.500-200.521.

Specified records pertaining to the audit of federal funds expended by the district shall be transmitted to the clearinghouse designated by the federal Office of Management and Budget and shall be made available for public inspection. Such records shall be transmitted within 30 days after receipt of the auditor's report or within nine months after the end of the audit period, whichever is sooner, unless a longer period is agreed to in advance by the federal agency or a different period is specified in a program-specific audit guide. (2 CFR 200.512)

FEDERAL GRANT FUNDS (continued)

In the event that the audit identifies any deficiency, the Superintendent or designee shall promptly act to either correct the identified deficiency, produce recommended improvements, or demonstrate that the audit finding is invalid or does not warrant action. (2 CFR 200.26, 200.508, 200.511)

LEASE-LEASEBACK CONTRACTS

The district may lease currently owned district property to any person, firm, or corporation for a minimum of \$1 per year for a term not to exceed 99 years, as long as the lease requires the person, firm, or corporation to construct a building or buildings on the property for the district's use during the lease and the property and building(s) will vest in the district at the expiration of the lease ("lease-leaseback"). (Education Code 17403, 17406)

(cf. 3280 - Sale or Lease of District-Owned Real Property)
(cf. 3312 - Contracts)

Before the district enters into such a lease or agreement, it shall have available a site upon which a building may be constructed for use by the district, shall have complied with requirements related to the selection and approval of sites, and shall have prepared and adopted plans and specifications for the building that have been approved in accordance with Education Code 17280-17316. (Education Code 17402)

(cf. 7150 - Site Selection and Development)

Procedures for Awarding the Contract

The district's intent to enter into a lease-leaseback contract may be described in a resolution adopted by the Governing Board which includes, but is not be limited to, a description of the available site and the building to be constructed, the amount and term of the lease, and where to obtain information about the procedures for submitting a proposal.

Any lease-leaseback contract shall be awarded through a competitive "best value" procurement process whereby a person, firm, or corporation is selected on the basis of objective criteria for evaluating the qualifications of proposers, with the resulting selection representing the best combination of price and qualifications. (Education Code 17400, 17406)

To make this determination, the district shall use the following procedures: (Education Code 17406; Public Contract Code 2600)

1. **Request for Sealed Proposals:** The Superintendent or designee shall prepare a request for sealed proposals which shall include:
 - a. An estimate of the project's price
 - b. A clear, precise description of any preconstruction services that may be required and the facilities to be constructed
 - c. The key elements of the contract to be awarded
 - d. A description of the format that proposals shall follow and the elements they shall contain

LEASE-LEASEBACK CONTRACTS (continued)

- e. The standards the district will use in evaluating proposals and the qualifications of the proposers, including:
 - (1) Relevant experience
 - (2) Safety record
 - (3) Price proposal, including, at the district's discretion, either a lump-sum price for the contract to be awarded or the proposer's proposed fee to perform the services requested, including the proposer's proposed fee to perform preconstruction services or any other work related to the facilities to be constructed, as requested by the district
 - (4) Whether each criterion will be evaluated on a pass-fail basis or will be scored as part of the "best value" score, and whether proposers must achieve any minimum qualification score for award of the contract
 - (5) For each scored criterion, the methodology and rating or weighting system that will be used by the district in evaluating the criterion, including the weight assigned to the criterion and any minimum acceptable score
 - (6) Other factors established by the district
 - f. The date on which proposals are due
 - g. The timetable the district will follow in reviewing and evaluating proposals
 - h. A statement that the project is subject to the skilled and trained workforce requirements specified in Public Contract Code 2600-2603
2. **Notice:** At least 10 days before the date for receipt of the proposals, the Superintendent or designee shall give notice of the request for sealed proposals using both of the following methods:
- a. Providing notice at least once a week for two weeks in a local newspaper of general circulation pursuant to Public Contract Code 20112
 - b. Providing notice in a trade paper of general circulation published in the county where the project is located

The Superintendent or designee also may post the notice on the district's web site or through an electronic portal.

LEASE-LEASEBACK CONTRACTS (continued)

3. **Prequalification:** A proposer shall be prequalified in accordance with Public Contract Code 20111.6(b)-(m) in order to submit a proposal. Any electrical, mechanical, and plumbing subcontractors shall be subject to the same prequalification requirements.

(cf. 3311 - Bids)

4. **Evaluation of Proposals:** All proposals received shall be reviewed to determine whether they meet the format requirements and the standards specified in the request for sealed proposals. The district shall evaluate the qualifications of the proposers based solely upon the criteria and evaluation methodology set forth in the request for sealed proposals, and shall assign a best value score to each proposal. Once the evaluation is complete, all responsive proposals shall be ranked from the highest best value to the lowest best value to the district.

5. **Award of Contract:** The award of the contract shall be made by the Board to the responsive proposer whose proposal is determined, in writing by the Board, to be the best value to the district.

If the selected proposer refuses or fails to execute the tendered contract, the Board may award the contract to the proposer with the second highest best value score, if deemed in the best interest of the district. If that proposer then refuses or fails to execute the tendered contract, the Board may award the contract to the proposer with the third highest best value score.

Upon issuance of a contract award, the district shall publicly announce its award, identifying the entity to which the award is made, along with a statement regarding the basis of the award. The statement regarding the contract award and the contract file shall provide sufficient information to satisfy an external audit.

6. **Rejection of Proposals:** At its discretion, the Board may reject all proposals and request new proposals.

Any lease-leaseback agreement shall be reviewed by the district's legal counsel to ensure that all required terms, including a lease term that provides for the district's occupancy of the building or improved property during the lease and an appropriate financing component, are included in the agreement.

Skilled and Trained Workforce

Prior to entering into a lease-leaseback agreement, the Superintendent or designee shall have on file the contractor's enforceable commitment that the contractor and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or

LEASE-LEASEBACK CONTRACTS (continued)

contract that falls within an apprenticeable occupation in the building and construction trades. The entity may demonstrate such commitment through a project labor agreement, by becoming a party to the district's project labor agreement, or through an agreement with the district to provide evidence of compliance on a monthly basis during the performance of the project or contract. (Education Code 17407.5; Public Contract Code 2602)

Skilled and trained workforce means that all the workers performing the work are either skilled journeypersons or apprentices registered in a state-approved apprenticeship program. At least 60 percent of the skilled journeypersons employed to perform the work shall be graduates of an apprenticeship program for the applicable occupation or at least 60 percent of the hours worked by skilled journeypersons shall be performed by graduates of an apprenticeship program, with the exception of certain occupations specified in Public Contract Code 2601 which are subject to a 30 percent threshold. (Public Contract Code 2601)

If the contractor fails to provide the monthly report demonstrating compliance with the skilled and trained workforce requirements or provides an incomplete report, the district shall withhold further payments until a complete report is provided. If a report does not demonstrate compliance with the skilled and trained workforce requirements, the district shall withhold further payments until the contractor provides a sufficient plan to achieve substantial compliance with respect to the relevant apprenticeable occupation, prior to completion of the contract or project. In addition, the district shall forward to the Labor Commissioner a copy of the monthly report, any plan to achieve compliance, and the district's response to that plan. (Public Contract Code 2602)

(cf. 9124 - Attorney)

Legal Reference: (see next page)

LEASE-LEASEBACK CONTRACTS (continued)

Legal Reference:

EDUCATION CODE

17280-17316 *Construction of school buildings; approvals*

17400-17429 *Leasing property, especially:*

17400 *Definitions*

17403 *Term of lease or agreement*

17406 *Lease-leaseback contract*

17407.5 *Use of a skilled and trained workforce*

PUBLIC CONTRACT CODE

2600-2603 *Skilled and trained workforce requirements*

20111.6 *Prequalification procedures*

20112 *Notices*

COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, et al. (2016) 247 Cal. App. 4th 235

Davis v. Fresno Unified School District, (2015) 237 Cal.App.4th 261

Management Resources:

WEB SITES

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

California Association of School Business Officials: <http://www.casbo.org>

DESIGN-BUILD CONTRACTS

The Governing Board may approve a contract with a single entity for both design and construction of any school facility in excess of \$1,000,000, awarding the contract to either the low bid or the best value as determined by evaluation of objective criteria. (Education Code 17250.20)

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

(cf. 7110 - Facilities Master Plan)

(cf. 7140 - Architectural and Engineering Services)

Design-build documents shall not include provisions for long-term project operations, but may include operations during a training or transition period. (Education Code 17250.25)

Procedures for Awarding the Contract

The procurement process for design-build projects shall be as follows: (Education Code 17250.25, 17250.35; Public Contract Code 2600)

1. **Performance Specifications:** The district shall prepare a set of documents setting forth the scope and estimated price of the project. The documents may include, but are not limited to:
 - a. The size, type, and desired design character of the project
 - b. Performance specifications that cover the quality of materials, equipment, and workmanship
 - c. Preliminary plans or building layouts
 - d. Any other information deemed necessary to describe adequately the district's needs

The performance specifications and any plans shall be prepared by a design professional who is duly licensed and registered in California.

2. **Prequalification:** The district shall prepare and issue a request for qualifications in order to prequalify, or develop a short list of, the design-build entities whose proposals shall be evaluated for final selection. The request for qualifications shall include, but is not limited to, all of the following elements:
 - a. Identification of the basic scope and needs of the project or contract, the expected cost range, the methodology that will be used by the district to evaluate proposals, the procedure for final selection of the design-build entity, and any other information deemed necessary by the district to inform interested parties of the contracting opportunity

DESIGN-BUILD CONTRACTS (continued)

- b. Significant factors that the district reasonably expects to consider in evaluating qualifications, including technical design and construction expertise, acceptable safety record, and all other non-price-related factors
- c. A standard template request for statements of qualifications prepared by the district, which shall contain all of the information required pursuant to Education Code 17250.25
- d. A notice that the project is subject to the skilled and trained workforce requirements specified in Public Contract Code 2600-2603

The district also may identify specific types of subcontractors that must be included in the statement of qualifications and proposal.

- 3. **Request for Proposals:** The district shall prepare a request for proposals (RFP) that invites prequalified or short-listed entities to submit competitive sealed proposals in a manner prescribed by the district. The RFP shall include the information identified in items #2a, 2b, and 2d above and the relative importance or weight assigned to each of the factors. If the district uses a best value selection method for a project, the district may reserve the right to request proposal revisions and hold discussions and negotiations with responsive proposers, in which case the district shall so specify in the request for proposals and shall publish separately or incorporate into the request for proposals applicable procedures to be observed by the district to ensure that any discussions or negotiations are conducted in good faith.
- 4. **Selection Based on Low Bid:** For those projects utilizing low bid as the final selection method, the bidding process shall result in lump-sum bids by the prequalified or short-listed design-build entities, and the contract shall be awarded to the lowest responsible bidder.
- 5. **Selection Based on Best Value:** For those projects utilizing best value as a selection method, the following procedures shall be used:
 - a. Competitive proposals shall be evaluated using only the criteria and selection procedures specifically identified in the request for proposals. Criteria shall be weighted as deemed appropriate by the district and shall, at a minimum, include price, unless a stipulated sum is specified; technical design and construction experience; and life-cycle costs over 15 or more years.
 - b. Following any discussions or negotiations with responsive proposers and completion of the evaluation process, the responsive proposers shall be ranked on a determination of value provided, provided that no more than three proposers are required to be ranked.

DESIGN-BUILD CONTRACTS (continued)

- c. The contract shall be awarded to the responsible entity whose proposal is determined by the district to have offered the best value to the public.
- d. The district shall publicly announce the contract award, identifying the entity to which the award is made and the basis of the award. This statement and the contract file shall provide sufficient information to satisfy an external audit.

Skilled and Trained Workforce

A design-build entity shall not be prequalified or short-listed unless the entity provides an enforceable commitment to the district that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. The entity may demonstrate such commitment through a project labor agreement, by becoming a party to the district's project labor agreement, or through an agreement with the district to provide evidence of compliance on a monthly basis during the performance of the project or contract. (Education Code 17250.25; Public Contract Code 2602)

Skilled and trained workforce means that all the workers performing the work are either skilled journeypersons or apprentices registered in a state-approved apprenticeship program. At least 60 percent of the skilled journeypersons employed to perform the work shall be graduates of an apprenticeship program for the applicable occupation or at least 60 percent of the hours worked by skilled journeypersons shall be performed by graduates of an apprenticeship program, with the exception of certain occupations specified in Public Contract Code 2601 which are subject to a 30 percent threshold. (Public Contract Code 2601)

If the contractor fails to provide the monthly report demonstrating compliance with the skilled and trained workforce requirements or provides an incomplete report, the district shall withhold further payments until a complete report is provided. If a report does not demonstrate compliance with the skilled and trained workforce requirements, the district shall withhold further payments until the contractor provides a sufficient plan to achieve substantial compliance with respect to the relevant apprenticeable occupation, prior to completion of the contract or project. In addition, the district shall forward to the Labor Commissioner a copy of the monthly report, any plan to achieve compliance, and the district's response to that plan. (Public Contract Code 2602)

DESIGN-BUILD CONTRACTS (continued)

Legal Reference:

EDUCATION CODE

17250.10-17250.55 *Design-build contracts*

PUBLIC CONTRACT CODE

2600-2603 *Skilled and trained workforce requirements*

Management Resources:

WEB SITES

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

California Association of School Business Officials: <http://www.casbo.org>

California Department of Education, Facilities: <http://www.cde.ca.gov/lfs/fa>

CLAIMS AND ACTIONS AGAINST THE DISTRICT

Any claim against the district for money or damages shall be filed and acted upon in accordance with the Government Claims Act (Government Code 810-996.6) or other applicable law. Claims that are specifically excepted from the Government Claims Act by Government Code 905 and are not governed by any other statute or regulation may be filed and acted upon in accordance with district-established procedures pursuant to Government Code 935.

Unless otherwise provided by law, a written claim shall be presented to and acted upon by the Governing Board in accordance with such procedures prior to filing a lawsuit against the district for money or damages.

Time Limitations

The following time limitations apply to the presentation of claims for money or damages against the district:

1. Claims relating to a cause of action for death or for injury to a person, personal property, or growing crops shall be presented to the Board not later than six months after the accrual of the cause of action. (Government Code 911.2)
2. Claims relating to any other cause of action subject to the Government Claims Act shall be filed not later than one year after the accrual of the cause of action. (Government Code 911.2)
3. Claims relating to childhood sexual assault and other causes of action which are specifically excepted from the Government Claims Act by Government Code 905 but are subject to a claims presentation procedure in another a statute or regulation shall be presented to the Board in accordance with the applicable governing statute or regulation. (Government Code 905)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

4. Claims relating to any cause of action which is specifically excepted from the Government Claims Act by Government Code 905 but is not governed by any other claim presentation statute or regulation shall be presented to the Board within the time limits specified in items #1 and 2 above, depending on the applicable cause of action. (Government Code 911.2, 935)

Receipt of Claims

A claim shall be deemed presented and received when delivered to the district office or deposited in a post office, mailbox, sub-post office, substation, mail chute, or other similar

CLAIMS AND ACTIONS AGAINST THE DISTRICT (continued)

facility maintained by the U.S. government, in a sealed envelope properly addressed to the district office with postage paid, or when otherwise actually received in the district office or by the Board secretary or clerk. (Government Code 915, 915.2)

A claim may be submitted electronically in the manner specified by the Superintendent or designee. (Government Code 915, 915.2)

Upon receipt of a claim against the district pursuant to the Government Claims Act, the Superintendent or designee shall promptly provide written notice to the district's joint powers authority or insurance carrier in accordance with the applicable conditions of coverage.

Review of Contents of the Claim

The Superintendent or designee shall review any claim received to ensure that the claim contains all of the following information as specified in Government Code 910 and 910.2:

1. The name and post office address of the claimant
2. The post office address to which the person presenting the claim desires notices to be sent
3. The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted
4. A general description of the indebtedness, obligation, injury, damage, or loss incurred insofar as it may be known at the time of presentation of the claim
5. The name(s) of the district employee(s) causing the injury, damage, or loss, if known
6. The amount claimed if it totals less than \$10,000, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds \$10,000, the dollar amount shall not be included in the claim and the claimant shall indicate whether the claim is a limited civil case of \$25,000 or less.
7. The signature of the claimant or the person acting on the claimant's behalf

Notice of Claim Insufficiency

If a claim is found insufficient or not to satisfy the form requirements under Government Code 910 and 910.2, the Board or its designee shall, within 20 days of receipt of the claim, provide a notice in the manner specified in Government Code 915.4 that states the particular defects or omission in the claim. (Government Code 910.8, 915.4)

CLAIMS AND ACTIONS AGAINST THE DISTRICT (continued)

The Board shall not act upon the claim until at least 15 days after such notice is given. (Government Code 910.8)

Amendment to Claims

Within the time limits provided in the section "Time Limitations" above or prior to final action by the Board, whichever is later, a claim may be amended if, as amended, it relates to the same transaction or occurrence which gave rise to the original claim. (Government Code 910.6)

Late Claims

When a claim that is required to be presented not later than six months after the accrual of the cause of action, as specified in the section "Time Limitations" above, is not presented within that time, an application to present a late claim may be presented to the Board, in the manner specified in Government Code 915 and 915.2, within a reasonable time not to exceed one year after the accrual of the cause of action. The application shall include the proposed claim and shall state the reason for the delay in presenting the claim. (Government Code 911.4, 915, 915.2)

If the claim is presented late and is not accompanied by an application to present a late claim, the Board or its designee may, within 45 days, give written notice that the claim was not presented timely and that it is being returned without further action. (Government Code 911.3)

The Board shall grant or deny the application to present a late claim within 45 days after it is presented. This 45-day period may be extended by written agreement of the claimant and the Board provided that such agreement is made before the expiration of the 45-day period. (Government Code 911.6)

The Board shall grant the application to present a late claim where one or more of the following conditions are applicable: (Government Code 911.6)

1. The failure to present the claim was through mistake, inadvertence, surprise, or excusable neglect and the district was not prejudiced in its defense regarding the claim by the claimant's failure to present the claim within the time limit.
2. The person who sustained the alleged injury, damage, or loss was a minor during all of the time specified for presentation of the claim.

CLAIMS AND ACTIONS AGAINST THE DISTRICT (continued)

3. The person who sustained the alleged injury, damage, or loss was physically or mentally incapacitated during all of the time specified for presentation of the claim and the disability was the reason the person failed to present the claim.
4. The person who sustained the alleged injury, damage, or loss died before the expiration of the time specified for the presentation of the claim.

If the application to present a late claim is denied, the claimant shall be given notice in substantially the same form as set forth in Government Code 911.8 and in the manner specified in Government Code 915.4. (Government Code 911.8, 915.4)

If the Board does not take action on the application to present a late claim within 45 days, the application shall be deemed to have been denied on the 45th day unless the time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement. (Government Code 911.6)

Action on Claims

Within 45 days after the presentation or amendment of a claim, the Board shall take action on the claim. This time limit may be extended by written agreement between the district and the claimant before the expiration of the 45-day period. If the 45-day period has expired, the time limit may be extended if legal action has not commenced or been barred by legal limitations. (Government Code 912.4)

The Board may act on the claim in one of the following ways: (Government Code 912.4, 912.6)

1. If the Board finds that the claim is not a proper charge against the district, the claim shall be rejected.
2. If the Board finds that the claim is a proper charge against the district and is for an amount justly due, the claim shall be allowed.
3. If the Board finds that the claim is a proper charge against the district but is for an amount greater than is justly due, the Board shall either reject the claim or allow it in the amount justly due and reject it as to the balance.
4. If legal liability of the district or the amount justly due is disputed, the Board may reject or compromise the claim.
5. If the Board takes no action on the claim, the claim shall be deemed rejected.

CLAIMS AND ACTIONS AGAINST THE DISTRICT (continued)

If the Board allows the claim in whole or in part or compromises the claim and the claimant accepts the amount allowed or offered to settle the claim, the Board may require the claimant to accept it in settlement of the entire claim. (Government Code 912.6)

The Board or its designee shall transmit to the claimant written notice of action taken or of inaction which is deemed rejection. The notice shall be in the form set forth in Government Code 913 and shall be provided in the manner specified in Government Code 915.4. (Government Code 913, 915.4)

STUDENT ACTIVITY FUNDS

The Governing Board recognizes that student organizations can provide students with an opportunity to conduct worthwhile cocurricular activities while helping students learn about effective financial practices and develop leadership and management skills. To that end, the Board may approve the formation of associated student body organizations which are composed entirely of students, operate under the oversight of the principal or other district-employed advisor, and are subject to the control and regulation of the Board. Student organizations may raise and spend funds to support activities that promote the general welfare, morale, and educational experiences of the student body.

(cf. 1230 - School Connected Organizations)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.5 - Student Organizations and Equal Access)

Fundraising

At the beginning of each school year, each principal or designee shall submit to the Superintendent or designee a list of the fundraising events that each student organization proposes to hold that year. The Superintendent or designee shall review the proposed events and determine whether the events contribute to the educational experience and do not conflict with or detract from the school's educational program. When reviewing proposed events, the Superintendent or designee shall consider the effects of the activities on student health and safety, evaluate the risk of liability to the district, and ensure that the proposed activities are in compliance with law, Board policy, and administrative regulation.

(cf. 1321 - Solicitation of Funds from and by Students)
(cf. 3290 - Gifts, Grants and Bequests)
(cf. 3530 - Risk Management/Insurance)
(cf. 5030 - Student Wellness)
(cf. 5142 - Safety)
(cf. 5143 - Insurance)

Fundraising events that involve the sale of food and/or beverages shall comply with applicable state and/or federal nutrition standards and BP/AR 3554 - Other Food Sales. If the fundraising event involves the sale of noncompliant food and/or beverages, it shall not take place from midnight until at least one-half hour after the end of the school day, or not be conducted on school premises.

(cf. 3554 - Other Food Sales)

Management and Reporting of Funds

Student body funds shall be managed in accordance with law, regulations, Board policies, and sound business procedures designed to encourage the largest possible educational return to students without sacrificing the security of funds.

STUDENT ACTIVITY FUNDS (continued)

The Superintendent or designee shall develop internal control procedures to safeguard the organization's assets, promote the success of fundraising ventures, provide reliable financial information, protect employees and volunteers from accusations of impropriety, and reduce the risk and promote the detection of fraud and abuse. These procedures shall detail the oversight of activities and funds including, but not limited to, the appropriate role and provision of training for staff and students, parameters for events on campus, appropriate and prohibited uses of funds, and accounting and record-keeping processes, including procedures for handling questionable expenditures.

(cf. 3400 - Management of District Assets/Accounts)

The principal or designee shall be responsible for the proper conduct of all student organization financial activities. The budget adopted by the student body organization should serve as the financial plan for the school year and shall be submitted to the Superintendent or designee at the beginning of each school year. The Superintendent or designee shall monitor the budget and periodically review the organization's use of funds to ensure compliance with the district's internal control procedures.

Funds derived from the student body shall be expended according to procedures established by the student organization. All expenditures must be approved by a Board-designated employee or official, the certificated employee who is the designated student organization advisor, and a student organization representative. (Education Code 48933)

When student body funds are expended for equipment, supplies, or activities that support the district's athletic program, the Superintendent or designee shall ensure that the expenditures are aligned with the district's commitment to provide equitable opportunities for males and females.

(cf. 6145.2 - Athletic Competition)

Because of the district's administrative and/or direct financial involvement in the assets of the student organization, the student activity fund shall be reported within the district's fund in accordance with Governmental Accounting Standards Board Statement 84.

The Board shall provide an annual audit of student organization accounts by a certified public accountant or licensed public accountant. The cost of the audit shall be paid from district funds. (Education Code 41020)

(cf. 3460 - Financial Reports and Accountability)

STUDENT ACTIVITY FUNDS (continued)

Legal Reference:

EDUCATION CODE

35182.5 Non-nutritious foods and beverages, vending machines
35564 Funds, obligations of the student body
41020 Requirement for annual audit
48930-48938 Student body organization
49431 Sale of food, elementary school
49431.2 Sale of food, middle and high schools
49431.5 Sale of beverages, elementary, middle, and high schools
51520 School premise, prohibited solicitations
51521 Fundraising projects

CODE OF REGULATIONS, TITLE 5

4922 Nondiscrimination in intramural, interscholastic, and club activities
15500 Food sales, elementary schools
15501 Food sales, middle high schools and junior high schools

CODE OF FEDERAL REGULATIONS, TITLE 34

106.41 Nondiscrimination in athletic programs

COURT DECISIONS

Prince v. Jacoby, (2002) 303 F.3d 1074

Management Resources:

FISCAL CRISIS MANAGEMENT AND ASSISTANCE TEAM PUBLICATIONS

Fiscal Alert: GASB 84 and Its Impact on Associated Student Body Accounts, May 2020
Associated Student Body Accounting Manual, Fraud Prevention Guide and Desk Reference, 2015

GOVERNMENTAL ACCOUNTING STANDARDS BOARD PUBLICATIONS

Implementation Guide No. 2019-2, Fiduciary Activities, June 2019
Statement No. 84, January 2017

WEB SITES

California Department of Education: <http://www.cde.ca.gov>
Fiscal Crisis Management and Assistance Team: <http://www.fcmat.org>
Governmental Accounting Standards Board: www.gasb.org

Business and Noninstructional Operations

BP 3515.3(a)

DISTRICT POLICE/SECURITY DEPARTMENT

To help protect the safety of district students and staff and the security of district property, the Governing Board shall maintain a district police or security department. The Board commits to providing a positive school climate, mental health services, other student support services, and restorative justice practices to resolve conflicts and reduce law enforcement interactions with students.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1250 - Visitors/Outsiders)

(cf. 3515 - Campus Security)

(cf. 3515.2 - Disruptions)

(cf. 3515.5 - Sex Offender Notification)

(cf. 3516.2 - Bomb Threats)

(cf. 5131.4 - Student Disturbances)

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5136 - Gangs)

(cf. 5141.5 - Mental Health)

(cf. 5142.1 - Identification and Reporting of Missing Children)

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

(cf. 5145.12 - Search and Seizure)

The Superintendent or designee shall provide training to staff regarding the role of district police or security officers and the appropriate circumstances for contacting such officers.

Duties of district police or security officers shall be delineated in a job description developed by the Superintendent or designee. Such duties shall focus on collaborative problem solving and, when circumstances warrant intervention with students, the use of positive and restorative approaches in accordance with Penal Code 1365. Job duties shall not include the handling of routine student disciplinary matters.

(cf. 4158/4258/4358 - Employee Security)

(cf. 4200 - Classified Personnel)

(cf. 5144 - Discipline)

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

OPTION 1: (Security Department)

Persons employed or assigned as school security officers shall serve as watchpersons, security guards, or patrolpersons on or about district premises to protect persons or property, prevent the theft or unlawful taking of district property, or report unlawful activity to the district and local law enforcement agencies. (Education Code 38001.5)

When district security officers are unable to perform their duties because of an emergency, including, but not be limited to, war, epidemic, fire, flood, or work stoppage, or when the emergency necessitates additional security services, the Board may contract with a private

DISTRICT POLICE/SECURITY DEPARTMENT (continued)

licensed security agency. In such cases, the Board shall make a specific finding that an emergency exists and shall include this finding in the Board minutes. (Education Code 38005)

OPTION 2: (Police Department)

Persons employed as members of the district police department, when appointed and duly sworn, are peace officers for the purposes of carrying out their duties pursuant to Penal Code 830.32. (Education Code 38001)

The district's police department may be supplemented by a school police reserve officer corps, which may include unpaid volunteer reserve police officers. For the duration of their specific assignment, school police reserve officers shall have the same powers and duties as other school police officers. (Education Code 35021.5; Penal Code 830.6)

(cf. 1240 - Volunteer Assistance)

Conduct of Officers

The Board expects district police or security officers to cooperate and regularly communicate with local law enforcement agencies, and to work collaboratively with other district staff and community members to develop long-term, proactive approaches that address the conditions affecting school safety.

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

District police or security officers shall conduct themselves in ways that promote goodwill and cooperation on the part of students, district staff, and the general public. District police or security officers shall not discriminate against or treat any person differently on the basis race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

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

District police or security officers shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members or provide assistance with immigration enforcement at district schools, except as may be required by state and/or federal law. (Education Code 234.7)

(cf. 5145.13 - Response to Immigration Enforcement)

DISTRICT POLICE/SECURITY DEPARTMENT (continued)

Whenever possible, district police or security officers shall use tactics such as de-escalation techniques to mitigate the use of force. The district police department shall maintain and make accessible to the public a policy on the use of force in accordance with Government Code 7286 and consistent with district policy and administrative regulation. Officers shall periodically receive training regarding applicable district policies and the guidelines from the Commission on Peace Officer Standards and Training.

Equipment

OPTION 1: The Board authorizes district police or security officers to carry firearms in accordance with law, Board policy, and administrative regulations.

(cf. 3515.7 - Firearms on School Grounds)

OPTION 2: District police or security officers shall not carry firearms.

The district police department shall be eligible to receive surplus military equipment pursuant to 10 USC 2576a only if, at a regularly scheduled public Board meeting, the Board approves the acquisition of such equipment after providing parents/guardians and members of the public an opportunity to comment on the proposed acquisition. The Board shall provide a detailed description of the function and purpose of the surplus military equipment, identify safe and secure storage for the equipment, and ensure that district police officers have adequate training in the safe use and handling of the equipment to be received. (Education Code 38004.5)

Records

District police or security officers shall not have access to student records, nor release student information to another person, agency, or organization, without written permission from the parent/guardian or adult student, unless specifically allowed or required by state or federal law. (Education Code 49076; 34 CFR 99.1)

(cf. 5125 - Student Records)

Records created and maintained by the district police or security department for a law enforcement purpose are not considered disclosable student records under the Family Educational Rights and Privacy Act. (34 CFR 99.3)

Legal Reference: (see next page)

DISTRICT POLICE/SECURITY DEPARTMENT (continued)

Legal Reference:

EDUCATION CODE

234.7 Student protections relating to immigration and citizenship status
35021.5 School police reserve corps
38000-38005 Security and police departments
39672 School peace officers, fingerprinting
45122.1 Classified employees, conviction of a violent or serious felony
45133.5 School police department, work schedule
49076 Student records
49079 Notification to teacher; student who has engaged in acts constituting grounds for suspension or expulsion

BUSINESS AND PROFESSIONS CODE

7583-7583.46 Private patrol operators

FAMILY CODE

6240-6274 Emergency protective orders

GOVERNMENT CODE

3300-3312 Public safety officers, rights and protections
7286-7286.5 Law enforcement use of force policies
8597-8598 Peace officers
12525.2 Reports of incidents involving peace officers

PENAL CODE

290.45 Sex offenders, authority of peace officers
626.9 Gun Free School Zone Act
646.91 Emergency protective order for stalking
830-832.9 Peace officers, especially:
830.32 School district and community college police
830.6 Reserve police officers, powers and duties
832 Course of training prescribed by Commission on Peace Officer Standards and Training
832.2 School peace officers; training
832.7 Disclosure of personnel files in criminal or civil proceedings
832.15-832.16 Notice of prohibition against possession of firearm
836 Peace officers; warrants
12028.5 Taking custody of weapons
13510-13519.10 Standards for recruitment and training
13651 Peace officers, job descriptions
13700-13702 Response to domestic violence

WELFARE AND INSTITUTIONS CODE

707 List of crimes
828-828.1 Disclosure of information re minors by law enforcement agency

UNITED STATES CODE, TITLE 10

2576a Surplus military equipment

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act

COURT DECISIONS

San Diego Police Officers Association et al. v. City of San Diego Civil Service Commission et al.,
(2002) 104 Cal.App.4th 275

DISTRICT POLICE/SECURITY DEPARTMENT (continued)

Management Resources:

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING PUBLICATIONS

POST Use of Force Standards and Guidelines, November 2020

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guiding Principles: A Resource Guide for Improving School Climate and Discipline, 2014

WEB SITES

California Attorney General's Office: <http://www.oag.ca.gov>

California Department of Education, Safe Schools: <http://www.cde.ca.gov/lss/>

Commission on Peace Officer Standards and Training: <http://www.post.ca.gov>

DISTRICT POLICE/SECURITY DEPARTMENT

To be employed as district police or security officers, persons shall meet all the requirements for classified personnel in addition to specialized requirements as described below.

(cf. 4112.4/4212.4/4312.4 - Health Examinations)
(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)
(cf. 4211 - Recruitment and Selection)
(cf. 4212 - Appointment and Conditions of Employment)
(cf. 4215 - Evaluation/Supervision)

Chief of Police/Chief of Security

The district police or security department shall be supervised by a chief of police or chief of security designated by the Superintendent and working under the Superintendent's direction. (Education Code 38000)

Qualifications for the position of police or security chief include, but are not limited to, prior employment as a peace officer or completion of a peace officer training course approved by the Commission on Peace Officer Standards and Training (POST). The police or security chief shall comply with this requirement within one year of initial employment in this position by the district. (Education Code 38000)

Qualifications of Security Officers

A person employed as a school security officer shall: (Education Code 38001.5)

1. Under the conditions described in Education Code 38001.5, submit fingerprints to the district on forms or electronically, as prescribed by the Department of Justice
2. Be determined to be a person not prohibited from employment by a school district pursuant to Education Code 44237 or 45122.1

(cf. 3515.6 - Criminal Background Checks for Contractors)
(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)
(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)

3. Be determined by the Department of Justice to be a person who is not prohibited from possessing a firearm

The district shall provide each school security officer, during the employee's regular working hours, a course of training developed by the Bureau of Security and Investigative Services of the Department of Consumer Affairs in consultation with POST. (Education Code 38001.5)

School security officers who carry a firearm while performing their duties shall additionally satisfy the training requirements of Penal Code 832. (Education Code 38001.5)

DISTRICT POLICE/SECURITY DEPARTMENT (continued)

Qualifications of Police Officers

Before exercising the powers of a peace officer, district police officers shall satisfactorily complete an introductory course of training prescribed by POST and shall pass the POST examination. (Penal Code 832, 832.3)

A person who has passed this examination more than three years before being employed as a peace officer, or has a break in service of three or more years, shall be required to pass the examination before beginning duties as a district police officer, unless exempted pursuant to Penal Code 832. (Penal Code 832)

Within a reasonable time but not to exceed two years of the date of first employment, police officers shall complete supplementary specialized training approved by POST on the unique safety needs of a school environment. (Penal Code 832.3)

The Superintendent or designee may provide district police officers with additional training in other public safety skills, including but not limited to first aid, rescue, cardiopulmonary resuscitation, emergency medical technician training, juvenile procedures and specialized safety equipment. (Education Code 38002)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 4231 - Staff Development)

(cf. 5141 - Health Care and Emergencies)

School police reserve officers shall complete a course of training directly related to the role of school police reserve officers as prescribed in Penal Code 832.2. (Education Code 35021.5)

Equipment

Each district police or security officer shall wear a badge bearing the name of the district, carry an identification card bearing a photograph and signature and the signature of the Superintendent, and carry any other identification data required by local law enforcement agencies. (Education Code 38003)

The district shall bear the cost of all required uniforms, equipment, identification badges, and cards. (Education Code 38003)

The district may provide and maintain motor vehicles for use by police or security department staff. When operated by a district officer in the performance of the officer's duties, any vehicle is an authorized emergency vehicle and may be equipped and operated as such, as provided by the Vehicle Code. (Education Code 38004)

DISTRICT POLICE/SECURITY DEPARTMENT (continued)**Use of Force**

District police or security officers shall not use a carotid restraint or choke hold involving the application of pressure to a person's neck, trachea, or windpipe. (Government Code 7286.5)

The district police department shall maintain a policy, consistent with guidelines provided by POST, that provides a minimum standard on the use of force and includes all of the following: (Government Code 7286; Penal Code 13519.10)

1. A requirement that officers utilize de-escalation techniques, crisis intervention tactics, and other alternatives to force when feasible
2. A requirement that officers only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance
3. A requirement that officers report potential excessive force to a superior officer when present and observing another officer using force that the officer believes to be beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances based upon the totality of information actually known to the officer
4. Clear and specific guidelines regarding situations in which officers may or may not draw a firearm or point a firearm at a person
5. A requirement that officers consider their surroundings and potential risks to bystanders, to the extent reasonable under the circumstances, before discharging a firearm
6. Procedures for disclosing public records in accordance with Penal Code 832.7
7. Procedures for the filing, investigation, and reporting of citizen complaints regarding use of force incidents
8. A requirement that an officer intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed
9. Comprehensive and specific guidelines regarding approved methods and devices available for the application of force

DISTRICT POLICE/SECURITY DEPARTMENT (continued)

10. An explicitly stated requirement that officers carry out duties, including use of force, in a manner that is fair and unbiased
11. Comprehensive and specific guidelines for the application of deadly force
12. Comprehensive and detailed requirements for prompt internal reporting and notification regarding a use of force incident, including reporting use of force incidents to the Department of Justice in compliance with Government Code 12525.2
13. The role of supervisors in the review of use of force applications
14. A requirement that officers promptly provide, if properly trained, or otherwise promptly procure medical assistance for persons injured in a use of force incident, when reasonable and safe to do so
15. Training standards and requirements relating to demonstrated knowledge and understanding of the district's use of force policy by officers, investigators, and supervisors
16. Training and guidelines regarding vulnerable populations, including, but not limited to, children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities
17. Comprehensive and specific guidelines under which the discharge of a firearm at or from a moving vehicle may or may not be permitted
18. Factors for evaluating and reviewing all use of force incidents
19. Minimum training and course titles required to meet the objectives in the use of force policy
20. A requirement for the regular review and updating of the policy to reflect developing practices and procedures

The district prohibits retaliation against an officer or other district employee who reports a suspected violation of this policy by another officer.

Personnel Files

Before any record containing an adverse comment is placed in a district police officer's personnel file, the employee shall read and sign the record indicating awareness of the comment. The officer shall have 30 days to file a written response, which shall be attached to the adverse comment. (Government Code 3305-3306)

DISTRICT POLICE/SECURITY DEPARTMENT (continued)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

A police officer may inspect the personnel file during usual business hours with no loss of compensation. If the officer believes that any portion of the material is mistakenly or unlawfully placed in the file, the officer may request, in writing, that the mistaken or unlawful portion be corrected or deleted and shall describe the reasons supporting those corrections or deletions. Within 30 days of the request, the Superintendent or designee shall either grant the officer's request or notify the officer of the decision to refuse to grant the request. The Superintendent or designee shall state in writing the reasons for refusing any request. (Government Code 3306.5)

Disciplinary Action

Any investigation of a district police officer that could lead to punitive action shall be conducted in accordance with Government Code 3303-3304.

If the Superintendent or designee decides to impose discipline following investigation and any predisciplinary response or procedure, the police officer shall be notified in writing within 30 days of the decision, including the date that the discipline shall be imposed. (Government Code 3304)

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

Any appeal by a police officer shall be conducted in accordance with Board policy and administrative regulation. (Government Code 3304.5)

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

CONSULTANTS

The Governing Board authorizes the use of consultants and other independent contractors to provide expert professional advice or specialized technical or training services which are not needed on a continuing basis and which cannot be provided by district staff because of limitations of time, experience, or knowledge. Individuals, firms, or organizations employed as independent contractors may assist management with decisions and/or project development related to financial, economic, accounting, engineering, legal, administrative, instructional, or other matters.

(cf. 3551 - Food Service Operations/Cafeteria Fund)

As part of the contract process, the Superintendent or designee shall determine that the individual, firm, or organization is properly classified as an independent contractor.

A person providing labor or services for remuneration shall be considered an employee rather than an independent contractor unless the district is able to demonstrate that all of the following conditions have been met: (Labor Code 2775)

1. The person is free from the control and direction of the district in connection with the performance of the work.
2. The person is performing work that is outside the usual course of the district providing educational services.
3. The person is customarily engaged in an independently established trade, occupation, or business of the same nature as the work to be performed.

The determination of whether an individual acting as a sole proprietor or a firm or other business organization is an independent contractor shall be made in accordance with Labor Code 2775-2785, as applicable.

All consultant contracts shall be brought to the Board for approval.

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

(cf. 4132/4232/4332 - Publication or Creation of Materials)

All qualified independent contractors shall be accorded equal opportunity for contracts regardless of actual or perceived race, ethnicity, color, national origin, ancestry, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran or military status, sex, sexual orientation, gender, gender identity, gender expression, immigration status, or association with a person or group with one or more of these actual or perceived characteristics. (Education Code 220; Government Code 12940)

CONSULTANTS (continued)

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

(cf. 0415 - Equity)

(cf. 4030 - Nondiscrimination in Employment)

Independent contractors shall submit a written conflict of interest statement disclosing financial interests as determined necessary by the Superintendent or designee, depending on the range of duties to be performed by the consultant. The Superintendent or designee shall consider this statement when deciding whether to recommend approval of the contract.

Any consultant hired by the district who is subject to the filing requirements in the district's conflict of interest code shall file a Statement of Economic Interests within the time period required by law. (Government Code 87302)

(cf. 9270 - Conflict of Interest)

When employees of a public university, county office of education, or other public agency serve as consultants or independent contractors in other capacities for the district, they shall certify as part of the agreement that they will not receive salary or remuneration other than vacation pay from any other public agency for the specific days when they work for the district.

The Board prohibits the harassment of an independent contractor by any district employee or by any other person with whom the independent contractor comes in contact during the course of employment with the district. Additionally, the Board prohibits the harassment of a district employee by an independent contractor. Any complaint of harassment shall be investigated and resolved in accordance with applicable district complaint procedures. (Government Code 12940)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures)

Legal Reference: (see next page)

CONSULTANTS (continued)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

10400-10407 Cooperative improvement programs

17596 Limit on continuing contracts

35010 Control of districts; prescription and enforcement of rules

35172 Promotional activities

35204 Contract with attorney

44925 Part-time readers employed as independent contractors

45103 Classified service in districts not incorporating the merit system

45103.5 Contracts for food service consulting services

45134-45135 Employment of retired classified employee

45256 Merit system districts; classified service; positions established for professional experts on a temporary basis

GOVERNMENT CODE

12940 Unlawful employment practices

53060 Contract for special services and advice

82019 Designated employee; definition

87302 Conflict of interest code

LABOR CODE

2775-2787 Worker status: employees

UNEMPLOYMENT INSURANCE CODE

606.5 Determination of employment status

621 Employee defined

CODE OF REGULATIONS, TITLE 2

18700.3 Consultant

COURT DECISIONS

Dynamex Operations West, Inc. v. Superior Court of Los Angeles (2018) 4 Cal. 5th 903

S.G. Borello & Sons, Inc. v. Department of Industrial Relations (1989) 48 Cal. 3d 341

All Personnel

E 4112.9(a)

4212.9

4312.9

EMPLOYEE NOTIFICATIONS

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

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

E 4112.9(b)

4212.9

4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
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
If the district receives Tobacco-Use Prevention Education funds	Health and Safety Code 104420	AR 3513.3	District's tobacco-free schools policy and enforcement procedures
Annually, or more frequently if there is new information	Health and Safety Code 120875, 120880	BP 4119.43 4219.43 4319.43	AIDS and hepatitis B, including methods to prevent exposure
To new employees upon hire and other employees upon request, in districts with 25 or more employees	Labor Code 230.1	AR 4161.2 4261.2 4361.2	Rights pursuant to Labor Code 230-230.1 pertaining to leaves and accommodations for victims of crime or abuse
With each paycheck	Labor Code 246	AR 4161.1 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
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

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
I. To All Employees (continued)			
To employees participating in a flexible spending account	Labor Code 2810.7	None	Deadline to withdraw funds from account before the end of the plan year
To every new employee, either at the time employee is hired or by end of first pay period	Labor Code 3551	AR 4157.1 4257.1 4357.1	Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor
Within one day of receiving notice of potential exposure to COVID-19, to employees who were on the premises during the infectious period, the exclusive representative, and the employer of subcontracted employees as applicable	Labor Code 6409.6	AR 4157 4257 4357	Potential exposure to COVID-19; benefits to which employees may be entitled; available leave options; protection against discrimination and retaliation; district's disinfection and safety plan
Prior to beginning employment	Penal Code 11165.7, 11166.5	AR 5141.4	Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law
Upon employment, and when employee goes on leave for specified reasons	Unemployment Insurance Code 2613	AR 4154 4254 4354	Disability insurance rights and benefits
To all employees and job applicants	2 CCR 11023; 34 CFR 104.8, 106.9	BP 0410 AR 4030	District's policy on nondiscrimination and related complaint procedures
To all employees via employee handbook, or to each new employee	2 CCR 11091, 11095; 29 CFR 825.300	AR 4161.8 4261.8 4361.8	Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible
To all employees	8 CCR 3203	AR 4157 4257 4357	The right and procedure to access the injury and illness prevention program

E 4112.9(d)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

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

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
II. To Certificated Employees (continued)			
By May 30, if district issues reemployment notices to certificated employees	Education Code 44842	AR 4112.1	Request that the employee notify district of intent to remain in service next year
To probationary and temporary certificated employees upon employment, and every July thereafter	Education Code 44916	AR 4112.1 AR 4121	Employment status and salary
To probationary employee, by March 15	Education Code 44929.21, 44929.23, 44948.5	BP 4116	Whether or not employee is reelected for next school year
When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year	Education Code 44934, 44934.1, 44936	BP 4118 AR 4118	Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice
To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/ dismissal notice	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings	Education Code 44940.5	AR 4118	Notice of intent to dismiss 30 days from notice unless employee demands hearing
To probationary employee 30 days prior to dismissal during school year, but not later than March 15 for a second-year probationary employee	Education Code 44948.3	AR 4118	Reasons for dismissal and opportunity to appeal

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
II. To Certificated Employees (continued)			
By March 15 when necessary to reduce certificated personnel, with final notice by May 15	Education Code 44949, 44955	BP 4117.3	Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination
Before the end of the school year to temporary employee who served 75 percent of school year but will be released	Education Code 44954	BP 4121	District's decision not to reelect employee for following school year
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
III. To Classified Employees			
When classified employee is subject to disciplinary action for cause, in nonmerit district	Education Code 45113	AR 4218	Notice of charges, right to hearing, timeline for requesting hearing
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
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 permanent employee whose leave is exhausted	Education Code 45192, 45195	AR 4261.1 AR 4261.11	Exhaustion of leave, opportunity to request additional leave

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
III. To Classified Employees (continued)			
To school bus drivers and school activity bus drivers prior to expiration of specified documents	13 CCR 1234	AR 3542	Expiration date of driver's license, driver's certificate and medical certificate; need to renew
To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter	13 CCR 2480	AR 3542	Limitations on vehicle idling; consequences of not complying
To school bus drivers, prior to district drug testing program and thereafter upon employment	49 CFR 382.113, 382.601	AR 4112.42 4212.42 4312.42	Explanation of federal requirements for drug testing program and district's policy
To school bus drivers, prior to operating school bus	49 CFR 382.303	AR 4112.42 4212.42 4312.42	Post-accident information, procedures, and instructions
IV. To Administrative/Supervisory Personnel			
To superintendent, deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract	Education Code 35031	BP 2121 BP 4312.1	Decision not to reelect or reemploy upon expiration of contract or term
Upon request by administrative or supervisory employee transferred to teaching position	Education Code 44896	AR 4313.2	Statement of the reasons for the reassignment
By March 15 to employee who may be released/reassigned the following school year	Education Code 44951	AR 4313.2	Notice that employee may be released or reassigned the following school year
V. To Individual Employees Under Special Circumstances			
In the event of a breach of security of district records, to affected employees	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies

E 4112.9(h)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

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

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
V. To Individual Employees Under Special Circumstances (continued)			
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
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

All Personnel

AR 4161.2(a)

4261.2

PERSONAL LEAVES

4361.2

Personal leaves granted to district employees shall be used as permitted in this administrative regulation, other Board-approved policy or district regulation, or applicable collective bargaining agreement.

For the purpose of any personal leave offered pursuant to state law, a registered domestic partner shall have the same rights, protections, and benefits as a spouse and protections provided to a spouse's child shall also apply to a child of a registered domestic partner. (Family Code 297.5)

Whenever possible, employees shall request personal leaves in advance and prepare suitable instructions, including lesson plans as applicable, for a substitute employee.

(cf. 4121 - Temporary/Substitute Personnel)

Bereavement

Employees are entitled to a leave of up to three days, or five days if out-of-state travel is required, upon the death of any member of the employee's immediate family. No deduction shall be made from the employee's salary, nor shall such leave be deducted from any other leave to which the employee is entitled. (Education Code 44985, 45194)

(cf. 4161/4261/4361 - Leaves)

Members of the immediate family include: (Education Code 44985, 45194)

1. The mother, father, grandmother, grandfather, or grandchild of the employee or of the employee's spouse
2. The employee's spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister
3. Any relative living in the employee's immediate household

At the employee's request, bereavement leave may be extended under personal necessity leave provisions as provided in the section "Personal Necessity" below. (Education Code 44981, 45207)

Personal Necessity

Employees may use a maximum of seven days of their accrued personal illness/injury leave (sick leave) during each school year for reasons of personal necessity. (Education Code 44981, 45207)

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

PERSONAL LEAVES (continued)

Acceptable reasons for the use of personal necessity leave include:

1. Death of a member of the employee's immediate family when the number of days of absence exceeds the limits set by bereavement leave provisions (Education Code 44981, 45207)
2. An accident involving the employee or the employee's property, or the person or property of a member of the employee's immediate family (Education Code 44981, 45207)
3. Illness, preventive care, or other need of a member of the employee's family, as defined in Labor Code 245.5 (Education Code 44981; Labor Code 246.5)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

4. A classified employee's appearance in any court or before any administrative tribunal as a litigant, party, or witness under subpoena or other order (Education Code 45207)
5. Fire, flood, or other immediate danger to the home of the employee
6. Personal business of a serious nature which the employee cannot disregard

Leave for personal necessity may be allowed for other reasons at the discretion of the Superintendent or designee. However, personal necessity leave shall not be granted for purposes of personal convenience, for the extension of a holiday or vacation, or for matters which can be taken care of outside of working hours. The Superintendent or designee shall have final discretion as to whether a request reflects personal necessity.

Advance permission shall not be required of an employee in any case involving the death of a member of the employee's immediate family, an accident involving the employee's person or property or the person or property of a member of the employee's immediate family, or the illness, preventive care, or other need of a member of the employee's family. (Education Code 44981, 45207)

For any leave that is planned, or where the need for leave is foreseeable, an employee shall notify the Superintendent or designee in advance. In all other circumstances, the employee shall notify the Superintendent or designee of the need for the leave as soon as practicable.

After any absence due to personal necessity, the employee shall verify the absence by submitting a completed and signed district absence form to the employee's immediate supervisor.

PERSONAL LEAVES (continued)

Legal Duties

An employee may take time off work in order to: (Labor Code 230)

1. Serve on an inquest jury or trial jury
2. Comply with a subpoena or other court order to appear as a witness

Notices, summons, and subpoenas for court appearances shall be submitted to the district office when requesting leave.

A classified employee called for jury duty shall be granted leave with pay up to the amount of the difference between the employee's regular earnings and any amount received for jury fees. (Education Code 44037)

A certificated employee who is called for jury duty also shall be granted leave with pay up to the difference between the employee's regular earnings and any jury fees received.

An employee shall be granted leave with pay to appear in court as a witness other than a litigant or to respond to an official order from another governmental jurisdiction for reasons not brought about through the connivance or misconduct of the employee. Such an employee shall receive the difference between the employee's regular earnings and any witness fees received.

Leaves for Crime Victims for Judicial Proceedings

An employee may be absent from work in order to attend judicial proceedings related to a crime when the employee is a victim, or an immediate family member, registered domestic partner, or child of a registered domestic partner of a victim, of any of the following crimes: (Labor Code 230.2)

1. A violent felony as defined in Penal Code 667.5(c)
2. A serious felony as defined in Penal Code 1192.7(c)
3. A felony provision of law proscribing theft or embezzlement

For these purposes, the employee may use vacation, personal leave, personal illness/injury leave, unpaid leave, or compensatory time off that is otherwise available to the employee. (Labor Code 230.2)

PERSONAL LEAVES (continued)

Prior to taking time off, an employee shall give the Superintendent or designee a copy of the notice of each scheduled proceeding that is provided by the responsible agency, unless advance notice is not feasible. When advance notice is not feasible or an unscheduled absence occurs, the employee shall, within a reasonable time after the absence, provide documentation evidencing the judicial proceeding from the court or government agency setting the hearing, the district attorney or prosecuting attorney's office, or the victim/witness office that is advocating on behalf of the victim. (Labor Code 230.2)

The district shall keep confidential any records pertaining to the employee's absence from work by reason of this leave. (Labor Code 230.2)

Leaves for Victims of Crime or Abuse

An employee who is a victim of domestic violence, sexual assault, or stalking, who is a victim of a crime that caused physical injury or that caused mental injury with a threat of physical injury, or whose immediate family member, as defined, is deceased as the direct result of a crime may use vacation, sick leave, personal leave, or compensatory time off that is otherwise available to the employee to attend to the following activities: (Labor Code 230, 230.1, 246.5)

1. Obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of the employee or the employee's child
2. Seek medical attention for injuries caused by crime or abuse
3. Obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of the crime or abuse
4. Obtain psychological counseling or mental health services related to an experience of crime or abuse
5. Participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation

Prior to taking time off, an employee shall give reasonable notice to the Superintendent or designee, unless advance notice is not feasible. When an unscheduled absence occurs, the employee shall provide, within a reasonable period of time, certification of the absence in the form of any of the following: (Labor Code 230, 230.1)

1. A police report indicating that the employee was a victim

PERSONAL LEAVES (continued)

2. A court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court
3. Documentation from a domestic violence or sexual assault counselor as defined in Evidence Code 1037.1 or 1035.2, licensed medical professional or health care provider, victim advocate, or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse
4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf certifying that the absence is for a purpose authorized under Labor Code 230 or 230.1

The district shall maintain the confidentiality of such an employee to the extent authorized by law. (Labor Code 230, 230.1)

The Superintendent or designee shall inform employees of their rights pursuant to Labor Code 230 and 230.1 using a form developed by the Labor Commissioner or a substantially similar form developed by the district. Such information shall be provided to new employees upon hire and to other employees upon request. (Labor Code 230.1)

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

Personal Leave for Child-Related Activities

Any employee who is a parent/guardian of one or more children of an age to attend any of grades K-12 or a program offered by a licensed child care provider may use up to 40 hours of personal leave, vacation, or compensatory time off each school year in order to: (Labor Code 230.8)

1. Find, enroll, or reenroll a child in a school or with a licensed child care provider or to participate in activities of the school or child care provider, provided the employee gives reasonable advance notice of the absence. Time off for this purpose shall not exceed eight hours in any calendar month.
2. Address a school or child care emergency, provided the employee gives notice. An emergency exists when the child cannot remain in school or with a child care provider due to one of the following circumstances:

PERSONAL LEAVES (continued)

- a. A request by the school or child care provider that the child be picked up
- b. An attendance policy, excluding planned holidays, that prohibits the child from attending or requires that the child be picked up from the school or child care provider
- c. Behavioral or discipline problems
- d. Closure or unexpected unavailability of the school or child care provider, excluding planned holidays
- e. A natural disaster, including, but not limited to, fire, earthquake, or flood

(cf. 5148 - Child Care and Development)

For purposes of this leave, *parent/guardian* includes a parent, guardian, stepparent, foster parent, grandparent, or person who stands in loco parentis to a child. (Labor Code 230.8)

In lieu of using vacation, personal leave, or compensatory time off, eligible employees may take unpaid leave for this purpose.

If two or more parents/guardians of a child are employed at the same work site, this leave shall be allowed for the parent/guardian who first gives notice to the district. Simultaneous absence by another parent/guardian of the child may be granted by the Superintendent or designee. (Labor Code 230.8)

Upon request by the Superintendent or designee, the employee shall provide documentation from the school or licensed child care provider that the employee engaged in permitted child-related activities on a specific date and at a particular time. (Labor Code 230.8)

Service on Education Boards and Committees

Upon request, a certificated employee shall be granted up to 20 school days of paid leave per school year for service performed within the state on any education board, commission, committee, or group authorized by Education Code 44987.3 provided that all of the following conditions are met: (Education Code 44987.3)

1. The service is performed within the state.
2. The board, commission, organization, or group informs the district in writing of the service.

PERSONAL LEAVES (continued)

3. The board, commission, organization, or group agrees, prior to the service, to reimburse the district, upon the district's request, for compensation paid to the employee's substitute and for actual related administrative costs.

Employee Organization Activities

Upon request, any certificated or classified employee shall be granted a leave of absence without loss of compensation to serve as an elected officer of a district employee organization or any statewide or national employee organization with which the employee organization is affiliated. The leave shall include, but is not limited to, absence for purposes of attending periodic, stated, special, or regular meetings of the body of the organization. (Education Code 44987, 45210)

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

(cf. 4143/4243 - Negotiations)

Upon request of an employee organization in the district or its state or national affiliate, a reasonable number of unelected classified employees shall be granted a leave of absence without loss of compensation for the purpose of attending important organizational activities authorized by the organization. The employee organization shall provide reasonable notification to the Superintendent or designee when requesting a leave of absence for employees for this purpose. (Education Code 45210)

When leave is granted for any of the above purposes, the employee organization shall reimburse the district within 10 days after receiving the district's certification of payment of compensation to the employee. (Education Code 44987, 45210)

Religious Leave

The Superintendent or designee may grant an employee up to three days of leave per year for religious purposes, provided that the leave is requested in advance and that it does not cause additional district expenditures, the neglect of assigned duties, or any other unreasonable hardship on the district.

The Superintendent or designee shall deduct the cost of hiring a substitute, when required, from the wages of the employee who takes religious leave.

No employee shall be discriminated against for using this leave or any additional days of unpaid leave granted for religious observances at the discretion of the Superintendent or designee.

AR 4161.2(h)
4261.2
4361.2

PERSONAL LEAVES (continued)

Spouse on Leave from Military Deployment

An employee who works an average of 20 hours or more per week and whose spouse is a member of the United States Armed Forces, National Guard, or reserves may take up to 10 days of unpaid leave during a period that the employee's spouse is on leave from deployment during a military conflict, as defined in Military and Veterans Code 395.10. (Military and Veterans Code 395.10)

Within two business days of receiving official notice that the employee's spouse will be on leave from deployment, the employee shall provide the Superintendent or designee with notice of the intention to take the leave. The employee shall submit written documentation certifying that the employee's spouse will be on leave from deployment during the time that the leave is requested. (Military and Veterans Code 395.10)

Leave for Emergency Duty

An employee may take time off to perform emergency duty as a volunteer firefighter, a reserve peace officer, or emergency rescue personnel. (Labor Code 230.3)

Any employee who performs duty as a volunteer firefighter, reserve peace officer, or emergency rescue personnel shall be permitted to take temporary leaves of absence, not to exceed an aggregate total of 14 days per calendar year, for the purpose of engaging in fire, law enforcement, or emergency rescue training. (Labor Code 230.4)

Civil Air Patrol Leave

An employee may take up to 10 days of unpaid leave per calendar year, beyond any leave otherwise available to the employee, to respond to an emergency operational mission of the California Civil Air Patrol, provided that the employee has been employed by the district for at least a 90-day period immediately preceding the leave. Such leaves shall not exceed three days for a single mission, unless an extension is granted by the governmental entity authorizing the mission and is approved by the Superintendent or designee. (Labor Code 1501, 1503)

The employee shall give the district as much advance notice as possible of the intended dates of the leave. The Superintendent or designee may require certification from the proper Civil Air Patrol authority to verify the eligibility of the employee for the leave and may deny the leave if the employee fails to provide the required certification. (Labor Code 1503)

Legal Reference: (see next page)

AR 4161.2(i)
4261.2
4361.2

PERSONAL LEAVES (continued)

Legal Reference:

EDUCATION CODE

44036-44037 Leaves of absence for judicial and official appearances
44963 Power to grant leaves of absence (certificated)
44981 Leave of absence for personal necessity (certificated)
44985 Leave of absence due to death in immediate family (certificated)
44987 Service as officer of employee organization (certificated)
44987.3 Leave of absence to serve on certain boards, commissions, etc.
45190 Leaves of absence and vacations (classified)
45194 Bereavement leave of absence (classified)
45198 Effect of provisions authorizing leaves of absence
45207 Personal necessity (classified)
45210 Service as officer of employee organization (classified)
45240-45320 Merit system, classified employees

EVIDENCE CODE

1035.2 Sex assault counselor; definition
1037.1 Domestic violence counselor; definition

FAMILY CODE

297-297.5 Registered domestic partner rights, protections, and benefits

GOVERNMENT CODE

3543.1 Release time for representatives of employee organizations
12945.1-12945.2 California Family Rights Act

LABOR CODE

230-230.2 Leave for victims of domestic violence, sexual assault, or specified felonies
230.3 Leave for emergency personnel
230.4 Leave for volunteer firefighters
230.8 Leave to visit child's school
233 Illness of child, parent, spouse, domestic partner or domestic partner's child
234 Absence control policy
246.5 Paid sick days, purposes for use
1500-1507 Civil Air Patrol leave

MILITARY AND VETERANS CODE

395.10 Leave when spouse on leave from military deployment

PENAL CODE

667.5 Violent felony, defined
1192.7 Serious felony, defined

CALIFORNIA CONSTITUTION

Article 1, Section 8 Religious discrimination

UNITED STATES CODE, TITLE 29

2601-2654 Family and Medical Leave Act

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VII, Civil Rights Act of 1964

COURT DECISIONS

Rankin v. Commission on Professional Competence, (1988) 24 Cal.3d 167

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Berkeley Council of Classified Employees v. Berkeley Unified School District, (2008) PERB Decision No. 1954

Management Resources: (see next page)

AR 4161.2(j)

4261.2

4361.2

PERSONAL LEAVES (continued)

Management Resources:

WEB SITES

California Department of Industrial Relations: <http://www.dir.ca.gov>

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

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

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

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

Regulation
approved:

CSBA MANUAL MAINTENANCE SERVICE
March 2021

All Personnel

AR 4161.8(a)

FAMILY CARE AND MEDICAL LEAVE

4261.8

4361.8

The district shall not deny any eligible employee the right to family care or medical leave pursuant to the Family and Medical Leave Act (FMLA) or the California Family Rights Act (CFRA), or leave for pregnancy disability pursuant to California Pregnancy Disability Leave (PDL). The district shall not interfere with, restrain, or deny the exercise of an employee's right to any such leave, nor shall the district discharge, discriminate against, or retaliate against an employee for taking such leave, opposing or challenging an unlawful employment practice in relation to any of these laws, or being involved in any related inquiry or proceeding. (Government Code 12945, 12945.2; 2 CCR 11094; 29 USC 2615)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

Definitions

The words and phrases defined below shall have the same meaning throughout this administrative regulation except where a different meaning is otherwise specified.

Child means a biological, adopted, or foster child; a stepchild; a legal ward; or a person to whom the employee stands in *loco parentis*. For purposes of CFRA leave, *child* also includes a child of a registered domestic partner. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611)

Eligible employee, for FMLA and CFRA purposes, means an employee who has been employed with the district for at least 12 months and who has at least 1,250 hours of service with the district during the 12 months immediately preceding the leave. However, these requirements shall not apply when an employee applies for PDL. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.110)

Eligible family member means an employee's child, parent, or spouse. For purposes of leave to care for a family member with a serious health condition pursuant to CFRA, *eligible family member* includes an employee's child, parent, spouse, registered domestic partner, grandparent, grandchild, or sibling. (Government Code 12945.2; 2 CCR 11087; 29 USC 2612)

Employee disabled by pregnancy means an employee whose health care provider states that the employee is: (2 CCR 11035)

1. Unable because of pregnancy to perform any one or more of the essential functions of the job or to perform any of them without undue risk to the employee or other persons or to the pregnancy's successful completion

FAMILY CARE AND MEDICAL LEAVE (continued)

2. Suffering from severe "morning sickness" or needs to take time off for prenatal or postnatal care, bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, postpartum depression, childbirth, loss or end of pregnancy, recovery from childbirth or loss or end of pregnancy, or any other pregnancy-related condition

Parent means a biological, foster, or adoptive parent; a stepparent; a legal guardian; or another person who stood in *loco parentis* to the employee when the employee was a child. *Parent* does not include a spouse's parents. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.122)

Serious health condition means an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or an eligible family member of the employee that involves either inpatient care or continuing treatment, including treatment for substance abuse, as follows: (Government Code 12945.2; 2 CCR 11087, 11097; 29 USC 2611, 2612; 29 CFR 825.113-825.115)

1. Inpatient care in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity

A person is considered an inpatient when formally admitted to a health care facility with the expectation of remaining overnight and occupying a bed, even if it later develops that the person can be discharged or transferred to another facility and does not actually remain overnight.

Incapacity means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.

2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
 - a. A period of incapacity of more than three consecutive full days
 - b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
 - c. Any period of incapacity due to pregnancy or for prenatal care under FMLA
 - d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective

FAMILY CARE AND MEDICAL LEAVE (continued)

- e. Any period of absence to receive multiple treatments, including recovery, by a health care provider

Spouse means a partner in marriage as defined in Family Code 300, including same sex partners in marriage. For purposes of CFRA leave, *spouse* also includes a registered domestic partner within the meaning of Family Code 297-297.5. (Family Code 297, 297.5, 300; 2 CCR 11087; 29 CFR 825.122)

Eligibility

The district shall grant FMLA or CFRA leave to eligible employees for any of the following reasons: (Government Code 12945.2; 29 USC 2612; 29 CFR 825.112, 825.126, 825.127)

1. The birth of a child of the employee or placement of a child with the employee in connection with the employee's adoption or foster care of the child (parental leave)
2. To care for the employee's eligible family member with a serious health condition
3. The employee's own serious health condition that makes the employee unable to perform one or more essential job functions of the position
4. Any qualifying exigency arising out of the fact that the employee's spouse, child, parent, or, for CFRA leave only, a registered domestic partner, is a military member on covered active duty or call to covered active duty (or has been notified of an impending call or order to covered active duty)
5. To care for a covered servicemember with a serious injury or illness if the covered servicemember is the employee's spouse, child, parent, or next of kin, as defined

In addition, the district shall grant PDL to any employee who is disabled by pregnancy, childbirth, or other related medical condition. (Government Code 12945; 2 CCR 11037)

Terms of Leave

An eligible employee shall be entitled to a total of 12 work weeks of FMLA or CFRA leave during any 12-month period, except in the case of leave to care for a covered servicemember as provided under "Military Caregiver Leave" below. To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. In circumstances where the leaves do not run concurrently under the law, the employee may take up to 12 work weeks for both CFRA and FMLA, for a total of 24 work weeks. (Government Code 12945.2; 29 USC 2612)

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FAMILY CARE AND MEDICAL LEAVE (continued)

OPTION 1: This 12-month period shall coincide with the calendar year. (29 CFR 825.200)

OPTION 2: This 12-month period shall coincide with the fiscal year. (29 CFR 825.200)

OPTION 3: This 12-month period shall be measured forward from the date the employee's first family care and medical leave begins. (29 CFR 825.200)

OPTION 4: This 12-month period shall be a rolling period measured backward from the date an employee uses any family care and medical leave, as defined in 29 CFR 825.200. (29 CFR 825.200)

In addition, any employee who is disabled by pregnancy, childbirth, or other related condition shall be entitled to PDL for the period of the disability not to exceed four months. For a part-time employee, the four months shall be calculated on a proportional basis. (Government Code 12945; 2 CCR 11042)

PDL shall run concurrently with FMLA leave for disability caused by an employee's pregnancy. At the end of the employee's FMLA leave for disability caused by pregnancy, or at the end of four months of PDL, whichever occurs first, a CFRA-eligible employee may request to take CFRA leave of up to 12 work weeks, for the reason of the birth of a child or to bond with or care for the child. (Government Code 12945, 12945.2; 2 CCR 11046, 11093)

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. (2 CCR 11090; 29 USC 2612)

Each eligible employee shall be granted up to 12 work weeks for family care and medical leave related to the birth or placement of a child, regardless of whether both parents of the child work for the district.

Use/Substitution of Paid Leave

OPTION 1: During any otherwise unpaid period of FMLA or CFRA leave, except leave for an employee's own serious health condition, an employee shall use accrued paid leave, including, but not limited to, vacation leave, personal leave, or family leave. If the leave is for the employee's own serious health condition, the employee shall use accrued paid leave, including but not limited to, vacation leave, personal leave, or sick leave. During an unpaid period of PDL, the employee shall use any accrued sick leave and may elect to use any vacation time or other accrued personal time off. (Government Code 12945, 12945.2; 2 CCR 11044, 11092; 29 USC 2612)

FAMILY CARE AND MEDICAL LEAVE (continued)

OPTION 2: During any otherwise unpaid period of PDL or any FMLA or CFRA leave, the employee may elect to use accrued vacation leave, or any other paid time off negotiated with the district that the employee is eligible to use. If the leave is for the employee's own serious health condition or PDL, the employee may also elect to use accrued sick leave during the period of leave. (Government Code 12945, 12945.2; 2 CCR 11044; 11092; 29 USC 2612)

The district and employee may also come to agreement regarding the use of any additional paid or unpaid time off instead of using the employee's CFRA leave. (2 CCR 11092)

(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4161/4261/4361 - Leaves)
(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4261.1 - Personal Illness/Injury Leave)

Intermittent Leave/Reduced Work or Leave Schedule

PDL and family care and medical leave for the serious health condition of an employee or eligible family member may be taken intermittently or on a reduced work or leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, the district shall limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave provided it is not to be greater than one hour. (Government Code 12945.2; 2 CCR 11042, 11090; 29 USC 2612)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

The basic minimum duration of leave for the birth, adoption, or foster care placement of a child shall be two weeks. However, the district shall grant a request for such leave of less than two weeks on any two occasions. (2 CCR 11090; 29 USC 2612)

The district may require an employee to transfer temporarily to an available alternative position under any of the following circumstances: (2 CCR 11041, 11090; 29 USC 2612)

1. The employee needs intermittent leave or leave on a reduced work schedule that is foreseeable based on a planned medical treatment for the employee or family member.
2. A medical certification is provided by the employee's health care provider that, because of pregnancy, the employee has a medical need to take intermittent leave or leave on a reduced work schedule.

FAMILY CARE AND MEDICAL LEAVE (continued)

3. The district agrees to permit intermittent leave or leave on a reduced work schedule due to the birth, adoption, or foster care placement of the employee's child.

The alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR 11041, 11090; 29 USC 2612)

Request for Leave

The district shall consider an employee's request for PDL or family care and medical leave only if the employee provides at least verbal notice sufficient to make the district aware of the need to take the leave and the anticipated timing and duration of the leave. (2 CCR 11050, 11091)

For family care and medical leave, the employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement. However, the employee must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR 11091)

The district shall respond to requests for leave as soon as practicable, but no later than five business days after receiving the employee's request. (2 CCR 11091)

Based on the information provided by the employee, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee. Failure of an employee to respond to permissible inquiries regarding the leave request may result in denial of CFRA protection if the district is unable to determine whether the leave is CFRA qualifying. (2 CCR 11091; 29 CFR 825.300)

When an employee is able to foresee the need for PDL or family care and medical leave at least 30 days in advance of the leave, the employee shall provide the district with at least 30 days advance notice before the leave. When the 30 days' notice is not practicable because of a lack of knowledge of when leave will be required to begin, a change in circumstances, a medical emergency, or other good cause, the employee shall provide the district with notice as soon as practicable. Failure of an employee to provide required notice may result in a denial of leave. (2 CCR 11050, 11091)

FAMILY CARE AND MEDICAL LEAVE (continued)

In all instances, the employee shall consult with the Superintendent or designee and make a reasonable effort to schedule, subject to the health care provider's approval, any planned appointment or medical treatment or supervision so as to minimize disruption to district operations. (Government Code 12945.2; 2 CCR 11050, 11091)

Certification of Health Condition

Within five business days of an employee's request for family care and medical leave for the serious health condition of the employee or an eligible family member, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave. Upon receiving the district's request, the employee shall provide the certification within 15 calendar days, unless either the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts. (2 CCR 11087, 11091; 29 CFR 825.305)

The certification shall include the following: (Government Code 12945.2; 2 CCR 11087; 29 USC 2613)

1. The date on which the serious health condition began
2. The probable duration of the condition
3. If the employee is requesting leave to care for an eligible family member with a serious health condition, both of the following:
 - a. Statement that the serious health condition warrants the participation of the employee to provide care, such as by providing psychological comfort, arranging for third party care, or directly providing or participating in the medical care of the eligible family member during a period of the treatment or supervision
 - b. Estimated amount of time the health care provider believes the employee needs to care for the eligible family member
4. If the employee is requesting leave because of the employee's own serious health condition, a statement that due to the serious health condition, the employee is unable to work at all or is unable to perform one or more essential job functions of the position

FAMILY CARE AND MEDICAL LEAVE (continued)

5. If the employee is requesting leave for intermittent treatment or on a reduced work or leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

The Superintendent or designee shall not request any genetic information related to an employee except as authorized by law in accordance with the California Genetic Information Nondiscrimination Act of 2011. (Government Code 12940)

When an employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA/CFRA-eligible, the Superintendent or designee shall notify the employee within five business days whether the leave is FMLA/CFRA-eligible. The Superintendent or designee may also retroactively designate leave as FMLA/CFRA leave as long as appropriate notice is given to the employee and there is no harm or injury to the employee. (2 CCR 11091; 29 CFR 825.301)

If the Superintendent or designee has a good faith objective reason to doubt the validity of a certification that accompanies a request for leave for the employee's own serious health condition, the Superintendent or designee may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the Superintendent or designee may require the employee to obtain a third medical opinion from a third health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (Government Code 12945.2; 2 CCR 11091; 29 USC 2613)

Certification for PDL

The Superintendent or designee shall request that an employee who is requesting PDL provide certification by a health care provider of the need for leave at the time the employee gives notice of the need for PDL, or within two business days of giving the notice. If the need for PDL is unforeseen, the Superintendent or designee shall request the medical certification within two business days after the leave commences. The Superintendent or designee may request certification at some later date if the Superintendent or designee has reason to question the appropriateness of the leave or its duration. (2 CCR 11050)

For PDL that is foreseeable and for which at least 30 days' notice has been given, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the certification within the time frame specified by

FAMILY CARE AND MEDICAL LEAVE (continued)

the Superintendent or designee which must be at least 15 calendar days after the request, unless it is not practicable under the particular circumstances despite the employee's diligent, good faith efforts. (2 CCR 11050)

Medical certification for PDL purposes shall include a statement that the employee needs to take the leave because the employee is disabled by pregnancy, childbirth, or a related medical condition, the date on which the employee became disabled because of pregnancy, and the estimated duration of the leave. (2 CCR 11050)

If additional PDL or family care and medical leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified for the leave. (Government Code 12945.2; 2 CCR 11050; 29 USC 2613)

Release to Return to Work

Upon expiration of an employee's PDL or family care and medical leave taken for the employee's own serious health condition, the employee shall present certification from the health care provider of the employee's ability to resume work. The certification shall address the employee's ability to perform the essential job functions of the position.

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

Rights to Reinstatement

Upon granting an employee's request for PDL or FMLA/CFRA leave, the Superintendent or designee shall guarantee to reinstate the employee in the same or a comparable position when the leave ends. (Government Code 12945.2; 2 CCR 11043, 11089; 29 USC 2614)

(cf. 4117.3 - Personnel Reduction)

(cf. 4217.3 - Layoff/Rehire)

The district may refuse to reinstate an employee to the same or a comparable position if the FMLA/CFRA leave was fraudulently obtained by the employee. (2 CCR 11089; 29 CFR 825.216)

The district may refuse to reinstate an employee to the same position after taking PDL if, at the time the reinstatement is requested, the employee would not otherwise have been employed in that position for legitimate business reasons unrelated to the employee's PDL. (2 CCR 11043)

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FAMILY CARE AND MEDICAL LEAVE (continued)

Maintenance of Benefits/Failure to Return from Leave

During the period when an employee is on PDL or family care and medical leave, the employee shall maintain employee status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (Government Code 12945.2; 2 CCR 11092; 29 USC 2614)

For up to a maximum of four months for PDL and 12 work weeks for other family care and medical leave, the district shall continue to provide an eligible employee the group health plan coverage that was in place before the employee took the leave. The employee shall reimburse the district for premiums paid during the leave if the employee fails to return to district employment after the expiration of all available leaves and the failure is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control. (Government Code 12945.2; 2 CCR 11044, 11092; 29 USC 2614; 29 CFR 825.213)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

In addition, during the period when an employee is on PDL or family care and medical leave, the employee shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as would apply to an unpaid leave taken for any other purpose. However, for purposes of pension and retirement plans, the district shall not make plan payments for an employee during any unpaid portion of the leave period and the leave period shall not be counted for purposes of time accrued under the plan. (Government Code 12945.2; 2 CCR 11044, 11092)

Military Family Leave Resulting from Qualifying Exigencies

An eligible employee may take up to 12 work weeks of unpaid FMLA/CFRA leave, during each 12-month period established by the district in the section entitled "Terms of Leave" above, for one or more qualifying exigencies while the employee's child, parent, spouse, or, for purposes of CFRA leave, registered domestic partner, who is a military member is on covered active duty or on call to covered active duty status. (Government Code 12945.2; 29 USC 2612; 29 CFR 825.126)

Covered active duty means, for members of the Regular Armed forces, duty during the deployment of a member of the regular Armed Forces to a foreign country or and, for

FAMILY CARE AND MEDICAL LEAVE (continued)

members of the Reserve components of the Armed forces, duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or an order to active duty in support of a contingency operation pursuant to law. Deployment to a foreign county includes deployment to international waters. (29 USC 2611; 29 CFR 825.126)

Qualifying exigencies include time needed to: (29 CFR 825.126)

1. Address issues arising from short notice deployment of up to seven calendar days from the date of receipt of call or order of short notice deployment
2. Attend military events and related activities, such as any official ceremony or family assistance program related to the covered active duty or call to covered active duty status
3. Arrange child care or attend school activities arising from the covered active duty or call to covered active duty, such as arranging for alternative child care, enrolling or transferring a child to a new school, or attending meetings
4. Make or update financial and legal arrangements to address a military member's absence
5. Attend counseling provided by someone other than a health care provider
6. Spend time (up to 15 calendar days of leave per instance) with a military member who is on short-term, temporary, rest and recuperation leave during deployment
7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings
8. Care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty
9. Address any other event that the employee and district agree is a qualifying exigency

The employee shall provide the Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR 825.302)

An employee who is requesting leave for qualifying exigencies shall provide the Superintendent or designee with a copy of the military member's active duty orders, or other

FAMILY CARE AND MEDICAL LEAVE (continued)

documentation issued by the military, and the dates of the service. In addition, the employee shall provide the Superintendent or designee with certification of the qualifying exigency necessitating the leave. The certification shall contain the information specified in 29 CFR 825.309.

The employee's qualifying exigency leave may be taken on an intermittent or reduced work or leave schedule basis. (29 CFR 825.302)

During the period of qualified exigency leave, the district's rule regarding an employee's use of accrued vacation leave and any other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Military Caregiver Leave

The district shall grant an eligible employee up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date the leave is taken, to care for a covered servicemember with a serious illness or injury. In order to be eligible for such military caregiver leave, the employee must be the spouse, child, parent, or next of kin of the covered servicemember. This 26-week period is not in addition to, but rather is inclusive of, the 12 work weeks of leave that may be taken for other FMLA qualifying reasons. (29 USC 2611, 2612; 29 CFR 825.127)

Covered servicemember may be: (29 CFR 825.127)

1. A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness
2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

Child of a covered servicemember means the covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or child for whom the covered servicemember stood in *loco parentis*, and who is of any age. (29 CFR 825.127)

Parent of a covered servicemember means the covered servicemember's biological, adopted, step, or foster parent, or any other individual who stood in *loco parentis* to the covered servicemember (except "parents in law"). (29 CFR 825.127)

FAMILY CARE AND MEDICAL LEAVE (continued)

Next of kin means the nearest blood relative to the covered servicemember, other than the spouse, parent, or child, unless designated in writing by the covered servicemember. (29 USC 2611, 2612; 29 CFR 825.127)

Outpatient status means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

Serious injury or illness means: (29 USC 2611; 29 CFR 825.127)

1. For a current member of the Armed Forces, an injury or illness incurred by the member in the line of duty on active duty, or that existed before the beginning of the member's active duty and was aggravated by the member's service in the line of duty while on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.
2. For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that manifested itself before or after the member became a veteran and that is at least one of the following:
 - a. A continuation of a serious injury or illness incurred or aggravated while the veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating
 - b. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs (VA) Service-Related Disability Rating of 50 percent or greater, based wholly or partly on that physical or mental condition
 - c. A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of one or more disabilities related to the servicemember's military service or that would do so but for treatment received by the veteran
 - d. An injury, including a psychological injury, on the basis of which the veteran has been enrolled in the VA's Program of Comprehensive Assistance for Family Caregivers

FAMILY CARE AND MEDICAL LEAVE (continued)

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

The leave may be taken intermittently or on a reduced work or leave schedule when medically necessary. An employee taking military caregiver leave in combination with other family care and medical leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

During the period of military caregiver leave, the district's rule regarding an employee's use of accrued vacation leave and other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Notifications

The Superintendent or designee shall provide the following notifications regarding state and federal law related to PDL or FMLA/CFRA leave:

1. **General Notice:** Information explaining the provisions of the FEHA/PDL and FMLA/CFRA and employee rights and obligations shall be posted in a conspicuous place on district premises, or electronically, and shall be included in employee handbooks. (2 CCR 11049, 11095; 29 USC 2619)

The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days' notice of the need for the requested leave, when the need is reasonably foreseeable at least 30 days prior to the start of the leave. (2 CCR 11049, 11050, 11091)

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

2. **Eligibility Notice:** When an employee requests leave, including PDL, or when the Superintendent or designee acquires knowledge that an employee's leave may be for

FAMILY CARE AND MEDICAL LEAVE (continued)

an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five business days, provide notification to the employee of eligibility to take such leave. (2 CCR 11049, 11091; 29 CFR 825.300)

3. **Rights and Responsibilities Notice:** Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as applicable: (29 CFR 825.300)
- a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying
 - b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification
 - c. The employee's right to use paid leave, whether the district will require use of paid leave, conditions related to any use of paid leave, and the employee's entitlement to take unpaid leave if the employee does not meet the conditions for paid leave
 - d. Any requirements for the employee to make premium payments necessary to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis
 - e. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave
 - f. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

Any time the information provided in the above notice changes, the Superintendent or designee shall, within five business days of receipt of an employee's first notice of need for leave, provide the employee with a written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

FAMILY CARE AND MEDICAL LEAVE (continued)

4. **Designation Notice:** When the Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, he/she shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (2 CCR 11091; 29 CFR 825.300)

If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period. (29 CFR 825.300)

If the district requires paid leave to be used during an otherwise unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a release to return to work certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement. (2 CCR 11091, 11097; 29 CFR 825.300)

Any time the information provided in the designation notice changes, the Superintendent or designee shall, within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

Records

The Superintendent or designee shall maintain records pertaining to an individual employee's use of family care and medical leave in accordance with law. (Government Code 12946; 29 USC 2616; 42 USC 2000ff-1; 29 CFR 825.500)

Legal Reference: (see next page)

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FAMILY CARE AND MEDICAL LEAVE (continued)

Legal Reference:

EDUCATION CODE

44965 *Granting of leaves of absence for pregnancy and childbirth*

FAMILY CODE

297-297.5 *Rights, protections, and benefits under law; registered domestic partners*

300 *Validity of marriage*

GOVERNMENT CODE

12926 *Fair employment and housing act, definitions*

12940 *Unlawful employment practices*

12945 *Pregnancy; childbirth or related medical condition; unlawful practice*

12945.1-12945.2 *California Family Rights Act*

12946 *Fair Employment and Housing Act: discrimination prohibited*

UNEMPLOYMENT INSURANCE CODE

3300-3308 *Paid family leave*

CODE OF REGULATIONS, TITLE 2

11035-11051 *Sex discrimination: pregnancy, childbirth and related medical conditions*

11087-11097 *California Family Rights Act*

UNITED STATES CODE, TITLE 1

7 *Definition of marriage and spouse*

UNITED STATES CODE, TITLE 29

2601-2654 *Family and Medical Leave Act of 1993, as amended*

UNITED STATES CODE, TITLE 42

2000ff-1-2000ff-11 *Genetic Information Nondiscrimination Act of 2008*

CODE OF FEDERAL REGULATIONS, TITLE 29

825.100-825.702 *Family and Medical Leave Act of 1993*

COURT DECISIONS

United States v. Windsor, (2012) 699 F.3d 169

Faust v. California Portland Cement Company, (2007) 150 Cal.App.4th 864

Tellis v. Alaska Airlines, (9th Cir., 2005) 414 F.3d 1045

Management Resources:

U.S. DEPARTMENT OF LABOR PUBLICATIONS

Certification of Health Care Provider for Family Member's Serious Health Condition under the Family and Medical Leave Act, Form WH-380-F

FMLA Frequently Asked Questions

CALIFORNIA DEPARTMENT OF HUMAN RESOURCES PUBLICATIONS

Questions and Answers - Military Family Leave - FMLA

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

California Department of Human Resources: <https://www.calhr.ca.gov>

U.S. Department of Labor, FMLA: <http://www.dol.gov/whd/fmla>

Regulation
approved:

CSBA MANUAL MAINTENANCE SERVICE
March 2021

COMPREHENSIVE HEALTH EDUCATION

The Governing Board believes that health education should foster the knowledge, skills, and attitudes that students need in order to lead healthy lives and avoid high-risk behaviors, and that creating a safe, supportive, inclusive, and nonjudgmental environment is crucial in promoting healthy development for all students. The district's health education program shall be part of a coordinated school health system which supports the physical, mental, and social well-being of students and is linked to district and community services and resources.

(cf. 0415 - Equity)
(cf. 3513.3 - Tobacco-Free Schools)
(cf. 3514 - Environmental Safety)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3554 - Other Food Sales)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Steroids)
(cf. 5137 - Positive School Climate)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.23 - Asthma Management)
(cf. 5141.3 - Health Examinations)
(cf. 5141.32 - Health Screening for School Entry)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5141.5 - Mental Health)
(cf. 5141.52 - Suicide Prevention)
(cf. 5141.6 - School Health Services)
(cf. 5141.7 - Sun Safety)
(cf. 5142 - Safety)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6164.2 - Guidance/Counseling Services)

Goals for the district's health education program shall be designed to promote student wellness and shall include, but not be limited to, goals for nutrition promotion and education, physical activity, and other school-based activities that promote student well-being.

(cf. 0200 - Goals for the School District)
(cf. 5030 - Student Wellness)
(cf. 6142.7 - Physical Education and Activity)

The district shall provide a planned, sequential, research-based, and developmentally appropriate health education curriculum for students in grades K-12 which is aligned with the state's content standards and curriculum framework and integrated with other content areas of the district's curriculum. The Superintendent or designee shall determine the grade levels and subject areas in which health-related topics will be addressed, in accordance with law, Board policy, and administrative regulation.

(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6143 - Courses of Study)

COMPREHENSIVE HEALTH EDUCATION (continued)

As appropriate, the Superintendent or designee shall involve school administrators, teachers, school nurses, health professionals representing various fields of health care, parents/guardians, community-based organizations, and other community members in the development, implementation, and evaluation of the district's health education program. Health and safety professionals may be invited to provide related instruction in the classroom, school assemblies, and other instructional settings.

(cf. 1220 - Citizen Advisory Committees)

(cf. 1240 - Volunteer Assistance)

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 6020 - Parent Involvement)

(cf. 6145.8 - Assemblies and Special Events)

(cf. 6162.8 - Research)

The Superintendent or designee shall provide professional development as needed to ensure that health education teachers are knowledgeable about academic content standards, the state curriculum framework, and effective instructional methodologies.

(cf. 4131 - Staff Development)

The Superintendent or designee shall provide periodic reports to the Board regarding the implementation and effectiveness of the district's health education program, which may include, but not be limited to, a description of the district's program and the extent to which it is aligned with the state's content standards and curriculum framework, the amount of time allotted for health instruction at each grade level, student achievement of district standards for health education, and the manner in which the district's health education program supports the physical, mental, and social well-being of students.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference: (see next page)

COMPREHENSIVE HEALTH EDUCATION (continued)

Legal Reference:

EDUCATION CODE

- 8850.5 Family relationships and parenting education
 - 35183.5 Sun protection
 - 49413 First aid and cardiopulmonary resuscitation training
 - 49430-49434 Pupil Nutrition, Health and Achievement Act of 2001
 - 49490-49494 School breakfast and lunch programs
 - 49500-49505 School meals
 - 51202 Instruction in personal and public health and safety
 - 51203 Instruction on alcohol, narcotics and dangerous drugs
 - 51210 Areas of study; grades 1-6
 - 51210.8 State content standards for health education
 - 51220.5 Parenting skills; areas of instruction
 - 51225.36 Sexual harassment and violence instruction; affirmative consent standard
 - 51225.6 Compression-only cardiopulmonary resuscitation instruction
 - 51260-51269 Drug education
 - 51513 Personal beliefs; exams, questionnaires, and surveys
 - 51880-51881.5 Health education, legislative findings and intent
 - 51890-51891 Comprehensive health education programs and community participation; definitions
 - 51900.6 Sexual abuse and sexual assault awareness and prevention
 - 51913 District health education plan
 - 51920 Inservice training, health education
 - 51930-51939 California Healthy Youth Act; Comprehensive sexual health and HIV/AIDS prevention education
 - 67386 Affirmative consent; definition
- #### CALIFORNIA CODE OF REGULATIONS, TITLE 5
- 11800-11801 District health education plan
- #### UNITED STATES CODE, TITLE 42
- 1751-1769j National School Lunch Program, especially:
 - 1758b Local wellness policy
 - 1771-1793 Child nutrition programs, including National School Breakfast Program

Management Resources:

CSBA PUBLICATIONS

- Why Schools Hold the Promise for Adolescent Mental Health, Governance Brief, May 2019
- The Impact of Marijuana Legalization on K-12: The Effect of Marijuana on the Brain, November 2018
- Preventing Catastrophic Health Illness, Governance Brief, July 2018
- Integrating Physical Activity into the School Day, April 2016
- Promoting Healthy Relationships for Adolescents: Board Policy Considerations, August 2014
- Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012
- Promoting Oral Health for California's Students: New Roles, New Opportunities for Schools, Policy Brief, November 2008
- Asthma Management in the Schools, Policy Brief, March 2008
- Sun Safety in Schools, Policy Brief, July 2006
- Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006

Management Resources continued: (see next page)

COMPREHENSIVE HEALTH EDUCATION (continued)

Management Resources: (continued)

AMERICAN ASSOCIATION FOR HEALTH EDUCATION PUBLICATIONS

National Health Education Standards: Achieving Excellence, rev. November 2012

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Framework for California Public Schools: Kindergarten Through Grade Twelve, 2019

Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008

HUMAN RIGHTS CAMPAIGN FOUNDATION PUBLICATIONS

California LGBTQ Youth Report, January 2019

WEB SITES

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

American School Health Association: <http://www.ashaweb.org>

California Association of School Health Educators: <http://www.cashe.org>

California Department of Education, Health Education: <http://www.cde.ca.gov/ci/he>

California Department of Public Health: <http://www.cdph.ca.gov>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Subject Matter Project, Physical Education-Health Project: <https://csmpp.online>

Center for Injury Prevention Policy and Practice: <http://www.cipp.org>

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

Human Rights Campaign Foundation: <https://www.hrc.org>

National Center for Health Education: <http://www.nche.org>

National Hearing Conservation Association: <http://www.hearingconservation.org>

Shape America Society of Health and Physical Educators: <https://www.shapeamerica.org>

Instruction**COMPREHENSIVE HEALTH EDUCATION****Content of Instruction**

The district's health education program shall include instruction at the appropriate grade levels in the following content areas:

1. Alcohol, tobacco, and other drugs

(cf. 3513.3 - Tobacco-Free Schools)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Steroids)

2. Human growth, development, and sexual health

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

3. Injury prevention and safety

Instruction related to injury prevention and safety may include, but is not limited to, first aid, protective equipment such as helmets, violence prevention, topics related to bullying and harassment, emergency procedures, and Internet safety.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3543 - Transportation Safety and Emergencies)
(cf. 5131 - Conduct)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5141 - Health Care and Emergencies)
(cf. 5142 - Safety)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 6145.2 - Athletic Competition)
(cf. 6163.4 - Student Use of Technology)

4. Mental, emotional, and social health

(cf. 5137 - Positive School Climate)
(cf. 5141.5 - Mental Health)
(cf. 5141.52 - Suicide Prevention)

5. Nutrition and physical activity

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 6142.7 - Physical Education and Activity)

6. Personal and community health

COMPREHENSIVE HEALTH EDUCATION (continued)

Instruction in personal and community health may include, but is not limited to, oral health, personal hygiene, sun safety, vision and hearing protection, transmission of germs and communicable diseases, symptoms of common health problems and chronic diseases, and the effect of behavior on the environment.

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

(cf. 5141.7 - Sun Safety)

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

(cf. 6142.5 - Environmental Education)

Within each of the above content areas, instruction shall be designed to assist students in developing:

1. An understanding of essential concepts related to enhancing health
2. The ability to analyze internal and external influences that affect health
3. The ability to access and analyze health information, products, and services

(cf. 5141.6 - School Health Services)

4. The ability to use interpersonal communication skills, decision-making skills, and goal-setting skills to enhance health
5. The ability to practice behaviors that reduce risk and promote health
6. The ability to promote and support personal, family, and community health

High School Health Education

Whenever the Board requires a course in health education for graduation from high school, the district's high school health education course(s) shall include instruction in:

1. Sexual harassment and violence, including, but not limited to, the affirmative consent standard as defined in Education Code 67386. When delivering such instruction, teachers shall consult information related to sexual harassment and violence in the Health Education Framework for California Public Schools. (Education Code 51225.36)

COMPREHENSIVE HEALTH EDUCATION (continued)

2. Compression-only cardiopulmonary resuscitation (CPR), which is based on national evidence-based emergency cardiovascular care guidelines for the performance of compression-only CPR and includes instruction relative to the psychomotor skills necessary to perform compression-only CPR. (Education Code 51225.6)

(cf. 6146.1 - High School Graduation Requirements)

Students Excused from Health Instruction

Upon written request from a parent/guardian, a student shall be excused from any part of health instruction that conflicts with the student's religious training and beliefs, including personal moral convictions. (Education Code 51240)

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

The district shall excuse a student from instruction in comprehensive sexual health education and HIV prevention education if the student's parent/guardian requests in writing that the student be excused. (Education Code 51938)

(cf. 5145.6 - Parental Notifications)

(cf. 6145.8 - Assemblies and Special Events)

In addition, the district shall excuse a student from instruction in sexual abuse and/or sexual assault awareness and prevention if the student's parent/guardian requests in writing that the student be excused. (Education Code 51900.6)

The district shall not administer any exam, survey, or questionnaire which contains questions about the student's or the student's family's personal beliefs or practices in sex, family life, morality, or religion unless the student's parent/guardian has given written permission. (Education Code 51513)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5022 - Student and Family Privacy Rights)

However, the district may administer anonymous, voluntary, and confidential tests, questionnaires, and surveys containing age-appropriate questions about students' attitudes concerning or practices relating to sex, as long as parents/guardians are notified of the right to request in writing that the student be excused from participation. A student shall be excused from participating in any such research or evaluation tools if the student's parent/guardian requests in writing to excuse the student from participation. (Education Code 51938)

COMPREHENSIVE HEALTH EDUCATION (continued)

Involvement of Health Professionals

Health care professionals, health care service plans, health care providers, and other entities participating in a voluntary initiative with the district are prohibited from communicating about a product or service in a way that is intended to encourage persons to purchase or use the product or service. However, the following activities may be allowed: (Education Code 51890)

1. Health care or health education information provided in a brochure or pamphlet that contains the logo or name of a health care service plan or health care organization, if provided in coordination with the voluntary initiative
2. Outreach, application assistance, and enrollment activities relating to federal, state, or county-sponsored health care insurance programs if the activities are conducted in compliance with the statutory, regulatory, and programmatic guidelines applicable to those programs.

(cf. 1325 - Advertising and Promotion)

FACILITIES FINANCING

The Governing Board recognizes its responsibility to identify the most cost-efficient and effective method of financing when purchasing or modifying district facilities. Financing may be necessary when it is determined that school facilities must be built or expanded to accommodate an increased or projected increased enrollment or when safety considerations and educational program improvements require the replacement, reconstruction, or modernization of existing facilities.

The Superintendent or designee shall research funding alternatives and recommend to the Board the method of funding that will best serve district needs as identified in the district's master plan for school facilities.

(cf. 7110 - Facilities Master Plan)

Funding alternatives may include, but are not be limited to:

1. Levying developer fees pursuant to Education Code 17620 and Government Code 65995-65998

(cf. 7211- Developer Fees)

2. Forming a community facilities district pursuant to Government Code 53311-53368.3, the Mello-Roos Community Facilities Act

(cf. 7212 - Mello-Roos Districts)

3. Forming a school facilities improvement district pursuant to Education Code 15300-15425

(cf. 7213 - School Facilities Improvement Districts)

4. Issuing voter-approved general obligation bonds

(cf. 7214 - General Obligation Bonds)

5. Imposing a parcel tax pursuant to Government Code 50079

(cf. 3471 - Parcel Taxes)

6. Using lease revenues for capital outlay purposes from surplus school property

(cf. 3280 - Sale or Lease of District-Owned Real Property)

7. Applying for state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30)

FACILITIES FINANCING (continued)

The district shall provide reports, maintain records, and provide for audits of the expenditure of state facilities funds as required by law and AR 3460 - Financial Reports and Accountability. (Education Code 41024)

(cf. 3460 - Financial Reports and Accountability)

As applicable, the district shall comply with BP 3470 - Debt Issuance and Management.

(cf. 3470 - Debt Issuance and Management)

Legal Reference: (see next page)

FACILITIES FINANCING (continued)*Legal Reference:*EDUCATION CODE*15100-17199.6 School bonds, especially:**15122.5 Ballot statement**15300-15327 School facilities improvement districts**17000-17059.2 State School Building Lease-Purchase Law of 1976**17060-17066 Joint venture school facilities construction projects**17070.10-17079.30 Leroy F. Greene School Facilities Act of 1998**17085-17096 State Relocatable Classroom Law of 1979**17582 District deferred maintenance fund**17620-17626 Levies against development projects by school districts, especially:**17621 Procedures for levying fees**41024 Accounting system and audits*GOVERNMENT CODE*6061 Manner of notice as prescribed in designated section**6066 Two weeks' notice**8855 Debt issuance and management**50075-50077.5 Voter-approved special taxes**50079 School districts; qualified special taxes**53175-53187 Integrated Financing District Act**53311-53368.3 Mello-Roos Community Facilities Act of 1982**53753 Assessment notice and hearing requirements**53753.5 Exemptions**54954.1 Mailing of agenda**54954.6 New or increased tax or assessment; public meetings and hearings; notice**65864-65869.5 Development agreements**65970-65981 School facilities development project**65995-65998 Payment of fees against a development project**66000-66008 Fees for development projects**66016-66019 Development project fees**66020-66025 Protests and audits*HEALTH AND SAFETY CODE*33445.5 Overcrowding of schools resulting from redevelopment**33446 School construction by redevelopment agency*CALIFORNIA CONSTITUTION*Article 13D, Sections 1-6 Assessment and property related fee reform*CODE OF REGULATIONS, TITLE 2*1859-1859.199 School facility program*COURT DECISIONS*Ehrlich v. City of Culver City (1996) 12 Cal.4th 854**Loyola Marymount University v. Los Angeles Unified School District (1996) 45 Cal.App.4th 1256**Dolan v. City of Tigard (1994) 114 S.Ct. 2309**Canyon North Co. v. Conejo Valley Unified School District (1993) 19 Cal.App.4th 243, 23 Cal.Rptr.2d 495**Garlic Development Co. v. Hayward Unified School District (1992) 3 Cal.App.4th 320**Nollan v. California Coastal Commission (1987) 107 S.Ct. 3141*

FACILITIES FINANCING (continued)

Legal Reference: (continued)

ATTORNEY GENERAL OPINIONS

79 Ops. Cal. Atty. Gen. 149 (1996)

Management Resources:

WEB SITES

California Department of Education: www.cde.ca.gov

California State Controller: www.sco.ca.gov

Department of General Services, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

PUBLIC HEARING

**TULELAKE BASIN JOINT UNIFIED SCHOOL DISTRICT
Board of Trustees**

NOTICE OF PUBLIC HEARING

The Tulelake Basin Joint Unified School District hereby gives notice that a Public Hearing will be held as follows:

TOPIC OF HEARING

I. PUBLIC HEARING

- A. Sunshine/Acknowledge Receipt of Negotiations Letter from CSEA
- B. Sunshine Opening Bargaining Position of District for CSEA
- C. Sunshine/Acknowledge Receipt of Negotiations Letter from TBTA
- D. Sunshine Opening Bargaining Position of District for TBTA

Hearing Date: March 24, 2021

Time: 6:00 p.m.

Location: District Office Conference Room

California School
Employees Association



February 18, 2021

Teresa Healy
Superintendent/Principal
Tulelake Basin Joint Unified School District
Tulelake, CA 96134

Dear Superintendent Healy,

This letter shall serve as a formal request of the California School Employees Association and its Tulelake Chapter #671 (together "CSEA"), to open negotiations for 2021-2022 school year.

The California School Employees Association and its Tulelake Chapter #671 (CSEA) and the Tulelake Basin Joint Unified School District (District) are parties to a Collective Bargaining Agreement (CBA) which remains in full effect until a new contract is reached. Pursuant to the Educational Employment Relations Act (EERA), CSEA wishes to negotiate changes to the existing Agreement. Specific proposals for all articles to be negotiated will be exchanged after a thorough good faith dialogue at the bargaining table.

Article XII Compensation:

Appendix A Salary Schedule:

A fair and equitable salary increase and adjustment to the Steps & Columns on Appendix A.1, Wages & Compensation Schedule

Article III: Organizational Security:

3.1 Membership and Dues Deduction:

3.1.1 District shall distribute CSEA-supplied membership applications to new hires (but not make any statement suggesting workers must join). District shall provide a jointly-agreed letter to new hires and anyone asking about Janus v. American Federation of State, County, and Municipal Employees, Council 31, et al., 585 US _ (2018), expressing District's desire to work cooperatively with CSEA due to its professionalism and strong support for increased school funding. District shall refer all employee questions about CSEA or dues over to the CSEA Labor Relations Representative. CSEA shall defend and indemnify District for any claims arising from its compliance with this clause. This agreement shall satisfy District's duty to bargain effects of Janus decision.

3.1.2 The District shall not interfere with the terms of any agreement between CSEA and the District's employee with regard to that employee's membership in CSEA, including but not limited to automatic renewal yearly unless the worker drops out during a specified window period. The District need not keep track of this period which shall be tracked by CSEA within its membership database.

3.1.3 CSEA shall have the sole and exclusive right to receive the payroll deduction for regular membership dues.

3.2 Dues Deduction:

3.2.1 The employer shall deduct, in accordance with the CSEA dues schedule, dues from the wages of all employees who are members of CSEA.

3.2.2. The District shall refer all employee requests to revoke membership to the CSEA Labor Relations Representative and shall obtain his/her approval on behalf of the union before processing any revocation request.

3.2.3 The employer shall not be obligated to put into effect any new or changed deductions until the pay period commencing thirty (30) days or more after such submission.

3.2.4 There shall be no charge by the employer to CSEA for regular membership dues deductions.

3.3 Membership Information

3.3.1. The District shall take all reasonable steps to safeguard the privacy of CSEA members' personal information, including but not limited to members Social Security Numbers, personal addresses, personal phone number, personal cellular phone number, and status as a union member.

3.3.2. The District shall reject all Public Records Act requests from outsiders for work email addresses for bargaining unit members unless there is a court decision directing public agencies to release this information.

3.3.2 The District shall use its best efforts to filter out outsiders' emails to work email addresses soliciting against union membership. District shall only post on the public portion of its website work email addresses for employees whom the public needs to contact.

3.4 Hold Harmless Provision:

3.4.1 CSEA shall defend and indemnify District for any claims arising from its compliance with this article for any claims made by the employee for deductions made in reliance on information provided by the employee organization to the employer to cancel or change membership dues authorization. The employer shall be required to promptly notify CSEA of any claims made by employees relating to dues authorization.

3.4.2 CSEA shall have the exclusive right to decide and determine whether any such action shall be compromised, resisted, defended, tried or appealed.

Renumber Articles 3 – 25 with the addition of Organizational Security Article 3.

CSEA is looking forward to meeting with you and your team and moving forward in a positive manner.

Sincerely,

Teresa Perry,
Chapter President
California School Employees Association
Chapter 671

TULELAKE BASIN JOINT UNIFIED SCHOOL DISTRICT

**P. O. Box 640
Tulelake, CA 96134**

(530) 667-2295 FAX (530) 667-4298

**Teresa Healy, Superintendent/Tulelake JH HS Principal
Lisa Butler, Tulelake Elementary Principal**



February 19, 2021

To: Teresa Perry
President of CSEA

From: Teresa Healy
Superintendent

Re: 2021 Sunshine Proposal

As superintendent and representative of the Board of Trustees, I would like to acknowledge the receipt of your Sunshine Proposal Letter on February 18, 2021. Your letter will be presented to the board at the upcoming meeting March 24, 2021



TULELAKE BASIN JOINT UNIFIED SCHOOL DISTRICT

P. O. Box 640
Tulelake, CA 96134

(530) 667-2295 FAX (530) 667-4298

Teresa Healy, Superintendent/Tulelake JH HS Principal
Liza Butler, Tulelake Elementary Principal

March 18, 2021

California School Employee Association – Chapter 671

Dear Teresa,

As superintendent and representative of the Board of Trustees, I would like to acknowledge the receipt of your negotiations proposal to the board on February 18, 2021. It is our understanding that you would like to focus on the articles listed below:

Article XII:	Compensation
Article III:	Organizational Security

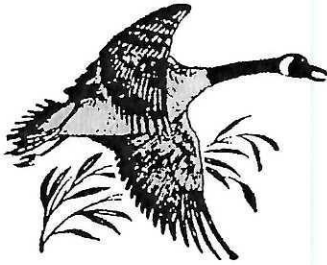
We are planning on submitting our sunshine proposal at the March 24, 2021 board meeting. The district would like to focus on the articles listed below:

Job Descriptions

It is always in the best interest of both parties when negotiating to be as expedient as possible. It is our intent to start this process immediately and complete the process before the end of the school year. I will be in contact with you after the board meeting on March 24, 2021 to set a beginning date.

Sincerely,

Teresa Healy
Superintendent



Tulelake High School

Post Office Box 640
850 Main St.
Tulelake, California 96134
530-667-2292 530-667-2290 (fax)

Teresa Healy
Principal/Superintendent
Email: thealy@tbjUSD.org

TBTA Sunshine Letter

February 18, 2021

Dear School Board Members and Administration:

Kevin Nicholson; Myra Chavoya; Nick Scott; Jordan Dodson; Carrie Guthrie; Teresa Healy

Thank you for the opportunity to present our views, concerns, and plans to improve the district. We hope to start an open dialogue that creates a bridge to unite the board members, administrators, teachers and the community, all with the mutual goal of achieving what is best for students.

We plan to discuss Articles X, XII, XIII and Appendices A and B. We also request the presence of a Board member at these negotiations. We truly hope that agreements can be reached that benefit everyone.

Sincerely,

Shane Wood, TBTA President

TULELAKE BASIN JOINT UNIFIED SCHOOL DISTRICT

P. O. Box 640
Tulelake, CA 96134

(530) 667-2295 FAX (530) 667-4298

Teresa Healy, Superintendent/Tulelake JH HS Principal
Lisa Butler, Tulelake Elementary Principal



February 19, 2021

To: Shane Wood
President of TBTA

From: Teresa Healy
Superintendent

Re: 2021 Sunshine Proposal

As superintendent and representative of the Board of Trustees, I would like to acknowledge the receipt of your Sunshine Proposal Letter on February 18, 2021. Your letter will be presented to the board at the upcoming meeting March 24, 2021.



TULELAKE BASIN JOINT UNIFIED SCHOOL DISTRICT

P. O. Box 640
Tulelake, CA 96134

(530) 667-2295 FAX (530) 667-4298

Teresa Healy, Superintendent/Tulelake JH HS Principal
Liza Butler, Tulelake Elementary Principal

March 19, 2021

Tulelake Basin Teachers' Association

Dear Shane,

As superintendent and representative of the Board of Trustees, I would like to acknowledge the receipt of your negotiations proposal to the board on February 18, 2021. It is our understanding that the entire contract is open for negotiation and that you would like to focus on the articles listed below:

Article X:	Class Size
Article XII:	Teaching Hours/Calendar
Article XIII:	Compensation
Appendix A:	Salary Schedules
Appendix B:	Extra Pay Scale

We are planning on submitting our sunshine proposal at the March 24, 2021 board meeting. The district would like to focus on the articles listed below:

Article XIII:	Compensation
Article XIV:	Retirement Provisions

It is always in the best interest of both parties when negotiating to be as expedient as possible. It is our intent to start this process immediately and complete the process before the end of the school year. I will be in contact with you after the board meeting on March 24, 2021 to set a beginning date.

Sincerely,

Teresa Healy
Superintendent

ACTION/DISCUSSION ITEMS

Tulelake Basin Joint Unified School District

Reopening Plan/COVID-19 Safety Plan

July 2020 - Revised January 2021

The Tulelake Basin Joint Unified School District is scheduled to begin the 2020-21 school year on Wednesday, August 26. While we desire to provide the best learning for our students, the health, safety, and well-being of our students and staff is our top priority as they return to school. When the new school year begins, on-campus school will look much different than previous years due to new health and safety measures.

Tulelake Basin Joint Unified has created a Reopening Plan/COVID-19 Safety Plan that addresses how schools will meet the needs of students in the coming school year. The plan to reopen schools is based on current guidance from public health officials, state agencies, as well as your valuable input from the Reopening Schools Work Group, and will be updated as the situation evolves. As a result, TBJUSD has put together two options that will address social-distancing requirements to keep TBJUSD students and staff safe while also supporting student learning.

For the 2020-21 academic year, Tulelake Basin Joint Unified is proposing a choice of two instructional models, including the In-person model and Distance Learning model.

The TBJUSD Reopening Plan covers the many procedures and protocols that are being put in place for a successful and safe reopening

Please follow us at <https://www.tulelakeschools.org/> for more information and updates

HEALTH, HYGIENE AND SAFETY:

Action	In-Person Model	Distance Learning model
Monitor symptoms of all students and staff upon entry	- The school has developed and is ready to implement daily symptom and temperature screening of all students, staff, and visitors prior to admitting them to the facility	N/A

Health and Safety Protocols	<ul style="list-style-type: none"> - All students and staff will be monitored for temperatures and symptoms - Masks and other PPE will be worn as required - All will be trained in and use proper handwashing techniques - All will be trained in and use the proper use of hand sanitizer - Safe Social Distancing guidelines will be followed including 6 feet of physical distance as below in the section "Required Physical Distancing" 	N/A
Plans to teach and reinforce the use of cloth face coverings, masks, or face shields	<ul style="list-style-type: none"> -The school has developed plans to teach and reinforce the use of cloth face coverings, masks, or face shields 	N/A
Drop off/Pick up	<ul style="list-style-type: none"> -Controlled entry and social distance practices will be followed 	<ul style="list-style-type: none"> -Controlled entry and social distance practices will be followed
Visitors and Deliveries	<ul style="list-style-type: none"> - Controlled entry and social distance practices will be followed - Masks shall be worn - Health screening questions - Use of plexiglass shield between staff and visitor 	<ul style="list-style-type: none"> - Controlled entry and social distance practices will be followed - Masks shall be worn - Health screening questions - Use of plexiglass shield between staff and visitor
Students and staff who become ill while on campus	<ul style="list-style-type: none"> - Isolation of staff member or student - Contact Department of Public Health - Notify parents/family member - Follow quarantine and exclusion protocols 	<ul style="list-style-type: none"> - Isolation of staff member or student - Contact Department of Public Health - Notify parents/family member - Follow quarantine and exclusion protocols
Teach staff expectations of health and safety protocols, updated COVID risk factors and protective measures	<ul style="list-style-type: none"> -Utilize pre-service days to inform and train staff - Training will be ongoing and include: <ul style="list-style-type: none"> - Our COVID-19 policies and procedures to protect employees from COVID-19 hazards. - Information regarding COVID-19-related benefits to which the employee may be 	<ul style="list-style-type: none"> - Utilize pre-service days to inform and train staff

	entitled under applicable federal, state, or local laws.	
	<ul style="list-style-type: none"> · The fact that: <ul style="list-style-type: none"> o COVID-19 is an infectious disease that can be spread through the air. o COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth. o An infectious person may have no symptoms. · Methods of physical distancing of at least six feet and the importance of combining physical distancing with the wearing of face coverings. · The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing must be combined with other controls, including face coverings and hand hygiene, to be effective. · The importance of frequent hand washing with soap and water for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or hand washing facility, and that hand sanitizer does not work if the hands are soiled. · Proper use of face coverings and the fact that face coverings are not respiratory protective equipment - face coverings are intended to primarily protect other individuals from the wearer of the face covering. 	

	<ul style="list-style-type: none"> COVID-19 symptoms, and the importance of obtaining a COVID-19 test and not coming to work if the employee has COVID-19 symptoms. 	
Teach students expectations of health and safety protocols, updated COVID risk factors and protective measures	<ul style="list-style-type: none"> Utilize the first week of school to inform and train students Training will be ongoing 	N/A
Continue to reinforce strategies with students who are following the health and safety protocols	<ul style="list-style-type: none"> Utilize PBIS reward system to reinforce and reward proper protocols 	N/A
Adequate supplies of protective equipment	<ul style="list-style-type: none"> The school has adequate supplies on hand to support healthy hygiene behaviors, including soap, tissues, no-touch trash cans, face coverings, and hand sanitizers with 60 percent ethanol, or 70 isopropanol for staff and children who can safely use hand sanitizer 	<ul style="list-style-type: none"> The school has adequate supplies on hand to support healthy hygiene behaviors, including soap, tissues, no-touch trash cans, face coverings, and hand sanitizers with 60 percent ethanol, or 70 isopropanol for staff and children who can safely use hand sanitizer
Promote frequent hand washing and prevent overcrowding at handwashing locations	<ul style="list-style-type: none"> Train all students the first day of school in handwashing 	N/A
Use of Protective Equipment	<ul style="list-style-type: none"> Appropriate staff are provided Cal-OSHA recommended equipment 	<ul style="list-style-type: none"> Appropriate staff are provided Cal-OSHA recommended equipment

CLEANING PROCEDURES AND SCHEDULE:

Action	In-person model	Distance Learning model
Routine cleaning and disinfection procedures for school sites	<ul style="list-style-type: none"> Use foggers at night in every classroom office Spray surfaces during the day - between classes 	<ul style="list-style-type: none"> Use foggers at night in every classroom office Spray surfaces during the day - between classes

	-Clean all door handles and touch points frequently during the day	-Clean all door handles and touch points frequently during the day
Classroom procedures to clean desktops and doorknobs at the start of each new class if a student must change rooms	-Teachers will spray the surfaces in their classrooms in between classes	N/A
Staff obtain cleaning supplies for classroom and office area intermittent cleaning	-Custodian will provide and maintain supplies in classrooms and office areas	-Custodian will provide and maintain supplies in classrooms and office areas
Routine cleaning and disinfection procedures for busses and Suburbans	- Foggers will be used after each route - Surfaces will be sprayed & wiped down	N/A
Ventilation	-All filters in heaters and air conditioners have been replaced and will be maintained regularly -All windows open and fans work for proper ventilation	-All filters in heaters and air conditioners have been replaced and will be maintained regularly -All windows open and fans work for proper ventilation
Water fountains	-All drinking fountains will be disabled; the water bottle fill spouts will still be functional	N/A
Facility use by outside groups	-We will continue to use the procedures in place for requesting facilities - with all safety procedures in mind	-We will continue to use the procedures in place for requesting facilities - with all safety procedures in mind

REQUIRED PHYSICAL DISTANCING:

Where possible, we ensure at least six feet of physical distancing at all times in our workplace by implementing the following actions. Individuals will be kept as far apart as possible when there are situations where six feet of physical distancing cannot be achieved.

Action	In-person model	Distance Learning model
School bus stops	-Spaces for students to stand in line and wait for the bus will be marked to ensure social distancing	N/A

School buses	<ul style="list-style-type: none"> -All students will be monitored for temperature/health screening before boarding buses -Buses will be loaded in order of stops with cohorts sitting together - We will continue with 2 routes in the morning and 2 routes in the evening along with a TASSEL route 	N/A
Entering/exiting the campus and during daily symptom and temperature screening of students and staff	<ul style="list-style-type: none"> - Students will observe entrance/exits to allow for supervision - As students and staff are monitored daily for temperatures and symptoms, we will maintain social distancing and utilize touchless thermometers 	N/A
Students entering campus and waiting for first class to begin	-Students will be safely distanced in their assigned area and masks will be in place	N/A
Meal periods	-Students will receive prepped breakfasts/lunches and be directed to an area to eat while distancing	-Students will receive prepped breakfasts/lunches and be directed to an area to eat while distancing
Recess	<ul style="list-style-type: none"> -Classes will observe a recess schedule that allows for social distancing -All playground equipment will be off limits 	N/A
Passing periods	-Students will wear masks and observe distancing guidelines	N/A
Classrooms and other instructional spaces	<ul style="list-style-type: none"> -The teacher will be masked and distanced 6 feet away from students - Students will wear masks as appropriate for their age group and be distanced safely -Rooms will be set up to maximize physical distancing; barriers will be utilized as needed 	-The teacher will be masked and distanced 6 feet away from students and others

Restrooms	-No waiting within the restroom itself, social distance marking outside of restrooms -frequent cleaning during the day -Students will wear masks as appropriate for their age group	N/A
Locker rooms	-Students will wear masks and observe appropriate distancing guidelines -Lockers will be assigned to maximize use of space each period	N/A
Before- and after-school programs	-Will observe all guidelines that are in place for the regular school day	N/A
Extracurricular and co-curricular programs	-Will observe all guidelines that are in place for the regular school day as well as CIF and League guidelines	N/A
Frequently shared objects	-We will limit use of shared objects and equipment, and when unavoidable, items will be cleaned and disinfected between uses -Frequently shared objects include but are not limited to: toys, games, art supplies, learning aids, books, and electronic equipment, etc.	N/A

STUDENT ATTENDANCE AND HEALTH POLICIES:

Action	In-person model	Distance Learning model
Attendance	-Continue attendance procedures as before; Monitor student participation per AB77 protocols	-Monitor student participation per AB77 protocols
Exclusion Criteria	-Follow County Health and CDC Guidelines for return to school	N/A
Parent Information	-All parents will be updated and informed when new information and guidelines are available	-All parents will be updated and informed when new information and guidelines are available

PLANS FOR SITUATIONAL AWARENESS AND CONSULTATION WITH LOCAL HEALTH AUTHORITIES:

Action	In-person model	Distance Learning model
Monitor and share updates from California Department of Public Health, CDC, CDE, MCOE, Modoc/Siskiyou County Health Departments	-Superintendent will continue to monitor and share updates with staff, families and the Board of Education	-Superintendent will continue to monitor and share updates with staff, families and the Board of Education
Procedures for Communicating Confirmed Cases	-Superintendent will work with Modoc/Siskiyou County Health Departments	-Superintendent will work with Modoc/Siskiyou County Health Departments
System for Communicating	<p>Our goal is to ensure that we have effective two-way communication with our employees, in a form they can readily understand, and that it includes the following information:</p> <ul style="list-style-type: none"> Employees should report COVID-19 symptoms and possible hazards to their immediate supervisor via in-person, phone call or email. Additionally, they should report to Kay Wilson to obtain a substitute That employees can report symptoms and hazards without fear of reprisal. Our procedures or policies for accommodating employees with medical or other conditions that put them at increased risk of severe COVID-19 illness. COVID-19 testing is not required, however employees can access COVID-19 testing through County Health or private 	

	<p>entities, utilizing their insurance. Time will be provided for testing by working with their immediate supervisor</p> <ul style="list-style-type: none"> In the event we are required to provide testing because of a workplace exposure or outbreak, we will communicate the plan for providing testing and inform affected employees of the reason for the testing and the possible consequences of a positive test. Information about COVID-19 hazards employees (including other employers and individuals in contact with our workplace) may be exposed to, what is being done to control those hazards, and our COVID-19 policies and procedures. 	
<p>Exclusion of COVID-19 Cases</p>	<p>Where we have a COVID-19 case in our workplace, we will limit transmission by:</p> <ul style="list-style-type: none"> Ensuring that COVID-19 cases are excluded from the workplace until our return-to-work requirements are met. Excluding employees with COVID-19 exposure from the workplace for 10 days after the last known COVID-19 exposure to a COVID-19 case. Continuing and maintaining an employee's earnings, seniority, and all other employee rights and benefits whenever we've demonstrated that the COVID-19 exposure is work related. This will be accomplished by following current guidance and regulations in law and providing employees at the time of exclusion with information on available benefits. 	

	Continue to maintain records of COVID-19 cases and report serious illnesses and multiple cases to Cal/OSHA and the local health department, as required.	
Return to work/school criteria	<ul style="list-style-type: none"> • COVID-19 cases with COVID-19 symptoms will not return to work until all the following have occurred: <ul style="list-style-type: none"> o At least 24 hours have passed since a fever of 100.4 or higher has resolved without the use of fever-reducing medications. o COVID-19 symptoms have improved. o At least 10 days have passed since COVID-19 symptoms first appeared. • COVID-19 cases who tested positive but never developed COVID-19 symptoms will not return to work until a minimum of 10 days have passed since the date of specimen collection of their first positive COVID-19 test. <ul style="list-style-type: none"> • A negative COVID-19 test will not be required for an employee to return to work. • If an order to isolate or quarantine an employee is issued by a local or state health official, the employee will not return to work until the period of isolation or quarantine is completed or the order is lifted. If no period was specified, then the period will be 10 days from the time the order to isolate was effective, or 10 days from the time the order to quarantine was effective. 	

INSTRUCTIONAL PROGRAMS:

Action	In-person model	Distance Learning model
Provide meaningful, rigorous instruction to all students	<ul style="list-style-type: none"> - Every lesson will be available on Google Classroom or some other online platform for students who are in class or at home. - Students will be able to come to school for the regularly scheduled school day, keeping six feet distance from one another while following Safety Protocols (masks, hand washing, etc.) - Teachers will use Google Classroom (or other online platform) to provide students with instruction that can easily be switched over in the case have to go to distance learning 	<ul style="list-style-type: none"> - Every lesson will be available on Google Classroom or some other online platform for students to access - Teachers will provide synchronous lessons during regular school hours as if students were in the classroom
Addressing Learning Loss	<ul style="list-style-type: none"> - Teachers will use appropriate assessment measures to determine student achievement levels and will provide additional support to assist in closing gaps 	<ul style="list-style-type: none"> - Teachers will use appropriate assessment measures to determine student achievement levels and will provide additional support to assist in closing gaps
Additional supports to facilitate learning	<ul style="list-style-type: none"> - provide behavioral supports as needed -teach relationship building strategies - Instruct students for transition to Distance Learning, if needed 	<ul style="list-style-type: none"> - provide behavioral supports as needed -teach relationship building strategies - instruct students for transition to Distance Learning
Outside Agency support	<ul style="list-style-type: none"> -Continue to work with outside agencies to provide support for students and families 	<ul style="list-style-type: none"> -Continue to work with outside agencies to provide support for students and families

TECHNOLOGY AND INFRASTRUCTURE:

Action	In-person model	Distance Learning model
Instructional Resources	<ul style="list-style-type: none"> -Provide Chromebooks for all students to access Google Classroom and other instructional resources 	<ul style="list-style-type: none"> -Provide Chromebooks for all students to access Google Classroom and other instructional resources

TBJUSD Reopening Plan - Revised 1.8.2021

Access to Internet	-Utilize current infrastructure and add access points to ensure good connectivity	-Utilize current infrastructure and add access points to ensure good connectivity; provide additional places for students to access Internet while off site
Acceptable Use Policy	-Ensure all students have a signed and current Acceptable Use Policy	-Ensure all students have a signed and current Acceptable Use Policy

PROFESSIONAL DEVELOPMENT AND ENGAGEMENT:

Action	In-person model	Distance Learning model
Prepare for students to return to campus	Pre-Service Days: <ul style="list-style-type: none"> - Walk through as a team - Google Classroom/Meet/Zoom (breakouts) - Go through the first week of school lessons - How to keep interactive classrooms without breaking the distancing - Guidelines on Health procedures - Trauma Informed Care 	Pre-Service Days: <ul style="list-style-type: none"> - Walk through as a team - Google Classroom/Meet/Zoom (breakouts) - Go through the first week of school lessons - How to keep interactive classrooms without breaking the distancing - Guidelines on Health procedures - Trauma Informed Care
Parent and Staff Survey	Conduct Parent and Staff Survey to inform District about needs	Conduct Parent and Staff Survey to inform District about needs
Parent Education and Family Engagement	- Provide Parent Education: <ul style="list-style-type: none"> - Health and Hygiene - Access to Google Classroom and other instructional Resources - Use two-way communication channels to share information about plan changes and to receive feedback	- Provide Parent Education: <ul style="list-style-type: none"> - Health and Hygiene - Access to Google Classroom and other instructional Resources - Use two-way communication channels to share information about plan changes and to receive feedback

Date: 01/22/2021

2021 COVID-19 School Guidance Checklist

Name of Local Educational Agency or Equivalent: Tulelake Basin Joint Unified Scl

Number of schools: 2

Enrollment: 413

Superintendent (or equivalent) Name: Teresa Healy

Address: P.O Box 640

Phone Number: 530-667-2295

Tulelake, CA 96134

Email: thealy@tbjUSD.org

Date of proposed reopening:
08/26/2020

County: Modoc

Grade Level (check all that apply)

Current Tier: _____

☒ TK ☒ 2nd ☒ 5th ☒ 8th ☒ 11th

(please indicate Purple, Red, Orange or Yellow)

☒ K ☒ 3rd ☒ 6th ☒ 9th ☒ 12th

Type of LEA: K-12 District

☒ 1st ☒ 4th ☒ 7th ☒ 10th

This form and any applicable attachments should be posted publicly on the website of the local educational agency (or equivalent) prior to reopening or if an LEA or equivalent has already opened for in-person instruction. For those in the Purple Tier, materials must additionally be submitted to your local health officer (LHO), local County Office of Education, and the State School Safety Team prior to reopening.

The email address for submission to the State School Safety for All Team for LEAs in Purple Tier is:

K12csp@cdph.ca.gov

LEAs or equivalent in Counties with a case rate $\geq 25/100,000$ individuals can submit materials but cannot re-open a school until the county is below 25 cases per 100,000 (adjusted rate) for 5 consecutive days.

For Local Educational Agencies (LEAs or equivalent) in **ALL TIERS**:

☒ I, Teresa Healy, post to the website of the local educational agency (or equivalent) the COVID Safety Plan, which consists of two elements: the **COVID-19 Prevention Program (CPP)**, pursuant to CalOSHA requirements, and this **CDPH COVID-19 Guidance Checklist** and accompanying documents,

which satisfies requirements for the safe reopening of schools per CDPH Guidance on Schools. For those seeking to open while in the Purple Tier, these plans have also been submitted to the local health officer (LHO) and the State School Safety Team.

I confirm that reopening plan(s) address the following, consistent with guidance from the California Department of Public Health and the local health department:

☒ **Stable group structures (where applicable):** How students and staff will be kept in stable groups with fixed membership that stay together for all activities (e.g., instruction, lunch, recess) and minimize/avoid contact with other groups or individuals who are not part of the stable group.

Please provide specific information regarding:

How many students and staff will be in each planned stable, group structure? (If planning more than one type of group, what is the minimum and maximum number of students and staff in the groups?)

See Plan

If you have departmentalized classes, how will you organize staff and students in stable groups?

See Plan

If you have electives, how will you prevent or minimize in-person contact for members of different stable groups?

See Plan

☒ **Entrance, Egress, and Movement Within the School:** How movement of students, staff, and parents will be managed to avoid close contact and/or mixing of cohorts.

☒ **Face Coverings and Other Essential Protective Gear:** How CDPH's face covering requirements will be satisfied and enforced for staff and students.

☒ **Health Screenings for Students and Staff:** How students and staff will be screened for symptoms of COVID-19 and how ill students or staff will be separated from others and sent home immediately.

☒ **Healthy Hygiene Practices:** The availability of handwashing stations and hand sanitizer, and how their safe and appropriate use will be promoted and incorporated into routines for staff and students.

☒ **Identification and Tracing of Contacts:** Actions that staff will take when there is a confirmed case. Confirm that the school(s) have designated staff persons to support contact tracing, such as creation and submission of lists of exposed students and staff to the local health department and notification of exposed persons. Each school must designate a person for the local health department to contact about COVID-19.

☒ **Physical Distancing:** How space and routines will be arranged to allow for physical distancing of students and staff.

Please provide the planned maximum and minimum distance between students in classrooms.

Maximum: _____ feet

Minimum: _____ feet. If this is less than 6 feet, please explain why it is not possible to maintain a minimum of at least 6 feet.

☒ **Staff Training and Family Education:** How staff will be trained and families will be educated on the application and enforcement of the plan.

☒ **Testing of Staff:** How school officials will ensure that students and staff who have symptoms of COVID-19 or have been exposed to someone with COVID-19 will be rapidly tested and what instructions they will be given while waiting for test results. Below, please describe any planned periodic asymptomatic staff testing cadence.

Staff asymptomatic testing cadence. Please note if testing cadence will differ by tier:
as available

☐ **Testing of Students:** How school officials will ensure that students who have symptoms of COVID-19 or have been exposed to someone with COVID-19 will be rapidly tested and what instructions they will be given while waiting for test results. Below, please describe any planned periodic asymptomatic student testing cadence.

Planned student testing cadence. Please note if testing cadence will differ by tier:

☒ **Identification and Reporting of Cases:** At all times, reporting of confirmed positive and suspected cases in students, staff and employees will be consistent with Reporting Requirements.

☒ **Communication Plans:** How the superintendent will communicate with students, staff, and parents about cases and exposures at the school, consistent with privacy requirements such as FERPA and HIPAA.

☐ **Consultation: (For schools not previously open)** Please confirm consultation with the following groups

☐ Labor Organization

Name of Organization(s) and Date(s) Consulted:

Name: _____

Date: _____

☐ Parent and Community Organizations

Name of Organization(s) and Date(s) Consulted:

Name: _____

Date: _____

If no labor organization represents staff at the school, please describe the process for consultation with school staff:

For Local Educational Agencies (LEAs or equivalent) in PURPLE:

☐ **Local Health Officer Approval:** The Local Health Officer, for (state County) _____. County has certified and approved the CSP on this date: _____. If more than 7 business days have passed since the submission without input from the LHO, the CSP shall be deemed approved.

Additional Resources:

Guidance on Schools

Safe Schools for All Hub

Academic School Year 2019-2020
Quarterly Report on Williams Uniform Complaints
[Education Code § 35186]

District: Tulalake Basin Joint Unified School District

Person completing this form: Kay Wilson Title: District Secretary

Quarterly Report Submission Date:

First Quarter (July 1 - September 30)

Second Quarter (October 1 - December 31)

Third Quarter (January 1 - March 31)

Fourth Quarter (April 1 - June 30)

Date for information to be reported publicly at governing board meeting: 3/24/21
Please check the box that applies:

☒ No complaints were filed with any school in the district during the quarter indicated above.

Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0	0	0
Teacher Vacancy or Misassignments	0	0	0
Facilities Conditions	0	0	0
TOTALS	0	0	0

Teresa Healy

Print Name of District Superintendent

Signature of District Superintendent

March 31, 2021

Date

Please send original signed copy to: Modoc County Office of Education
Attn: Mike Martin, County Superintendent

Surplus Textbooks, Materials and Equipment

Mitzi Van Acker
Tulelake High School
850 Main St./P.O. Box 640
Tulelake, California 96134
530-667-2292 ex.236

2/05/2021

ISBN # or LCCN#	NAME	BY	Copyright	Quantity
1-56079-528-X	Guide to Colleges for Careers: Allied Health	Peterson's Guides, Inc.	1996	1
1-56079-222-1	Careers Without College: Heath Care	Peterson's	1992	1
1-56079-251-5	Careers Without College: Kids	Peterson's	1993	1
1-56079-352-X	Careers Without College: Entertainment	Peterson's	1994	1
1-56079-219-1	Careers Without College: Music	Peterson's	1992	1
1-56079-250-7	Careers Without College: Sports	Peterson's	1993	1
1-56079-224-8	Careers Without College: Computers	Peterson's	1992	1
1-56079-252-3	Careers Without College: Emergencies	Peterson's	1993	1
1-56079-221-3	Careers Without College: Cars	Peterson's	1992	1
1-56079-220-5	Careers Without College: Fashion	Peterson's	1992	1
1-56079-353-8	Careers Without College: Office	Peterson's	1994	1
978-1-4576-6784-8	Models for Writers: Short Essays for Composition 12 Edition	Bedford/St. Martin's	2015	2
978-0-618-73131-2	Major Problems in American History Volume 2: Since 1865	Houghton Mifflin Company	2007	5
978-0-618-73130-5	Major Problems in American History Volume 1: To 1877	Houghton Mifflin Company	2007	5
0-7006-0479-0	The Philosophy of Erotic Love	University Press of Kansas	1991	2
978-0-312-53113-3	Models for Writers: Short Essays for Composition 10 Edition	Bedford/St. Martin's	2010	4
978-0-495-09580-4	Looking Out Looking In	Thomson Wadsworth	2007	1
978-0-312-53862-0	Everthing's an Argument 5 Edition	Bedford/St. Martin's	2010	3
978-0-07-353577-7	How to Think About Weird Things: Critical Thinking for a New Age	McGraw Hill	2010	3
978-1-4051-8122-8	Pseudoscience and Extraordinary Claims of the Paranormal: A Critical Thinker's Toolkit	Wiley-Blackwell	2010	3
978-0-321-97962-9	The Career Fitness Program: Exercising Your Options	Pearson	2016	1
1-57509-071-6	College Match: A Blueprint for Choosing the Best School For You	Octameron Associates	2001	1

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2/05/2021

ISBN # or LCCN#	NAME	BY	Copyright	Quantity
1-57509-062-7	Campus Daze : Easing the Transition From High School to College	Octameron Associates	2000	1
1-57509-074-0	Financial Aid Financer / Expert answers to College Financing Questions	Octameron Associates	2001	1
1-57509-073-2	College.edu : on-line resources for the cyber-savvy	Octameron Associates	2001	1
1-57509-060-0	Behind the Scenes: an inside look at the selective college admission process	Octameron Associates	2000	1
1-57509-052-X	Campus Opportunities / For students with Learning Differences	Octameron Associates	1999	1
1-57509-059-7	Financial Aid Officers: What They Do - to you and for you	Octameron Associates	2000	1
1-57509-068-6	Don't Miss Out: The Ambitious Student's Guide to Financial Aid	Octameron Associates	2001	1
1-57509-075-9	Great Colleges: For the Real World, Get In, Get Out, Get A Job	Octameron Associates	2001	1
1-57509-064-3	I Am Somebody: College Knowledge for "At-Rick" Students	Octameron Associates	2000	1
1-57509-066-X	College Savings Rx: Investment Prescriptions for a Healthy College Fund	Octameron Associates	2000	1
1-57509-045-7	SAT Savvy: Last Minute Tips and Strategies	Octameron Associates	1999	1
1-57509-046-5	Majoring in Success: Building your Career while still in College	Octameron Associates	1999	1
1-57509-069-4	Loans and Grants From Uncle Sam: Am I Eligible and For How Much?	Octameron Associates	2001	1
1-57509-053-8	The Winning Edge: The Student-Athlete's Guide to College Sports 6th Edition	Frances & James Kilpatrick	1999	1
1-57509-072-4	Campus Pursuit: Making the Most of Your Visit ad Interview	Octameron Associates	2001	1
1-57509-057-0	The A's & B's of Academic Scholarships	Octameron Associates	2000	1
1-57509-070-8	Do-It Write: How to Prepare a Great College Application	Octameron Associates	2001	1
1-56079-529-8	Teaching: The Only Combined Career & College Guide for Future Teaching Professionals	Peterson's	1996	1
1-56079-223-X	Careers Without College: Fitness	Peterson's	1992	1
1-56079-388-0	Careers Without College: Building	Peterson's	1994	1
1-56079-249-3	Careers Without College: Travel	Peterson's	1993	1
1-56079-389-9	Careers Without College: Fitness	Peterson's	1994	1

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2/05/2021

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ISBN # or LCCN#	NAME	BY	Copyright	Quantity
1-56079-526-3	Teaching: The Only Combined Career & College Guide for Future Teaching Professionals	Peterson's	1996	1
978-0-618-95612-9	American Government 11th Edition	Houghton Mifflin Company	2008	5
978-0-133-90565-6	Adobe Illustrator CC Classroom in a Book (2014 release)	Adobe Systems	2015	2
978-0-321-82245-1	Adobe Dreamweaver CS6 Classroom in a Book	Adobe Systems	2012	1
978-0-133-92444-2	Adobe Photoshop CC 2014 release	Adobe Systems	2015	3
978-0-312-54854-4	Re-reading America: Cultural Contexts for Critical Thinking/Writing 8th Edition	Bedford/St. Martin's	2010	4
978-0-9773713-2-7	Clinical Nutrition: A Functional Approach	Institute for Functional ...	2006	4
978-0-13-276233-5	Career Fitness Program Exercising Your Options	Pearson	2013	2
978-0-495-57097-4	California: The Politics of Diversity	Wadsworth Cengage Learning	2010	4
978-1-4641-6342-5	Psychology in Modules	Worth Publishers	2014	1
978-0-07-352459-7	Understanding Business (W/Out Connect Plus Access Code) 10th Edition	McGraw-Hill	2013	1
978-0-07-735546-3	Understanding Business 9th Edition	McGraw-Hill	2009	1
978-0-07-310597-0	Understanding Business 8th Edition	McGraw-Hill	2008	1
978-0-8036-2954-7	Medical Terminology Systems: A Body Systems Approach 7 Edition	F.A. Davis Company	2013	5
978-0-13-346004-9	Criminal Justice Today (W/Out Access Code)	Pearson	2015	3
978-0-07-337663-9	Humanities Through The Arts	McGraw Hill	2011	2
0-674-76691-1	The Return of Martin Guerre	Harvard University Press	1983	1
978-0-547-05241-0	A People & A Nation Volume 2: Since 1877 8th Edition	Houghton Mifflin Company	2008	6
978-1-59059-615-9	Game Maker's Apprentice: Game Development for Beginners	Apress	2006	1
0-87477-164-1	Becoming A Writer	Jeremy P. Tarcher/Putman	1981	1
0-13-220304-9	Asking The Right Questions: A Guide to Critical Thinking 8th Edition	Pearson	2007	1
0-88133-885-0	Children of the Forest: Africa's Mbuti Pygmies	Waveland Press, Inc.	1996	1

Surplus Textbooks, Materials and Equipment

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2/05/2021

ISBN # or LCCN#	NAME	BY	Copyright	Quantity
2011939727	The Making of the West: Peoples and Cultures Volume I :To 1750	Bedford/St. Martin's	2012	2
978-0-547-05242-7	A People & A Nation Volume I: to 1877 8th Edition	Houghton Mifflin Company	2008	5
978-0-205-94007-3	Development Across Life Span 7th Edition	Pearson	2014	5
978-0-495-11669-1	Understanding Nutrition 11th Edition	Thomson Wadsworth	2008	4
0-300-05060	Democratization of American Christianity	Yale University Press	1989	2
978-0-465-01020	Homeward Bound: American Families in the Cold War Era	Basic Book	2008	5
0-674-01117-1	Facing East From Indian Country: A Nativ History of Early America	Harvard University Press	2001	2
0-8013-1531-X	AP* Spanish: Preparing for the Language Examination 2nd Edition	Pearson/Prentice Hall	1996	1
978-0-618-79404-1	Hola Amigos 7th Edition	Houghton Mifflin Company	2008	6
0-03-056492-1	Holt Literature & Language Arts First Course	Holt, Rinehart and Winston	2003	82
	Holt Literature & Language Arts First Course-Supplements	Holt, Rinehart and Winston	2003	108
	TE Holt Literature & Language Arts First Course	Holt, Rinehart and Winston		3
0-03-065281-2	Holt Handbook First Course (7th Grade)	Holt, Rinehart and Winston	2003	80
	TE Holt Handbook (7th Grade)			
0-03-056493-X	Holt Literature & Language Arts Second Course	Holt, Rinehart and Winston	2003	54
	Holt Literature & Language Arts Second Course-Supplements	Holt, Rinehart and Winston		77
	TE Holt Literature & Language Arts Second Course	Holt, Rinehart and Winston		3
0-03-065282-0	Holt Handbook Second Course (8th Grade)	Holt, Rinehart and Winston	2003	51
	TE Holt Handbook (8th Grade)			3

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[illegible]

Bylaw 9000-B: Role Of The Board

Status: ADOPTED

Original Adopted Date: 01/20/2014

The Governing Board has been elected by the community to provide leadership and citizen oversight of the district. The Board shall ensure that the district is responsive to the values, beliefs, and priorities of the community.

The Board shall work with the Superintendent to fulfill its major responsibilities, which include:

1. Setting the direction for the district through a process that involves the community, parents/guardians, students, and staff and is focused on student learning and achievement
2. Establishing an effective and efficient organizational structure for the district by:
 - a. Employing the Superintendent and setting policy for hiring of other personnel
 - b. Overseeing the development and adoption of policies
 - c. Establishing academic expectations and adopting the curriculum and instructional materials
 - d. Establishing budget priorities and adopting the budget
 - e. Providing safe, adequate facilities that support the district's instructional program
 - f. Setting parameters for negotiations with employee organizations and ratifying collective bargaining agreements
3. Providing support to the Superintendent and staff as they carry out the Board's direction by:
 - a. Establishing and adhering to standards of responsible governance
 - b. Making decisions and providing resources that support district priorities and goals
 - c. Upholding Board policies
 - d. Being knowledgeable about district programs and efforts in order to serve as effective spokespersons
4. Ensuring accountability to the public for the performance of the district's schools by:
 - a. Evaluating the Superintendent and setting policy for the evaluation of other personnel
 - b. Monitoring and evaluating the effectiveness of policies
 - c. Serving as a judicial (hearing) and appeals body in accordance with law, Board policies, and negotiated agreements
 - d. Monitoring student achievement and program effectiveness and requiring program changes as necessary
 - e. Monitoring and adjusting district finances
 - f. Monitoring the collective bargaining process
5. Providing community leadership and advocacy on behalf of students, the district's educational program, and public education in order to build support within the local community and at the state and national levels

The Board is authorized to establish and finance any program or activity that is not in conflict with, inconsistent with, or preempted by law. (Education Code 35160)

Bylaw 9005-B: Governance Standards

Status: ADOPTED

Original Adopted Date: 01/20/2014

The Governing Board believes that its primary responsibility is to act in the best interests of every student in the district. The Board also has major commitments to parents/guardians, all members of the community, employees, the state of California, laws pertaining to public education, and established policies of the district. To maximize Board effectiveness and public confidence in district governance, Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

The Board expects its members to work with each other and the Superintendent to ensure that a high-quality education is provided to each student. Each individual Board member shall:

1. Keep learning and achievement for all students as the primary focus
2. Value, support and advocate for public education

Bylaw 9005-B: Governance Standards

Original Adopted Date: 01/20/2014

The Governing Board believes that its primary responsibility is to act in the best interests of every student in the district. The Board also has major commitments to parents/guardians, all members of the community, employees, the state of California, laws pertaining to public education, and established policies of the district. To maximize Board effectiveness and public confidence in district governance, Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

The Board expects its members to work with each other and the Superintendent to ensure that a high-quality education is provided to each student. Each individual Board member shall:

1. Keep learning and achievement for all students as the primary focus
2. Value, support and advocate for public education
3. Recognize and respect differences of perspective and style on the Board and among staff, students, parents and the community
4. Act with dignity, and understand the implications of demeanor and behavior
5. Keep confidential matters confidential
6. Participate in professional development and commit the time and energy necessary to be an informed and effective leader
7. Understand the distinctions between Board and staff roles, and refrain from performing management functions that are the responsibility of the Superintendent and staff
8. Understand that authority rests with the Board as a whole and not with individuals

Board members also shall assume collective responsibility for building unity and creating a positive organizational culture. To operate effectively, the Board shall have a unity of purpose and:

1. Keep the district focused on learning and achievement for all students
 2. Communicate a common vision
 3. Operate openly, with trust and integrity
 4. Govern in a dignified and professional manner, treating everyone with civility and respect
 5. Govern within Board-adopted policies and procedures
 6. Take collective responsibility for the Board's performance
 7. Periodically evaluate its own effectiveness
 8. Ensure opportunities for the diverse range of views in the community to inform Board deliberations
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Bylaw 9400-B: Board Self-Evaluation

Status: ADOPTED

Original Adopted Date: 09/28/2017

The Governing Board shall annually conduct a self-evaluation in order to demonstrate accountability to the community and ensure that district governance effectively supports student achievement and the attainment of the district's vision and goals.

The evaluation may address any area of Board responsibility, including, but not limited to, Board performance in relation to vision setting, curriculum, personnel, finance, policy development, collective bargaining, community relations, and advocacy. The evaluation may also address objectives related to Board meeting operations, relationships among Board members, relationship with the Superintendent, understanding of Board and Superintendent roles and responsibilities, communication skills, or other governance or boardsmanship skills.

The Board shall evaluate itself as a whole. Individual Board members are also expected to use the evaluation process as an opportunity to assess and set goals for their own personal performance.

Each year, the Board, with assistance from the Superintendent, shall determine an evaluation method or instrument that measures key components of board responsibility and previously identified performance objectives. Visual and/or audio recordings of a Board meeting may only be used as an evaluation tool when consent is given by all Board members.

Any discussion involving the Board's self-evaluation shall be conducted in open session.

At the request of the Board, a facilitator may be used to assist with the evaluation process. The Board may invite the Superintendent or other individual(s) with pertinent information to provide input into the evaluation process.

Following the evaluation, the Board shall set goals, define and/or refine protocols, and establish priorities and objectives for the following year's evaluation. The Board shall also develop strategies for strengthening Board performance based on identified areas of need, including, but not limited to, Board trainings such as those offered by the California School Boards Association.
