

BOARD OF EDUCATION AGENDA

For the Regular Board Meeting of Tuesday, June 25, 2019, at 6:00 p.m., in the **Multi-Purpose Room**, at Sunnyside Elementary School, 21644 Avenue 196, Strathmore, California.

I. CALL TO ORDER

A. Attendees

BOARD OF EDUCATION

	Present	Absent	Late
Schuyler Glover	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> : _____
Andy Manning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> : _____
Humberto Quezada	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> : _____
Kimberly Braziel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> : _____
Humberto Cárdenas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> : _____

II. ADA ACCOMMODATION REQUIREMENT

- A. Persons who are in need of a disability-related modification or accommodation to participate in the board meeting must request in writing to the District Office of the Superintendent-Principal, 21644 Avenue 196, Strathmore, California, 559-568-1741 x. 203. A request or accommodation should specify the nature of the modification or accommodation requested, including any necessary auxiliary aids or services required and the name and telephone number of the person making the request. The written request should be done as soon as possible and no later than two days before the meeting. The agenda, agenda packet and any written documents distributed to the board during a public meeting will be made available in appropriate alternative formats upon request by a person with a disability as required by the Americans with Disabilities Act.
- B. Written documents concerning agenda items are available for public inspection during normal business hours within 72 hours of a regular board meeting at the Sunnyside Union School District Office, 21644 Avenue 196 in Strathmore, California.

III. ADJOURN TO CLOSED SESSION (Read Item Below)

- A. Conference with Labor Negotiators (Government Code 54957.6) with the following:
- | | |
|--|--------------------|
| 1. CTA/Sunnyside Teachers Association | No Action Required |
| 2. CSEA Chapter 675 | No Action Required |
| 3. Unrepresented Group | No Action Required |
| 4. Superintendent-Principal & Vice Principal | No Action Required |

Board of Trustee: Kimberly Braziel | Humberto Cardenas | Schuyler Glover | Andy Manning | Humberto Quezada

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IV. ADJOURN TO CLOSED SESSION at: _____ PM

V. RECONVENE TO OPEN SESSION _____ PM

A. Report of Action Taken in Closed Session (if any)

VI. GENERAL BUSINESS

- A. Pledge of Allegiance & Sunnyside Pledge
- B. Welcome (visitors please sign-in on visitor's sheet)
- C. Approve the Agenda of the June 25, 2019 Regular Board Meeting

MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____

VII. PUBLIC COMMENTS

Members of the public may address the board on any items within the board's jurisdiction, but which are not on the agenda (Public input for agenda items are accepted, at the time the matter is considered. Individual speakers shall be allowed three minutes to address the Board on each agenda or non-agenda item. The total time limit for input on each item is 15 minutes).

VIII. ACKNOWLEDGEMENTS AND REPORTS

A. Acknowledgements

- a. Acknowledge the Prairie Center 4-H Donation of \$200.00

B. Staff Reports

- a. Employee Groups (Certificated, Classified, Confidential)
- b. Student Report
- c. Superintendent-Principal Report

IX. ROUTINE MATTERS – ACTION REQUIRED

A. Consent Calendar

- a. Approve Pay Vouchers/Purchase Orders for June 6th of 2019
- b. Approve the Application for Use of School Facility for El Quinto Sol de America
- c. Approve the Application for Use of Roman Catholic Bishop of Fresno, A Corporation Sole
- d. Approve Bus Stops for 2019-2020

MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____

X. PUBLIC NOTICE & HEARINGS

Board of Trustee: Kimberly Brazier | Humberto Cardenas | Schuyler Glover | Andy Manning | Humberto Quezada

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XI. NEW BUSINESS

ACTION ITEMS

- A. Approve the Budget Revision for the 2018-2019 SY
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- B. Approve Strathmore Public Utility District – Water Line Connection and Transfer of Property Contract Agreement.
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- C. Approve Local Control Accountability Plan (Year 3/3 for 2019-2020 school year).
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- D. Approve the Budget In the Matter of the Adoption of School District Budget, for the 2019-2020 School Year, of the Single-Budget Adoption Procedure.
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- E. Adopt the Federal Addendum in accordance with the 2019-2020 LCAP.
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- F. Approve the 2019-2020 Consolidated Application
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- G. Approve the balance transfer of Student Body Student Awards Account of \$1,145.02 from 2018-2019 school year to 2019-2020 school year.
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- H. Approve Resolution No. 353 In the Matter of the 2019-2020 Local Agreement for Child Development Services.
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- I. Approve the renewal of Superintendent-Principal's Contract (positive evaluation) for three years (July 1, 2019 through June 30, 2022).
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- J. Approve updates to Administrative Regulation 5132, with new dress code and grooming guidelines.
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- K. Approve Board Policy 5147.7 Sexual Harassment.
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____

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L. Approve Administrative Regulation 5145.7 Sexual Harassment.

MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____

M. Approve Board Bylaws 9000 Role of the Board.

MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____

N. Approve Board Bylaws 9100 Organization.

MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____

O. Approve Board Bylaws 9121 President.

MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____

P. Approve Board Bylaws 9222 Resignation.

MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____

XII. INFORMATION AND DISCUSSION

A. Local Control and Accountability Plan & Budget

- a. Update on LCAP Budget for 2018-2019

B. Maintenance & Operations

- a. Annual Highway Patrol Update (Bus Inspections)
- b. Update on Summer Schedule
- c. First 5 Project Update

C. Instructional

- a. Title IX Report
- b. Review of the Parent-Student Handbook
- c. Continued discussion on the 8th Grade Graduation and Events requirements
- d. Update on Certificated and Classified Staffing for 2019-2020
- e. Review Student Behavior Matrix

D. Board Policies for Review

- a. The following policies will be presented to the board (First Reading)
 - i. Board Policy 4030 Nondiscrimination In Employment
 - ii. Administrative Regulation 4030 Nondiscrimination In Employment
 - iii. Board Policy 5117 Interdistrict Attendance
 - iv. Administrative Regulation 5117 Interdistrict Attendance
 - v. Board Policy 5145.6 Parental Notification

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- vi. Exhibit 5145.6 Parental Notification
- vii. Board Policy 5148 Child Care and Development
- viii. Administrative Regulation 5148 Child Care and Development

XIII. NEXT SCHEDULED BOARD MEETING

A. Regular Board Meeting July 9, 2019 (6:00 PM)

XIV. ADJOURNMENT _____ PM

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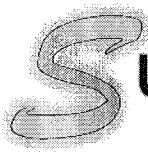


Sunnyside Elementary School

We ^{are} all smiles!

Thank you for the use of the
Cafeteria for our 4-H Club
meetings

Thank you Again,
Adelle Shelton
Prairie Center 4-H



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AGENDA ITEM SUMMARY SHEET – ACKNOWLEDGEMENTS

June 25, 2019

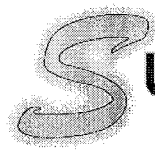
Agenda Item: 4-H Donation

Presented By: Steve Tsuboi

Attachments: Yes ☐ No ☒

Summary

Prairie Center 4-H uses our facilities on occasion. It seems like less and less as the years go by. They usually make a cash donation to the district. I am recommending that we use the \$200 donation to add to our playground in the form of adding trees to the east side of the big toy area and adding irrigation to this area also. This would be something that all students would benefit from.



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Superintendent-Principal's Report

June 25, 2019

INSTRUCTIONAL SERVICES

Summer School: Summer School – Institute finished its two week run on Friday, June 21. Preliminary numbers were as follows (including Migrant Summer School):

1. Breakfast Served: Averaged over 50 each morning.
2. Lunches Served: Averaged around 65 served

Migrant Summer School will run through Friday, June 28.

So far . . . so good!

MEETINGS AND EVENTS

- JPA Liability Meeting Attended on Wednesday, June 12
 - Vice President (again) for 2019-2020
 - Property
 - Human Resource Liability
 - District Liability
 - Multi-Million Dollar Coverage and Cases

- Tulare County Office of Education Summer Institute Attended on Wednesday, June 19
 - Annual Event
 - Keynote and Support Breakouts
 - ACSA Administrator and Retiree Awards and Recognition

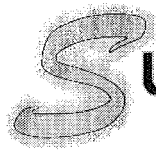
- Tulare County Small Schools – Summer Retreat June 26-27
 - Mental Health
 - School Safety

- State Small School Districts Central Coast June 28
 - Topics to be determined (Usually 3-4 guest presenters)

Other

- New School Website
- New School App

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AGENDA ITEM SUMMARY SHEET – CONSENT CALENDAR June 25, 2019

Agenda Item: Facility Use – El Quinto Sol de America

Presented By: Steve Tsuboi

Attachments: Yes ☒ No ☐

Summary

This organization who we have worked with in the past on different smaller projects is hosting a vision screening on a Saturday in July. See attachment for more details. I believe they will use a couple classrooms and our parking lot. I think it is a good idea for Public Relations and Participation.

Agenda Item: Roman Catholic Bishop of Fresno

Presented By: Steve Tsuboi

Attachments: Yes ☒ No ☐

Summary

This organization is the group who is holding First Communion classes for the community. They have been using the facility for over a year and a half. We have not had any problems. Those who meet here are mostly from the community and also outside (which is go P.R.). We currently have a couple staff members who bring their children to the classes.

Agenda Item: Bus Stops in Plainview

Presented By: Steve Tsuboi

Attachments: Yes ☒ No ☐

Summary

We need to approve the Plainview stops on an annual basis. We have attached what we will believe are the stops for the 2019-2020 school year. Our goal is to have designated buses with our new scanning system. If there are any additional stops we will be back for approval of any revisions.





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AGENDA ITEM SUMMARY SHEET – ACTION ITEMS

June 25, 2019

Agenda Item: Local Control Accountability Plan Approval

Presented By: Steve Tsuboi

Attachments: Yes ☒ No ☐

Summary

As of June 18, TCOE had reviewed the business aspect of the plan. I will make the necessary corrections prior to the meeting. The instructional side of the LCAP is still being reviewed at this time. This item needs to be approved to meet the requirements. It must be approved prior to the budget approval.

Agenda Item: Adoption of School Budget

Presented By: Steve Tsuboi

Attachments: Yes ☒ No ☐

Summary

The school budget for 2019-2020 needs to be approved after the LCAP.

Agenda Item: Federal Addendum

Presented By: Steve Tsuboi

Attachments: Yes ☒ No ☐

Summary

Purpose (from CDE Website): The LCAP Federal Addendum is meant to supplement the LCAP to ensure that eligible LEAs have the opportunity to meet the Local Educational Agency (LEA) Plan provisions of the ESSA.

The LCAP Federal Addendum Template must be completed and submitted to the California Department of Education (CDE) to apply for ESSA funding. LEAs are encouraged to review the LCAP Federal Addendum annually with their LCAP, as ESSA funding should be considered in yearly strategic planning.

Jody and I worked on the Federal Addendum and sent it to the county for an unofficial review. They said we should be good to go.

Leadership Services at TCOE states that you need to ADOPT the Federal Addendum.

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AGENDA ITEM SUMMARY SHEET – ACTION ITEMS - Continued

June 25, 2019

Agenda Item: Renewing of Superintendent-Principal's Contract

Presented By: Steve Tsuboi

Attachments: Yes ☐ No ☒

Summary

I would like to renew my contract for three years. We ask every year and it is allowable with a positive evaluation. This would be for July 1, 2019 to June 30, 2022, if approved.

Agenda Item: Updating Administrative Regulation 5132

Presented By: Steve Tsuboi

Attachments: Yes ☐ No ☒

Summary

We found the most updated GAMUT AR 5132 (you have not reviewed) and added the guidelines that you came up with into that Administrative Regulation. This will allow all of the district's guidelines go be inside of the Administrative Regulation and a standalone document.

Agenda Item: Strathmore Public Utility District

Presented By: Steve Tsuboi

Attachments: Yes ☐ No ☒

Summary

Everyone has agreed on the attached agreement. As of June 18, they are still working on some of the legal description/map that was requested with more detail by our lawyer. I think we can approve the attached (or slightly modified version) that is attached.

Agenda Item: Board Policies for Approval

Presented By: Steve Tsuboi

Attachments: Yes ☒ No ☐

Summary

Jeannette has gone through and updated the policies per our discussion on June 11, 2019. Please review to make sure these are written and the appropriate Options have been selected. You will need to approve them one at a time. I think that if we get this process going in the right way, in the future we can bring them back for blanket approval (since you will have already made your requested changes).

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AGENDA ITEM SUMMARY SHEET – INFORMATION AND DISCUSSION June 25, 2019

Agenda Item: HIGHWAY PATROL REVIEW

Presented By: Steve Tsuboi

Attachments: Yes ☐ No ☒

Summary

The Highway Patrol was here on Friday, June 21 to do their annual bus inspection. We will bring a short summary of the review to the board meeting. They will return in July to do the paper review.

Agenda Item: Summer Schedule

Presented By: Steve Tsuboi

Attachments: Yes ☐ No ☒

Summary

Lisa and Richard – working on shampoo and room preparation

Miguel – working on restrooms

Kelly – working on grounds

Brian – a little bit of everything

All have driven for summer school

Major Projects

- Water Fountain Installation
- Finishing Touches on Auditorium
- Carpet in July
- Fence Painting
- Landscaping Upgrades
- Classroom Upgrades (ADA Compliance)
- More and More and More!

Agenda Item: Strathmore Public Utility District

Presented By: Steve Tsuboi

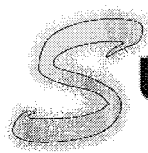
Attachments: Yes ☐ No ☒

Summary

Everyone has agreed on the attached agreement. As of June 18, they are still working on some of the legal description/map that was requested with more detail by our lawyer. I think we can approve the attached (or slightly modified version) that is attached.

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AGENDA ITEM SUMMARY SHEET – INFORMATION AND DISCUSSION - Continued June 25, 2019

Agenda Item: First 5 Project

Presented By: Steve Tsuboi

Attachments: Yes ☐ No ☒

Summary

The project should be complete by June 28, 2019 or before. We were responsible for putting in the drinking fountain part of the project. These projects entail more than the install. The welds had to be inspected in factory, soil compaction tests, cement consistency testing, site inspector, USA inspection, etc. Our contribution will be more than expected but well worth it. Hopefully we can tour during the meeting

Agenda Item: Title IX

Presented By: Steve Tsuboi

Attachments: Yes ☒ No ☐

Summary

Attached is the annual Title IX report that is required. It is currently posted to our new website. Please review the numbers for further discussion.

Agenda Item: Parent-Student Handbook

Presented By: Steve Tsuboi

Attachments: Yes ☐ No ☒

Summary

We will bring to the meeting a copy or electronic version of the draft handbook that will go out to parents. At the July meeting you will need to approve the handbook. This gives you an opportunity to see what is in it and make suggestions.

Agenda Item: 8th Grade Graduation Requirements & Guidelines

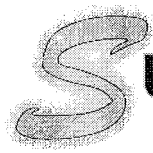
Presented By: Steve Tsuboi

Attachments: Yes ☐ No ☒

Summary

I will bring a revised version for further discussion. It needs to get into BP/AR to be more official and carry more weight. In July you will need to make final approvals.

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Agenda Item: Certificated Staffing

Presented By: Steve Tsuboi

Attachments: Yes ☐ No ☒

Summary

We have been trying to fill our ELA-ELD position and have had very few applicants. This is a tough one because it requires a single subject CREDENTIAL (no intern, no permit). The pool of candidates is very small. We will need to come up with a PLAN B. It is very complex because it effects our Junior High Schedule.

AGENDA ITEM SUMMARY SHEET – INFORMATION AND DISCUSSION - Continued June 25, 2019

Agenda Item: Student Behavior Matrix

Presented By: Steve Tsuboi

Attachments: Yes ☐ No ☒

Summary

I will bring to the meeting our current behavior consequence matrix and a revised one. I will be seeking board direction and suggestions in order to approve at the July meeting for the upcoming year. It is required that you review annually and we will need approval in July in order to get out in August. Hopefully it will be more clear and straightforward (similar to how we are developing the other Progressive Discipline policies).

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AGENDA ITEM SUMMARY SHEET

Agenda Heading

- ☐ Closed Session
- ☐ Acknowledgement and Reports
- ☒ Routine Matters – Consent Calendar
- ☐ Information and Discussion
 - ☐ Business
 - ☐ Maintenance, Operations, and Transportation
 - ☐ Instruction
 - ☐ Board
- ☐ Local Control Accountability Plan
- ☒ Action Items

Agenda Item: IX. A. a. Approve Pay Vouchers/Purchase Orders for June 5th of 2019.

Date: June 25, 2019

Presented By: Dena Tallerico or Candy Alari

Attachments: Yes ☒ No ☐

Summary

The following pay vouchers cover invoices processed and paid on June 5th of 2019, numbering from 191128 - 191164, totaling \$189,795.40.

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Accounts Payable Final Prelist - 6/5/2019 1:51:44PM

6/5/2019
1:51:44PM

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APY500

*** FINAL ***
Batch No 292

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Audit Flag	EFT
012549	A T & T	PV-191128	5/24/2019		5811-MAY19		010-00000-0-00000-72000-59000-0-0000	\$24.41		
	A T & T		5/24/2019		5811-MAY19		PHONE CHARGES 010-00000-0-00000-27000-59000-0-0000	\$56.97		
								Total Check Amount:		
								\$81.38		
013630	AAA TRUCK SERVICE INC.	PV-191129	5/23/2019		3736/3780/3665/3723		010-07230-0-00000-36000-56000-0-0000	\$1,175.28		
	AAA TRUCK SERVICE INC.		5/23/2019		3736/3780/3665/3723		BUS REPAIRS AND SUPPLIES 010-07230-0-00000-36000-43000-0-0000	\$12.39		
								Total Check Amount:		
								\$1,187.67		
013775	GROUZET IRRIGATION SUPPLY, INC	PV-191131	5/31/2019		0152933		010-07200-0-00000-24950-43000-0-0502	\$49.16		
							GRADUATION BACK DROP			
								Total Check Amount:		
								\$49.16		
013574	FLYERS ENERGY, LLC	PV-191164	5/31/2019		CFS-1940027		010-07230-0-00000-36000-43000-0-0000	\$1,592.36		
	FLYERS ENERGY, LLC		5/31/2019		CFS-1940027		BUS AND COMPANY CAR FUEL 010-00000-0-00000-81000-43000-0-0000	\$133.22		
								Total Check Amount:		
								\$1,725.58		
013797	FRESNO MOBILE RADIO INC.	PV-191132	5/31/2019		41-84955		010-07230-0-00000-36000-59000-0-0000	\$152.00		
							BUS RADIO SERVICE			
								Total Check Amount:		
								\$152.00		
013823	HENDRICK, JEFF	PV-191134	5/30/2019		394945/995691		130-53100-0-00000-37000-47000-0-0000	\$587.76		
							DAIRY PRODUCTS			
								Total Check Amount:		
								\$587.76		
013493	ITC	PV-191135	6/4/2019		15984		010-00000-0-00000-81000-56000-0-0000	\$892.82		
							EMERGENCY NOTIFICATION			
								Total Check Amount:		
								\$892.82		
013934	JOSE ALCANTAR	PV-191130	5/3/2019		JA-MAY19		010-00000-0-00000-72000-52000-0-0000	\$84.68		
							MILEAGE			
								Total Check Amount:		
								\$84.68		

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Accounts Payable Final Prelist - 6/5/2019 1:51:44PM

6/5/2019
1:51:44PM

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*** FINAL ***
Batch No 292

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Audit Flag	EFT
013742	MID VALLEY DISPOSAL	PV-191136	5/31/2019		1560329		010-00000-0-00000-81000-55000-0-0000	\$185.50		
						UTILITIES				
								\$185.50		
013711	MISSION LINEN SUPPLY	PV-191137	5/29/2019		261597		010-00000-0-00000-81000-58000-0-0000	\$129.55		
	MISSION LINEN SUPPLY		5/29/2019		261597		130-53100-0-00000-37000-58000-0-0000	\$292.39		
								\$421.94		
013490	MONTOVA, CHRISTINA	PV-191138	6/4/2019		CM-JUN19		130-53100-0-00000-37000-44000-0-0000	\$941.08		
						CAFETERIA UTILITY CART				
								\$941.08		
011922	PORTERVILLE RECORDER	PV-191139	5/30/2019		841407		010-00000-0-00000-71500-58000-0-0000	\$101.76		
						PUBLIC NOTICE				
								\$101.76		
013820	PSW	PV-191140	5/29/2019		102197-202		010-00000-0-11100-10000-58000-0-0000	\$266.15		
						COPY AND CUTTING SERVICE				
								\$266.15		
013860	REBECCA GONZALES	PV-191133	6/4/2019		1549402		120-61050-0-00010-10000-43000-0-0000	\$52.50		
						PRESCHOOL GRADUATION CAKE POFS				
								\$52.50		
013575	ROCKFORD SCHOOL DISTRICT	PV-191141	6/1/2019		SN-JUN2019		010-00000-0-11100-10000-34010-0-0000	\$602.41		
						HEALTH INSURANCE - SNIDER HENDRICKSON				
								\$602.41		
012831	SISC III	PV-191142	6/1/2019		72181		010-00000-0-00000-71100-34010-0-0000	\$10,076.06		
	SISC III		6/1/2019		72181		HEALTH INSURANCE			
	SISC III		6/1/2019		72181		010-00000-0-00000-00000-95028-0-0000	\$4,344.10		G
							010-00000-0-00000-00000-95024-0-0000	\$45,690.04		G
								\$60,110.20		

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Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Audit Flag	EFT
005383	SOUTHERN CALIF EDISON CO	PV-191143	5/30/2019		6030-MAY19		130-53100-0-00000-81000-55000-0-0000	\$236.32		
	SOUTHERN CALIF EDISON CO		5/30/2019		6030-MAY19		UTILITIES 010-00000-0-00000-81000-55000-0-0000	\$4,397.43		
							Total Check Amount:	\$4,633.75		
013392	SOUTHWEST SCHOOL & OFFICE	PV-191144	5/29/2019	190002	PINV0582644		010-11000-0-11100-10000-43000-0-0000	\$4.74		
	SOUTHWEST SCHOOL & OFFICE	PV-191145	5/21/2019	190002	PINV0579627		CLASSROOM SUPPLIES 010-11000-0-11100-10000-43000-0-0000	\$32.64		
							Total Check Amount:	\$37.38		
012637	STRATHMORE PUBLIC	PV-191146	5/31/2019		10017P-00		130-53100-0-00000-81000-55000-0-0000	\$10.92		
	STRATHMORE PUBLIC		5/31/2019		10017P-00		UTILITIES 010-00000-0-00000-81000-55000-0-0000	\$203.30		
							Total Check Amount:	\$214.22		
012474	SYSCO FOOD SERVICES OF MODESTO	PV-191147	5/30/2019		809889		130-53100-0-00000-37000-47000-0-0000	\$573.42		
							CAFETERIA FOOD			
							Total Check Amount:	\$573.42		
005388	THE GAS COMPANY	PV-191148	5/30/2019		3900-MAY19		130-53100-0-00000-81000-55000-0-0000	\$10.17		
	THE GAS COMPANY		5/30/2019		3900-MAY19		UTILITIES 010-00000-0-00000-81000-55000-0-0000	\$189.29		
							Total Check Amount:	\$199.46		
013654	TOSHIBA FINANCIAL SERVICES	PV-191149	5/31/2019		386459366		010-11000-0-11100-10000-56000-0-0000	\$1,044.41		D
							COPIER CONTRACT			
							Total Check Amount:	\$1,044.41		
013917	Tractor Supply Co	PV-191150	5/15/2019		85466		010-81500-0-00000-81100-43000-0-0000	\$218.49		
							MAINTENANCE SUPPLIES			
							Total Check Amount:	\$218.49		
013053	TROPHY SHOPPE	PV-191151	5/21/2019		15814		010-07200-0-00000-24950-43000-0-0502	\$89.76		
							8TH GRADE AWARDS			

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*** FINAL ***
Batch No 292
Audit

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Flag	EFT
013197	TSUBOI, STEVE	PV-191152	5/26/2019		ST-MAY19		010-00000-0-11100-10000-43000-0-0000	\$409.96		
							STUDENT OF THE MONTH SUPPLIES			
							Total Check Amount:	\$89.76		
013111	TULARE CO. OFFICE OF EDUCATION	PV-191153	5/28/2019		192763		010-07200-0-11100-10000-58000-0-0201	\$5,000.00		L
							CONSULTING DAYS-KATHERINE GOYETTE			
							010-07200-0-11100-10000-58000-0-0201	\$9,750.00		
							CONSULTING DAYS-DAY ATMAJIAN			
							010-07200-0-11100-10000-58000-0-0201	\$12,000.00		
							CONSULTING DAYS-DANIEL ROCHA			
							010-07200-0-11100-10000-58000-0-0201	\$12,000.00		L
							CONSULTING DAYS-NICOLE RAY			
							010-07200-0-11100-10000-52000-0-0302	\$5,125.00		
							CONSULTING DAYS - ELA, ELD			
							010-07200-0-11100-10000-58000-0-0201	\$59,875.00		
							Total Check Amount:	\$103,750.00		
013722	VAST NETWORKS	PV-191159	6/1/2019		16913		010-00000-0-00000-72000-59000-0-0000	\$52.50		
							INTERNET			
							010-00000-0-00000-27000-59000-0-0000	\$122.50		
							Total Check Amount:	\$175.00		
013213	VAVRINEK, TRINE, DAY & CO LLP	PV-191161	5/28/2019		VTZ3866		010-00000-0-00000-71910-58000-0-0000	\$10,550.00		
							AUDIT SERVICES			
							Total Check Amount:	\$10,550.00		
007477	VERIZON CALIFORNIA	PV-191160	5/28/2019		9831078406		010-00000-0-00000-72000-59000-0-0000	\$128.60		
							PHONE CHARGES			
							010-00000-0-00000-27000-59000-0-0000	\$300.07		
							Total Check Amount:	\$428.67		

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Audit

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Audit Flag	EFT
006227	WEISENBERGERS ACE HARDWARE	PV-191162	5/31/2019		58867		010-81500-0-00000-81100-43000-0-0000	\$8.29		
							MAINTENANCE SUPPLIES			
							Total Check Amount:	\$8.29		
011686	WHITES MUSIC CENTER	PV-191163	3/27/2019		537581		010-07200-0-11100-10000-56000-0-0406	\$20.00		
							BAND INSTRUMENT REPAIRS			
							Total Check Amount:	\$20.00		

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Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Audit Flag	EFT
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Total District Payment Amount: \$189,795.40

Accounts Payable Final Prelist - 6/5/2019 1:51:44PM

*** FINAL ***

Batch No 292

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Flag	EFT
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Batch No 292

Total Accounts Payable:

\$189,795.40

The School District hereby orders that payment be made to each of the above vendors in the amounts indicated on the preceding Accounts Payable Final totaling 189,795.40 and the County Office of Education transfer the amounts from the indicated funds of the district to the Check Clearing Fund in order that checks may be drawn from a single revolving fund (Education Code 42631 & 42634).

Alvin C. Baker
Authorizing Signature

6/5/2019
Date

Fund Summary	Total
010	\$187,090.84
120	\$52.50
130	\$2,652.06
Total	\$189,795.40

Sunnyside Union Elementary School District**E 1330(a)**

Application for Use of School Facilities

FACILITY USE/FEE SCHEDULE

Minimum of two hour charge for opening, closing and cleaning facility when outside of normal staffing hours. An additional fee may be charged for cleaning.

Normal Daily Staffing Hours

School Year 7:00 A.M. to 6:00 P.M.

Summer Hours 6:30 AM to 3:00 P.M.

Facility	District Cost Fee/Per Hour	Fair Value/Per Hour	Hours	Cost
Auditorium	\$18.00	\$20.00		
Cafeteria (No Kitchen Use)	\$15.00	\$17.00		
Classroom (each room)	\$5.00	\$5.00		
Softball/Baseball Fields	\$8.00	\$10.00		
Football/Soccer Field	\$10.00	\$12.00		
Restroom	\$10.00	\$15.00		
Cleaning Fee	As Needed/Necessary	As Need/Necessary		

No Charge

Joint Facility Use Agreement, Non-Profit Organizations, Clubs/Associations that Promote Youth and School Activities

District Cost Fees

Religious Services, Charitable Fund Raisers, Public Agencies, Events Sponsored by Religious or Community Groups (except those which qualify for free use)

Fair Value

Groups using grounds for entertainment, meetings, or activities where admission is charged or contributions are solicited and the net receipts are not expended for charitable purposes or for the welfare of the district's students.

Name of Individual Assuming Liability for Rental, Bodily Injury & Property Damage or Additional Expenses Resulting from or During Usage		
Printed Name Irma Medellin	Today's Date 05/28/2019	
Title: Community Organizer	Name of Organization El Quinto Sol de America	
Address: 115 N. Elmwood Ave (mailing address: P.O. Box 1306), Lindsay, CA 93247		
Telephone Number (Organization): 559 502 3060	Telephone Number (Home/Cell): 559 656 2124	Signature:
Security will be required for events that are open to the general public. Security is responsibility of Individual Listed above. Proof of Security is required 7 days prior to event. Security is Required <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Additional charges may apply if additional clean-up or repairs are required due to misuse or damage to facility as determined by Superintendent or designee		
<u>Restrictions</u> 1. Any use by an individual or group for the commission of any crime or any act prohibited by law. 2. Any use which is inconsistent with the use of the school facility for school purposes or which interferes with the regular conduct of school or school work. 3. Any use which involves the possession, consumption for sale of alcoholic beverages or any restricted substances, including tobacco use.		
<u>Damage and Liability</u> 1. Shall be liable for any property damages resulting from its negligence during the use of the facilities or grounds. The group shall bear the cost of insuring against the risk and defending itself against claims arising from this risk (Education Code 38134). 2. Shall provide the district with evidence of insurance against claims arising out of the group's negligence. Groups or organizations shall also be required to include the district as an additionally insured on their liability policies for claims arising out of the negligence of the group. 3. As permitted, the District may require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facility being used.		
For Office Use Only		
District Approved Signature:	Special Instructions	
Date:		

Sunnyside Union Elementary School District**E 1330(a)**

Application for Use of School Facilities

FACILITY USE/FEE SCHEDULE

Minimum of two hour charge for opening, closing and cleaning facility when outside of normal staffing hours. An additional fee may be charged for cleaning.

Normal Daily Staffing Hours

School Year 7:00 A.M. to 6:00 P.M.

Summer Hours 6:30 AM to 3:00 P.M.

Facility	District Cost Fee/Per Hour	Fair Value/Per Hour	Hours	Cost
Auditorium	\$18.00	\$20.00		
Cafeteria (No Kitchen Use)	\$15.00	\$17.00		
Classroom (each room)	\$5.00	\$5.00		
Softball/Baseball Fields	\$8.00	\$10.00		
Football/Soccer Field	\$10.00	\$12.00		
Restroom	\$10.00	\$15.00		
Cleaning Fee	As Needed/Necessary	As Need/Necessary		

No Charge

Joint Facility Use Agreement, Non-Profit Organizations, Clubs/Associations that Promote Youth and School Activities

District Cost Fees

Religious Services, Charitable Fund Raisers, Public Agencies, Events Sponsored by Religious or Community Groups (except those which qualify for free use)

Fair Value

Groups using grounds for entertainment, meetings, or activities where admission is charged or contributions are solicited and the net receipts are not expended for charitable purposes or for the welfare of the district's students.

Name of Individual Assuming Liability for Rental, Bodily Injury & Property Damage or Additional Expenses Resulting from or During Usage			
Printed Name <i>Rev. Kenneth Bozzo</i>		Today's Date <i>6-13-19</i>	
Title: <i>Pastor</i>		Name of Organization <i>Roman Catholic Bishop of Fresno, CA</i>	
Address: <i>217 Lindero Ave Lindsay CA 93247</i> <i>Corporation</i>			
Telephone Number (Organization): <i>(559) 488-7400</i>	Telephone Number (Home/Cell): <i>559 562-4008</i>	Signature: <i>Rev. K. Bozzo</i>	
Security will be required for events that are open to the general public. Security is responsibility of Individual Listed above. Proof of Security is required 7 days prior to event. Security is Required <input type="checkbox"/> Yes <input type="checkbox"/> No			
Additional charges may apply if additional clean-up or repairs are required due to misuse or damage to facility as determined by Superintendent or designee			
<u>Restrictions</u>			
1. Any use by an individual or group for the commission of any crime or any act prohibited by law. 2. Any use which is inconsistent with the use of the school facility for school purposes or which interferes with the regular conduct of school or school work. 3. Any use which involves the possession, consumption for sale of alcoholic beverages or any restricted substances, including tobacco use.			
<u>Damage and Liability</u>			
1. Shall be liable for any property damages resulting from its negligence during the use of the facilities or grounds. The group shall bear the cost of insuring against the risk and defending itself against claims arising from this risk (Education Code 38134). 2. Shall provide the district with evidence of insurance against claims arising out of the group's negligence. Groups or organizations shall also be required to include the district as an additionally insured on their liability policies for claims arising out of the negligence of the group. 3. As permitted, the District may require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facility being used.			
For Office Use Only			
District Approved Signature:		Special Instructions	
Date:			



SUNNYSIDE UNION SCHOOL DISTRICT

21644 Avenue 196 - Strathmore, California 93267 - (P) 559-568-1741 - www.sunnysideunion.com

AGENDA ITEM SUMMARY SHEET

Agenda Heading

- ☐ Closed Session
- ☐ Acknowledgement and Reports
- ☐ Routine Matters – Consent Calendar
- ☐ Information and Discussion
 - ☐ Business
 - ☐ Maintenance, Operations, and Transportation
 - ☐ Instruction
 - ☐ Board
- ☐ Local Control Accountability Plan
- ☒ Action Items

Agenda Item: XI. A. Approve the Budget Revision for the 2018-2019 SY

Date: June 25, 2019

Presented By: Candy Alari

Attachments: Yes ☒ No ☐

Summary:

Board of Trustee: Kimberly Brazier | Humberto Cardenas | Schuyler Glover | Andy Manning | Humberto Quezada
Administration: Steve Tsuboi, Superintendent-Principal | Jody Gunderman, Vice Principal-Categorical Manager
Candy Alari, Business Manager | Jeannette Torres-Marquez, Administrative Secretary

49 Sunnyside Union Elementary School I
Fiscal Year: 2019
Bdg Revision Final

Budget Revision Report

BGR030
sunnyside

6/20/2019
8:42:17AM

Control Number: 62031321

Account Classification		Approved / Revised		Change Amount	Proposed Budget
Fund:	0100 General Fund				
Revenues					
Federal Revenues					
		010-40350-0-00000-00000-82900-0-0000	\$25,092.00	\$1,199.00	\$26,291.00
		010-41270-0-00000-00000-82900-0-0000	\$19,733.00	\$535.00	\$20,268.00
		010-42030-0-00000-00000-82900-0-0000	\$15,848.00	\$1,243.00	\$17,091.00
			\$60,673.00	\$2,977.00	\$63,650.00
Total Revenues			\$60,673.00	\$2,977.00	\$63,650.00
Expenditures					
		010-07230-0-00000-36000-43000-0-0000	\$21,000.00	\$3,000.00	\$24,000.00
		010-30100-0-11100-10000-43000-0-0000	\$0.00	\$1,199.00	\$1,199.00
		010-42030-0-11100-10000-43000-0-0000	\$0.00	\$1,243.00	\$1,243.00
		010-63000-0-11100-10000-41000-0-0000	\$5,000.00	(\$750.00)	\$4,250.00
		010-63000-0-11100-10000-42000-0-0000	\$6,890.00	(\$1,890.00)	\$5,000.00
		010-63000-0-11100-10000-43000-0-0000	\$8,143.00	(\$1,643.00)	\$6,500.00
		010-63000-0-11100-10000-44000-0-0000	\$0.00	\$2,556.00	\$2,556.00
			\$41,033.00	\$3,715.00	\$44,748.00
Books and Supplies			\$41,033.00	\$3,715.00	\$44,748.00
Total Expenditures			\$41,033.00	\$3,715.00	\$44,748.00
Other Financing Sources/Uses					
		010-30100-0-00000-00000-89900-0-0000	\$25,092.00	\$1,199.00	\$26,291.00
		010-40350-0-00000-00000-89900-0-0000	(\$25,092.00)	(\$1,199.00)	(\$26,291.00)
			\$0.00	\$0.00	\$0.00
Contributions					
Budgeted Unappropriated Fund Balance before this adjustment:				\$1,150,651.60	
Total Adjustment to Unappropriated Fund Balance:				(\$738.00)	
Budgeted Unappropriated Fund Balance after this adjustment:				\$1,149,913.60	

Budget Revision Report

Control Number: 62031321

Account Classification		Approved / Revised	Change Amount	Proposed Budget
Fund: 1200	Child Development Fund			
Expenditures				
Books and Supplies	120-61050-0-00010-10000-43000-0-0000	\$1,384.00	\$230.00	\$1,614.00
		\$1,384.00	\$230.00	\$1,614.00
Services, Other Operating Expenses	120-61050-0-00010-10000-58000-0-0000	\$1,331.18	\$287.00	\$1,618.18
		\$1,331.18	\$287.00	\$1,618.18
Total Expenditures		\$2,715.18	\$517.00	\$3,232.18
Budgeted Unappropriated Fund Balance before this adjustment:			\$3,141.58	
Total Adjustment to Unappropriated Fund Balance:			(\$517.00)	
Budgeted Unappropriated Fund Balance after this adjustment:			\$2,624.58	

49 Sunnyside Union Elementary School I
Fiscal Year: 2019
Bdg Revision Final

Budget Revision Report

BGR030 6/20/2019
sunnyside 8:42:17AM

Control Number: 62031321

Account Classification		Approved / Revised	Change Amount	Proposed Budget
Fund: 1300	Cafeteria Special Revenue Fund			
Revenues				
	130-53100-0-00000-00000-82200-0-0000	\$269,000.00	\$11,587.56	\$280,587.56
		\$269,000.00	\$11,587.56	\$280,587.56
Federal Revenues				
	130-53100-0-00000-00000-85200-0-0000	\$20,000.00	\$1,183.23	\$21,183.23
		\$20,000.00	\$1,183.23	\$21,183.23
Other State Revenues				
Total Revenues		\$289,000.00	\$12,770.79	\$301,770.79
Expenditures				
	130-53100-0-00000-37000-43000-0-0000	\$8,500.00	\$2,500.00	\$11,000.00
	130-53100-0-00000-37000-47000-0-0000	\$90,000.00	\$2,800.00	\$92,800.00
Books and Supplies		\$98,500.00	\$5,300.00	\$103,800.00
	130-53100-0-00000-37000-58000-0-0000	\$4,500.00	\$700.00	\$5,200.00
Services, Other Operating Expenses		\$4,500.00	\$700.00	\$5,200.00
Total Expenditures		\$103,000.00	\$6,000.00	\$109,000.00
Budgeted Unappropriated Fund Balance before this adjustment:			\$45,448.69	
Total Adjustment to Unappropriated Fund Balance:			\$6,770.79	
Budgeted Unappropriated Fund Balance after this adjustment:			\$52,219.48	

Budget Revision Report

BGR030
sunnyside

6/20/2019
8:42:17AM

Control Number: 62031321

Account Classification

Approved / Revised

Change Amount

Proposed Budget

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

Authorized by: _____

(County Office Use Only)

Updated at County Office on ____/____/____ by _____

AGREEMENT FOR CONNECTION TO WATER PIPELINE

This Agreement ("Agreement," or "the Agreement") is made and entered into on June 25, 2019, by and between the Strathmore Public Utility District, hereinafter referred to as "Utility," and the Sunnyside Union Elementary School District, hereinafter referred to as "School".

WHEREAS, in order to better serve nearby customers, in a letter dated December 23, 2014, Utility requested permission from School to install a water service lateral from the existing School pipeline ("Pipeline") west of Highway 65;

WHEREAS, Utility offered to assume ownership and bear all costs related to operations, maintenance, repair and replacement of the Pipeline from the point it currently connects with Utility's water system, near the southeast corner of the intersection of Avenue 196 and Highway 65, running west across Highway 65 to the site of the proposed lateral line; and

WHEREAS, as part of the above consideration, Utility would assume full responsibility for a portion of the Pipeline as described herein.

NOW, THEREFORE, and upon execution of this agreement by School and Utility, it is mutually understood and agreed as follows:

1. Scope of Work. Utility shall install a water service lateral to the existing Pipeline west of Highway 65, as shown in the legal description and drawing attached herein as **Exhibit 1**.
2. Operation and Maintenance of Pipeline. Upon completion of the water service lateral, and prior to connecting it to the Pipeline, Utility shall assume ownership and responsibility for all costs related to operation, maintenance and repair of the Pipeline from the point it currently connects with Utility's water system, near the northeast corner of the intersection of Avenue 196 and Highway 65, running west across Highway 65, to the point of connection with Utility's new lateral line, including the Pipeline casing, surface and road restoration, as described in **Exhibit 1**.
3. Lateral and Meter Installation. Utility will connect the new line to the Pipeline by means of a tap under live conditions, which should not interrupt service to School. Out of an abundance of caution, Utility will conduct the tap outside of scheduled class time, the exact date to be coordinated by the Parties, and turn off water service to School for two-to-three hours. Utility will give notice as required by statute before turning off service. Utility will install water meters and backflow prevention devices as may be appropriate according to industry practice. All work to be performed on or near the Pipeline should be completed within a week after the start date. Utility anticipates completing this project in late December of 2019 or early January of 2020.
4. Service Level Guarantee. Utility warrants and guarantees that the work described herein will not in any way diminish the water quality, water quantity or rate of water flow to School.
5. Further Assurances. The parties shall cooperate to ensure completion of all documents or contracts necessary to the lateral line and ownership conveyance.
6. Successors and Assigns. That the terms and conditions of this Agreement shall inure to the

benefit of and shall be binding upon the heirs, successors, and assigns of the respective Parties hereto.

7. Notification before Commencing Work. Utility agrees to notify School at least five (5) days prior to commencement of any planned work on the Pipeline.

8. Indemnification. Utility shall hold harmless, defend and indemnify School, its governing board, agents, officers and employees from and against any liabilities, claims, actions, costs damages or losses of any kind, including death or injury to any person and damage to property, including School's property, arising from, or in connection with, the performance by Utility or its agents, officers and employees under this Agreement. This indemnification specifically includes any claims that may be made against School by any taxing authority asserting that an employer-employee relationship exists by reason of this Agreement, and any claims made against School alleging civil rights violations by Utility under Government Code § 12920, *et seq.* (California Fair Employment and Housing Act). This indemnification obligation shall continue beyond the date the work described herein is completed and cover any acts or omissions envisioned under this Agreement or any amendment thereto.

9. Insurance. When Utility puts the lateral line project out to bid, Utility shall require School to be listed on all policies required of qualified bidders, and shall ensure that School remains an additional insured in said policies until the project is completed and ownership for the line is granted to Utility.

10. Termination. Upon breach of the Agreement by either party, the non-breaching party shall notify the breaching party of the alleged breach or breaches, in writing, by the notice procedures set forth in the following paragraph. The breaching party shall have thirty days from the date the notice of breach is served to cure the breach/breaches. If the breaching party does not cure the breach/breaches, or take diligent steps towards curing within this thirty-day period, the non-breaching party can terminate the Agreement. Service of a notice of termination pursuant to the procedures set forth in the following paragraph shall immediately cancel this Agreement.

11. Notices. Any notice to be given to either Party by the other shall be in writing and shall be served either personally or by prepaid mail certified, return receipt requested, addressed as follows:

School: Sunnyside Union School District
21644 Avenue 196
Strathmore, CA 93267

Utility: Strathmore Public Utility District
19626 Orange Belt Dr.
Strathmore, CA 93267

Service by mail shall be deemed complete on the date indicated on the return receipt.

12. Binding Effect. The provisions of this Agreement shall benefit and bind the heirs, successors, executors, administrators and assigns of all parties to this Agreement; and all parties to this Agreement shall be jointly and severally liable under it.

13. Entire Agreement. This Agreement represents the entire agreement between Utility and School as to its subject matter and no prior oral or written understanding is to be of any force or effect. No part of this Agreement may be modified without the written consent of both Parties.

14. Governing Law. This Agreement shall be interpreted and governed under the laws of the State of California. The Parties agree that this Agreement is executed and shall be performed in Tulare County, California.

15. Conflicts with Laws or Regulations; Severability. This Agreement is subject to all applicable laws and regulations. If any provision of this Agreement is found by any court or other legal authority, or is agreed by the Parties, to be in conflict with any code or regulation governing its subject, the conflicting provision shall be considered null and void. If the effect of nullifying any conflicting provision is such that a material benefit of this Agreement to either Party is lost, this Agreement may be terminated at the option of the affected Party. In all other cases the remainder of this Agreement shall continue in full force and effect.

16. Signature. The individuals executing this agreement represent and warrant that they have the right, power, legal capacity and authority to enter into and to execute this agreement on behalf of the respective legal entities of School and Utility.

Strathmore Public Utility District:

Sunnyside Union Elementary School District:

Christina Lightner
President of the Board of Directors

Steve Tsuboi
Superintendent

Dated: _____

Dated: _____



0 100' 200'
SCALE: 1" = 100'-0"

AIR PHOTO VIEW

AVENUE 196 PIPELINE REPLACEMENT

STRATHMORE PUBLIC UTILITY DISTRICT

KELLER/WEGLEY

Local Control and Accountability Plan (LCAP) Every Student Succeeds Act (ESSA) Federal Addendum Template

LEA name:

Sunnyside Union Elementary

CDS code:

54-721816054407

Link to the LCAP:

(optional)

[Provide link.]

**For which ESSA programs
will your LEA apply?**

Choose from:

TITLE I, PART A

Improving Basic Programs Operated by
State and Local Educational Agencies

TITLE I, PART D

Prevention and Intervention Programs for
Children and Youth Who Are Neglected,
Delinquent, or At-Risk

TITLE II, PART A

Supporting Effective Instruction

TITLE III, PART A

Language Instruction for English Learners
and Immigrant Students

TITLE IV, PART A

Student Support and Academic
Enrichment Grants

*(NOTE: This list only includes ESSA
programs with LEA plan requirements;
not all ESSA programs.)*

Title I, Part A; Title II, Part A; Title III, Part A; Title IV, Part A

In the following pages, ONLY complete the sections for the corresponding programs.

Instructions

The LCAP Federal Addendum is meant to supplement the LCAP to ensure that eligible LEAs have the opportunity to meet the Local Educational Agency (LEA) Plan provisions of the ESSA.

The LCAP Federal Addendum Template must be completed and submitted to the California Department of Education (CDE) to apply for ESSA funding. LEAs are encouraged to review the LCAP Federal Addendum annually with their LCAP, as ESSA funding should be considered in yearly strategic planning.

The LEA must address the Strategy and Alignment prompts provided on the following page.

Each provision for each program must be addressed, unless the provision is not applicable to the LEA.

In addressing these provisions, LEAs must provide a narrative that addresses the provision **within the LCAP Federal Addendum Template.**

Under State Priority Alignment, state priority numbers are provided to demonstrate where an ESSA provision aligns with state priorities. This is meant to assist LEAs in determining where ESSA provisions may already be addressed in the LEA's LCAP, as it demonstrates the LEA's efforts to support the state priorities.

The CDE emphasizes that **the LCAP Federal Addendum should not drive LCAP development.** ESSA funds are supplemental to state funds, just as the LCAP Federal Addendum supplements your LCAP. LEAs are encouraged to integrate their ESSA funds into their LCAP development as much as possible to promote strategic planning of all resources;

however, this is not a requirement. In reviewing the LCAP Federal Addendum, staff will evaluate the LEA's responses to the ESSA plan provisions. There is no standard length for the responses. LEAs will be asked to clarify insufficient responses during the review process.

California's ESSA State Plan significantly shifts the state's approach to the utilization of federal resources in support of underserved student groups. This LCAP Federal Addendum provides LEAs with the opportunity to document their approach to maximizing the impact of federal investments in support of underserved students.

The implementation of ESSA in California presents an opportunity for LEAs to innovate with their federally-funded programs and align them with the priority goals they are realizing under the state's Local Control Funding Formula (LCFF).

LCFF provides LEAs flexibility to design programs and provide services that meet the needs of students in order to achieve readiness for college, career, and lifelong learning. The LCAP planning process supports continuous cycles of action, reflection, and improvement.

Please respond to the prompts below, and in the pages that follow, to describe the LEA's plan for making the best use of federal ESEA resources in alignment with other federal, state, and local programs as described in the LEA's LCAP.

Strategy

Explain the LEA's strategy for using federal funds to supplement and enhance local priorities or initiatives funded with state funds, as reflected in the LEA's LCAP. This shall include describing the rationale/evidence for the selected use(s) of federal funds within the context of the LEA's broader strategy reflected in the LCAP.

Sunnyside primarily uses federal funds to supplement student literacy skills, mathematical skills and social emotional needs through instructional support, professional development of staff, English Learner after school tutoring and technology. Additional supplemental instructional materials and technology are also partially funded using federal funds.

Our LCAP focuses on the following goals:

(a) Improve student achievement in English Language Arts and Mathematics by implementing Common Core State Standards, Appropriately Assigning Teachers, and Exposing All Students to the Arts, Providing Appropriate Technology Experiences, and Providing Learning Experiences Outside the Core. (State Priorities 1, 2, 4, 7, 8).

(b) Full implementation of the Common Core State Standards (CCSS), including English Language Development Standards (ELD) training/implementation, providing access to appropriate CCSS materials for all students and maintaining appropriate CCSS materials for teacher use throughout the next three years. (State Priorities 1, 2, 4, 7, 8)

(c) Improve the rate at which our English Learners are acquiring the English Language through the implementation of English Language Development Standards (ELD). (State Priorities 2, 4, 7, 8)

(d) By focusing on improving Pupil Attendance, Truancy Rates, Reducing Chronic Absenteeism and SARB Referrals while maintaining a (0%) dropout rate all students will improve in both attendance and academic engagement through a variety of strategies and student opportunities (ex. Incentives, After School Experiences). (State Priorities 3, 4, 5, 6, 7)

(e) To improve participation and increase learning experiences for all parents, including parents of unduplicated pupils and pupils with special needs. (State Priorities 3, 4, 6)

(f) To improve facilities and climate of the school to improve school environment and safety for all students.

Some of the specific actions include, but are not limited to the following:

A. Continue to build upon the technology foundation that Sunnyside has built from the beginning of the original LCAP Implementation. There will be a continued focus on the Creative/STEAM Room. Technology will also be supported by the expansion of the part-time technician being full-time. Students will continue to have the expanded opportunities to use technology in the classroom and in elective offerings. The implementation of technology will also be felt in the general core curriculum.

B. Professional Development - the district/site will continue to focus on Instructional support from the Tulare County Office of Education. This year the plan will focus on multi-subject implementation of the Common Core Standards. An entire plan for the year will be developed between the district and county office. Other Professional Development opportunities for ALL staff will be made available both on and off campus will be available (CISC Symposium - off campus, Steve Ventura - on campus).

C. Expanded Physical Education/Health - the district will emphasize early education with the hiring of a K-5 Physical Education instructor. ALL students will receive physical education and/or health instruction daily. The district will support the implementation with both material and labor support.

D. Early Childhood Education - the district will implement a Full Day Transitional Kindergarten class. The district will support the implementation with both material and labor support.

E. Reading Room - the district will continue expansion of its Professional Reading Room through increased titles and materials. The Reading Room continues to develop through the LCAP.

G. Safe Learning Environment and Support - the district will implement an one-to-one aide to support students who need that extra guidance. In addition, the district will have a one day per week/or equivalent School Resource Officer to work with both parents and students.

Sunnyside primarily uses Title I funds for Instructional Support Staff and Quality Professional Development. This aligns with our current LCAP actions that include professional development for all staff (this past year's focus being Social Emotional Learning). The support staff was exposed to a myriad of trainings, organized events, and allowed the support staff to become more actively involved in the development of our students both academically and socially. Sunnyside's Title II funds are transferred into Title I, using federal transferability.

Sunnyside hires trained, educated instructional support staff who provide intervention support services for all students including students with academic needs, language needs and social emotional needs. Supplemental materials, library student resources, books, technology and STEM materials will also be purchased using Title I funds to provide the best learning environment for our students.

Sunnyside believes strongly in quality professional development. For the last few years, Sunnyside has primarily used Tulare County Office of Education for professional development. Tulare County Office of Education support will continue to be used but will be reduced from years past. The instructional coaching and support services were in the following academic areas: (a) English Language Arts [all grade levels]; (b) Mathematics [grades 6-8], (c) Science [grades 6-8]; (d) Technology [grades 2-8], and English Language Development [TK-8]

For the 2019-2020 school year, we will have an on-site Instructional Coach who works collaboratively with TCOE to ensure the quality professional development is put into practice daily. The District will continue to utilize Educational Specialists, such as Steve Ventura, who will continue to build upon the Sunnyside Way (instructional vision).

Certificated and classified staff will continue to be provided the opportunity to participate in Curriculum and Instructional Steering Committees, the Best Results Conference for English Learners, and additional off-site trainings applicable to staff and students' needs. The district desires to diligently work on building a learning community that actively involves ALL Staff.

Sunnyside's Title III funds will be used by providing an extended day after school tutoring for our English Learners. This new additional level of support will be implemented beginning in the 2019-2020 school year. English Learners will be provided instructional support by our trained teachers and/or instructional aides. Teachers have been extensively trained on the ELD framework and have been coached to give the best instruction using both integrated and designated learning strategies. Many of our instructional aides are bilingual and are able to provide intervention and language support in both English and Spanish.

Sunnyside's Title IV funds are spent by partially funding the salary of our full-time computer technician. The technician supports, maintains, and continually grows our technology. He also maintains the STEAM room which includes, but is not limited to; green screen video technology, 3-D printing, and a laser-engraving projects. The technician will launch Sunnyside's new website and Smart App in the Summer of 2019. The newly developed parental outreach phone app which will be available to all parents, staff, community members, and students to provide the most updated information for the school. Communication is always an area of constant improvement and we feel this phone application will be a huge step for increased communication between all parties.

Alignment

Describe the efforts that the LEA will take to align use of federal funds with activities funded by state and local funds and, as applicable, across different federal grant programs.

Sunnyside's LCAP is a single plan that guides the use of all funds available to the district, including LCFF (including Supplemental Grant Funds), federal Title I, Title II, Title III, and Title IV funds. Sunnyside regularly monitors our goals and actions depending on our school's needs. Sunnyside's administration, teachers, and stakeholders work to identify areas that need improvement. Once identified, administration works together to meet the needs of these areas of improvement.

Federal Funds are used for Instructional Support, Professional Development, English Learner Support and Technological needs. The budget is created once our needs have been prioritized. State and local funding resources are accounted for first and then federal funds are used to supplement remaining unfunded activities using the most current regulations and guidance for the use of supplemental federal funds. An example of past supplemental support is the purchasing of translation devices for newcomer students to our district. This is to help these students transition quicker to the English Language and feel they are being supported in their educational journey.

Sunnyside will continue to reach out to locally established committees, such as School Site Council and the English Language Acquisition Committee for support and ideas.

ESSA Provisions Addressed Within the LCAP

Within the LCAP an LEA is required to describe its goals, and the specific actions to achieve those goals, for each of the LCFF state priorities. In an approvable LCAP it will be apparent from the descriptions of the goals, actions, and services how an LEA is acting to address the following ESSA provisions through the aligned LCFF state priorities and/or the state accountability system.

TITLE I, PART A

Monitoring Student Progress Towards Meeting Challenging State Academic Standards

ESSA SECTION	STATE PRIORITY ALIGNMENT
1112(b)(1) (A–D)	1, 2, 4, 7, 8 (<i>as applicable</i>)

Describe how the LEA will monitor students' progress in meeting the challenging state academic standards by:

- (A) developing and implementing a well-rounded program of instruction to meet the academic needs of all students;
- (B) identifying students who may be at risk for academic failure;
- (C) providing additional educational assistance to individual students the LEA or school determines need help in meeting the challenging State academic standards; and
- (D) identifying and implementing instructional and other strategies intended to strengthen academic programs and improve school conditions for student learning.

Overuse in Discipline Practices that Remove Students from the Classroom

ESSA SECTION	STATE PRIORITY ALIGNMENT
1112(b)(11)	6 (<i>as applicable</i>)

Describe how the LEA will support efforts to reduce the overuse of discipline practices that remove students from the classroom, which may include identifying and supporting schools with high rates of discipline, disaggregated by each of the student groups, as defined in Section 1111(c)(2).

Career Technical and Work-based Opportunities

ESSA SECTION	STATE PRIORITY ALIGNMENT
1112(b)(12)(A–B)	2, 4, 7 (<i>as applicable</i>)

If determined appropriate by the LEA, describe how such agency will support programs that coordinate and integrate:

- (A) academic and career and technical education content through coordinated instructional strategies, that may incorporate experiential learning opportunities and promote skills attainment important to in-demand occupations or industries in the State; and

(B) work-based learning opportunities that provide students in-depth interaction with industry professionals and, if appropriate, academic credit.

TITLE II, PART A

Title II, Part A Activities

ESSA SECTION	STATE PRIORITY ALIGNMENT
2102(b)(2)(A)	1, 2, 4 (<i>as applicable</i>)

Provide a description of the activities to be carried out by the LEA under this Section and how these activities will be aligned with challenging State academic standards.

TITLE III, PART A

Parent, Family, and Community Engagement

ESSA SECTION	STATE PRIORITY ALIGNMENT
3116(b)(3)	3, 6 (<i>as applicable</i>)

Describe how the eligible entity will promote parent, family, and community engagement in the education of English learners.

ESSA Provisions Addressed in the Consolidated Application and Reporting System

An LEA addresses the following ESSA provision as part of completing annual reporting through the Consolidated Application and Reporting System (CARS).

TITLE I, PART A

Poverty Criteria

ESSA SECTION	STATE PRIORITY ALIGNMENT
1112(b)(4)	N/A

Describe the poverty criteria that will be used to select school attendance areas under Section 1113.

ESSA Provisions Not Addressed in the LCAP

For the majority of LEAs the ESSA provisions on the following pages do not align with state priorities. **Each provision for each program provided on the following pages must be addressed**, unless the provision is not applicable to the LEA. In addressing these provisions, LEAs must provide a narrative that addresses the provision **within this addendum**.

As previously stated, the CDE emphasizes that the LCAP Federal Addendum should not drive LCAP development. ESSA funds are supplemental to state funds, just as the LCAP Federal Addendum supplements your LCAP. LEAs are encouraged to integrate their ESSA funds into their LCAP development as much as possible to promote strategic planning of all resources; however, this is not a requirement. In reviewing the LCAP Federal Addendum, staff will evaluate the LEA's responses to the ESSA plan provisions. There is no standard length for the responses. LEAs will be asked to clarify insufficient responses during the review process.

TITLE I, PART A

Educator Equity

ESSA SECTION 1112(b)(2)

Describe how the LEA will identify and address, as required under State plans as described in Section 1111(g)(1)(B), any disparities that result in low-income students and minority students being taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Sunnyside administration works very hard to ensure we only hire the best, most qualified educators. When openings become available the district works with the Tulare County Office of Education (credentialing and instructional support staff) to ensure that openings are filled by qualified educators.

Sunnyside currently has currently built the following staff:

100% Properly Assigned

Multiple Subject Self Contained Classrooms: 10

- All Fully Credentialed
- One (1) First year TIPS
- One (1) Second Year TIPS

Single Subject Core Classrooms: 5

- One Intern (hired mid-year)
- All Others Fully Credentialed
- Two (2) First Year TIPS

Support Teachers

- Fully Credentialed Art Teacher (Single Subject and Multiple Subjects)
- Fully Credentialed Music Teacher (Single Subject)

The district does utilize interns but ensures that they have ongoing support and time to develop their trade. The district works with the Tulare County Office of Education to fulfill their requirements for

teachers who are in their first and second year of teaching and working their way towards a clear credential. The district also works with various institutions of higher learning (Brandman, National, CSU Fresno, Etc.).

Parent and Family Engagement

ESSA SECTIONS 1112(b)(3) and 1112(b)(7)

Describe how the LEA will carry out its responsibility under Section 1111(d).

Describe the strategy the LEA will use to implement effective parent and family engagement under Section 1116.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Sunnyside disseminates its Parent Involvement Policy at the beginning of the school year. The policy is annually evaluated by parents in January or February, then taken to the School Site Council, ELAC and the Board of Trustees annually.

Sunnyside provides ample opportunities to parents and families to be actively engaged. Parent-Student Conferences held three times year with a 71% participation rate, which has increased from previous years. Sunnyside also holds approximately 20 family involvement activities throughout the school year including guest speakers, literacy nights, sports nights, Doughnuts for Dads, Muffins for Moms, Night at the Plainview Park, Fall School Carnival, the Cinco de Mayo Health Fair, Grandparents Day, Awards Night and Graduation.

Sunnyside holds monthly Site Council meetings and quarterly English Learner Advisory group meetings. These groups have qualified members who were elected by their peers. Members receive proper training on their roles and responsibilities.

These committees help develop the LCAP actions and goals, give guidance and direction on school budgeting, and decision making. Our teaching staff and administrators are encouraged to actively engage families by making frequent phone calls and hold any needed behavioral and academic parent meetings as needed.

Schoolwide Programs, Targeted Support Programs, and Programs for Neglected or Delinquent Children

ESSA SECTIONS 1112(b)(5) and 1112(b)(9)

Describe, in general, the nature of the programs to be conducted by the LEA's schools under sections 1114 and 1115 and, where appropriate, educational services outside such schools for children living in local institutions for neglected or delinquent children, and for neglected and delinquent children in community day school programs.

Describe how teachers and school leaders, in consultation with parents, administrators, paraprofessionals, and specialized instructional support personnel, in schools operating a targeted assistance school program under Section 1115, will identify the eligible children most in need of services under this part.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Sunnyside is a school wide Title I school district. All students enrolled are part of the National School Lunch Program and receive free breakfast and lunch. The high unduplicated count at Sunnyside allows for the district to provide supplemental services to ALL students.

Administration works with county and outside services to ensure that neglected and delinquent students are receiving the necessary attention and services. The district has established a SARB board to address students and parents with attendance issues. The district also works with mental health services to ensure that students who have special needs are not left behind.

The district works directly with outside organizations such as Save the Children Early Steps to Success and their Community Collaborative agency.

Homeless Children and Youth Services

ESSA SECTION 1112(b)(6)

Describe the services the LEA will provide homeless children and youths, including services provided with funds reserved under Section 1113(c)(3)(A), to support the enrollment, attendance, and success of homeless children and youths, in coordination with the services the LEA is providing under the McKinney-Vento Homeless Assistance Act (42 United States Code 11301 et seq.).

THIS ESSA PROVISION IS ADDRESSED BELOW:

Sunnyside's has a Homeless District Liaison. The District Liaison receives updated information and attends meetings to stay informed on the best practices to help address Homeless Children needs. Additionally, we have hired an attendance clerk who regularly tracks attendance and brings issues to the District Homeless Liaison. Sunnyside has allotted funds to help Homeless families in times of need. There is a supply closet in the Front Office which allows office staff to help families in need and provide necessary items to families who are identified as Homeless.

Student Transitions

ESSA SECTIONS 1112(b)(8) and 1112(b)(10) (A–B)

Describe, if applicable, how the LEA will support, coordinate, and integrate services provided under this part with early childhood education programs at the LEA or individual school level, including plans for the transition of participants in such programs to local elementary school programs.

Describe, if applicable, how the LEA will implement strategies to facilitate effective transitions for students from middle grades to high school and from high school to postsecondary education including:

- (A) through coordination with institutions of higher education, employers, and other local partners; and
- (B) through increased student access to early college high school or dual or concurrent enrollment opportunities, or career counseling to identify student interests and skills.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Sunnyside has a Save the Children Early Steps to Success Coordinator who helps families with children 0-3. This coordinator will reach out to a mother who is expecting and help the child and family from birth to the age of three.

Sunnyside also has a State Preschool that is comprised of two, half day sessions. The preschool has the capacity to serve 24 low-income students per session. The State provides necessary social, pre-literacy and mathematical skills to qualified students. The Preschool Director ensures the preschool delivers a comprehensive curriculum. The preschool has monthly parent trainings provided to families including topics such as nutrition, school readiness preparation, reading, and parenting skills. The staff works collaboratively with the Transitional Kindergarten and Kindergarten teachers to ensure a smooth transition from preschool to grade school.

Sunnyside implemented a Transitional Kindergarten for the 2018-2019 school year. This crucial transition year is fully funded using LCAP funds. Our stakeholders feel a strong foundation prior to Kindergarten will better prepare the students and allow for a smooth more educational and academic Kindergarten year.

Transition from 8th grade to High School is also a smooth transition. Porterville Unified, our neighboring district is the district in which Sunnyside students attend high school. Porterville Unified works closely with our Junior High staff to keep students and parents informed of their future educational step. Our Junior High staff, 6th- 8th grade attend annual events in the Porterville Unified School District. The events showcase Porterville's Pathways and the necessary requisites for the high school of their interest.

Many of our students attend Strathmore High School (natural home school and Pathway for Agricultural) Harmony Magnet Academy, a school that focuses on Performing Arts and Engineering. There are many other pathways offered at the three other Porterville High Schools. Sunnyside students are given the opportunity to attend the high school of their choice.

Additional Information Regarding Use of Funds Under this Part

ESSA SECTION 1112(b)(13) (A–B)

Provide any other information on how the LEA proposes to use funds to meet the purposes of this part, and that the LEA determines appropriate to provide, which may include how the LEA will:

- (A) assist schools in identifying and serving gifted and talented students; and
- (B) assist schools in developing effective school library programs to provide students an opportunity to develop digital literacy skills and improve academic achievement.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Sunnyside has been working on improving services to students who are gifted and talented in any area. In the past couple years the district has offered outside of core classes, that included

Sunnyside's school library strives to increase the number of titles available to students. Through LCAP funding and other funds, the district is making a concerted effort to transform the current traditional library into a multimedia center. In addition, the district annual provides funding for

classrooms to increase the title count to individual classroom libraries. Approximately three years ago, the district invested into the 6th-8th grade English Language Arts classroom by creating a fully functioning Junior High Library inside this classroom.

TITLE I, PART D

Description of Program

ESSA SECTION 1423(1)

Provide a description of the program to be assisted [by Title I, Part D].

THIS ESSA PROVISION IS ADDRESSED BELOW:

Not Applicable (District does not participate in Title I, Part D)

Formal Agreements

ESSA SECTION 1423(2)

Provide a description of formal agreements, regarding the program to be assisted, between the

(A) LEA; and

(B) correctional facilities and alternative school programs serving children and youth involved with the juvenile justice system, including such facilities operated by the Secretary of the Interior and Indian tribes.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Not Applicable (District does not participate in Title I, Part D)

Comparable Education Program

ESSA SECTION 1423(3)

As appropriate, provide a description of how participating schools will coordinate with facilities working with delinquent children and youth to ensure that such children and youth are participating in an education program comparable to one operating in the local school such youth would attend.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Not Applicable (District does not participate in Title I, Part D)

Successful Transitions

ESSA SECTION 1423(4)

Provide a description of the program operated by participating schools to facilitate the successful transition of children and youth returning from correctional facilities and, as appropriate, the types of services that such schools will provide such children and youth and other at-risk children and youth.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Not Applicable (District does not participate in Title I, Part D)

Educational Needs

ESSA SECTION 1423(5)

Provide a description of the characteristics (including learning difficulties, substance abuse problems, and other special needs) of the children and youth who will be returning from correctional facilities and, as appropriate, other at-risk children and youth expected to be served by the program, and a description of how the school will coordinate existing educational programs to meet the unique educational needs of such children and youth.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Not Applicable (District does not participate in Title I, Part D)

Social, Health, and Other Services

ESSA SECTION 1423(6)

As appropriate, provide a description of how schools will coordinate with existing social, health, and other services to meet the needs of students returning from correctional facilities, at-risk children or youth, and other participating children or youth, including prenatal health care and nutrition services related to the health of the parent and the child or youth, parenting and child development classes, child care, targeted reentry and outreach programs, referrals to community resources, and scheduling flexibility.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Not Applicable (District does not participate in Title I, Part D)

Postsecondary and Workforce Partnerships

ESSA SECTION 1423(7)

As appropriate, provide a description of any partnerships with institutions of higher education or local businesses to facilitate postsecondary and workforce success for children and youth returning from correctional facilities, such as through participation in credit-bearing coursework while in secondary school, enrollment in postsecondary education, participation in career and technical education programming, and mentoring services for participating students.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Not Applicable (District does not participate in Title I, Part D)

Parent and Family Involvement

ESSA SECTION 1423(8)

As appropriate, provide a description of how the program will involve parents and family members in efforts to improve the educational achievement of their children, assist in dropout prevention activities, and prevent the involvement of their children in delinquent activities.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Not Applicable (District does not participate in Title I, Part D)

Program Coordination

ESSA SECTION 1423(9–10)

Provide a description of how the program under this subpart will be coordinated with other Federal, State, and local programs, such as programs under title I of the Workforce Innovation and Opportunity Act and career and technical education programs serving at-risk children and youth.

Include how the program will be coordinated with programs operated under the Juvenile Justice and Delinquency Prevention Act of 1974 and other comparable programs, if applicable.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Not Applicable (District does not participate in Title I, Part D)

Probation Officer Coordination

ESSA SECTION 1423(11)

As appropriate, provide a description of how schools will work with probation officers to assist in meeting the needs of children and youth returning from correctional facilities.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Not Applicable (District does not participate in Title I, Part D)

Individualized Education Program Awareness

ESSA SECTION 1423(12)

Provide a description of the efforts participating schools will make to ensure correctional facilities working with children and youth are aware of a child's or youth's existing individualized education program.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Not Applicable (District does not participate in Title I, Part D)

Alternative Placements

ESSA SECTIONS 1423(13)

As appropriate, provide a description of the steps participating schools will take to find alternative placements for children and youth interested in continuing their education but unable to participate in a traditional public school program.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Not Applicable (District does not participate in Title I, Part D)

TITLE II, PART A

Professional Growth and Improvement

ESSA SECTION 2102(b)(2)(B)

Provide a description of the LEA's systems of professional growth and improvement, such as induction for teachers, principals, or other school leaders and opportunities for building the capacity of teachers and opportunities to develop meaningful teacher leadership.

THIS ESSA PROVISION IS ADDRESSED BELOW:

All Title II funds are transferred into Title I using federal transferability. However, a portion of Title I funds are used for professional development activities. The district has used instructional consultant staff with the Tulare County Office of Education for the last few years and will continue to do so. However, this year there is a need for an onsite instructional coach. Although there will be a reduction in services with Tulare County Office of Education, the county Instructional Coaches will continue to support the development of not only our certificated staff but also the Teacher on Special Assignment-Onsite instructional coach. Additional onsite support from Educational Specialists such as Steve Ventura will continue. This will allow the staff to continue to build upon the Sunnyside Way (instructional vision). The district developed its instructional calendar to allow back-to-back professional development days allowing the staff to dig deeper into educational development. Certificated staff will continue to be provided the opportunity to participate in such training as Curriculum and Instruction Steering Committee (CISC), the Best Results Conference, and onsite training. Classified staff will continue to be invited into such trainings. Over half of the certificated staff voluntarily attended on offsite training (i.e. Timothy Kanold, CISC, Tech Rodeo, Etc.)

Sunnyside will provide our certificated and classified staff with weekly professional development, instructional coaching and collaboration time on early release Mondays. All curriculum, instruction and assessment will be aligned Common Core Standards, English Language Development Standards and Next Generation Science Standards.

The on-site coach, teachers, and consultants will continue to develop the curriculum, align standards to develop pacing guides, lesson design, and create effective formative and summative assessments. Sunnyside's on-site instructional coach will work collaboratively with teachers to create trimester benchmarks in both English Language Arts and Mathematics. Teachers will use the data from these benchmarks to remediate or accelerate their curriculum. Sunnyside teachers are also being coached on weekly student conferring. Sunnyside feels as though this conferring process will give individualized feedback which will make huge academic gains.

Prioritizing Funding

ESSA SECTION 2102(b)(2)(C)

Provide a description of how the LEA will prioritize funds to schools served by the agency that are implementing comprehensive support and improvement activities and targeted support and improvement activities under Section 1111(d) and have the highest percentage of children counted under Section 1124(c).

THIS ESSA PROVISION IS ADDRESSED BELOW:

Sunnyside is a Schoolwide Title I single school district which implements comprehensive support to all students.

Data and Ongoing Consultation to Support Continuous Improvement

ESSA SECTION 2102(b)(2)(D)

Provide a description of how the LEA will use data and ongoing consultation described in Section 2102(b)(3) to continually update and improve activities supported under this part.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Sunnyside administration reviews LCAP program goals and actions to make a plan to see where we are and where we want to go both fiscally and programmatically. This includes analysis of data collected through annual measurable outcomes, formative assessments, surveys, and observations. The district annually monitors the LCAP goals and actions with the School Board, Parents, Site Council, ELAC and staff. We are always looking for areas to improve and how best to spend both LCAP and federal funds. Stakeholder meetings are held regularly, however very attendance is often scant. Administration makes an effort to use parent events such as the Talent Show, Parent Conferences, and Doughnuts for Dads, Muffins for Moms, Graduation events, etc. to listen and learn what the parents and community would like to see. Administrative staff and the business manager regularly communicate to make a fiscal sound budget based on our needs. State and local funding resources are accounted for first and then federal funds are used to supplement using the most current regulations and guidance.

TITLE III, PART A

Title III Professional Development

ESSA SECTION 3115(c)(2)

Describe how the eligible entity will provide effective professional development to classroom teachers, principals and other school leaders, administrators, and other school or community-based organizational personnel.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Integrated and Designed ELD is an integral part of Sunnyside's professional development. The On-Site Coach, along with Tulare County Office of Education consultants will provide support and staff development opportunities to teachers and support staff to help our English learners. Our goal for our English learners is to grow at least language proficiency level and eventually be reclassified.

Last year we had Elizabeth Jimenez Salinas lead a dynamic professional development to all staff members. All her strategies will be reviewed and teachers will be given support on how to best implement these strategies daily. In years past, many of Sunnyside's teaching staff have been trained in ELD standards, ELPAC testing and ELD strategies. The on-site instructional coach will review these strategies and administration will perform daily walk throughs to ensure that they are being properly implemented.

Teachers are also given an opportunity every year to attend the Best Results Conference for English Learners held annually in Fresno, CA. Sunnyside aims for at least 1 teacher per grade level to attend this conference. Title III funds are used to pay for the admission to the conference and the substitute costs for the day. This conference is a one day conference in which we have approximately half of our staff attend. The staff that attends has a huge responsibility to bring back all of the pertinent information. Many staff development days after the conference are spent reviewing information. A plethora of knowledge is gained and shared as a result of attending this conference. After the 2019 conference, many teachers heard Tonya Ward and asked that her book called EL Excellence Every Day: The Flip-to-Guide for Differentiating Academic Literacy and Opening Doors to Equity was purchased for the whole staff as a result of this amazing conference.

Enhanced Instructional Opportunities

ESSA SECTIONS 3115(e)(1) and 3116

Describe how the eligible entity will provide enhanced instructional opportunities for immigrant children and youth.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Sunnyside has approximately 13 immigrant students. These students receive supplemental services such as after-school tutoring, intervention during the school day, and summer school opportunities. The immigrant students are given priority to participate in our supplemental programs. For our immigrant students with the most intensive needs, we provide additional instructional aide support and technology (tablet) which has an electronic translators that they can use to support language development. Immigrant students are placed with teachers/classrooms that best meet their needs.

Title III Programs and Activities

ESSA SECTION 3116(b)(1)

Describe the effective programs and activities, including language instruction educational programs, proposed to be developed, implemented, and administered under the subgrant that will help English learners increase their English language proficiency and meet the challenging State academic standards.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Sunnyside teachers understand the need for both integrated and designated ELD. Designated ELD time is provided to all English learners for a designated time period daily. Integrated ELD occurs throughout the day to give additional support for English Learners to understand the content. The Designated ELD curriculum is designed to support and complement the EL student's core subjects (English Language Arts, Mathematics, Science, or History). This might include frontloading vocabulary or reteaching a lesson for more clarification. Designated ELD program might also include helping students with English language acquisition and English grammar. English learner students are assessed using the ELPAC and this data is used to help teachers best fit each students language needs.

This year in order to supplement our English Learners, all English Learners will be given an opportunity to attend an after school ELD support class intended to support their core curriculum and achieve proficiency in English. After-school tutoring will offered 3 days weekly and be tailored to each student's needs. After school tutoring will include additional assistance in reading, writing, math with the emphasis on increased vocabulary and language development.

English Proficiency and Academic Achievement

ESSA SECTION 3116(b)(2)(A-B)

Describe how the eligible entity will ensure that elementary schools and secondary schools receiving funds under Subpart 1 assist English learners in:

- (A) achieving English proficiency based on the State's English language proficiency assessment under Section 1111(b)(2)(G), consistent with the State's long-term goals, as described in Section 1111(c)(4)(A)(ii); and
- (B) meeting the challenging State academic standards.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Sunnyside strives to have our English learners grow at least 1 level each year on the ELPAC (state language assessment) and achieve proficiency on the state achievement test (CAASPP). Teachers have in the past self-assessed their English learner students as means of progress monitoring. The progress monitoring piece has been a work in progress for the last few years. With the help of our on-site coach, teachers will use an English Learner Progress monitoring tool. This tool will help improve instruction and be beneficial to both the teacher and student. The teachers, with guidance from the on-site instructional coach, will monitor their English learners every trimester by analyzing their ELPAC scores, CAASPP scores, and now this year district benchmark data. This comprehensive analyzing is vital for teachers to make a plan for ELD curriculum planning. This will also help teachers and students to create effective student learning goals. As mentioned previously, weekly conferring will take place with all students, including English Learners, to ensure that they are meeting their learning expectations and goals.

There will also be a need for a Progress Monitoring Tool. There are many progress monitoring tools that Sunnyside is looking into implementing and the on-site instructional coach and administration will finalize the tool prior to September 2019. This progress monitor tool for all English Learners will be updated every trimester after analyzing DRA scores, state assessments and benchmark assessments. This tool will ensure that our English learners are making the necessary gains to meet proficiency in language and also in academics. This monitoring tool will then be shared with the student during their weekly conferring time and with the parents during parent conferences.

TITLE IV, PART A

Title IV, Part A Activities and Programs

ESSA SECTION 4106(e)(1)

Describe the activities and programming that the LEA, or consortium of such agencies, will carry out under Subpart 1, including a description of:

- (A) any partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities under this subpart;
- (B) if applicable, how funds will be used for activities related to supporting well-rounded education under Section 4107;
- (C) if applicable, how funds will be used for activities related to supporting safe and healthy students under Section 4108;
- (D) if applicable, how funds will be used for activities related to supporting the effective use of technology in schools under Section 4109; and
- (E) the program objectives and intended outcomes for activities under Subpart 1, and how the LEA, or consortium of such agencies, will periodically evaluate the effectiveness of the activities carried out under this section based on such objectives and outcomes.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Although, Title IV could be transferred into Title I using federal transferability, however Sunnyside chooses to use Title IV funds primarily for the use of supporting the effective use of technology. Sunnyside will continue to purchase, improve, and maintain technology. The district will also continue to provide a full-time technology technician to support technology and provide assistance with technology to both students and staff.

The technology technician has been a key player in the implementation and developing of our schools communication app (APTEGY) to provide parents and staff more current up-to-date information on attendance, school events (calendar), and provide resources to all stakeholders. In addition, this year, we will be utilizing a new Student Scanning Software to better monitor student attendance and behavior. Both of these new technological advances would not be possible without the expertise of a technology technician.

Sunnyside regularly evaluates the effectiveness of all LCAP action and goals. Sunnyside administration, Sunnyside School Board, School Site Council, ELAC members and other Stakeholders give guidance on how to best spend all LCAP and Federal Funds. The need for current up-to-date running technology is imperative to creating a successful 21st century learners.

2019-20 Certification of Assurances

Submission of Certification of Assurances is required every fiscal year. A complete list of legal and program assurances for the fiscal year can be found at <https://www.cde.ca.gov/fg/aa/co/ca19assurancetoc.asp>.

CDE Program Contact:

Consolidated Application Support Desk, Education Data Office, conappsupport@cde.ca.gov, 916-319-0297

Consolidated Application Certification Statement

I hereby certify that all of the applicable state and federal rules and regulations will be observed by this applicant; that to the best of my knowledge the information contained in this application is correct and complete; and I agree to participate in the monitoring process regarding the use of these funds according to the standards and criteria set forth by the California Department of Education Federal Program Monitoring (FPM) Office. Legal assurances for all programs are accepted as the basic legal condition for the operation of selected projects and programs and copies of assurances are retained on site. I certify that we accept all assurances except for those for which a waiver has been obtained or requested. A copy of all waivers or requests is on file. I certify that actual ink signatures for this form are on file.

Authorized Representative's Full Name	Steve Tsuboi
Authorized Representative's Signature	
Authorized Representative's Title	Superintendent/Principal
Authorized Representative's Signature Date	06/25/2019

*****Warning*****

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

2019-20 Protected Prayer Certification

ESSA Section 8524 specifies federal requirements regarding constitutionally protected prayer in public elementary and secondary schools. This form meets the annual requirement and provides written certification.

CDE Program Contact:

Franco Rozic, Title I Monitoring and Support Office, frozic@cde.ca.gov, 916-319-0269

Protected Prayer Certification Statement

The LEA hereby assures and certifies to the California State Board of Education that the LEA has no policy that prevents, or otherwise denies participation in, constitutionally protected prayer in public schools as set forth in the "Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools."

The LEA hereby assures that this page has been printed and contains an ink signature. The ink signature copy shall be made available to the California Department of Education upon request or as part of an audit, a compliance review, or a complaint investigation.

The authorized representative agrees to the above statement	Yes
Authorized Representative's Full Name	Steve Tsuboi
Authorized Representative's Title	Superintendent/Principal
Authorized Representative's Signature Date	06/25/2019
Comment If the LEA is not able to certify at this time, then an explanation must be provided in the Comment field. (Maximum 500 characters)	

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2019-20 Application for Funding**CDE Program Contact:**Consolidated Application Support Desk, Education Data Office, conappsupport@cde.ca.gov, 916-319-0297**Local Governing Board Approval**

The local educational agency (LEA) is required to review and receive approval of their Application for Funding selections with their local governing board.

Date of approval by local governing board	06/25/2019
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District English Learner Advisory Committee Review

Per Title 5 of the California Code of Regulations Section 11308, if your LEA has more than 50 English learners, then the LEA must establish a District English Learner Advisory Committee (DELAC) which shall review and advise on the development of the application for funding programs that serve English learners.

DELAC representative's full name (non-LEA employee)	Ana Arciga
DELAC review date	06/05/2019
Meeting minutes web address Please enter the web address of DELAC review meeting minutes (format http://SomeWebsiteName.xxx). If a web address is not available, then the LEA must keep the minutes on file which indicate that the application was reviewed by the committee.	http://www.sunnysideunion.com/District/1138-Categorical-Programs.html
DELAC comment If an advisory committee refused to review the application, or if DELAC review is not applicable, enter a comment. (Maximum 500 characters)	

Application for Categorical Programs

To receive specific categorical funds for a school year the LEA must apply for the fund by selecting Yes. Only the categorical funds the LEA is eligible to receive are displayed.

Title I, Part A (Basic Grant) ESSA Sec. 1111 et seq. SACS 3010	Yes
Title II, Part A (Supporting Effective Instruction) ESEA Sec. 2104 SACS 4035	Yes
Title III English Learner ESEA Sec. 3102 SACS 4203	Yes
Title III Immigrant ESEA Sec. 3102 SACS 4201	Yes

*****Warning*****

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2019-20 Application for Funding**CDE Program Contact:**Consolidated Application Support Desk, Education Data Office, conappsupport@cde.ca.gov, 916-319-0297

Title IV, Part A (Student Support) ESSA Sec. 1112(b) SACS 4127	Yes
Title V, Part B Subpart 1 Small, Rural School Achievement Grant ESSA Sec. 5211 SACS 5810	No
Title V, Part B Subpart 2 Rural and Low-Income Grant ESSA Sec. 5221 SACS 4126	No

*****Warning*****

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2019-20 Title III English Learner Student Program Subgrant Budget

The purpose of this form is to provide a proposed budget for 2019-20 English learner (EL) Student Program Subgrant funds only per the Title III English Learner Students Program requirements (ESSA, Sections 3114, 3115, & 3116).

CDE Program Contact:

Geoffrey Ndirangu, Language Policy and Leadership Office, gndirang@cde.ca.gov, 916-323-5831
Kevin Webb, Language Policy and Leadership Office, kwebb@cde.ca.gov, 916-323-5838

Estimated Entitlement Calculation

Estimated English learner per student allocation	\$107.75
Estimated English learner student count	172
Estimated English learner entitlement amount	\$18,533

Note: \$10,000 minimum program eligibility criteria

If the LEA's estimated entitlement amount is less than \$10,000, then it does not meet the minimum program eligibility criteria for direct funding status and requires further action. To receive instructions regarding the consortium application process, please go to the CDE Title III EL Consortium Details web page at <https://www.cde.ca.gov/sp/el/t3/elconsortium.asp>.

Budget

Professional development activities	\$2,000
Program and other authorized activities	\$5,000
English Proficiency and Academic Achievement	\$9,696
Parent, family, and community engagement	\$1,000
Direct administrative costs (Amount cannot exceed 2% of the estimated entitlement)	\$337
Indirect costs (LEA can apply its approved indirect rate to the portion of the subgrant that is not reserved for direct administrative costs)	\$500
Total budget	\$18,533

*****Warning*****

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2019-20 Title III Immigrant Student Program Subgrant Budget

The purpose of this form is to provide a proposed budget for 2019-20 Immigrant Student Program Subgrant funds only per the Title III Immigrant Student Program requirements (ESSA, Sections 3114, 3115, & 3116).

CDE Program Contact:

Geoffrey Ndirangu, Language Policy and Leadership Office, gndirang@cde.ca.gov, 916-323-5831
Kevin Webb, Language Policy and Leadership Office, kwebb@cde.ca.gov, 916-323-5838

Estimated Entitlement Calculation

Estimated immigrant per student allocation	\$97.90
Estimated immigrant student count	13
Estimated immigrant entitlement amount	\$1,273

Note: Eligibility criteria

An LEA which has 21 or more eligible immigrant students and has experienced a significant increase of two percent or more in eligible immigrant students enrollment in the current year compared with the average of the two preceding fiscal years, is eligible to apply.

Budget

Authorized activities	\$1,148
Direct administrative costs (Amount should not exceed 2% of the estimated entitlement)	\$25
Indirect costs (LEA can apply its approved indirect rate to the portion of the subgrant that is not reserved for direct administrative costs)	\$100
Total budget	\$1,273

*****Warning*****

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Budget Carryover Request Form

Sunnyside Union School

Student Awards

Request to Carry Over Excess Ending Balances for the Fiscal Year: 2018-2019

- I. The following organization requests approval to carry over an amount in excess of the district's 20 percent limit.

Club/Organization: Student Awards

Club Advisor: Steve Tsuboi Date: June 25, 2019

- II. Calculation of Excess Carryover

a. Total estimated annual revenues:	<u>\$1,620.35</u>
b. 20 percent of annual revenue:	<u>\$ 324.07</u>
c. Amount of carryover requested:	<u>\$1,145.02</u>
d. Excess carryover (B minus C):	<u>\$ 820.95</u>

- III. Explanation Provide an explanation of the need to carry over amounts in excess of the 20 percent limit. Indicate the manner in which student approval was obtained, and when the club will use the excess funds.

The account was created to help raise revenue for money awards. The money awards go to the Strathmore High for the Emerson Scholarship Awards for graduates who attended Sunnyside School and Sunnyside's 8th Grade Graduates.

The following reasons make it necessary for the Student Award's account to have a large carry over:

- 1) Guarantees us having enough money to carry over for the New Year money awards (Paid out \$1,000.00 in money awards, and received a donation of \$100.00).
- 2) Donation assistance will not always be available (last year's 17-18 donation was \$300).
- 3) Would like to increase the Emerson Scholarship Award as year's progress.
- 4) Continue to assist 8th Grade graduates with money awards that exceed donated dollar amounts.

Report prepared by club representative: _____

Jeannette Torres-Marquez, Admin Asst. Date

Report reviewed by club advisor: _____

Steve Tsuboi, Superintendent/Principal Date

Approved by school superintendent/principal: _____

Jody Gunderman, Principal Date

Approved by district business office: _____

Candy Alari, Business Manager Date

Presented and recorded at Board Meeting: _____

Humberto Quezada, Board Clerk Date

(Date)

**CALIFORNIA DEPARTMENT OF EDUCATION**

1430 N Street

Sacramento, CA 95814-5901

F.Y. 19 - 20**LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES****DATE:** July 01, 2019**CONTRACT NUMBER:** CSPP-9656**PROGRAM TYPE:** CALIFORNIA STATE
PRESCHOOL PROGRAM**PROJECT NUMBER:** 54-7218-00-9**CONTRACTOR'S NAME:** SUNNYSIDE UNION ELEMENTARY SCHOOL DISTRICT

This Agreement is entered into between the State Agency and the Contractor named above. The Contractor agrees to comply with the CONTINUED FUNDING APPLICATION FY 19-20, the GENERAL TERMS AND CONDITIONS* (GTC 04/2017), the STATE PRESCHOOL PROGRAM REQUIREMENTS*, and the FUNDING TERMS AND CONDITIONS* (FT&C), which are by this reference made a part of the Agreement. Where the GTC 04/2017 conflicts with either the Program Requirements or the FT&C, the Program Requirements or the FT&C will prevail.

Funding of this Agreement is contingent upon appropriation and availability of sufficient funds. This Agreement may be terminated immediately by the State if funds are not appropriated or available in amounts sufficient to fund the State's obligations under this Agreement.

The period of performance for this Agreement is July 01, 2019 through June 30, 2020. For satisfactory performance of the required services, the Contractor shall be reimbursed in accordance with the Determination of Reimbursable Amount section of the FT&C, at a rate not to exceed \$48.28 per child day of full time enrollment and a Maximum Reimbursable Amount (MRA) of \$209,957.00.

Service Requirements

Minimum Child Days of Enrollment (CDE) Requirement 4,349.0

Minimum Days of Operation (MDO) Requirement 180

Any provision of this Agreement found to be in violation of Federal or State statute or regulation shall be invalid, but such a finding shall not affect the remaining provisions of this Agreement.

Items shown with an asterisk (*) can be viewed at <https://www.cde.ca.gov/fg/aa/cd/ftc2019.asp>

STATE OF CALIFORNIA		CONTRACTOR			
BY (AUTHORIZED SIGNATURE)		BY (AUTHORIZED SIGNATURE)			
PRINTED NAME OF PERSON SIGNING Jaymi Brown,		PRINTED NAME AND TITLE OF PERSON SIGNING Steve Tsuboi, Superintendent-Principal			
TITLE Contract Manager		ADDRESS 21644 Avenue 196, Strathmore CA 93267			
AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 209,957	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs		FUND TITLE General		Department of General Services use only
PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT \$ 0	(OPTIONAL USE) 0656 23038-7218				
TOTAL AMOUNT ENCUMBERED TO DATE \$ 209,957	ITEM 30.10.010. 6100-196-0001	CHAPTER B/A	STATUTE 2019	FISCAL YEAR 2019-2020	
OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-6105 Rev-8590					
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.		T.B.A. NO.		B.R. NO.	
SIGNATURE OF ACCOUNTING OFFICER		DATE			

CCC 04/2017

CERTIFICATION

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective Contractor to the clause(s) listed below. This certification is made under the laws of the State of California.

<i>Contractor/Bidder Firm Name (Printed)</i> Sunnyside Union Elementary School District		<i>Federal ID Number</i> 77-0565330
<i>By (Authorized Signature)</i> 		
<i>Printed Name and Title of Person Signing</i> Steve Tsuboi, Superintendent-Principal		
<i>Date Executed</i> June 25, 2019	<i>Executed in the County of</i> Tulare County	

CONTRACTOR CERTIFICATION CLAUSES

1. STATEMENT OF COMPLIANCE: Contractor has, unless exempted, complied with the nondiscrimination program requirements. (Gov. Code §12990 (a-f) and CCR, Title 2, Section 11102) (Not applicable to public entities.)

2. DRUG-FREE WORKPLACE REQUIREMENTS: Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:

a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.

b. Establish a Drug-Free Awareness Program to inform employees about:

- 1) the dangers of drug abuse in the workplace;
- 2) the person's or organization's policy of maintaining a drug-free workplace;
- 3) any available counseling, rehabilitation and employee assistance programs; and,
- 4) penalties that may be imposed upon employees for drug abuse violations.

c. Every employee who works on the proposed Agreement will:

- 1) receive a copy of the company's drug-free workplace policy statement; and,
- 2) agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and Contractor may be ineligible for award of any future State agreements if the department determines that any of the following has occurred: the Contractor has made false certification, or violated the

certification by failing to carry out the requirements as noted above. (Gov. Code §8350 et seq.)

3. NATIONAL LABOR RELATIONS BOARD CERTIFICATION: Contractor certifies that no more than one (1) final unappealable finding of contempt of court by a Federal court has been issued against Contractor within the immediately preceding two-year period because of Contractor's failure to comply with an order of a Federal court, which orders Contractor to comply with an order of the National Labor Relations Board. (Pub. Contract Code §10296) (Not applicable to public entities.)

4. CONTRACTS FOR LEGAL SERVICES \$50,000 OR MORE- PRO BONO REQUIREMENT: Contractor hereby certifies that Contractor will comply with the requirements of Section 6072 of the Business and Professions Code, effective January 1, 2003.

Contractor agrees to make a good faith effort to provide a minimum number of hours of pro bono legal services during each year of the contract equal to the lessor of 30 multiplied by the number of full time attorneys in the firm's offices in the State, with the number of hours prorated on an actual day basis for any contract period of less than a full year or 10% of its contract with the State.

Failure to make a good faith effort may be cause for non-renewal of a state contract for legal services, and may be taken into account when determining the award of future contracts with the State for legal services.

5. EXPATRIATE CORPORATIONS: Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of Public Contract Code Section 10286 and 10286.1, and is eligible to contract with the State of California.

6. SWEATFREE CODE OF CONDUCT:

a. All Contractors contracting for the procurement or laundering of apparel, garments or corresponding accessories, or the procurement of equipment, materials, or supplies, other than procurement related to a public works contract, declare under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the state pursuant to the contract have been laundered or produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. The contractor further declares under penalty of perjury that they adhere to the Sweatfree Code of Conduct as set forth on the California Department of Industrial Relations website located at www.dir.ca.gov, and Public Contract Code Section 6108.

b. The contractor agrees to cooperate fully in providing reasonable access to the contractor's records, documents, agents or employees, or premises if reasonably required by authorized officials of the contracting agency, the Department of Industrial Relations, or the Department of Justice to determine the contractor's compliance with the requirements under paragraph (a).

7. DOMESTIC PARTNERS: For contracts of \$100,000 or more, Contractor certifies that Contractor is in compliance with Public Contract Code section 10295.3.

8. GENDER IDENTITY: For contracts of \$100,000 or more, Contractor certifies that Contractor is in compliance with Public Contract Code section 10295.35.

DOING BUSINESS WITH THE STATE OF CALIFORNIA

The following laws apply to persons or entities doing business with the State of California.

1. CONFLICT OF INTEREST: Contractor needs to be aware of the following provisions regarding current or former state employees. If Contractor has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.

Current State Employees (Pub. Contract Code §10410):

1). No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.

2). No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (Pub. Contract Code §10411):

1). For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.

2). For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

If Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void. (Pub. Contract Code §10420)

Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (Pub. Contract Code §10430 (e))

2. LABOR CODE/WORKERS' COMPENSATION: Contractor needs to be aware of the provisions which require every employer to be insured against liability for Worker's

Compensation or to undertake self-insurance in accordance with the provisions, and Contractor affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code Section 3700)

3. AMERICANS WITH DISABILITIES ACT: Contractor assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

4. CONTRACTOR NAME CHANGE: An amendment is required to change the Contractor's name as listed on this Agreement. Upon receipt of legal documentation of the name change the State will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.

5. CORPORATE QUALIFICATIONS TO DO BUSINESS IN CALIFORNIA:

a. When agreements are to be performed in the state by corporations, the contracting agencies will be verifying that the contractor is currently qualified to do business in California in order to ensure that all obligations due to the state are fulfilled.

b. "Doing business" is defined in R&TC Section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. Although there are some statutory exceptions to taxation, rarely will a corporate contractor performing within the state not be subject to the franchise tax.

c. Both domestic and foreign corporations (those incorporated outside of California) must be in good standing in order to be qualified to do business in California. Agencies will determine whether a corporation is in good standing by calling the Office of the Secretary of State.

6. RESOLUTION: A county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.

7. AIR OR WATER POLLUTION VIOLATION: Under the State laws, the Contractor shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.

8. PAYEE DATA RECORD FORM STD. 204: This form must be completed by all contractors that are not another state agency or other governmental entity.

CALIFORNIA CIVIL RIGHTS LAWS CERTIFICATION

Pursuant to Public Contract Code section 2010, if a bidder or proposer executes or renews a contract in the amount of \$100,000 or more on or after January 1, 2017, the bidder or proposer hereby certifies compliance with the following:

1. **CALIFORNIA CIVIL RIGHTS LAWS:** For contracts \$100,000 or more, executed or renewed after January 1, 2017, the contractor certifies compliance with the Unruh Civil Rights Act (Section 51 of the Civil Code) and the Fair Employment and Housing Act (Section 12960 of the Government Code); and
2. **EMPLOYER DISCRIMINATORY POLICIES:** For contracts \$100,000 or more, executed or renewed after January 1, 2017, if a Contractor has an internal policy against a sovereign nation or peoples recognized by the United States government, the Contractor certifies that such policies are not used in violation of the Unruh Civil Rights Act (Section 51 of the Civil Code) or the Fair Employment and Housing Act (Section 12960 of the Government Code).

CERTIFICATION

I, the official named below, certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.		<i>Federal ID Number</i>
<i>Proposer/Bidder Firm Name (Printed)</i> Sunnyside Union Elementary School District		77-0565330
<i>By (Authorized Signature)</i>		
<i>Printed Name and Title of Person Signing</i> Steve Tsuboi, Superintendent-Principal		
<i>Date Executed</i> June 25, 2019	<i>Executed in the County and State of</i> Tulare County	

Students

BP 5145.7(a)

Sexual Harassment

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who has experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation.

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy.

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained

Sexual Harassment (continued)

4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

Complaint Process and Disciplinary Actions

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. 5144 - Discipline)

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Sexual Harassment (continued)

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools.

(cf. 3580 - District Records)

*Legal Reference:**EDUCATION CODE*

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

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

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

Legal Reference: (see next page)

Sexual Harassment (continued)

Legal Reference: (continues)

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

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

Q&A on Campus Sexual Misconduct, September 2017

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Sexual Harassment: It's Not Academic, September 2008

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

WEB SITES

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

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

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

(3/12 10/14) 9/16

Students

AR 5145.7(a)

Sexual Harassment

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 and California Education Code 234.1, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The coordinator/compliance officer(s) may be contacted at:

(title or position)

(address)

(telephone number)

(email)

(cf. 1312.3 - Uniform Complaint Procedures)

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity.

Sexual Harassment (continued)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion
12. Electronic communications containing comments, words, or images described above

Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of district policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

Sexual Harassment (continued)**Reporting Process and Complaint Investigation and Resolution**

Any student who believes that he/she has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to his/her teacher, the principal, or any other available school employee. Within one school day of receiving such a report, the school employee shall forward the report to the principal or the district's compliance officer identified in AR 1312.3. In addition, any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report his/her observation to the principal or a district compliance officer. The employee shall take these actions, whether or not the alleged victim files a complaint.

When a report or complaint of sexual harassment involves off-campus conduct, the principal shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If he/she determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.

When a verbal or informal report of sexual harassment is submitted, the principal or compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with the district's uniform complaint procedures. Regardless of whether a formal complaint is filed, the principal or compliance officer shall take steps to investigate the allegations and, if sexual harassment is found, shall take prompt action to stop it, prevent recurrence, and address any continuing effects.

If a complaint of sexual harassment is initially submitted to the principal, he/she shall, within two school days, forward the report to the compliance officer to initiate investigation of the complaint. The compliance officer shall contact the complainant and investigate and resolve the complaint in accordance with law and district procedures specified in AR 1312.3.

In investigating a sexual harassment complaint, evidence of past sexual relationships of the victim shall not be considered, except to the extent that such evidence may relate to the victim's prior relationship with the respondent.

In any case of sexual harassment involving the principal, compliance officer, or any other person to whom the incident would ordinarily be reported or filed, the report may instead be submitted to the Superintendent or designee who shall determine who will investigate the complaint.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Sexual Harassment (continued)**Confidentiality**

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

However, when a complainant or victim of sexual harassment notifies the district of the harassment but requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the harassment or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

When a complainant or victim of sexual harassment notifies the district of the harassment but requests that the district not pursue an investigation, the district will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)

Response Pending Investigation

When an incident of sexual harassment is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary pending the results of the investigation. The principal/designee or compliance officer shall take immediate measures necessary to stop the harassment and protect students and/or ensure their access to the educational program. To the extent possible, such interim measures shall not disadvantage the complainant or victim of the alleged harassment. Interim measures may include placing the individuals involved in separate classes or transferring a student to a class taught by a different teacher, in accordance with law and Board policy. The school should notify the individual who was harassed of his/her options to avoid contact with the alleged harasser and allow the complainant to change academic and extracurricular arrangements as appropriate. The school should also ensure that the complainant is aware of the resources and assistance, such as counseling, that are available to him/her. As appropriate, such actions shall be considered even when a student chooses to not file a formal complaint or the sexual harassment occurs off school grounds or outside school-sponsored or school-related programs or activities.

Notifications

A copy of the district's sexual harassment policy and regulation shall:

Sexual Harassment (continued)

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

(cf. 5145.6 - Parental Notifications)

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)

A copy of the district's sexual harassment policy and regulation shall be posted on district and school web sites and, when available, on district-supported social media.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)

4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)

5. Be included in the student handbook

6. Be provided to employees and employee organizations

(10/14 7/15) 9/16

Board Bylaws

BB 9000(a)

Role Of The Board

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

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

2. Establishing an effective and efficient organizational structure for the district by:

- a. Employing the Superintendent and setting policy for hiring of other personnel

(cf. 2110 - Superintendent Responsibilities and Duties)

(cf. 2120 - Superintendent Recruitment and Selection)

(cf. 2121 - Superintendent's Contract)

(cf. 4000 - Concepts and Roles)

(cf. 4111/4211/4311 - Recruitment and Selection)

- b. Overseeing the development and adoption of policies

(cf. 9310 - Board Policies)

- c. Establishing academic expectations and adopting the curriculum and instructional materials

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

- d. Establishing budget priorities and adopting the budget

(cf. 3000 - Concepts and Roles)

(cf. 3100 - Budget)

(cf. 3312 - Contracts)

Role Of The Board (continued)

- e. Providing safe, adequate facilities that support the district's instructional program

(cf. 3517 - Facilities Inspection)
(cf. 7110 - Facilities Master Plan)
(cf. 7150 - Site Selection and Development)
(cf. 7210 - Facilities Financing)

- f. Setting parameters for negotiations with employee organizations and ratifying collective bargaining agreements

(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4143/4243 - Negotiations/Consultation)

- 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

(cf. 9005 - Governance Standards)
(cf. 9011 - Disclosure of Confidential/Privileged Information)
(cf. 9200 - Limits of Board Member Authority)
(cf. 9270 - Conflict of Interest)

- 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

(cf. 9240 - Board Training)
(cf. 9400 - Board Self-Evaluation)

- 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

(cf. 2140- Evaluation of the Superintendent)
(cf. 4115 - Evaluation/Supervision)
(cf. 4215 - Evaluation/Supervision)
(cf. 4315 - Evaluation/Supervision)

- b. Monitoring and evaluating the effectiveness of policies

Role Of The Board (continued)

- c. Serving as a judicial (hearing) and appeals body in accordance with law, Board policies, and negotiated agreements

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4117.3 - Personnel Reduction)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4144/4244/4344 - Complaints)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5117 - Interdistrict Attendance)
(cf. 5119 - Students Expelled from Other Districts)
(cf. 5125.3 - Challenging Student Records)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

- d. Monitoring student achievement and program effectiveness and requiring program changes as necessary

(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6190 - Evaluation of the Instructional Program)

- e. Monitoring and adjusting district finances

(cf. 3460 - Financial Reports and Accountability)

- 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

(cf. 0510 - School Accountability Report Card)
(cf. 1100 - Communication with the Public)
(cf. 1112 - Media Relations)
(cf. 1160 - Political Processes)
(cf. 1400 - Relations between Other Governmental Agencies and the Schools)
(cf. 1700 - Relations between Private Industry and the Schools)
(cf. 9010 - Public Statements)

Role Of The Board (continued)

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)

Legal Reference:

EDUCATION CODE

5304 Duties of governing board (re school district elections)
12400-12405 Authority to participate in federal programs
17565-17592 Board duties re property maintenance and control
33319.5 Implementation of authority of local agencies
35000 District name
35010 Control of district; prescription and enforcement of rules
35020-35046 Officers and agents
35100-35351 Governing boards, especially:
35160-35185 Powers and duties
35291 Rules

Management Resources:

CSBA PUBLICATIONS

Professional Governance Standards, November 2000

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

The Key Work of School Boards, 2000

WEB SITES

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

National School Boards Association: <http://www.nsba.org>

(2/97 3/01) 7/06

Bylaw

Adopted: June 25, 2019

SUNNYSIDE UNION ELEMENTARY SCHOOL DISTRICT

Strathmore, California

Board Bylaws

BB 9100(a)

Organization

Each year, the Governing Board shall hold an annual organizational meeting. In any year in which a regular election of district Board members is conducted, the organizational meeting shall be held within a 15-day period beginning from the date upon which a Board member elected at that election takes office. During non-election years, the meeting shall be held within the same 15-day period on the calendar. (Education Code 35143)

The day and time of the annual meeting shall be selected by the Board at its regular meeting held immediately prior to the first day of the 15-day period. On behalf of the Board, the Superintendent shall notify the County Superintendent of Schools of the day and time selected. Within 15 days prior to the date of the annual meeting, the clerk of the Board, with the assistance of the Superintendent, shall notify in writing all Board members and members-elect of the date and time selected for the meeting. (Education Code 35143)

Note: The following items should be modified to reflect district practice. Education Code 35022 requires all boards with five or more members to elect a president. Education Code 35143 requires the election of a clerk and a president for high school, union high school, and joint union high school districts. City boards of education are required to elect only a president or a president and vice president, and all other types of districts are required to elect a clerk. For more information about election of officers, see the section "Election of Officers" below.

At this meeting the Board shall:

1. Elect a president and a clerk and/or vice president from its members
2. Appoint the Superintendent as secretary to the Board
3. Authorize signatures
4. Approve a schedule of regular meetings for the year and a Board governance calendar stating the time when the Board will address important governance matters
5. Designate Board representatives to serve on committees or commissions of the district, other public agencies, or organizations with which the district partners or collaborates

(cf. 9140 - Board Representatives)

6. Review and/or consider resources that define and clarify the Board's governance and leadership roles and responsibilities including, but not limited to, governance standards, meeting protocols, Board rules and bylaws, and other Board development materials

Organization

(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)
(cf. 9230 - Orientation)
(cf. 9240 - Board Training)
(cf. 9320 - Meetings and Notices)
(cf. 9323 - Meeting Conduct)

Election of Officers

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

(cf. 9224 - Oath or Affirmation)

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

Legal Reference:

EDUCATION CODE

5017 Term of office

35143 Annual organizational meeting date, and notice

35145 Public meetings

GOVERNMENT CODE

54953 Meetings to be open and public; attendance

ATTORNEY GENERAL OPINIONS

68 Ops.Cal.Atty.Gen. 65 (1985)

59 Ops.Cal.Atty.Gen. 619, 621-622 (1976)

(9/92) 7/15

Bylaw

Adopted: June 25, 2019

SUNNYSIDE UNION ELEMENTARY SCHOOL DISTRICT

Strathmore, California

Board Bylaws

BB 9121(a)

President

The Governing Board shall elect a president from among its members to provide leadership on behalf of the governance team and the educational community it serves.

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9100 - Organization)

To ensure that Board meetings are conducted in an efficient, transparent, and orderly manner, the president shall:

1. Call such meetings of the Board as he/she may deem necessary, giving notice as required by law

(cf. 9320 - Meetings and Notices)

(cf. 9321 - Closed Session Purposes and Agendas)

2. Consult with the Superintendent or designee on the preparation of Board meeting agendas

(cf. 9322 - Agenda/Meeting Materials)

3. Call the meeting to order at the appointed time and preside over the meeting

4. Announce the business to come before the Board in its proper order

5. Enforce the Board's bylaws related to the conduct of meetings and help ensure compliance with applicable requirements of the Brown Act

6. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference

7. Facilitate the Board's effective deliberation, ensuring that each Board member has an opportunity to participate in the deliberation and that the discussion remains focused

8. Rule on issues of parliamentary procedure

9. Put motions to a vote, and clearly state the results of the vote

(cf. 9323 - Meeting Conduct)

The president shall have the same rights as other members of the Board, including the right to discuss and vote on all matters before the Board.

President (continued)

The president shall perform other duties in accordance with law and Board policy including, but not limited to:

1. Signing all instruments, acts, orders, and resolutions necessary to comply with legal requirements and carry out the will of the Board
2. Working with the Superintendent or designee to ensure that Board members have necessary materials and information
3. Subject to Board approval, appointing and dissolving all committees

(cf. 9130 - Board Committees)

4. In conjunction with the Superintendent or designee, representing the district as the Board's spokesperson in communications with the media

(cf. 1112 - Media Relations)

5. Leading the Board's advocacy efforts to build support within the local community and at the state and national levels

When the president resigns or is absent, the vice president shall perform the president's duties. When both the president and vice president are absent, the clerk shall perform the president's duties.

(cf. 9123 - Clerk)

Legal Reference:

EDUCATION CODE

35022 President of the board

35143 Annual organizational meetings; dates and notice

GOVERNMENT CODE

54950-54963 Ralph M. Brown Act

Legal Reference: (see next page)

President (continued)

Legal Reference: (continues)

Management Resources:

CSBA PUBLICATIONS

Call to Order: A Blueprint for Great Board Meetings, 2015

Board Presidents' Handbook, revised 2002

CSBA Professional Governance Standards, 2000

WEB SITES

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

(9/89 7/03) 7/17

Bylaw

Adopted: June 25, 2019

SUNNYSIDE UNION ELEMENTARY SCHOOL DISTRICT
Strathmore, California

Board Bylaws

BB 9222(a)

Resignation

A member of the Governing Board who wishes to resign from the Board shall file a written resignation with the County Superintendent of Schools. (Education Code 5090)

The resigning Board member shall also notify the Board and give a copy of his/her written resignation to the Board secretary.

The resignation shall become effective when filed with the County Superintendent, except when a deferred effective date is specified in the resignation. A Board member may not defer the effective date of his/her resignation for more than 60 days after he/she files the resignation with the County Superintendent. (Education Code 5090, 5091)

Once filed, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (Education Code 5090)

A Board member who tenders his/her resignation with a deferred effective date shall, until the effective date of the resignation, continue to exercise all the powers of the office, except that he/she shall not have the right to vote for his/her successor in an action taken by the Board to make a provisional appointment. (Education Code 5091, 35178)

(cf. 9223 - Filling Vacancies)

A Board member who resigns shall file, within 30 days of leaving office, a revised Statement of Economic Interest/Form 700 covering the period of time between the closing date of the last statement required to be filed and the date he/she leaves office. (Government Code 87302, 87500)

(cf. 9270 - Conflict of Interest)

Legal Reference:

EDUCATION CODE

5090-5095 Vacancies on the board

35178 Resignation with deferred effective date

GOVERNMENT CODE

1770 Vacancy on the board

87300-87313 Conflict of interest code

87500 Statement of economic interests

Legal Reference: (see next page)

Resignation

Legal Reference: (continues)

Management Resources:

CSBA PUBLICATIONS

Filling a Board Vacancy, rev. December 2010

WEB SITES

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

(7/84 9/89) 5/16

Bylaw

Adopted: June 25, 2019

SNNYSIDE UNION ELEMENTARY SCHOOL DISTRICT

Strathmore, California

Sunnyside Union School District
 21644 Avenue 196
 Strathmore, California 93267
 559-568-1741 www.sunnysideunion.com



TITLE IX REPORT

TEAM OFFERINGS

JUNIOR VARSITY FOOTBALL	JUNIOR VARSITY BOYS BASKETBALL
VARSITY BOYS FOOTBALL	JUNIOR VARSITY GIRLS BASKETBALL
JUNIOR VARSITY GIRLS VOLLEYBALL	VARSITY GIRLS TRACK
VARSITY GIRLS VOLLEYBALL	VARSITY BOYS TRACK
VARSITY BOYS SOCCER	VARSITY BOYS BASEBALL
VARSITY GIRLS SOCCER	VARSITY GIRLS SOFTBALL
VARSITY BOYS BASKETBALL	GIRLS CROSS COUNTRY (ELECTIVE OFFERING)
VARSITY GIRLS BASKETBALL	BOYS CROSS COUNTRY (ELECTIVE OFFERING)

OVERVIEW

The following numbers are based upon an end of year enrollment of 163 students in Fifth-Eighth Grade. This Title IX Report was compiled on June 12, 2019 by Steve Tsuboi, Superintendent-Principal.

GRADE LEVEL & GENDER PARTICIPATION

GENDER	FIFTH	SIXTH	SEVENTH	EIGHTH	TOTAL
MALE	7	9	10	12	38
FEMALE		8	14	12	34
TOTAL FOR GRADE LEVEL	7	17	24	24	72

PERCENTAGE OF PARTICIPANTS

BY GENDER	PARTICIPANTS	PERCENT
FEMALES	34/83	40.96%
MALES	38/80	47.5%

8th GRADE STUDENT GUIDELINES & REQUIREMENTS

(DIPLOMA/CERTIFICATE OF COMPLETION, AWARDS DINNER, END OF YEAR TRIP)

CUMULATIVE GRADE POINT AVERAGE: 2.00 in the following classes

Classes Used in Calculation	Grade Values
<ul style="list-style-type: none">• Language Arts• Mathematics• Social Studies• Science• Physical Education• English Language Development/ELA	A = 4 Points B = 3 Points C = 2 Points D = 1 Point F = 0 Points

DIPLOMA VERSUS CERTIFICATE OF COMPLETION

To receive a **Diploma** a student must meet all of the following conditions:

- (a) Have a cumulative 2.0 Grade Point Average as outlined above.
 - a. As of May 15, 2020
- (b) Pass the United States Constitution Examination with a 70% or higher score

STUDENTS WHO DO NOT MEET THE ABOVE CRITERIA WILL RECEIVE A **CERTIFICATE OF COMPLETION**

EVENT PARTICIPATION - GRADUATION CEREMONY

8th Grade Graduation Ceremony (Must meet all items below to participate in ceremony)

- (a) Must be eligible to receive Diploma as outlined above
- (b) Must meet behavior requirements as outlined below
 - a. Up to and including the day of Graduation
- (c) Must have 90% attendance rate up to and including the day of Graduation
- (d) No "F" in Third Trimester Core Classes
 - a. As of Friday, May 29, 2020

NON GRADUATION CEREMONY PARTICIPANTS ARE:

- (a) Students who meet the diploma requirements, but not the Graduation Ceremony requirements, **will receive** their diploma but not participate in the Ceremony.
- (b) Students who receive a Certificate of Completion may not participate in the Graduation Ceremony.

AWARDS DINNER/END OF YEAR TRIP

To participate in the 8th Grade Awards Dinner/End of Year Trip students must:

- (a) Have a 2.0 Cumulative Grade Point Average as of Friday, May 15, 2020. If either of these celebrations occurs prior to May 15, 2020, the eligibility requirement will be one week (7 days prior) to the event.
- (b) Must currently be in good behavior standing as outlined in the behavior section below.
 - a. Up to and including the day of the event(s)
- (c) Must have 90% attendance at the time of the Awards Dinner/End of Year Tri

BEHAVIOR

1. No more than **THREE (3)** behavior referrals for the school year.
2. A student may not be involved in more than (1) one fight during the school year.
3. A student may not receive more than one (1) off campus suspension during the school year.
4. A student receiving a referral that results in a (5) day suspension may not participate in graduation ceremony/tea.
5. A student may not participate in any of the following activities during their 8th grade year:
 - a. Use or possession of tobacco
 - b. Stealing as delineated in Education Code 48900 (value of \$50 or more)
 - c. Possession or consumption of alcohol at school or a school activity or traveling to and from school or a school activity.
 - d. Possession, or under the influence, of illegal drugs at school or a school activity or traveling to and from school or a school activity
 - e. Vandalism that meets or exceeds \$100 worth of school or personal property
 - f. Any activity that would necessitate a mandatory recommendation for expulsion including possession of a firearm, brandishing a knife, selling a controlled substance, committing or attempting to commit sexual assault or battery, and/or possession of an explosive.
 - g. Possession of any illegal weapons, including facsimile weapons, or dangerous objects of no reasonable use to the student.

PARENTS WILL BE CONSULTED ON UP-TO-DATE STATUS DURING THE FOLLOWING MEETINGS:

- First Trimester Parent Conferences
- End of First Trimester
- Second Trimester Parent Conferences
- End of Second Trimester
- Third Trimester Parent Conferences
- End of School Year (Before Events)

APPEALS: A parent/guardian may appeal to the Governing Board if they feel extenuating, unforeseen circumstances were involved in the event(s)/activities that resulted in their child being removed from any of the above activities. The parent/guardian must make a written request addressed to the Governing Board or designee in writing that outlines their reason for appeal. All appeals must be signed and dated. **Appeals to the Governing Board, for the 2019-2020 school year, will be held on Tuesday, May 26, 2020.**

PARENT MEETING: An annual parent meeting will be held within the first 30 days of the school year to review the above policy. A copy will be given to all 8th grade students at the beginning of each school year.

BOARD APPROVED: **SEPTEMBER 2015**

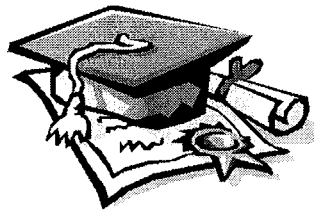
REVISED: **AUGUST 8, 2017**

REVISED: **JULY 16, 2018**

REVISED: **AUGUST 8, 2016**

REVISED: **JULY 9, 2020**

ACKNOWLEDGEMENT OF RECEIPT



By signing below we are acknowledging the criteria and guidelines for 8th grade students to receive a Diploma, and to participate in Graduation Ceremony, Awards Dinner, and 8th Grade End of Year Trip.

Name of Student: _____

Parent/Guardian: _____

Signature of Student: _____

Signature of Parent/Guardian: _____

Date: _____

RETURN THIS PORTION (ACKNOWLEDGEMENT OF RECEIPT) TO THE SCHOOL

PROGRESSIVE DISCIPLINE CHART

CLASSROOM - 3 STEP DISCIPLINE
GENERAL DISCIPLINE AND TIER 1 BEHAVIORS

TRANSITIONAL KINDERGARTEN (WHOLE DAY)
JUNIOR HIGH (3 STRIKES PER PERIOD)

EXAMPLES OF BEHAVIORS (THESE ARE EXAMPLES ONLY AND DO NOT COMPRISE OF ALL POSSIBLE INFRACTIONS)

OFF TASK – NOT FOLLOWING DIRECTIONS GUM CHEWING DISRUPTIVE BEHAVIORS
WILLFUL DISOBEDIENCE REPEATED PROFANITY UNPREPARED

STEP 1	STEP 2	STEP 3
VERBAL WARNING – ATTEMPT TO CORRECT UNWANTED BEHAVIORS	BEHAVIORAL REFLECTION FORM TEACHER CONTACTS PARENT-GUARDIAN BY END OF DAY (PHONE CALL, EMAIL, ETC.)	BEHAVIORAL REFERRAL TO OFFICE

ADMINISTRATIVE DISCIPLINE (OFFICE REFERRAL)						
	First Violation	Second Violation	Third Violation	Fourth Violation	Fifth Violation	FURTHER VIOLATIONS
REFERRED BY -----> WRITE IN NAME						
GENERAL DISCIPLINE AS OUTLINED IN CHART ABOVE	FORMAL WARNING & PARENT CONTACT	DETENTION & COUNSELING & PARENT CONTACT	OPPORTUNITY ROOM or MULTIPLE DAY DETENTION & COUNSELING & PARENT CONFERENCE	MANDATORY PARENT ATTENDANCE IN CLASS & COUNSELING	SUSPENSION 1 FULL DAY & COUNSELING	ONE OF THE FOLLOWING • MULTI-DAY SUSPENSION • BOARD BEHAVIOR MEETING • EXPULSION
COUNSELING	ADMINISTRATION, CLASSROOM TEACHER, SCHOOL PSYCHOLOGIST, LAW ENFORCEMENT, OR OTHER RELATED SCHOOL AUTHORITY					
DEMOGRAPHICS	VERIFIED PARENT CONTACT BY TEACHER	VERIFIED PARENT CONTACT BY ADMINISTRATION	NOTES			
Name:						
Grade:						
Homeroom:						

MAJOR EDUCATION CODE VIOLATIONS ARE DIRECTLY SENT TO OFFICE

MANDATORY RECOMMENDATION - DISCRETIONARY EXPULSION: EDUCATION CODES 48915 (C)

Mandatory Recommendation Discretionary Expulsion (Administration must recommend expulsion unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct. The determination should be made as quickly as possible so the student does not lose instructional time. If expulsion is nevertheless recommended, the board still has the discretion to expel or not.)

1.	Causing serious physical injury to another person, except in self- defense
2.	Possession of any knife or other dangerous object of no reasonable use to the pupil.
3.	Unlawful possession of any controlled substance except for: a. a first offense for the possession of not more than one ounce of marijuana. b. the possession of prescription or over-the-counter medication of the student's own use.
4.	Robbery or extortion
5.	Assault or battery upon any school employee
IN ADDITION TO THE MANDATORY RECOMMENDATION W/DISCRETIONARY EXPULSION, THE FOLLOWING CONSEQUENCES MAY OCCUR:	
<ul style="list-style-type: none">• SUSPENSION ALTERNATIVES• SUSPENSION• EXPULSION• LAW ENFORCEMENT	

MANDATORY EXPULSION: EDUCATION CODES 48915 (C)

MANDATORY EXPULSION	
(Administration must recommend expulsion and if there is proof the student committed the offense, the board must expel).	
DESCRIPTION	
1.	Possession, selling, or otherwise furnishing a firearm, if verified by a school employee. This does not apply if the pupil had the prior written permission of school officials. It also does not apply to the possession of an imitation firearm.

2.	Brandishing a knife.
3.	Unlawfully selling a controlled substance
4.	Committing or attempting to commit a sexual assault or committing a sexual battery.
5.	Possession of an explosive
IN ADDITION TO THE MANDATORY RECOMMENDATION W/DISCRETIONARY EXPULSION, THE FOLLOWING CONSEQUENCES MAY OCCUR: <ul style="list-style-type: none"> • SUSPENSION ALTERNATIVES • SUSPENSION • EXPULSION • LAW ENFORCEMENT 	

EDUCATION CODE VIOLATIONS

DESCRIPTION OF OFFENSE		Code	Suspension Alternatives	Suspension	Expulsion	Law Enforcement
a. (a) (1)	Caused, attempted to cause or threatened to cause physical injury to another person;	48900	X	X	X	X
(a) (2)	Willfully used force or violence on another, except in self-defense					
b.	Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object without written permission	48900	X	X	X	X
c.	Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Health and Safety Code §11053 et. seq., an alcoholic beverage, or an intoxicant of any kind.	48900	X	X	X	X
d.	Unlawfully offered, arranged, or negotiated to sell any listed controlled substance, alcoholic beverage, or an intoxicant of any kind, and then provided an imitation substance instead	48900	X	X	X	X
e.	Robbery or extortion.	48900	X	X	X	X

f.	Caused or attempted to cause damage to school or private property.	48900	X	X	X	X
g.	Stole or attempted to steal school property or private property.	48900	X	X	X	X
h.	Possessed or used tobacco, or any tobacco or nicotine products.	48900	X	X	X	X
i.	Committed an obscene act or engaged in habitual profanity or vulgarity.	48900	X	X	X	X
j.	Unlawfully possessed or unlawfully offered, arranged or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.	48900	X	X	X	X
k.	Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.	48900	X	X	X	X
l.	Knowingly received stolen school property or private property.	48900	X	X	X	X
M.	Possessed an imitation firearm.	48900	X	X	X	X
n.	Committed or attempted to commit a sexual assault as defined in Penal Code section 261, 266c, 286, 288, 288a, or 289, or committed sexual battery as defined in Penal Code section 243.4	48900	X	X	X	X

DESCRIPTION OF OFFENSE		Code	Suspension Alternatives	Suspension	Expulsion	Law Enforcement
o.	Harassed, threatened, or intimidated a pupil who is a witness in a school disciplinary proceeding for the purposes of either preventing the pupil from being a witness or retaliating against that pupil for being a witness, or both	48900	X	X	X	X
p.	Unlawfully offered, arranged to sell or sold the prescription drug Soma.	48900	X	X	X	X
q.	Engage in, or attempted to engage in, hazing.	48900	X	X	X	X
r.	Engaged in an act of bullying	48900	X	X	X	X
s.	Aided or abetted, as defined in Penal Code section 31, the infliction of physical infliction of physical injury to another person (Suspension only, unless convicted of aiding and abetting by the juvenile court.)	48900	X	X	X	X
t.	Made terroristic threats against school officials or school property, or both.	48900	X	X	X	X

STUDENTS IN GRADES 4 THROUGH 12 ONLY

DESCRIPTION OF OFFENSE	Code	Suspension Alternatives	Suspension	Expulsion	Law Enforcement
Committed sexual harassment, as defined in Education Code section 212.5	48900.2	x	x	x	x
Caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in Education Code 233(e).	48900.3	x	x	x	x
Intentionally engaged in harassment, threats or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils in creating an intimidating or hostile environment.	48900.4	x	x	x	x

Attendance: Suspension and expulsion are NOT appropriate measures for a student who is truant, tardy, or otherwise absent from school activities.

Truant [Education Code 48260]. Absent from school without a valid excuse.
Repeat Truant [Education Code 48261].
Habitual Truant [Education Code 48262]. Any student truant three or more times per school year. Students who are habitually truant may be referred to the School Attendance Review Board (SARB) for further action.



SUNNYSIDE UNION SCHOOL DISTRICT

21644 Avenue 196 - Strathmore, California 93267 - (P) 559-568-1741 - www.sunnysideunion.com

AGENDA ITEM SUMMARY SHEET

Agenda Heading

- ☐ Closed Session
- ☐ Acknowledgement and Reports
- ☐ Routine Matters – Consent Calendar
- ☒ Information and Discussion
 - ☐ Business
 - ☐ Maintenance, Operations, and Transportation
 - ☐ Instruction
 - ☒ Board
- ☐ Local Control Accountability Plan
- ☐ Action Items

Agenda Item: XII. E. a. i. through viii. Board Policies for Review (First Reading)

Date: June 25, 2019

Presented By: Steve Tsuboi

Attachments: Yes ☒ No ☐

Summary

The policies, and bylaws listed below need to be reviewed for the next board meeting on July 9, 2019, so that they can be approved at the August 13, 2019, board meeting.

Board Policy BP4030 Nondiscrimination In Employment, Administrative Regulation 4030 Nondiscrimination In Employment, BB5117 Interdistrict Attendance, AR5117 Interdistrict Attendance, BP5145.6 Parental Notification, E5145.6 Parental Notification, BP5148 Child Care and Development, AR5148 Child Care and Development



Nondiscrimination In Employment

BP 4030

Personnel

Note: The following Board policy and accompanying administrative regulation are mandated pursuant to Government Code 11138 and 2 CCR 11023. The California Fair Employment and Housing Act (FEHA) (Government Code 12900-12996) prohibits districts and district employees from harassing or discriminating against employees and job applicants on the basis of actual or perceived race, color, ancestry, national origin, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, sex, sexual orientation, gender, gender identity, or gender expression. Pursuant to Government Code 12940, these protections apply to employees, job applicants, persons who serve in an unpaid internship or other limited-duration program to gain unpaid work experience, volunteers, and independent contractors.

Note: The same or similar protections are available to employees and job applicants under various provisions of federal law, including Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-7), Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), the Americans with Disabilities Act (42 USC 12101-12213), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), and the Genetic Information Nondiscrimination Act (42 USC 2000ff-2000ff-11).

Note: For policy addressing sexual harassment of and by employees, see BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.

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

(cf. 1240 - Volunteer Assistance)

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

(cf. 4111/4211/4311 - Recruitment and Selection)

Note: 2 CCR 11027.1, as added by Register 2018, No. 20, provides a definition of "national origin" for the purpose of implementing state nondiscrimination laws.

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, color, ancestry, national origin, age, religious creed, marital status, pregnancy, physical or mental disability, medical

condition, genetic information, military and veteran status, sex, sexual orientation, gender, gender identity, gender expression, or association with a person or group with one or more of these actual or perceived characteristics.

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

Note: 2 CCR 11028, as amended by Register 2018, No. 20, prohibits inquiry into an employee's immigration status or discrimination on the basis of such status, unless the district provides clear and convincing evidence that it is required to do so in order to comply with federal immigration law. Districts should consult legal counsel as necessary.

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

Note: The following items illustrate unlawful discriminatory practices as specified in Government Code 12940. Labor Code 1197.5 prohibits the payment of different wage rates to employees for similar work based on sex, race, or ethnicity and prohibits the use of prior salary history by itself to justify any disparity in compensation under the bona fide factor exception.

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

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment

(cf. 4151/4251/4351 - Employee Compensation)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training

3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment

Note: Item #4 below addresses the specific practices prohibited under Government Code 12940 or 2 CCR 11006-11086 in relation to certain protected categories. For example, because "sex" as defined in Government Code 12926 includes pregnancy, childbirth, breastfeeding, or related medical conditions, any of these conditions may be the basis for an employee's sex discrimination claim. As the specific prohibitions are too numerous to list in policy, it is recommended that district legal counsel be consulted when questions arise as to any specific claim.

4. Actions and practices identified as unlawful or discriminatory pursuant to Government

Code 12940 or 2 CCR 11006-11086, such as:

a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status

(cf. 4033 - Lactation Accommodation)

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

b. Religious creed discrimination based on an employee's religious belief or observance, including religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement

(cf. 4119.22/4219.22/4319.22 - Dress and Grooming)

c. Requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

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

(cf. 4032 - Reasonable Accommodation)

Note: Retaliation against complainants or other participants in the grievance procedures is prohibited by Government Code 12940 and 34 CFR 110.34. In addition to the general prohibition against retaliation, Government Code 12940 provides that an employee who requests accommodation for a physical or mental disability or religious belief is protected from retaliation as specified below. CSBA recommends that this protection be extended to all protected characteristics, as provided below.

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

***Note: Pursuant to Government Code 12964.5, as added by SB 1300 (Ch. 955, Statutes of 2018), the district is prohibited from requiring an employee, in exchange for a raise or bonus or

as a condition of employment or continued employment, to sign a nondisparagement agreement or similar document that would deny the employee the right to disclose information about unlawful acts in the workplace or requiring an employee to release the right to file a claim or civil action against the district.***

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign any document that releases the employee's right to file a claim against the district or to disclose information about harassment or other unlawful employment practices. (Government Code 12964.5)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Note: Pursuant to 2 CCR 11019, in certain instances, an employee's (especially a supervisor's) knowledge or notice of prohibited conduct of another employee or individual may subject the district to liability. Therefore, it is recommended that the district require its employees with knowledge of harassment or discrimination to report the incident to the appropriate district authorities. In addition, Government Code 12940, as amended by SB 1300, provides that a district may be responsible for harassment of employees by nonemployees where the district knows or should have known of the conduct and failed to take immediate and corrective action, taking into consideration the extent of the district's control and other legal responsibility that the district may have with respect to the conduct of those nonemployees. Also see BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.

Note: See the accompanying administrative regulation for requirements related to the identification of the employee who will be responsible for compliance with the nondiscrimination laws.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, including harassment of an employee by a nonemployee, shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who reports such incidents from retaliation.

Note: Government Code 12940 and 2 CCR 11023 require districts to take all reasonable steps to prevent prohibited discrimination and harassment, including, but not limited to, dissemination of the district's policy on the prevention of harassment, discrimination, and retaliation. In addition, Government Code 12950 requires districts to post, in prominent and accessible locations on district premises, posters developed by the California Department of Fair Employment and Housing (DFEH), which are available on DFEH's web site. For further information on prevention strategies, see the accompanying administrative regulation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy, including providing training and information to employees about how

to recognize harassment, discrimination, or other related conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

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

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

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act, especially:

12940-12952 Unlawful employment practices

12960-12976 Unlawful employment practices; complaints

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

11006-11086 Discrimination in employment, especially:

11013 Recordkeeping

11019 Terms, conditions and privileges of employment

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

11027-11028 National origin and ancestry discrimination

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended

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

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age discrimination in federally assisted programs
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 34
100.6 Compliance information
104.7 Designation of responsible employee for Section 504
104.8 Notice
106.8 Designation of responsible employee and adoption of grievance procedures
106.9 Dissemination of policy
110.1-110.39 Nondiscrimination on the basis of age
COURT DECISIONS
Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863
Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

Management Resources:

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS
California Law Prohibits Workplace Discrimination and Harassment
Transgender Rights in the Workplace
Workplace Harassment Guide for California Employers
Your Rights and Obligations as a Pregnant Employee
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Notice of Non-Discrimination, August 2010
U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS
EEOC Compliance Manual
Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors,
June 1999

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>
U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

Nondiscrimination In Employment

AR 4030

Personnel

Note: Pursuant to Government Code 11138 and 2 CCR 11023, districts are mandated to adopt rules and regulations to ensure that district programs and activities are free from unlawful discriminatory practices. Pursuant to Government Code 12940, protections against discrimination apply to employees, job applicants, persons who serve in an unpaid internship or other limited-duration program to gain unpaid work experience, volunteers, and independent contractors.

All allegations of discrimination in employment, including those involving an employee, job applicant, intern, volunteer, or person contracted to provide services to the district shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

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

(cf. 1240 - Volunteer Assistance)

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

(cf. 4032 - Reasonable Accommodation)

Note: Many nondiscrimination laws and regulations require identification of an employee who will be responsible for compliance with the nondiscrimination laws. For example, pursuant to 34 CFR 104.7, 106.8, and 110.25, the district is required to designate the person(s) responsible for the overall implementation of the requirements of federal laws which prohibit discrimination on the basis of disability, sex, and age, i.e., Section 504 of the Rehabilitation Act of 1973 (29 USC 794), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), and the Age Discrimination in Employment Act (29 USC 621-634). The district should fill in the blanks below to designate the responsible employee and contact information.

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to coordinate the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

(position title)

(address)

(telephone number)

(email)

Measures to Prevent Discrimination

Note: Pursuant to Government Code 12940 and 2 CCR 11023, the district is required to take all reasonable steps to prevent unlawful discrimination and harassment. 2 CCR 11023 specifies certain requirements to be included in the district's policy. The following section reflects the requirements of 2 CCR 11023 and other applicable laws or regulations, as indicated.

To prevent unlawful discrimination, harassment, and retaliation in district employment, the Superintendent or designee shall implement the following measures:

Note: Pursuant to Government Code 12950, districts are required to post the California Department of Fair Employment and Housing's (DFEH) posters entitled California Law Prohibits Workplace Discrimination and Harassment and Transgender Rights in the Workplace, as provided in item #1. DFEH rules require that these materials be posted electronically and in every location where the district has employees (e.g., district office, hiring office, each school site). These posters and the rules for posting are available on the DFEH web site.

Note: In addition, 2 CCR 11049 requires posting a notice of the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave.

1. Display in a prominent and accessible location at every work site where the district has employees and post electronically on computers in a conspicuous location, the California Department of Fair Employment and Housing (DFEH) posters in regard to workplace discrimination and harassment and the rights of transgender employees (Government Code 12950)

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

2. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR 4960; 34 CFR 100.6, 106.9)

a. Including them in each announcement, bulletin, or application form that is used in employee recruitment

b. Posting them in all district schools and offices, including staff lounges and other prominent locations

c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 4111/4211/4311 - Recruitment and Selection)

3. Disseminate the district's nondiscrimination policy to all employees by one or more of the following methods: (2 CCR 11023)

a. Printing and providing a copy of the policy to all employees, with an acknowledgment form for each employee to sign and return

b. Sending the policy via email with an acknowledgment return form

c. Posting the policy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies

d. Discussing the policy with employees upon hire and/or during a new hire orientation session

e. Any other way that ensures employees receive and understand the policy

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

4. Provide to employees a handbook which contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to employees who believe they have been the victim of any discriminatory or harassing behavior

Note: Item #5 below provides for training regarding the district's discrimination policy and reporting procedures. For requirements specifically pertaining to sexual harassment training, see AR 4119.11/4219.11/4319.11 - Sexual Harassment. Pursuant to Government Code 12950.1, if the district has 50 or more employees, it must provide at least two hours of staff development regarding sexual harassment to all supervisory employees within six months of their assumption of a supervisory position and once every two years thereafter. As amended by SB 1343 (Ch. 956, Statutes of 2018), Government Code 12950.1 requires any district that has five or more employees to provide at least two hours of sexual harassment training to supervisory employees and at least one hour of sexual harassment training to all nonsupervisory employees by January 1, 2020 and once every two years thereafter.

5. Provide training to employees, volunteers, and interns regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

Note: Pursuant to Government Code 12950.2, as added by SB 1300 (Ch. 955, Statutes of 2018), districts are authorized, but not required, to provide bystander intervention training as provided below.

The district may also provide bystander intervention training to employees that includes information and practical guidance on how to recognize potentially problematic behaviors and motivates them to take action when they observe such behaviors. The training and education may include exercises to provide employees with the skills and confidence to intervene as appropriate

and to provide them with resources they can call upon that support their intervention.
(Government Code 12950.2)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

6. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law

7. For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce

Complaint Procedure

Note: 2 CCR 11023 mandates that a district's policy include a complaint process with specified requirements. Some of the requirements of 2 CCR 11023 are similar to those required under existing case law.

Note: Courts have held that an employer may mitigate liability for hostile environment employment discrimination when (1) the employer took reasonable care to prevent and promptly correct the discriminatory or harassing conduct (i.e., provided a complaint procedure) and (2) the aggrieved employee unreasonably failed to take advantage of corrective opportunities offered by the employer (i.e., failure to file a complaint). In its June 1999 Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, the Equal Employment Opportunity Commission (EEOC) outlines the elements of an effective complaint procedure to include (1) a clear explanation of the process; (2) protection against retaliation; (3) designation of multiple individuals authorized to receive complaints; (4) a mechanism for prompt, thorough, and impartial investigation; (5) assurance of immediate and appropriate corrective action; and (6) information about time frames for filing charges with EEOC or DFEH.

Note: While EEOC's guidance recommends a "prompt" investigation, neither the law nor EEOC delineates a specific time frame for resolution. EEOC's guidance acknowledges that whether an investigation is considered "prompt" may vary depending on the seriousness and complexity of the circumstances and that intermediate measures may be necessary to prevent further harassment during the investigation.

Note: The following section, including the listed timelines, is consistent with EEOC's guidance and should be modified to reflect district practice.

Any complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. Notice and Receipt of Complaint: A complainant may inform a direct supervisor, another

supervisor, the coordinator, the Superintendent or, if available, a complaint hotline or an ombudsman. The employee's direct supervisor may be bypassed in filing a complaint where the supervisor is the subject of the complaint.

The complainant may file a written complaint in accordance with this procedure or may first attempt to resolve the situation informally with the employee's supervisor.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

2. Investigation Process: The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. The coordinator shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

(cf. 3580 - District Records)

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

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

If the coordinator determines that a detailed fact-finding investigation is necessary, the investigation shall begin immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out the investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator shall also determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents are prevented. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. Written Report on Findings and Remedial/Corrective Action: No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of the findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report shall also include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented. The report shall be presented to the Superintendent or designee.

A summary of the findings shall be presented to the complainant and the person accused.

4. Appeal to the Governing Board: The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 9321 - Closed Session Purposes and Agendas)

Other Remedies

Note: Items #1-3 below state the time limits within which employees must file their complaints. EEOC's guidance states that it is important for employers' nondiscrimination policies to contain information about timeframes for filing charges of unlawful discrimination or harassment with EEOC or DFEH. Employees should be informed that the deadline for filing charges starts to run from the last date of the unlawful act, not from the conclusion of the district's complaint investigation. Pursuant to DFEH procedures, DFEH will automatically forward any complaint it has accepted for investigation to EEOC when the matter falls within EEOC's jurisdiction.

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either DFEH or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

***Note: Pursuant to Government Code 12960, an employee has one year to file a complaint with DFEH, although that period may be extended under certain circumstances, such as when a

person obtains knowledge of the unlawful practice after the expiration of the one-year period.***

1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960

Note: 42 USC 2000e-5 specifies that a person must file a discrimination complaint with EEOC within 180 days of the alleged discriminatory act. Pursuant to 42 USC 2000e-5, the 180-day timeline for compensation discrimination starts when the discriminatory paycheck is received and that each discriminatory paycheck restarts the timeline for the filing of a complaint.

2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)

3. To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

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Interdistrict Attendance

BP 5117

Students

Note: The Education Code provides a number of options under which a district may enroll a student whose parent/guardian does not reside within district boundaries. Under an "interdistrict attendance permit" or "reciprocal agreement" pursuant to Education Code 46600-46610, a student may attend school in a different district when both the district of residence and the district of proposed attendance agree (Option 1 below). Alternatively, pursuant to Education Code 48300-48317, the Governing Board may declare the district to be a "school district of choice" willing to accept a specific number of interdistrict transfers into the district through a random selection process (Option 2 below). In order to maintain the integrity of the random selection process, it is recommended that a school district of choice not also accept transfers under the interdistrict attendance permit option except when extraordinary circumstances exist, as provided in Option 2 below. Districts that wish to use both sources of authority should consult legal counsel.

Note: In addition, pursuant to Education Code 48204, a district may authorize a student whose parent/guardian is employed within district boundaries to attend a school in the district (Allen bill transfer); see AR 5111.1 - District Residency.

The Governing Board recognizes that parents/guardians of students who reside within the geographic boundaries of one district may, for a variety of reasons, desire to enroll their children in a school in another district.

(cf. 5111.1 - District Residency)

(cf. 5116.1 - Intradistrict Open Enrollment)

OPTION 1: Interdistrict Attendance Agreements and Permits

Note: The following section is for use by districts that have entered into an agreement with one or more other districts to accept student transfers through interdistrict attendance permits pursuant to Education Code 46600-46610. Districts selecting this option should also select Option 1 in the accompanying administrative regulation.

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code 46600)

***Note: Education Code 46600 requires that the interdistrict attendance agreement specify the terms and conditions under which individual permits may be granted or denied. In addition, pursuant to Education Code 46600, students who have been granted an interdistrict attendance permit must be allowed to continue to attend the school without having to reapply unless the agreement between the two districts contains specific agreed-upon standards for reapplication;

see the accompanying administrative regulation. Districts also may include in the agreement their agreed-upon standards for revocation of students' interdistrict attendance. Examples of conditions that may result in revocation include falsification of information stated on the permit application, unsatisfactory attendance, continual disruption, or poor academic achievement.***

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed to by both districts for reapplication and/or revocation of the student's permit. (Education Code 46600)

Note: Pursuant to Education Code 46600, it is the responsibility of the superintendent or designee of the district of residence, subject to board policies of the district of residence and terms of the agreement, to issue an individual permit verifying the district's approval of an interdistrict transfer out of the district. The permit shall become valid when endorsed by the board's designee in the district of proposed enrollment.

Note: See the accompanying administrative regulation for procedures to follow when the permit is denied.

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

OPTION 2: School District of Choice Program

Note: The following section is for use by districts that elect to participate in the school district of choice program pursuant to Education Code 48300-48317. Pursuant to Education Code 48301, such a district must register as a school district of choice with the Superintendent of Public Instruction and County Board of Education before enrolling students under this option. Districts selecting this option should also select Option 2 in the accompanying administrative regulation.

The Board has designated the district as a "school district of choice" and shall accept students who reside within other California school districts who wish to attend a district school.

The Board shall, by resolution, annually establish the number of students who will be accepted into the district through this program based on recommendations by the Superintendent or designee as to the number of transfer students the district will be able to accept and the schools, grades, and programs that will be able to accept the students. Once established, the district shall accept all students who apply to transfer into the district until the district is at maximum capacity, as required pursuant to Education Code 48301.

***Note: Education Code 48301 requires a random, unbiased process for selecting students who will be admitted through the school district of choice program and prohibits consideration of certain characteristics and factors in making the selections. Pursuant to Education Code 48301,

family income may only be considered to the extent necessary to determine enrollment priority pursuant to Education Code 48306; see the accompanying administrative regulation.***

Students shall be admitted to district schools through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a student should be enrolled based upon the student's academic or athletic performance, physical condition, proficiency in English, any of the individual characteristics set forth in Education Code 200, or family income. (Education Code 48301)

If the number of transfer applications exceeds the number of transfers the Board has elected to accept, approval for transfer shall be determined by a random drawing held in public at a regularly scheduled Board meeting. (Education Code 48301)

Note: Because the school district of choice program requires a random selection process, it is recommended that participating districts not admit students through the interdistrict attendance permit process described in Option 1 above except under extraordinary circumstances. Such circumstances might include approving interdistrict attendance permits for students who are victims of an act of bullying. Such students are given priority for interdistrict attendance permits pursuant to Education Code 46600; see the accompanying administrative regulation.

Because the district admits students in accordance with the school district of choice program, the Superintendent or designee shall not admit students based on individual interdistrict attendance permits pursuant to Education Code 46600-46610 except under extraordinary circumstances.

The Superintendent or designee shall keep an accounting of all requests for admittance and a record of their disposition, including, but not limited to, all of the following: (Education Code 48313)

1. The number of requests granted, denied, or withdrawn and, for denied requests, the reason for the denial
2. The number of students transferred into and out of the district pursuant to this program
3. The race, ethnicity, gender, self-reported socioeconomic status, eligibility for free or reduced-price meals, and the district of residence for each student transferred into or out of the district pursuant to this program
4. The number of students transferred into or out of the district pursuant to this program who are classified as English learners or students with disabilities

Note: Education Code 48311 authorizes, but does not require, a school district of choice to provide transportation to participating students to the extent that the district provides transportation assistance to other students. See section on "Transportation" below. Item #5 may be deleted by districts that do not provide transportation.

5. As applicable, the number of students described in items #3 and 4 above who are

provided transportation assistance to a district school or program, and the total number of students provided transportation assistance, pursuant to the school district of choice program

The Superintendent or designee shall report to the Board, at a regularly scheduled meeting, the information specified in items #1-5 above. No later than October 15 of each year, the Superintendent or designee shall provide the same information for the current school year, as well as information regarding the district's status as a school district of choice in the upcoming school year, to each geographically adjacent school district, the county office of education, and the Superintendent of Public Instruction. (Education Code 48313)

The district's compliance with specified program requirements shall be reviewed as part of the annual district audit conducted pursuant to Education Code 41020. (Education Code 48301)

(cf. 3460 - Financial Reports and Accountability)

Transportation

Note: The following optional section is for use by all districts and should be revised to reflect district practice. Districts are not required to provide transportation or transportation assistance to students admitted under an interdistrict attendance permit pursuant to Education Code 46600-46610. Pursuant to Education Code 48311, a school district of choice is authorized, but not required, to provide transportation assistance to the extent that the district otherwise provides transportation assistance to students.

The district shall not provide transportation beyond any school attendance area. Upon request of a student's parent/guardian, the Superintendent or designee may authorize transportation for an interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available.

Legal Reference:

EDUCATION CODE

41020 Annual district audits

46600-46610 Interdistrict attendance agreements

48204 Residency requirements for school attendance

48300-48317 Student attendance alternatives, school district of choice program

48900 Grounds for suspension or expulsion; definition of bullying

48915 Expulsion; particular circumstances

48915.1 Expelled individuals; enrollment in another district

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

48985 Notices to parents in language other than English

52317 Regional occupational center/program, enrollment of students, interdistrict attendance

CALIFORNIA CONSTITUTION

Article 1, Section 31 Nondiscrimination on the basis of race, sex, color, ethnicity, or national

origin

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 132 (2004)

84 Ops.Cal.Atty.Gen. 198 (2001)

COURT DECISIONS

Walnut Valley Unified School District v. the Superior Court of Los Angeles County, (2011) 192 Cal.App.4th 234

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

Management Resources:

WEB SITES

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

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

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Interdistrict Attendance

AR 5117

Students

OPTION 1: Interdistrict Attendance Agreements and Permits

Note: The following option is for use by districts that have entered into an agreement with one or more other school districts to accept transfers through the "interdistrict attendance permit" or "reciprocal agreement" process pursuant to Education Code 46600-46610. (See Option 1 in the accompanying Board policy.) In 87 Ops.Cal.Atty.Gen. 132 (2004), the Attorney General opined that districts could not charge students a fee for processing applications for interdistrict attendance.

In accordance with an agreement between the Governing Board and the board of another district, a permit authorizing a student of either district to enroll in the other district may be issued upon approval of both districts.

Note: Pursuant to Education Code 46600.2, as added by AB 2826 (Ch. 550, Statutes of 2018), districts are required to post on their web sites, in a manner accessible to the public without a password, the procedures and timelines regarding a request for an interdistrict transfer permit.

The district shall post on its web site the procedures and timelines for requesting an interdistrict transfer permit, including a link to BP 5117 - Interdistrict Attendance. The posted information shall include, but is not limited to: (Education Code 46600.1, 46600.2)

1. The date upon which the district will begin accepting and processing interdistrict transfer requests for the following school year
2. The reasons for which the district may approve or deny a request, and any information or documents that must be submitted as supporting evidence
3. If applicable, the process and timelines by which a denial of a request may be appealed within the district before the district renders a final decision
4. A statement that failure of a parent/guardian to meet any timelines established by the district shall be deemed an abandonment of the request
5. Applicable timelines for processing a request, including the following statements:
 - a. For an interdistrict transfer request received by the district 15 or fewer calendar days before the commencement of instruction in the school year for which the transfer is sought, the district will notify the parent/guardian of its final decision within 30 calendar days from the date the request was received.

b. For an interdistrict transfer request received by the district more than 15 days before the commencement of instruction in the school year for which the interdistrict transfer is sought, the district will notify the parent/guardian of its final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction in the school year for which transfer is sought.

6. The conditions under which an existing interdistrict transfer permit may be revoked or rescinded

Note: Education Code 46600 requires districts to give priority for interdistrict attendance permits to a student who is a victim of an act of bullying, as provided below. For this purpose, Education Code 48900(r) defines bullying to include, but not be limited to, bullying committed by means of an electronic act directed specifically toward the student; see AR 5144.1 - Suspension and Expulsion/Due Process.

Priority for interdistrict attendance shall be given to a student who has been determined by staff of either the district of residence or district of proposed enrollment to be a victim of an act of bullying, as defined in Education Code 48900(r), committed by a student of the district of residence. (Education Code 46600)

(cf. 5131.2 - Bullying)

In addition, the Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:

Note: Optional items #1-11 below should be revised and/or deleted to reflect district practice.

1. To meet the child care needs of the student, only as long as the student's child care provider remains within district boundaries

(cf. 5148 - Child Care and Development)

2. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel

(cf. 6159 - Individualized Education Program)

3. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance

4. To allow the student to complete a school year when the student's parents/guardians have moved out of the district during that year

5. To allow the student to remain with a class graduating that year from an elementary,

middle, or senior high school

6. To allow a high school senior to attend the same school attended as a junior, even if the student's family moved out of the district during the junior year

7. When the parent/guardian provides written evidence that the family will be moving into the district in the immediate future and would like the student to start the school year in the district

8. When the student will be living out of the district for one year or less

9. When recommended by the school attendance review board or by county child welfare, probation, or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.12 - District School Attendance Review Board)

10. When there is valid interest in a particular educational program not offered in the district of residence

11. To provide a change in school environment for reasons of personal and social adjustment

Note: In 84 Ops.Cal.Atty.Gen. 198 (2001), the Attorney General opined that a lack of school facilities is a justifiable reason for denial of the interdistrict attendance permit request. However, according to the Attorney General, once the student is admitted, the district may not later deny the student continued attendance at a district school because of overcrowding. Although Attorney General opinions are not binding on the courts, they are generally afforded deference in the court when there is no specific statutory or case law to the contrary. The following paragraph is based on this Attorney General opinion.

The Superintendent or designee may deny initial requests for interdistrict attendance permits due to limited district resources, overcrowding of school facilities at the relevant grade level, or other considerations that are not arbitrary. However, once a student is admitted, the district shall not deny continued attendance because of overcrowded facilities at the relevant grade level.

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

Note: Education Code 46600.2, as added by AB 2826, establishes the following timelines for notifying a student's parents/guardians of the district's final decision regarding the interdistrict transfer request.

If the transfer request is for a school year that begins within 15 calendar days of the receipt of the request, the Superintendent or designee shall notify the parent/guardian of the final decision within 30 calendar days of receiving the request. If the transfer request is for a school year that begins more than 15 calendar days after the receipt of the request, the parent/guardian shall be

notified of the final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction during that school year. (Education Code 46600.2)

Note: Education Code 46600.2, as added by AB 2826, requires a district that denies a request for an interdistrict transfer to give written notice to the parent/guardian of the right to appeal to the County Board of Education.

Note: Pursuant to Education Code 46601, parents/guardians may submit their appeal to the County Board within 30 calendar days of the district's final denial of the permit. The County Board then has 30 calendar days, unless extended by an additional five school days for good cause, to make its determination as to whether the student should be allowed to attend the district of proposed enrollment and the applicable period of attendance. However, Education Code 46601 allows a class 1 county (i.e., a county with a 1994-95 average daily attendance (ADA) of 500,000 or more for all districts in the county), until July 1, 2023, 60 calendar days to make its determination.

Note: Pursuant to Education Code 46602, if the County Board determines that the student should be permitted to attend the district of proposed enrollment, the district shall admit the student without delay.

If a student's interdistrict transfer request is denied, the Superintendent or designee shall, in writing, notify the parents/guardians of their right to appeal to the County Board of Education within 30 calendar days from the date of the final denial. (Education Code 46600.2)

(cf. 5145.6 - Parental Notifications)

All notices to parents/guardians regarding the district's decision on any request for interdistrict transfer shall conform to the translation requirements of Education Code 48985, and may be provided by regular mail, electronic format if the parent/guardian provides an email address, or by any other method normally used to communicate with parents/guardians in writing. (Education Code 46600.2)

Pending a decision by the two districts or by the County Board on appeal, the Superintendent or designee may provisionally admit a student who resides in another district for a period not to exceed two school months, provided the district is the district of proposed enrollment. If the decision has not been rendered by the conclusion of two school months and the districts or County Board is still operating within the prescribed timelines, the student shall not be allowed to continue attending the district school to which the student was provisionally admitted. (Education Code 46603)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or rescissions while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

(cf. 5119 - Students Expelled from Other Districts)

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

Once a student is admitted to a school on the basis of an interdistrict attendance permit, the student shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school of enrollment, unless reapplication standards are otherwise specified in the interdistrict attendance agreement. Existing interdistrict attendance permits shall not be rescinded after June 30 following a student's completion of grade 10 or for any student entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

OPTION 2: School District of Choice Program

Note: The following section is for use by districts that elect to participate in the school district of choice program pursuant to Education Code 48300-48317. (See Option 2 in the accompanying Board policy.)

The Superintendent or designee shall communicate with parents/guardians regarding transfer opportunities under the school district of choice program. Communications sent to parents/guardians shall be available in all languages for which translations are required pursuant to Education Code 48985, shall be factually accurate, and shall not target particular neighborhoods or individual parents/guardians on the basis of a child's actual or perceived academic or athletic skill or any other personal characteristic. (Education Code 48301, 48980)

The Superintendent or designee shall also make public announcements regarding district schools, programs, policies, and procedures, including transportation options if applicable, during the enrollment period. (Education Code 48312)

Note: The following optional paragraph reflects Education Code 48302, which encourages districts to hold informational meetings as described below, and may be revised to reflect district practice.

The Superintendent or designee may hold informational meetings on the district's current educational programs, so that parents/guardians can provide input to the district on methods to improve current programs and make informed decisions regarding their children's education. (Education Code 48302)

The process for student transfers into the district under the school district of choice program, including, but not limited to, any applicable form, the timeline for a transfer, and an explanation of the selection process, shall be posted on the district's web site. (Education Code 48301)

(cf. 1113 - District and School Web Sites)

Parents/guardians shall submit applications for interdistrict attendance to the district office before January 1 of the school year preceding the school year for which the student is requesting to be transferred. The application deadline may be waived upon agreement between the district and the student's district of residence. (Education Code 48308)

The application deadline shall not apply to an application requesting a transfer if the

parent/guardian with whom the student resides is enlisted in the military and was relocated by the military within 90 days prior to submitting the application. (Education Code 48308)

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

Note: Pursuant to Education Code 48305, if the district chooses to use existing entrance criteria for specialized schools or programs, then the criteria must be uniformly applied. The following optional paragraph is for use by districts that choose to use existing entrance criteria.

Any existing entrance criteria for specialized schools or programs shall be uniformly applied to all applicants. (Education Code 48305)

The district may deny a transfer into the district under the school district of choice program if the transfer would require the district to create a new program to serve that student, except that the district shall not reject the transfer of a student with disabilities or an English learner. (Education Code 48303)

Whenever the number of transfer applications exceeds the number of interdistrict transfers that may be accepted as annually determined by the Governing Board, students accepted for transfer shall be selected by a random drawing held in public at a regularly scheduled Board meeting before February 15 of the school year preceding the school year for which the transfer is sought. (Education Code 48301)

Priority for transfer under the school district of choice program shall be granted as follows: (Education Code 48306)

1. First priority shall be given to siblings of students already in attendance in the district.
2. Second priority shall be given to students eligible for free or reduced-price meals.

(cf. 3553 - Free and Reduced Price Meals)

3. Third priority shall be given to children of military personnel.

No later than February 15 of the school year preceding the school year for which the student is requesting to be transferred, the Superintendent or designee shall notify the parent/guardian in writing whether the application has been provisionally accepted or rejected or of the student's position on any waiting list. (Education Code 48308)

If a student's application for transfer is accepted, the Superintendent or designee shall so notify the student's district of residence no later than February 15 of the school year preceding the school year for which the student is requesting to be transferred. (Education Code 48308)

The number of students accepted for transfer into the district, by school and grade level, shall be reported to the district of residence on or before February 15. (Education Code 48308)

If a student's application is denied, the Superintendent or designee shall notify the student's parents/guardians that the number of students requesting to transfer exceeded the district's capacity and that the student was not selected during the random drawing. Such determination shall be accurately recorded in the minutes of the Board meeting at which the determination was made. (Education Code 48308)

(cf. 9324 - Minutes and Recordings)

For a student whose parent/guardian was relocated by the military less than 90 days prior to the submission of the application, the district shall make a final decision to accept or reject the application within 90 days of its receipt. If the student's application has been submitted less than 90 days prior to the beginning of the school year, then the district shall accept or deny the application before the school year begins. Upon acceptance, the student may immediately enroll in a district school. (Education Code 48308)

Vacancies may be filled from the waiting list until May 1 of the school year preceding the school year for which students are requesting to be transferred. (Education Code 48308)

The final number of students enrolled in the district through the school district of choice program, by school and grade level, along with the names of the students, shall be reported to the district of residence on or before May 2. (Education Code 48308)

Students admitted through the school district of choice program are deemed to have fulfilled district residency requirements pursuant to Education Code 48204. (Education Code 48301)

(cf. 5111.1 - District Residency)

(cf. 5116.1 - Intradistrict Open Enrollment)

Final acceptance of the transfer is applicable for one school year and shall be renewed automatically each year unless the Board, by adoption of a resolution, withdraws from participation in the program and no longer accepts transfer students from other districts. (Education Code 48308)

Note: The following paragraph may be revised by districts that do not maintain high schools.

Even if the district withdraws from participation in the program, students who attended or received a notice of acceptance into the district before the Board's resolution of withdrawal shall be permitted to attend school in the district, and admitted high school students may continue attending school in the district until they graduate from high school. (Education Code 48307, 48308)

The district may accept any completed coursework, attendance, and other academic progress credited to an accepted student by any district(s) the student has previously attended and may grant academic standing to the student based upon the district's evaluation of the student's

academic progress. (Education Code 48309)

(cf. 6146.3 - Reciprocity of Academic Credit)

The district may revoke a student's enrollment if the student is recommended for expulsion pursuant to Education Code 48918. (Education Code 48309)

Transfers Out of the District

Note: The following optional section is for use by all districts.

A student whose parent/guardian is in active military duty shall not be prohibited from transferring out of the district, provided the school district of proposed enrollment approves the application for transfer. (Education Code 46600, 48307)

The district may limit transfers out of the district to a school district of choice under any of the following circumstances: (Education Code 48307)

Note: Even if a district has not designated itself as a school district of choice, it has the authority pursuant to Education Code 48307 to limit the number of students transferring out of the district into other districts that have designated themselves as school districts of choice. A district with an ADA of more than 50,000 may annually limit the number of such transfers to one percent of its current year estimated ADA. A district with an ADA of 50,000 or less may limit the number of such transfers to three percent of its current estimated ADA and may limit the maximum number of such transfers for the duration of the program to 10 percent of the ADA for that period. In *Walnut Valley Unified School District v. Superior Court of Los Angeles County*, the appellate court held that the 10 percent cap on outbound transfers "for the duration of the program" should be based on the district's ADA over the entire life of the district of choice program (i.e., from the program's inception in 1994 until the present day). The district may revise item #1 to reflect the applicable percentage in Education Code 48307 based on its ADA.

1. The number of student transfers out of the district to a school district of choice has reached the limit specified in Education Code 48307 based on the district's average daily attendance.
2. The County Superintendent of Schools has given the district a negative budget certification or has determined that the district will not meet the state's standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice.

(cf. 3100 - Budget)

***Note: Item #3 is optional and should be revised to reflect district practice. Education Code 48307 authorizes the district to prohibit a transfer out of the district under the school district of choice program if the Board determines that the transfer would negatively impact a court-ordered desegregation plan, a voluntary desegregation plan, or the racial and ethnic balance of the

district. Education Code 48307 provides that denial of transfers on the basis of a voluntary desegregation plan or the racial and ethnic balance of the district must be consistent with the constitutional provisions added by Proposition 209 in 1996 (California Constitution, Article 1, Section 31). It is recommended that districts consult legal counsel before adopting policy to allow denial of transfers on either of these bases.***

3. The Board determines that the transfer would negatively impact any of the following:
(Education Code 48307)

- a. A court-ordered desegregation plan
- b. A voluntary desegregation plan of the district, consistent with the California Constitution, Article 1, Section 31
- c. The racial and ethnic balance of the district, consistent with the California Constitution, Article 1, Section 31

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Parental Notifications

BP 5145.6

Students

The Governing Board desires to promote effective communication between the school and the home and to keep parents/guardians informed regarding educational programs, school operations, and the legal rights of students and their parents/guardians. The Superintendent or designee shall send parents/guardians and students all notifications required by law and any other notifications he/she believes will promote parental understanding and involvement.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5022 - Student and Family Privacy Rights)

(cf. 6020 - Parent Involvement)

Notice of the rights and responsibilities of parents/guardians as specified in Education Code 48980 shall be sent at the beginning of each academic year and may be provided by regular mail, in electronic form when so requested by the parent/guardian, or by any other method normally used by the district for written communication with parents/guardians. (Education Code 48981)

No activity specified in Education Code 48980 shall be undertaken with respect to any particular student unless his/her parent/guardian has been informed of such action through the annual notification or other separate special notification. Such notice shall state the activity that will be undertaken and the approximate date on which the activity will occur. (Education Code 48983-48984)

The annual notification shall include a request that the parent/guardian sign the notice and return it to the school or, if the notice is provided in electronic format, that the parent/guardian submit a signed acknowledgment of receipt of the notice to the school. The parent/guardian's signature is an acknowledgment of receipt of the information but does not indicate that consent to participate in any particular program has been given or withheld. (Education Code 48982)

Note: The following optional paragraph may be revised to reflect district practice.

Whenever a student enrolls in a district school during the school year, his/her parents/guardians shall be given all required parental notifications at that time.

Note: The following paragraph applies to notices required for certain federal programs, including, but not necessarily limited to, Title I notices pursuant to 20 USC 6311 and 6312, notices regarding the rights of parents/guardians of students with disabilities pursuant to 34 CFR 300.503 and 300.504, and notices of the educational rights of homeless students pursuant to 42 USC 11432. The following paragraph may be revised to reflect district practice.

Notifications shall be presented in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians can understand.

Note: Pursuant to Education Code 48985, when 15 percent or more of students enrolled in a school speak a single primary language other than English, all notices and reports sent to the parents/guardians of these students must also be written in the primary language and may be answered by the parent/guardian in either language. Education Code 48985 requires the California Department of Education (CDE) to notify districts, by August 1 of each year, of the schools and the languages for which the translation of notices is required based on census data submitted to the CDE in the preceding fiscal year.

Whenever 15 percent or more of the students enrolled in a district school speak a single primary language other than English, as determined from the California Department of Education census data collected pursuant to Education Code 52164, all notices sent to the parent/guardian of any such student shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language. (Education Code 48981, 48985)

Whenever an employee learns that a student's parent/guardian is unable to understand the district's printed notifications for any reason, he/she shall inform the principal or designee, who shall work with the parent/guardian to establish other appropriate means of communication.

Legal Reference:

EDUCATION CODE

- 221.5 Prohibited sex discrimination
- 231.5 Sexual harassment policy
- 234.7 Student protections relating to immigration and citizenship status
- 262.3 Appeals for discrimination complaints; information regarding availability of civil remedies
- 310 Language acquisition programs
- 313 Reclassification of English learners, parental consultation
- 313.2 Long-term English learner, notification
- 440 English language proficiency assessment; instruction in English language development
- 8483 Before/after school program; enrollment priorities
- 17288 Building standards for university campuses
- 17611.5-17612 Notification of pesticide use
- 32221.5 Insurance for athletic team members
- 32255-32255.6 Right to refuse harmful or destructive use of animals
- 32390 Fingerprint program; contracts; funding; consent of parent/guardian
- 33479.3 The Eric Paredes Sudden Cardiac Arrest Prevention Act
- 35160.5 Extracurricular and cocurricular activities
- 35178.4 Notice of accreditation status
- 35182.5 Advertising in the classroom
- 35183 School dress codes; uniforms
- 35186 Complaints concerning deficiencies in instructional materials and facilities
- 35211 Driver training; district insurance, parent/guardian liability

35256 School Accountability Report Card
35258 School Accountability Report Card
35291 Rules for student discipline
37616 Consultation regarding year-round schedule
39831.5 School bus rider rules and information
44050 Employee codes of conduct, employee interactions with students
44808.5 Permission to leave school grounds
46010.1 Notice regarding excuse to obtain confidential medical services
46014 Regulations regarding absences for religious purposes
46600-46611 Interdistrict attendance agreements
48000 Minimum age of admission
48070.5 Promotion or retention of students
48204 Residency requirements
48205 Absence for personal reasons
48206.3 Students with temporary disabilities; individual instruction; definitions
48207-48208 Students with temporary disabilities in hospitals
48213 Prior notice of exclusion from attendance
48216 Immunization
48260.5 Notice regarding truancy
48262 Need for parent conference regarding truancy
48263 Referral to school attendance review board or probation department
48301 Interdistrict transfers
48350-48361 Open Enrollment Act
48354 Option to transfer from school identified under Open Enrollment Act
48357 Status of application for transfer from school identified under Open Enrollment Act
48412 Certificate of proficiency
48432.3 Voluntary enrollment in continuation education
48432.5 Involuntary transfers of students
48850-48859 Education of foster youth and homeless students
48900.1 Parental attendance required after suspension
48904 Liability of parent/guardian for willful student misconduct
48904.3 Withholding grades, diplomas, or transcripts
48906 Notification of release of student to peace officer
48911 Notification in case of suspension
48911.1 Assignment to supervised suspension classroom
48912 Closed sessions; consideration of suspension
48915.1 Expelled students; enrollment in another district
48916 Readmission procedures
48918 Rules governing expulsion procedures
48929 Transfer of student convicted of violent felony or misdemeanor
48980 Required notification at beginning of term
48980.3 Notification of pesticide use
48981 Time and means of notification
48982 Parent signature acknowledging receipt of notice
48983 Contents of notice
48984 Activities prohibited unless notice given

48985 Notices to parents in language other than English
48987 Child abuse information
49013 Use of uniform complaint procedures for complaints regarding student fees
49063 Notification of parental rights
49067 Student evaluation; student in danger of failing course
49068 Transfer of permanent enrollment and scholarship record
49069 Absolute right to access
49070 Challenging content of student record
49073 Release of directory information
49073.6 Student records, social media
49076 Access to student records
49077 Access to information concerning a student in compliance with court order
49403 Cooperation in control of communicable disease and immunization
49423 Administration of prescribed medication for student
49451 Physical examinations: parent's refusal to consent
49452.5 Screening for scoliosis
49452.7 Information on type 2 diabetes
49452.8 Oral health assessment
49456 Results of vision or hearing test
49471-49472 Insurance
49475 Student athletes; concussions and head injuries
49480 Continuing medication regimen for nonepisodic conditions
49510-49520 Duffy-Moscone Family Nutrition Education and Services Act of 1970
49557.5 Child Hunger Prevention and Fair Treatment Act of 2017; notice of negative balance in meal account
51225.1 Exemption from district graduation requirements
51225.2 Course credits; foster youth, homeless youth, former juvenile court school students and military-connected students
51225.3 Graduation requirements; courses that satisfy college entrance criteria
51229 Course of study for grades 7-12
51513 Personal beliefs; privacy
51938 HIV/AIDS and sexual health instruction
52164 Language census
52164.1 Census-taking methods; determination of primary language; assessment of language skills
52164.3 Reassessment of English learners; notification of results
54444.2 Migrant education programs; parent involvement
56301 Child-find system; policies regarding written notification rights
56321 Special education: proposed assessment plan
56321.5-56321.6 Notice of parent rights pertaining to special education
56329 Written notice of right to findings; independent assessment
56341.1 Development of individualized education program; right to audio record meeting
56341.5 Individualized education program team meetings
56343.5 Individualized education program meetings
56521.1 Behavioral intervention
58501 Alternative schools; notice required prior to establishment

60615 Exemption from state assessment
60641 California Assessment of Student Performance and Progress
69432.9 Submission of grade point average to Cal Grant program

CIVIL CODE

1798.29 District records, breach of security

HEALTH AND SAFETY CODE

1596.857 Right to enter child care facility
104420 Tobacco use prevention
104855 Availability of topical fluoride treatment
116277 Lead testing of school drinking water
120365-120375 Immunizations
120440 Sharing immunization information
124100-124105 Health screening and immunizations

PENAL CODE

626.81 Notice of permission granted to sex offender to volunteer on campus
627.5 Hearing request following denial or revocation of registration

CODE OF REGULATIONS, TITLE 5

852 Exemptions from state assessments
863 Reports of state assessment results
3052 Behavioral intervention
4622 Notification of uniform complaint procedures
4631 Uniform complaint procedures; notification of decision and right to appeal
4702 Student transfer from school identified under Open Enrollment Act
4917 Notification of sexual harassment policy
11303 Reclassification of English learners
11511.5 English language proficiency assessment; test results
11523 Notice of proficiency examinations
18066 Child care policies regarding excused and unexcused absences
18094-18095 Notice of Action; child care services
18114 Notice of delinquent fees; child care services
18118-18119 Notice of Action; child care services

CODE OF REGULATIONS, TITLE 17

2951 Hearing tests
6040 Time period to obtain needed immunizations

UNITED STATES CODE, TITLE 20

1232g Family Educational and Privacy Rights Act
1232h Privacy rights
1415 Procedural safeguards
6311 State plan
6312 Local educational agency plans
6318 Parent and family engagement
7908 Armed forces recruiter access to students

UNITED STATES CODE, TITLE 42

1758 Child nutrition programs
11431-11435 McKinney-Vento Homeless Assistance Act

CODE OF FEDERAL REGULATIONS, TITLE 7

245.5 Eligibility criteria for free and reduced-price meals
245.6a Verification of eligibility for free and reduced-price meals
CODE OF FEDERAL REGULATIONS, TITLE 34
99.7 Student records, annual notification
99.30 Disclosure of personally identifiable information
99.34 Student records, disclosure to other educational agencies
99.37 Disclosure of directory information
104.32 District responsibility to provide free appropriate public education
104.36 Procedural safeguards
104.8 Nondiscrimination
106.9 Dissemination of policy, nondiscrimination on basis of sex
200.48 Teacher qualifications
300.300 Parent consent for special education evaluation
300.322 Parent participation in IEP team meetings
300.502 Independent educational evaluation of student with disability
300.503 Prior written notice regarding identification, evaluation, or placement of student with disability
300.504 Procedural safeguards notice for students with disabilities
300.508 Due process complaint
300.530 Discipline procedures
CODE OF FEDERAL REGULATIONS, TITLE 40
763.84 Asbestos inspections, response actions and post-response actions
763.93 Asbestos management plans

Management Resources:

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017

Civil Rights Compliance and Enforcement -- Nutrition Programs and Services, FNS Instruction 113-1, 2005

WEB SITES

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov>

Parental Notifications

E 5145.6

Students

Cautionary Notice: Government Code 17581.5 releases districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2018 (SB 840, Ch. 29, Statutes of 2018) extends the suspension of these requirements through the 2018-19 fiscal year. As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

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

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

I. Annually

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 222.5
Board Policy/Administrative Regulation #: See BP 5146
Subject: Rights and options for pregnant and parenting students

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 234.7
Board Policy/Administrative Regulation #: See BP 0410
Subject: Right to a free public year 234.7 education regardless of immigration status or religious beliefs

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 310
Board Policy/Administrative Regulation #: See BP 6142.2, See AR 6174
Subject: Information on the district's language acquisition program

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 17611.5, 17612, 48980.3
Board Policy/Administrative Regulation #: See AR 3514.2
Subject: Use of pesticide product, active ingredients, Internet address to access information, and, if district uses certain pesticides, integrated pest management plan

When to Notify: Annually by February 1
Education or Other Legal Code: Education Code 35256, 35258
Board Policy/Administrative Regulation #: See BP 0510
Subject: School Accountability Report Card provided

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 35291, 48980
Board Policy/Administrative Regulation #: See AR 5144, See AR 5144.1
Subject: District and site discipline rules

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 44050
Board Policy/Administrative Regulation #: See BP 4119.21, See BP 4219.21, See BP 4319.21
Subject: Code of conduct addressing employee interactions with students

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 46010.1
Board Policy/Administrative Regulation #: See AR 5113
Subject: Absence for confidential medical services

When to Notify: Beginning of each school year, if district has adopted policy on involuntary transfer of students convicted of certain crimes when victim is enrolled at same school
Education or Other Legal Code: Education Code 48929, 48980
Board Policy/Administrative Regulation #: See BP 5116.2
Subject: District policy authorizing transfer

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980
Board Policy/Administrative Regulation #: See BP 6111
Subject: Schedule of minimum days and student-free staff development days

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 231.5; 5 CCR 4917
Board Policy/Administrative Regulation #: See AR 5145.7
Subject: Copy of sexual harassment policy as related to students

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 32255-32255.6
Board Policy/Administrative Regulation #: See AR 5145.8
Subject: Right to refrain from harmful or destructive use of animals

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 35160.5, 46600-46611, 48204, 48301, 48350-48361
Board Policy/Administrative Regulation #: See BP 5111.1, See AR 5116.1, See AR 5117

Subject: All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process

When to Notify: Beginning of each school year, if Board allows such absence

Education or Other Legal Code: Education Code 48980, 46014

Board Policy/Administrative Regulation #: See AR 5113

Subject: Absence for religious exercise or purposes

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 48205

Board Policy/Administrative Regulation #: See AR 5113, See BP 6154

Subject: Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 48205

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 48206.3, 48207, 48208

Board Policy/Administrative Regulation #: See AR 6183

Subject: Availability of home/hospital instruction for students with temporary disabilities

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 49403

Board Policy/Administrative Regulation #: See BP 5141.31

Subject: School immunization program

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 49423, 49480

Board Policy/Administrative Regulation #: See AR 5141.21

Subject: Administration of prescribed medication

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 49451; 20 USC 1232h

Board Policy/Administrative Regulation #: See AR 5141.3

Subject: Right to refuse consent to physical examination

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 49471, 49472

Board Policy/Administrative Regulation #: See BP 5143

Subject: Availability of insurance

When to Notify: Annually

Education or Other Legal Code: 49013; 5 CCR 4622

Board Policy/Administrative Regulation #: See AR 1312.3

Subject: Uniform complaint procedures, available appeals, civil law remedies

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 49063

Board Policy/Administrative Regulation #: See AR 5125, See AR 5125.3

Subject: Challenge, review and expunging of records

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7

Board Policy/Administrative Regulation #: See AR 5125

Subject: Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37

Board Policy/Administrative Regulation #: See AR 5125.1

Subject: Release of directory information

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 49428

Board Policy/Administrative Regulation #: See None

Subject: How to access mental health services at school and/or in community

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5

Board Policy/Administrative Regulation #: See AR 3553

Subject: Eligibility and application process for free and reduced price meals

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 51513, 20 USC 1232h

Board Policy/Administrative Regulation #: See AR 5022, See BP 6162.8

Subject: Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities; inspection rights and procedures

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 56301

Board Policy/Administrative Regulation #: See BP 6164.4

Subject: Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 58501, 48980

Board Policy/Administrative Regulation #: See AR 6181

Subject: Alternative schools

When to Notify: Beginning of each school year

Education or Other Legal Code: Health and Safety Code 104855

Board Policy/Administrative Regulation #: See AR 5141.6

Subject: Availability of dental fluoride treatment; opportunity to accept or deny treatment

When/Whom to Notify: Annually

Education or Other Legal Code: 5 CCR 852; Education Code 60615

Board Policy/Administrative Regulation #: See AR 6162.51

Subject: Student's participation in state assessments; option to request exemption from testing

When to Notify: Beginning of each school year, if district receives Title I funds

Education or Other Legal Code: 20 USC 6312; 34 CFR 200.48

Board Policy/Administrative Regulation #: See BP 4112.2, See AR 4222

Subject: Right to request information re: professional qualifications of child's teacher and paraprofessional

When to Notify: Beginning of each school year

Education or Other Legal Code: 34 CFR 104.8, 106.9

Board Policy/Administrative Regulation #: See BP 0410, See BP 6178

Subject: Nondiscrimination

When to Notify: Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals

Education or Other Legal Code: 40 CFR 763.84, 40 CFR 763.93

Board Policy/Administrative Regulation #: See AR 3514

Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

When to Notify: Beginning of each school year

Education or Other Legal Code: USDA SP-23-2017

Board Policy/Administrative Regulation #: See AR 3551

Subject: District policy on meal payments

II. At Specific Times During the Student's Academic Career

When to Notify: Beginning in grade 7, at least once prior to course selection and career counseling

Education or Other Legal Code: Education Code 221.5; 48980

Board Policy/Administrative Regulation #: See BP 6164.2

Subject: Course selection and career counseling

When to Notify: Upon a student's enrollment

Education or Other Legal Code: Education Code 310

Board Policy/Administrative Regulation #: See BP 6142.2, See AR 6174

Subject: Information on the district's language acquisition programs

When to Notify: When child first enrolls in a public school, if the school offers a fingerprinting program

Education or Other Legal Code: Education Code 32390, 48980

Board Policy/Administrative Regulation #: See AR 5142.1
Subject: Fingerprinting program

When/Whom to Notify: When participating in driver training courses under the jurisdiction of the district

Education or Other Legal Code: Education Code 35211
Board Policy/Administrative Regulation #: None
Subject: Civil liability, insurance coverage

When to Notify: Upon registration in K-6, if students have not previously been transported

Education or Other Legal Code: Education Code 39831.5
Board Policy/Administrative Regulation #: See AR 3543
Subject: School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops

When to Notify: Beginning of each school year for high school students, if high school is open campus

Education or Other Legal Code: Education Code 44808.5, 48980
Board Policy/Administrative Regulation #: See BP 5112.5
Subject: Open campus

When to Notify: Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement

Education or Other Legal Code: Education Code 48980, 51225.3
Board Policy/Administrative Regulation #: See AR 6146.1
Subject: How each school graduation requirement does or does not satisfy college entrance a-g course criteria; districts CTE courses that satisfy a-g course criteria

When to Notify: Upon a student's enrollment

Education or Other Legal Code: Education Code 49063
Board Policy/Administrative Regulation #: See AR 5125, See AR 5125.3
Subject: Specified rights related to student records

When to Notify: When students enter grade 7

Education or Other Legal Code: Education Code 49452.7
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Specified information on type 2 diabetes

When to Notify: When in kindergarten, or first grade if not previously enrolled in public school

Education or Other Legal Code: Education Code 49452.8
Board Policy/Administrative Regulation #: See AR 5141.32
Subject: Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights

When to Notify: Beginning of each school year for students in grades 9-12

Education or Other Legal Code: Education Code 51229, 48980

Board Policy/Administrative Regulation #: See AR 6143

Subject: College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors

When to Notify: Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year

Education or Other Legal Code: Education Code 51938, 48980

Board Policy/Administrative Regulation #: See AR 6142.1

Subject: Sexual health and HIV prevention education; right to view A/V materials, whether taught by district staff or outside consultants, right to request specific Education Code sections, right to excuse

When to Notify: Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, within 20 working days of start of next school year

Education or Other Legal Code: Education Code 60641; 5 CCR 863

Board Policy/Administrative Regulation #: See AR 6162.51

Subject: Results of tests; test purpose, individual score and intended use

When/Whom to Notify: By October 15 for students in grade 12

Education or Other Legal Code: Education Code 69432.9

Board Policy/Administrative Regulation #: See AR 5121, See AR 5125

Subject: Forwarding of student's grade point average to Cal Grant program; timeline to opt out

When to Notify: When child is enrolled or reenrolled in a licensed child care center or preschool

Education or Other Legal Code: Health and Safety Code 1596.7996

Board Policy/Administrative Regulation #: See AR 5148

Subject: Information on risks and effects of lead exposure, blood lead testing

When to Notify: When child is enrolled in kindergarten

Education or Other Legal Code: Health and Safety Code 124100, 124105

Board Policy/Administrative Regulation #: See AR 5141.32

Subject: Health screening examination

When to Notify: To students in grades 11-12, early enough to enable registration for fall test

Education or Other Legal Code: 5 CCR 11523

Board Policy/Administrative Regulation #: See AR 6146.2

Subject: Notice of proficiency examination provided under Education Code 48412

When to Notify: To secondary students, if district receives Title I funds

Education or Other Legal Code: 20 USC 7908

Board Policy/Administrative Regulation #: See AR 5125.1

Subject: Request that district not release name, address, phone number of child to military recruiters without prior written consent

III. When Special Circumstances Occur

When to Notify: In the event of a breach of security of district records, security of district records,

Education or Other Legal Code: Civil Code 1798.29

Board Policy/Administrative Regulation #: See BP 3580

Subject: Types of records affected, date of breach, description of incident, contact information for credit reporting agencies

When to Notify: Upon receipt of a complaint alleging discrimination

Education or Other Legal Code: Education Code 262.3

Board Policy/Administrative Regulation #: See AR 1312.3

Subject: Civil law remedies available to complainants

When to Notify: When determining whether an English learner should be reclassified as fluent English proficient

Education or Other Legal Code: Education Code 313; 5 CCR 11303

Board Policy/Administrative Regulation #: See AR 6174

Subject: Description of reclassification process, opportunity for parent/guardian to participate

When to Notify: When Student is identified as English learner and district receives Titles I or Title III funds for English learner programs, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year

Education or Other Legal Code: Education Code 313.2, 440; 20 USC 6312

Board Policy/Administrative Regulation #: See AR 6174

Subject: Reason for classification, level of English proficiency, identification as long-term English learner, description of program(s), option to decline program or choose alternate, option to remove student from program at any time, exit requirements of program

When to Notify: When homeless or foster youth applies for enrollment in before/after school program

Education or Other Legal Code: Education Code 8483

Board Policy/Administrative Regulation #: See AR 5178.2

Subject: Right to priority enrollment how to request priority enrollment

When to Notify: Before high school student attends specialized secondary program on a university campus

Education or Other Legal Code: Education Code 17288

Board Policy/Administrative Regulation #: None

Subject: University campus buildings may not meet Education Code requirements for structural safety

When to Notify: At least 72 hours before use of pesticide product not included in annual list

Education or Other Legal Code: Education Code 17612

Board Policy/Administrative Regulation #: See AR 3514.2

Subject: Intended use of pesticide product

When to Notify: To members of athletic teams
Education or Other Legal Code: Education Code 32221.5
Board Policy/Administrative Regulation #: See AR 5143
Subject: Offer of insurance; no-cost and low-cost program options

When to Notify: Annually to parents/guardians of student athletes before participation in competition
Education or Other Legal Code: Education Code 33479.3
Board Policy/Administrative Regulation #: See AR 6145.2
Subject: Information on sudden cardiac arrest

When to Notify: If school has lost its WASC accreditation status
Education or Other Legal Code: Education Code 35178.4
Board Policy/Administrative Regulation #: See BP 6190
Subject: Loss of status, potential consequences

When/Whom to Notify: When district has contracted for electronic products or services that disseminate advertising
Education or Other Legal Code: Education Code 35182.5
Board Policy/Administrative Regulation #: BP 3312
Subject: Advertising will be used in the classroom or learning center

When to Notify: At least six months before implementing a schoolwide uniform policy
Education or Other Legal Code: Education Code 35183
Board Policy/Administrative Regulation #: See AR 5132
Subject: Dress code policy requiring schoolwide uniform

When to Notify: Before implementing a year-round schedule
Education or Other Legal Code: Education Code 37616
Board Policy/Administrative Regulation #: See BP 6117
Subject: Public hearing on year-round schedule

When to Notify: When interdistrict transfer is requested and not approved or denied within 30 days
Education or Other Legal Code: Education Code 46601
Board Policy/Administrative Regulation #: See AR 5117
Subject: Appeal process

When to Notify: Before early entry to kindergarten, if offered
Education or Other Legal Code: Education Code 48000
Board Policy/Administrative Regulation #: See AR 5111
Subject: Effects, advantages and disadvantages of early entry

When to Notify: When student identified as being at risk of retention
Education or Other Legal Code: Education Code 48070.5
Board Policy/Administrative Regulation #: See AR 5123

Subject: Student at risk of retention

When to Notify: When student excluded due to quarantine, contagious or infectious disease, danger to safety or health

Education or Other Legal Code: Education Code 48213

Board Policy/Administrative Regulation #: See AR 5112.2, See BP 5141.33

Subject: Student has been excluded from school

When to Notify: Before already admitted student is excluded for lack of immunization

Education or Other Legal Code: Education Code 48216; 17 CCR 6040

Board Policy/Administrative Regulation #: See AR 5141.31

Subject: Need to submit evidence of immunization or exemption within 10 school days; referral to medical care

When to Notify: When a student is classified as truant

Education or Other Legal Code: Education Code 48260.5, 48262

Board Policy/Administrative Regulation #: See AR 5113.1

Subject: Truancy, parental obligation, availability of alternative programs, student consequences, need for conference

When to Notify: When a truant is referred to a SARB or probation department

Education or Other Legal Code: Education Code 48263

Board Policy/Administrative Regulation #: See AR 5113.1

Subject: Name and address of SARB or probation department and reason for referral

When/Whom to Notify: When student requests to voluntarily transfer to continuation school

Education or Other Legal Code: Education Code 48432.3

Board Policy/Administrative Regulation #: See AR 6184

Subject: Copy of district policy and regulation on continuation education

When to Notify: Prior to involuntary transfer to continuation school

Education or Other Legal Code: Education Code 48432.5

Board Policy/Administrative Regulation #: See AR 6184

Subject: Right to require meeting prior to involuntary transfer to continuation school

When/Whom to Notify: To person holding educational rights, prior to recommending placement of foster youth outside school of origin

Education or Other Legal Code: Education Code 48853.5

Board Policy/Administrative Regulation #: See AR 6173.1

Subject: Basis for the placement recommendation

When to Notify: When student is removed from class and teacher requires parental attendance at school

Education or Other Legal Code: Education Code 48900.1

Board Policy/Administrative Regulation #: See AR 5144.1

Subject: Parental attendance required; timeline for attendance

When to Notify: Prior to withholding grades, diplomas, or transcripts
Education or Other Legal Code: Education Code 48904
Board Policy/Administrative Regulation #: See AR 5125.2
Subject: Damaged school property

When to Notify: When withholding grades, diplomas or transcripts from transferring student
Education or Other Legal Code: Education Code 48904.3
Board Policy/Administrative Regulation #: See AR 5125.2
Subject: Next school will continue withholding grades, diplomas or transcripts

When to Notify: When student is released to peace officer
Education or Other Legal Code: Education Code 48906
Board Policy/Administrative Regulation #: See BP 5145.11
Subject: Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as victim of suspected child abuse

When to Notify: At time of suspension
Education or Other Legal Code: Education Code 48911
Board Policy/Administrative Regulation #: See BP 5144.1, See AR 5144.1
Subject: Notice of suspension

When to Notify: When original period of suspension is extended
Education or Other Legal Code: Education Code 48911
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Extension of suspension

When to Notify: At the time a student is assigned to a supervised suspension classroom
Education or Other Legal Code: Education Code 48911.1
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: The student's assignment to a supervised suspension classroom

When to Notify: Before holding a closed session re: suspension
Education or Other Legal Code: Education Code 48912
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Intent to hold a closed session re: suspension

When to Notify: When student expelled from another district for certain acts seeks admission
Education or Other Legal Code: Education Code 48915.1, 48918
Board Policy/Administrative Regulation #: See BP 5119
Subject: Hearing re: possible danger presented by expelled student

When to Notify: When readmission is denied
Education or Other Legal Code: Education Code 48916
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Reasons for denial; determination of assigned program

When to Notify: When expulsion occurs
Education or Other Legal Code: Education Code 48916
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Readmission procedures

When to Notify: At least 10 calendar days before expulsion hearing
Education or Other Legal Code: Education Code 48918
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Notice of expulsion hearing

When to Notify: When expulsion or suspension of expulsion occurs
Education or Other Legal Code: Education Code 48918
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Decision to expel; right to appeal to county board; obligation to inform new district of status

When to Notify: Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school
Education or Other Legal Code: Education Code 48929, 48980
Board Policy/Administrative Regulation #: See BP 5116.2
Subject: Right to request a meeting with principal or designee

When to Notify: One month before the scheduled minimum day
Education or Other Legal Code: Education Code 48980
Board Policy/Administrative Regulation #: See BP 6111
Subject: When minimum days are scheduled after the beginning of the school year

When to Notify: When parents/guardians request guidelines for filing complaint of child abuse at a school site
Education or Other Legal Code: Education Code 48987
Board Policy/Administrative Regulation #: See AR 5141.4
Subject: Guidelines for filing complaint of child abuse at a school site with local child protective agencies

When to Notify: When student in danger of failing a course
Education or Other Legal Code: Education Code 49067
Board Policy/Administrative Regulation #: See AR 5121
Subject: Student in danger of failing a course

When to Notify: When student transfers from another district or private school
Education or Other Legal Code: Education Code 49068
Board Policy/Administrative Regulation #: See AR 5125
Subject: Right to receive copy of student's record and to challenge its content

When/Whom to Notify: When parent/guardian's challenge of student record is denied and

parent/guardian appeals

Education or Other Legal Code: Education Code 49070

Board Policy/Administrative Regulation #: See AR 5125.3

Subject: If board sustains allegations, the correction of destruction of record; if denied, right to submit written objection

When/Whom to Notify: When district is considering program to gather safety-related information from students' social media activity

Education or Other Legal Code: Education Code 49073.6

Board Policy/Administrative Regulation #: See BP 5125

Subject: Opportunity for input on proposed program

When/Whom to Notify: When district adopts program to gather information from students' social media activity, and annually thereafter

Education or Other Legal Code: Education Code 49073.6

Board Policy/Administrative Regulation #: AR 5125

Subject: Information is being gathered, access to records, process for removal or corrections, destruction of records

When to Notify: Within 24 hours of release of information to a judge or probation officer

Education or Other Legal Code: Education Code 49076

Board Policy/Administrative Regulation #: See AR 5125

Subject: Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition

When to Notify: Before release of information pursuant to court order or subpoena

Education or Other Legal Code: Education Code 49077

Board Policy/Administrative Regulation #: See AR 5125

Subject: Release of information pursuant to court order or subpoena

When to Notify: When screening results in suspicion that student has scoliosis

Education or Other Legal Code: Education Code 49452.5

Board Policy/Administrative Regulation #: See AR 5141.3

Subject: Scoliosis screening

When to Notify: When test results in discovery of visual or hearing defects

Education or Other Legal Code: Education Code 49456; 17 CCR 2951

Board Policy/Administrative Regulation #: See AR 5141.3

Subject: Vision or hearing test results

When to Notify: Within 10 days of negative balance in meal account

Education or Other Legal Code: Education Code 49557.5

Board Policy/Administrative Regulation #: See AR 3551

Subject: Negative balance in meal account; encouragement to apply for free or reduced price meals

When to Notify: Annually to parents/guardians of student athletes before their first practice or competition

Education or Other Legal Code: Education Code 49475

Board Policy/Administrative Regulation #: See AR 6145.2

Subject: Information on concussions and head injuries

When/Whom to Notify: Within 30 days of foster youth, homeless youth, former juvenile court school student, child of military family, or migrant student being transferred after second year of high school, or immigrant student enrolled in newcomer program in grades 11-12

Education or Other Legal Code: Educational Code 51225.1

Board Policy/Administrative Regulation #: See BP 6146.1, See AR 6173, See AR 6173.1, AR 6173.3, See AR 6175

Subject: Exemption from local graduation requirements, effect on college admission, option for fifth year of high school

When to Notify: Before any test/survey questioning personal beliefs

Education or Other Legal Code: Education Code 51513

Board Policy/Administrative Regulation #: See AR 5022

Subject: Permission for test, survey questioning personal beliefs

When to Notify: At least 14 days before HIV prevention or sexual health instruction, if arrangement made for guest speaker after beginning of school year

Education or Other Legal Code: Education Code 51938

Board Policy/Administrative Regulation #: See AR 6142.1

Subject: Instruction in HIV prevention or sexual health by guest speaker or outside consultant

When to Notify: Prior to administering survey regarding health risks and behaviors to students in 7-12

Education or Other Legal Code: Education Code 51938

Board Policy/Administrative Regulation #: See AR 5022

Subject: Notice that the survey will be administered

When to Notify: Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency

Education or Other Legal Code: Education Code 52164.1, 52164.3; 5 CCR 11511.5

Board Policy/Administrative Regulation #: See AR 6174

Subject: Results of state test of English proficiency

When to Notify: When migrant education program is established

Education or Other Legal Code: Education Code 54444.2

Board Policy/Administrative Regulation #: See BP 6175, See AR 6175

Subject: Parent advisory council membership composition

When to Notify: When child participates in licensed child care and development program

Education or Other Legal Code: Health and Safety Code 1596.857

Board Policy/Administrative Regulation #: See AR 5148

Subject: Parent/guardian right to enter facility

When/Whom to Notify: When district receives Tobacco-Use Prevention Education Funds

Education or Other Legal Code: Health and Safety Code 104420

Board Policy/Administrative Regulation #: See AR 3513.3

Subject: The district's tobacco-free schools policy and enforcement procedures

When to Notify: When testing by community water system finds presence of lead exceeding specified level

Education or Other Legal Code: Health and Safety Code 116277

Board Policy/Administrative Regulation #: See AR 3514

Subject: Elevated lead level at school

When to Notify: When sharing student immunization information with an immunization system

Education or Other Legal Code: Health and Safety Code 120440

Board Policy/Administrative Regulation #: See AR 5125

Subject: Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share

When/Whom to Notify: At least 14 days prior to sex offender coming on campus as volunteer

Education or Other Legal Code: Penal Code 626.81

Board Policy/Administrative Regulation #: See AR 1240, See BP 1250

Subject: Dates and times permission granted; obtaining information from law enforcement

When to Notify: When hearing is requested by person asked to leave school premises

Education or Other Legal Code: Penal Code 627.5

Board Policy/Administrative Regulation #: See AR 3515.2

Subject: Notice of hearing

When/Whom to Notify: When responding to complaint re: discrimination, special education, or noncompliance with law

Education or Other Legal Code: 5 CCR 4631

Board Policy/Administrative Regulation #: See AR 1312.3

Subject: Findings, disposition of complaint, any corrective actions, appeal rights and procedures

When to Notify: When child participates in licensed child care and development program

Education or Other Legal Code: 5 CCR 18066

Board Policy/Administrative Regulation #: See AR 5148

Subject: Policies re: excused and unexcused absences

When to Notify: Within 30 days of application for subsidized child care or preschool services

Education or Other Legal Code: 5 CCR 18094, 18118

Board Policy/Administrative Regulation #: See AR 5148, See AR 5148.3

Subject: Policies re: Approval or denial of services

When to Notify: Upon recertification or update of application for child care or preschool

services

Education or Other Legal Code: 5 CCR 18095, 18119

Board Policy/Administrative Regulation #: See AR 5148, See AR 5148.3

Subject: Policies re: Any change in service, such as in fees, amount of service, termination of service

When to Notify: Upon child's enrollment in child care program

Education or Other Legal Code: 5 CCR 18114

Board Policy/Administrative Regulation #: See AR 5148

Subject: Policies re: Policy on fee collection

When to Notify: When payment of child care fees is seven days late

Education or Other Legal Code: 5 CCR 18114

Board Policy/Administrative Regulation #: See AR 5148

Subject: Policies re: Notice of delinquent fees

When to Notify: When district substantively changes policy on student privacy rights

Education or Other Legal Code: 20 USC 1232h

Board Policy/Administrative Regulation #: See AR 5022

Subject: Notice of any substantive change in policy or regulation

When to Notify: For districts receiving Title I funds, when a child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught

Education or Other Legal Code: 20 USC 6312

Board Policy/Administrative Regulation #: See AR 4112.24

Subject: Timely notice to parent/guardian of child's assignment

When to Notify: For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners

Education or Other Legal Code: 20 USC 6312

Board Policy/Administrative Regulation #: See AR 6174

Subject: Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose another program

When to Notify: For schools receiving Title I funds, upon development of parent involvement policy

Education or Other Legal Code: 20 USC 6318

Board Policy/Administrative Regulation #: See AR 6020

Subject: Notice of policy

When to Notify: When household is selected for verification of eligibility for free or reduced-price meals

Education or Other Legal Code: 42 USC 1758; 7 CFR 245.6a

Board Policy/Administrative Regulation #: See AR 3553

Subject: Need to submit verification information; any subsequent change in benefits; appeals

When/Whom to Notify: When student is homeless or unaccompanied minor
Education or Other Legal Code: 42 USC 11432; Education Code 48852.5
Board Policy/Administrative Regulation #: See AR 6173
Subject: Educational and related opportunities; transportation services; placement decision and right to appeal

When to Notify: When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30
Education or Other Legal Code: 34 CFR 99.34
Board Policy/Administrative Regulation #: See AR 5125
Subject: Right to review records

When to Notify: When district receives federal funding assistance for nutrition program
Education or Other Legal Code: USDA FNS Instruction 113-1
Board Policy/Administrative Regulation #: See BP 3555
Subject: Rights and responsibilities, nondiscrimination policy, complaint procedures

IV. Special Education Notices

When to Notify: Prior to conducting initial evaluation
Education or Other Legal Code: Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415 (d); 34 CFR 300.502, 300.503
Board Policy/Administrative Regulation #: See BP 6159.1, See AR 6159.1, See AR 6164.4
Subject: Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards

When/Whom to Notify: Before functional behavioral assessment begins
Education or Other Legal Code: Education Code 56321
Board Policy/Administrative Regulation #: See AR 6159
Subject: Notification and consent

When to Notify: 24 hours before IEP when district intending to record
Education or Other Legal Code: Education Code 56341.1
Board Policy/Administrative Regulation #: See AR 6159
Subject: Intention to audio-record IEP meeting

When to Notify: Early enough to ensure opportunity for parent to attend IEP meeting
Education or Other Legal Code: Education Code 56341.5; 34 CFR 300.322
Board Policy/Administrative Regulation #: See AR 6159
Subject: Time, purpose, location, who will attend, participation of others with special knowledge, transition statements if appropriate

When to Notify: When parent/guardian orally requests review of IEP
Education or Other Legal Code: Education Code 56343.5
Board Policy/Administrative Regulation #: See AR 6159

Subject: Need for written request

When to Notify: Within one school day of emergency intervention or serious property damage

Education or Other Legal Code: Education Code 56521.1

Board Policy/Administrative Regulation #: See AR 6159.4

Subject: Emergency intervention

When to Notify: Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services

Education or Other Legal Code: 20 USC 1415(c); 34 CFR 300.300, 300.503

Board Policy/Administrative Regulation #: See AR 6159, See AR 6159.1

Subject: Prior written notice

When/Whom to Notify: Upon filing of state complaint

Education or Other Legal Code: 20 USC 1415(d), 34 CFR 300.504

Board Policy/Administrative Regulation #: See AR 6159.1

Subject: Procedural safeguards notice

When/Whom to Notify: When disciplinary measures are taken or change in placement

Education or Other Legal Code: 20 USC 1415(k); 34 CFR 300.530

Board Policy/Administrative Regulation #: See AR 5144.2

Subject: Decision and procedural safeguards notice

When to Notify: Upon requesting a due process hearing

Education or Other Legal Code: 20 USC 1415(k); 34 CFR 300.508

Board Policy/Administrative Regulation #: See AR 6159.1

Subject: Child's name, address, school, description of problem, proposed resolution

When to Notify: Eligibility for services under Section 504

Education or Other Legal Code: 34 CFR 104.32, 104.36

Board Policy/Administrative Regulation #: See AR 6164.6

Subject: District responsibilities, district actions, procedural safeguards

V. Classroom Notices

When to Notify: In each classroom in each school

Education or Other Legal Code: Education Code 8235.5, 35186

Board Policy/Administrative Regulation #: See AR/E 1312.4

Subject: Complaints subject to Williams uniform complaint procedures

Child Care And Development

BP 5148

Students

Note: The following policy is for use by districts that operate child care and development services through a contract with the California Department of Education (CDE). The Child Care and Development Services Act (Education Code 8200-8499.10) establishes a variety of child care programs that may be offered by districts or other local providers. These include, but are not limited to, General Child Care and Development, Resource and Referral, Alternative Payment, Migrant Child Care and Development, and Severely Handicapped programs. The district may revise the following policy to reflect the specific program(s) offered by the district and to ensure its compliance with the terms of its contract(s) with the CDE. Compliance with major requirements for early education and support programs is reviewed during the CDE's Federal Program Monitoring/Contract Monitoring Review process.

Note: For requirements pertaining to before-school and after-school programs, including the After-School Education and Safety program (Education Code 8482-8484.65) and 21st Century Community Learning Centers (Education Code 8484.7-8484.8), see BP/AR 5148.2 - Before/After School Programs. The California State Preschool Program (Education Code 8235-8239) for children ages 3-4 is addressed in BP/AR 5148.3 - Preschool/Early Childhood Education.

The Governing Board desires to provide child care and development services which meet the developmental needs of children and offer a convenient child care alternative for parents/guardians in the community.

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6175 - Migrant Education Program)

The Board shall enter into a contract with the California Department of Education (CDE) for the provision of child care and development services by the district.

(cf. 3312 - Contracts)

Note: The following optional paragraph may be revised to reflect district practice. Education Code 8499-8499.7 establish county-level child care and development planning councils, with members selected by the County Board of Supervisors and County Superintendent of Schools, to identify local priorities for child care and to develop policies to meet identified needs.

The district shall work cooperatively with the local child care and development planning council, public and private agencies, parents/guardians, and other community members to assess child care needs in the community, establish program priorities, obtain ongoing feedback on program

quality, and supply information about child care options.

(cf. 1020 - Youth Services)

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

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

Note: Pursuant to 5 CCR 18271, the district must have a written philosophical statement, goals, and objectives, approved by the Governing Board, which address each program component specified in 5 CCR 18272-18281. See the accompanying administrative regulation for required program components.

The Board shall approve for the district's child care and development program a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 18272-18281 and the accompanying administrative regulation. (5 CCR 18271)

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

Eligibility and Enrollment

Note: Pursuant to 5 CCR 18105, districts contracting with CDE to offer child care services are mandated to develop written admissions policies and procedures that conform to requirements of 22 CCR 101218, as provided below. See the accompanying administrative regulation for additional language that fulfills this mandate.

Child care admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the child care center's program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and health examination requirements. (5 CCR 18105; 22 CCR 101218)

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

(cf. 3540 - Transportation)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

Note: Education Code 8263 and 5 CCR 18106 establish eligibility criteria and priorities for subsidized child care services, as provided below and in the accompanying administrative regulation.

***Note: Eligibility is generally limited to children who reside within district boundaries.

However, Education Code 8322 and 5 CCR 18107 authorize the Board to enter into an agreement with the boards of other districts to serve children who reside within those districts. The district may revise the following paragraph to reflect any such agreement approved by the Board.***

The Superintendent or designee shall ensure that subsidized child care is provided to eligible families to the extent that state and/or federal funding is available and shall establish enrollment priorities in accordance with Education Code 8263 and 5 CCR 18106.

Note: The following paragraph is optional and may be revised to reflect any district-established priorities for nonsubsidized services.

To the extent that space is available after the enrollment of children who are eligible for subsidized services, priority for admissions shall be given to district students, children of district students, and children of district employees.

(cf. 5111.1 - District Residency)

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

Staffing

Note: The Commission on Teacher Credentialing issues permits for child development program directors, site supervisors, master teachers, teachers, associate teachers, and assistants pursuant to criteria established in Education Code 8360-8370 and 5 CCR 80105-80125. The district may request from the CDE a waiver of the qualification requirements for a site supervisor upon demonstration of a compelling need, in accordance with Education Code 8208(aa) and 5 CCR 18295.

Note: Health and Safety Code 1596.7995, as added by SB 792 (Ch. 807, Statutes of 2015), requires that employees and volunteers at a day care center be immunized against influenza, pertussis, and measles, with specified exemptions. In addition, Health and Safety Code 1597.055, as amended by SB 792, requires that teachers in a day care center obtain a tuberculosis clearance. See the accompanying administrative regulation.

The Superintendent or designee shall ensure that individuals working in child care and development programs have the necessary qualifications and have satisfied all legal requirements.

(cf. 1240 - Volunteer Assistance)

(cf. 4112.2 - Certification)

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

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Facilities

Note: Optional items #1-5 below present examples of methods that may be used to provide facilities for child care services and may be revised to reflect district practice.

Note: Pursuant to Education Code 8278.3, districts providing subsidized child care services that have a current need for facilities are eligible to apply for loans under the Child Care Facilities Revolving Fund. For further information, see the CDE's web site.

Upon recommendation of the Superintendent or designee, the Board may approve any of the following for the provision of child care and development services:

1. The use of existing district facilities that have capacity
2. Renovation or improvement of district facilities to make them suitable for such services
3. Purchase of relocatable child care facilities
4. Inclusion of child care facilities in any new construction
5. Agreement with a public agency or community organization for the use of community facilities

(cf. 1330.1 - Joint Use Agreements)

(cf. 7110 - Facilities Master Plan)

The Superintendent or designee shall ensure that facilities used for child care services meet all applicable health and safety standards. (5 CCR 18020; 22 CCR 101238-101239.2)

Complaints

Note: Pursuant to 5 CCR 4610, the district's uniform complaint procedures should be used to resolve any complaint alleging violation of state or federal laws governing educational programs, including child care and development programs; see BP/AR 1312.3 - Uniform Complaint Procedures. However, as clarified in the CDE's brochure Uniform Complaint Procedures, health and safety complaints regarding child care and development programs should be referred to other agencies as described in the following paragraph and BP 1312.3.

Note: Pursuant to 22 CCR 101156, all child care centers must be licensed by the California Department of Social Services unless exempted by law. See the accompanying administrative regulation for information about child care programs that are exempted from licensure requirements. If all of the district's child care services are either licensed or license-exempt, the district may revise the following paragraph to reflect the types of facilities maintained by the district.

For a licensed child care center, any complaint alleging health and safety violations shall be

referred to the California Department of Social Services. For a license-exempt facility, such complaints shall be referred to the appropriate Child Development regional administrator. Any other alleged violation of state or federal laws governing child care and development programs shall be investigated and resolved using the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Program Evaluation

Note: 5 CCR 18279-18281 require child care and development programs to be evaluated through the CDE's standardized "Desired Results for Children and Families" system. The system requires a program self-evaluation that includes, but is not limited to, a staff assessment, a parent survey, and an environment rating scale using instruments selected by the CDE; see the accompanying administrative regulation. The annual report submitted to the CDE also must include an action plan presented on the appropriate CDE form.

The Superintendent or designee shall annually conduct an evaluation of the district's child care and development services in accordance with state requirements. The evaluation report shall be submitted to the Board and the CDE along with an action plan which establishes program goals and objectives for the coming year and addresses any areas identified as needing improvement. (5 CCR 18279-18281)

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

8200-8499.10 Child Care and Development Services Act, especially:

8200-8209 General provisions for child care and development services

8210-8216 Resource and referral program

8220-8226 Alternative payment program

8230-8233 Migrant child care and development program

8235-8239 California state preschool program

8240-8244 General child care programs

8250-8252 Programs for children with special needs

8263 Eligibility and priorities for subsidized child development services

8263.3 Disenrollment of families due to reduced funding levels

8263.4 Enrollment of students ages 11-12 years

8273-8273.3 Fees

8278.3 Child Care Facilities Revolving Fund

8360-8370 Personnel qualifications

8400-8409 Contracts

8482-8484.65 After-school education and safety program

8484.7-8484.8 21st Century community learning centers

8493-8498 Facilities
8499-8499.7 Local planning councils
49540-49546 Child care food program
49570 National School Lunch program
56244 Staff development funding
HEALTH AND SAFETY CODE
1596.70-1596.895 California Child Day Care Act
1596.90-1597.21 Day care centers
120325-120380 Immunization requirements
CODE OF REGULATIONS, TITLE 5
4610-4687 Uniform complaint procedures
18000-18434 Child care and development programs, especially:
18012-18122 General requirements
18180-18192 Federal and state migrant programs
18210-18213 Severely handicapped program
18220-18231 Alternative payment program
18240-18248 Resource and referral program
18270-18281 Program quality, accountability
18290-18292 Staffing ratios
18295 Waiver of qualifications for site supervisor
18300-18308 Appeals and dispute resolution
80105-80125 Commission on Teacher Credentialing, child care and development permits
CODE OF REGULATIONS, TITLE 22
101151-101239.2 General requirements, licensed child care centers, especially:
101151-101163 Licensing and application procedures
101212-101231 Continuing requirements
101237-101239.2 Facilities and equipment
UNITED STATES CODE, TITLE 42
1751-1769j National School Lunch Program
9831-9852 Head Start programs
9858-9858q Child care and development block grant
CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch program
CODE OF FEDERAL REGULATIONS, TITLE 45
98.2-98.93 Child care and development fund
COURT DECISIONS
CBS Inc. v. The Superior Court of Los Angeles County, State Department of Social Services,
(2001) 91 Cal.App.4th 892

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

14-03a Revised Child Care and Development Fee Schedule, Management Bulletin, September 2014

Uniform Complaint Procedures, 2014

12-07 Disenrollment due to Maximum Reimbursable Amount Reduction, Management Bulletin, July 2012

Keeping Children Healthy in California's Child Care Environments: Recommendations to Improve Nutrition and Increase Physical Activity, 2010

WEB SITES

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

California Association for the Education of Young Children: <http://www.caeyc.org>

California Child Development Administrators Association: <http://www.ccdaa.org>

California Department of Education, Early Education and Support Division:

<http://www.cde.ca.gov/sp/cd>

California Department of Education, Early Education Management Bulletins:

<http://www.cde.ca.gov/sp/cd/ci/allmbs.asp>

California Department of Social Services, Licensing Information: <http://cald.ca.gov/PG492.htm>

California Head Start Association: <http://caheadstart.org>

California School-Age Consortium: <http://calsac.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

National Association for the Education of Young Children: <http://www.naeyc.org>

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

Child Care And Development

AR 5148

Students

Note: The following administrative regulation is for use by districts that operate child care and development services through a contract with the California Department of Education (CDE) and reflects provisions generally applicable to programs under the Child Care and Development Services Act (Education Code 8200-8499.7). Such programs include resource and referral programs (Education Code 8210-8216; 5 CCR 18240-18248), alternative payment programs (Education Code 8220-8227.7; 5 CCR 18220-18231), migrant child care and development programs (Education Code 8230-8233), California State Preschool Programs (CSPP) (Education Code 8235-8239.1), general child care and development programs (Education Code 8240-8244), and programs for children with special needs (Education Code 8250-8252). The district may revise this regulation to reflect specific requirements for the program(s) it offers. See BP/AR 5148.2 - Before/After School Programs for requirements pertaining to the After-School Education and Safety program (Education Code 8482-8484.65) and 21st Century Community Learning Centers (Education Code 8484.7-8484.8), and BP/AR 5148.3 - Preschool/Early Childhood Education for CSPP requirements.

Note: The following administrative regulation does not reflect all policy language mandated for each specific program. The district should be careful to include the mandates, if any, applicable to the program(s) it offers. For example, for the alternative payment program, 5 CCR 18221 mandates a written policy statement that includes specified components, including, but not limited to, program purpose, enrollment priorities, reimbursement of providers, and family fee collection. For the resource and referral program, 5 CCR 18244 mandates written referral policies and written complaint procedures.

Note: In addition to the program requirements described below, child care and development programs may be subject to other policies in the district's policy manual (e.g., BP/AR 1240 - Volunteer Assistance, AR 3514.2 - Integrated Pest Management, BP/AR 3550 - Food Service/Child Nutrition Program). Districts should consult legal counsel if they have questions regarding the applicability of other laws to the district's child care and development program.

Licensing

***Note: Pursuant to 22 CCR 101156, all child care centers must be licensed by the California Department of Social Services (CDSS) unless exempted by law. Health and Safety Code 1596.792 and 22 CCR 101158 list exemptions from the licensure requirements including, but not limited to, any program that (1) is a "public recreation program" that meets the criteria specified in Health and Safety Code 1596.792, (2) is operated before and/or after school by qualified teachers employed by the district, (3) is a school parenting program or adult education child care program, (4) operates only one day per week for no more than four hours on that day, (5) offers temporary child care services to parents/guardians who are on the same premises as the child care site, (6) provides activities that are of an instructional nature in a classroom-like setting

when K-12 students are normally not in session and the sessions do not exceed a total of 30 days when only school-age children are enrolled or 15 days when younger children are enrolled, or (7) is a CSPP program operated in a school building that meets specified health and safety requirements. If the district offers only programs that are exempted from licensure, it should modify the following regulation accordingly.***

Note: Pursuant to Health and Safety Code 1596.951, as added by AB 605 (Ch. 574, Statutes of 2018), CDSS is required to adopt regulations by January 1, 2021 to create a new child care center license including components for serving infant, toddler, preschool, and school-age children; health and safety standards; and enhanced ability to transition children to the next age group. Pursuant to Health and Safety Code 1596.951, all child care centers are required to obtain this license by January 1, 2024.

All district child care and development services shall be licensed by the California Department of Social Services, unless exempted pursuant to Health and Safety Code 1596.792 or 22 CCR 101158.

The license shall be posted in a prominent, publicly accessible location in the facility. (Health and Safety Code 1596.8555)

Licensed child care centers shall be subject to the requirements of Health and Safety Code 1596.70-1597.21, 22 CCR 101151-101239.2, and, when applicable, 22 CCR 101451-101539.

Program Components

Note: Items #1-7 and 9 below list components of child care and development programs required for all providers pursuant to 5 CCR 18272-18281. The Governing Board is required, pursuant to 5 CCR 18271, to approve goals and objectives addressing each of these program components; see the accompanying Board policy. The district may add components of other programs offered by the district.

The district's child care and development program shall include the following components:

1. The use of a developmental profile reflecting each child's physical, cognitive, social, and emotional development to plan and conduct developmentally and age appropriate activities (Education Code 8203.5; 5 CCR 18272)

Program staff shall complete the "Desired Results Developmental Profile," available from the California Department of Education (CDE), for each child who is enrolled in the program for at least 10 hours per week and for any child with disabilities regardless of the number of hours enrolled. The profile shall be completed within 60 days of enrollment and at least once every six months thereafter for children of all ages. (Education Code 8203.5; 5 CCR 18270.5, 18272)

2. An educational program that complies with 5 CCR 18273, including the provision of services that are developmentally, linguistically, and culturally appropriate and inclusive of children with special needs

(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)
(cf. 6174 - Education for English Learners)

3. A staff development program which complies with 5 CCR 18274

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

4. Parent/guardian involvement and education that comply with 5 CCR 18275 and include an orientation, at least two individual conferences per year, meetings with program staff, an advisory committee, participation in daily activities, and information regarding their child's progress

(cf. 6020 - Parent Involvement)

5. A health and social services component that complies with 5 CCR 18276 and includes referrals to appropriate community agencies as needed

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.23 - Asthma Management)
(cf. 5141.6 - School Health Services)

6. A community involvement component that complies with 5 CCR 18277

Note: Health and Safety Code 1596.808 establishes beverage standards for licensed child care centers. In addition, centers that receive funding through the Child and Adult Care Food Program (42 USC 1766) must meet federal guidelines for meals, snacks, fluid milk or nutritionally equivalent milk substitutes, and drinking water.

7. As applicable, a nutrition component that ensures children in the program are provided nutritious meals, beverages, and snacks that meet state and federal standards and have access to drinking water throughout the day, including meal times (Health and Safety Code 1596.808; 5 CCR 18278; 42 USC 1766)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

***Note: Item #8 below is optional and may be revised to reflect district practice. 42 USC 1766 encourages child care centers to provide opportunities for physical activity and to limit the

amount of time spent in sedentary activities, such as time spent using electronic media.***

8. Programs that promote age-appropriate structured and unstructured opportunities for physical activity and that limit the amount of time spent in sedentary activities to an appropriate level

Note: 5 CCR 18279-18281 require an annual evaluation using the standardized "Desired Results for Children and Families" system developed by CDE. The system requires a program self-evaluation that includes, but is not limited to, a staff assessment, a parent/guardian survey, and an environment rating scale using forms selected by CDE. Each contractor is required to submit a summary of the self-evaluation findings to CDE by June 1 of each year. In addition, every three years, CDE conducts a Federal Program Monitoring/Contract Monitoring Review (FPM/CMR) process with each contract agency to review compliance with program requirements. The FPM/CMR instrument is available on the CDE's web site.

9. An annual plan for program evaluation which conforms with the state's "Desired Results for Children and Families" system and includes, but is not limited to, a self-evaluation, parent/guardian survey, and environment rating scale using forms provided by the CDE (5 CCR 18270.5, 18279, 18280)

(cf. 0500 - Accountability)

Staffing

The district's child care and development program shall maintain at least the minimum adult-child and teacher-child ratios specified in 5 CCR 18290-18292 based on the ages of the children served.

All persons employed at a licensed district child care center and all volunteers who provide care and supervision to children at such a center shall be immunized against influenza, pertussis, and measles. If they meet all other requirements for employment or volunteering, as applicable, but need additional time to obtain and provide immunization records, they may be employed or volunteer conditionally for a maximum of 30 days upon signing and submitting a written statement attesting that they have been immunized as required. In addition, employees and volunteers shall receive an influenza vaccination between August 1 and December 1 of each year. A person shall be exempt from these requirements only under any of the following circumstances: (Health and Safety Code 1596.7995)

1. The person submits a written statement from a licensed physician declaring either that immunization is not safe because of the person's physical condition or medical circumstances or that the person has evidence of current immunity to influenza, pertussis, and measles.
2. In the case of the influenza vaccine, the person submits a written declaration declining the vaccination.
3. In the case of the influenza vaccine required during the first year of employment or

volunteering, the vaccine is not timely because the person was hired after December 1 of the previous year and before August 1 of the current year.

(cf. 1240 - Volunteer Assistance)

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

Documentation of the required immunizations or exemptions from immunization shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

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

In addition to the above immunization requirements, teachers employed in a licensed child care center shall present evidence of a current tuberculosis clearance and meet other requirements specified in Health and Safety Code 1597.055. (Health and Safety Code 1597.055)

Eligibility and Enrollment

Note: CDE contracts provide funding only for services to families who meet the criteria for subsidized services as specified in Education Code 8263. The district may also provide services to nonsubsidized families provided the district uses other funding sources or the families pay the full cost of services; see section on "Fees and Charges" below.

Note: Pursuant to 5 CCR 18105, districts contracting with CDE to offer child care services are mandated to develop written admissions policies and procedures that conform to requirements of 22 CCR 101218, including criteria designating those children whose needs can be met by the child care center's program and services and the ages of children who will be accepted.

Note: The following section should be revised to reflect the district's contract(s) with CDE.

The district's subsidized child care and development services may be available to infants and children through 12 years of age and to individuals with disabilities through 21 years of age in accordance with their individualized education program and Education Code 8208. (Education Code 8208, 8263.4; 5 CCR 18089, 18407, 18422)

Note: Pursuant to 5 CCR 18082-18083, the parent/guardian must submit an application for services which contains specified information and documentation. The application form is available on CDE's web site. The family's or child's eligibility must be certified by a person designated by the district.

Note: Pursuant to Education Code 8263.1, as amended by AB 2626 (Ch. 945, Statutes of 2018), income eligibility is based on an adjusted monthly family income at or below 85 percent of the state median income, adjusted for family size, for purposes of establishing ongoing income eligibility after January 1, 2019 or initial eligibility after July 1, 2019.

Eligible families shall be those who document both an eligibility basis and a need for care, as follows: (Education Code 8263)

1. The family is eligible for subsidized services on the basis of being a current aid recipient, income eligible, or homeless and/or the family's children are recipients of protective services or have been identified as being or at risk of being abused, neglected, or exploited.
2. The family has a need for child care based on either of the following:
 - a. The unavailability of the parents/guardians to care for and supervise their children for some portion of the day because they are participating in vocational training leading directly to a recognized trade, paraprofession, or profession; are engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate; are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated
 - b. The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of protective services, as being or at risk of being neglected, abused, or exploited, or as being homeless

Note: The following paragraph may be revised to reflect district practice. Unless state funding is allocated to support the centralized eligibility list established in each county pursuant to Education Code 8499.5, such lists will be maintained only if locally funded. In situations where there is no locally funded centralized eligibility list or the district elects not to participate in the local list, the district must establish its own waiting list in accordance with admission priorities pursuant to Education Code 8263 and 5 CCR 18106.

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment shall be given to neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8263)

Second priority for enrollment shall be given to families who are income eligible, as defined in Education Code 8263.1. Families with the lowest gross monthly income in relation to family size shall be admitted first. If two or more families are in the same priority in relation to income, the family that has a child with disabilities shall be admitted first or, if there is no child with disabilities, the family that has been on the waiting list for the longest time shall be admitted first. (Education Code 8263, 8263.1)

The district shall allow eligible children 11-12 years of age to combine enrollment in a

before-school or after-school program with subsidized child care services during the time that the before-school or after-school program does not operate. Children 11-12 years of age, except for children with disabilities, shall be eligible for subsidized child care services only for the portion of care needed that is not available in a before-school or after-school program. (Education Code 8263.4)

Note: The following optional paragraph may be revised to reflect additional enrollment priorities or criteria established by the district, such as priority for district students, children of district students, or children of district employees; see the accompanying Board policy.

After all children eligible for subsidized services have been enrolled, the district may enroll children in accordance with the priorities established by the Governing Board.

Note: 5 CCR 18094 and 18118 require the district to provide written notification to the parent/guardian as to whether the application for subsidized services has been approved or denied. For this purpose, the district should use the Notice of Action form available on CDE's web site. If the services are denied, the parent/guardian may appeal the decision in accordance with 5 CCR 18120-18122; see section "Rights of Parents/Guardians" below.

The district's decision to approve or deny services shall be communicated to the parent/guardian through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18118)

(cf. 5145.6 - Parental Notifications)

Note: Pursuant to Education Code 8263, as amended by AB 2626, effective July 1, 2019, a family that establishes initial or ongoing eligibility for services, regardless of the basis of eligibility, is entitled to receive those services for at least 12 months before being recertified for eligibility, except when an increase in income results in the family income exceeding the threshold for ongoing eligibility.

Upon establishing eligibility for services, a family shall be eligible for and shall receive services for not less than 12 months before having the family's eligibility or need recertified and shall not be required to report changes to income or other changes for at least 12 months. However, a family establishing eligibility on the basis of income shall report any increases in income that exceed the threshold for ongoing income eligibility specified in Education Code 8263.1, and the family's ongoing eligibility shall be recertified at that time. At any time a family may voluntarily report income or other changes, which shall be used, as applicable, to reduce the family's fees, increase the family's services, or extend the period of eligibility before recertification. (Education Code 8263)

Note: 5 CCR 18095 and 18119 require the district to notify a parent/guardian of any change in services or fees as described below. For such notification, the district should use the Notice of Action form available on CDE's web site. Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122; see section "Rights of Parents/Guardians" below.

The Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination made during recertification or the update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that the service is no longer wanted
4. The death of a parent/guardian or child
5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

The Superintendent or designee shall establish and maintain a basic data file for each family receiving child care and development services containing the completed and signed application for services, documentation used to determine the child's eligibility and need, and copies of all Notices of Action. (5 CCR 18081, 18095)

Fees and Charges

Note: Education Code 8273 requires the Superintendent of Public Instruction (SPI) to establish a fee schedule for families using child care services through a CDE contract, including families who are eligible for subsidized child care services based on the criteria specified in item #1 in the section "Eligibility and Enrollment" above. See CDE Management Bulletin 14-03a.

Note: Pursuant to 5 CCR 18109 and CDE's Frequently Asked Questions to Management Bulletin 14-03a, the district may charge a full-time, part-time, or "cost of care" fee calculated pursuant to 5 CCR 18109, whichever is less, depending on the number of hours that a child will receive services.

Note: Education Code 8250 and 5 CCR 18110 prohibit districts from assessing fees for children enrolled in a program for severely disabled children or a federally based migrant program. Districts may revise the following paragraph to reflect any such program(s) offered by the district. Districts that offer only programs prohibited from charging fees may delete the following section.

Except when offering a program that is prohibited by law from charging any fees, the Superintendent or designee may charge fees for services according to the fee schedule established by the Superintendent of Public Instruction, the actual cost of services, or the maximum daily/hourly rate specified in the contract, whichever is least. (Education Code 8250,

8263, 8273, 8273.1, 8447; 5 CCR 18078, 18108-18110)

However, no fee shall be charged to a family that is receiving CalWORKS cash aid, an income-eligible family whose child is enrolled in a part-day California State Preschool Program, or a family whose income level, in relation to family size, is less than the first entry in the fee schedule. (Education Code 8273.1; 5 CCR 18110)

In addition, any family receiving child care on the basis of having a child who is a recipient of child protective services, or having a certification by a county child welfare agency that child care services continue to be necessary, may be exempt from these fees for up to 12 months. (Education Code 8273.1)

Note: Pursuant to Education Code 8273 and CDE Management Bulletin 14-03a, family fees must be assessed at initial enrollment and reassessed at recertification or when the family data file is updated due to a change in status.

Note: Pursuant to 5 CCR 18114, districts contracting with CDE to offer child care services are mandated to adopt a policy for the collection of fees in advance of providing services, as provided below. 5 CCR 18114 contains an alternative definition of delinquency for alternative payment programs offered pursuant to Education Code 8220-8224.

Fees shall be assessed at initial enrollment and reassessed when a family is recertified or experiences a change in status. Fees shall be considered delinquent after seven days from the date that fees are due. Parents/guardians shall be notified in the event that fees are delinquent. If a reasonable plan for payment of the delinquent fees has not been provided by the parents/guardians, services shall be terminated if all delinquent fees are not paid within two weeks of such notification. Parents/guardians shall receive a copy of the district's regulations regarding fee collection at the time of initial enrollment into the program. (Education Code 8273; 5 CCR 18082, 18114, 18115)

Note: The following paragraph is for use by districts that contract with CDE to offer child care services and wish to require parents/guardians to provide diapers and/or to pay the costs of field trips (unless the program is exempt from fees), and may be modified to delete diapers as appropriate for the age of the children served. Education Code 8273.3 mandates that such districts have a written policy which includes parents/guardians in the decision-making process. Pursuant to Education Code 8273.3, the fees cannot exceed \$25 per child in the contract year.

The Superintendent or designee shall establish a process that involves parents/guardians in determining whether to require parents/guardians to provide diapers. This process shall also be used to determine whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code 8273.3)

Disenrollment

Note: Education Code 8263.3 specifies the order by which families must be disenrolled from child care and development services when funding levels are reduced. Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122, but only on the grounds that the factors used to determine the family's disenrollment are incorrect. See section "Rights of Parents/Guardians" below.

When necessary due to a reduction in state reimbursements, families shall be disenrolled from subsidized child care and development services in the following order: (Education Code 8263.3)

1. Families with the highest income in relation to family size shall be disenrolled first.
2. If two or more families have the same income ranking, children without disabilities who have been enrolled in child care services the longest shall be disenrolled first. After all children without disabilities have been disenrolled, children with disabilities shall be disenrolled, with those who have been enrolled in child care services the longest being disenrolled first.
3. Families whose children are receiving child protective services or are at risk of neglect, abuse, or exploitation, regardless of family income, shall be disenrolled last.

Health Examination and Information

A physical examination and evaluation, including age-appropriate immunization, shall be required prior to or within six weeks of enrollment. (Education Code 8263)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

Note: Education Code 8263 provides that the physical examination and evaluation, including immunizations, required of children enrolling in a child care center may be waived if a parent/guardian submits a letter stating that such examination is contrary to the parent/guardian's religious beliefs. However, Health and Safety Code 120335 eliminated the personal beliefs exemption for immunization requirements unless the parent/guardian files a letter or affidavit prior to January 1, 2016 or a licensed physician indicates that a student should be exempted for medical reasons. An exemption granted for personal beliefs is only effective until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12). See BP/AR 5141.31 - Immunizations.

The requirement for a physical examination and evaluation shall be waived if a parent/guardian submits a letter stating that such examination is contrary to the parent/guardian's religious beliefs. (Education Code 8263)

However, a child may be exempted from the immunization requirements only if: (Education Code 8263; Health and Safety Code 120335)

1. A licensed physician indicates that immunization is not safe due to the physical condition

or medical circumstances of the child.

2. The parent/guardian submitted a letter or affidavit prior to January 1, 2016 stating that such examination is contrary to the parent/guardian's personal beliefs. An exemption from immunization granted for personal beliefs is effective only until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12).

If there is good cause to believe that a child is suffering from a recognized contagious or infectious disease, the child shall be temporarily excluded from the child care and development program until it is determined that the child is not suffering from that contagious or infectious disease. (Education Code 8263)

(cf. 5141.22 - Infectious Diseases)

Note: Health and Safety Code 1596.7996, as added by AB 2370 (Ch. 676, Statutes of 2018), requires licensed child care programs to provide parents/guardians of enrolled children with a flyer developed by CDSS in conjunction with the California Department of Public Health, which contains specified information regarding lead exposure and blood testing. The flyer is available on the CDSS web site.

Note: Pursuant to Health and Safety Code 1597.16, as added by AB 2370, a licensed child care center located in a building constructed before January 1, 2010 will be required to have its drinking water tested for lead contamination levels between January 1, 2020 and January 1, 2023, and every five years after the date of the initial test. At that time the child care center must notify parents/guardians of enrolled children of the requirement to test the drinking water and of the test results.

When a child enrolls or reenrolls in a licensed child care program, the center shall provide the child's parent/guardian with written information on the risks and effects of lead exposure, blood lead testing recommendations and requirements, and options for obtaining blood lead testing, including any state or federally funded programs that offer free or discounted tests. (Health and Safety Code 1596.7996)

Attendance

Sign-in and sign-out sheets shall be used daily for all children for attendance accounting purposes. Attendance records shall include verification of excused absences, including the child's name, date(s) of absence, specific reason for absence, and signature of parent/guardian or district representative. (5 CCR 18065, 18066)

Absences shall be excused for the following reasons:

1. Illness or quarantine of the child or of the parent/guardian (Education Code 8208)
2. Family emergency (Education Code 8208)

Note: Pursuant to 5 CCR 18066, districts contracting with CDE to offer child care services are mandated to adopt policies delineating circumstances constituting an excused absence for a family emergency. The following paragraph may be revised to reflect district practice.

A family emergency shall be considered to exist when unforeseen circumstances cause the need for immediate action, such as may occur in the event of a natural disaster or when a member of the child's immediate family dies, has an accident, or is required to appear in court.

3. Time spent with a parent/guardian or other relative as required by a court of law (Education Code 8208)

4. Time spent with a parent/guardian or other relative which is clearly in the best interest of the child (Education Code 8208)

Note: 5 CCR 18066 mandates a policy that delineates circumstances constituting an excused absence "in the best interest of the child." The following paragraph may be revised to reflect district practice.

An absence shall be considered to be in the best interest of the child when the time is spent with the child's parent/guardian or other relative for reasons deemed justifiable by the program coordinator or site supervisor.

Except for children who are recipients of child protective services or are at risk of abuse or neglect, excused absences in the best interest of the child shall be limited to 10 days during the contract period. (5 CCR 18066)

Note: 5 CCR 18066 mandates that providers adopt a policy governing unexcused absences which may include reasonable limitations, if any. The following paragraph may be revised to reflect district practice.

Any absence due to a reason other than any of those stated above, or without the required verification, shall be considered an unexcused absence. After three unexcused absences during the year, the program coordinator or site supervisor shall notify the child's parent/guardian. Children who continue to have excessive unexcused absences may be removed from the program at the discretion of the program coordinator in order to accommodate other families on the waiting list for admission.

Parents/guardians shall be notified of the policies and procedures related to excused and unexcused absences for child care and development services. (5 CCR 18066)

Rights of Parents/Guardians

Note: The following two paragraphs are for use by districts that operate one or more licensed child care centers, but may be used by license-exempt providers.

At the time a child is accepted into a licensed child care and development center, the child's

parent/guardian or authorized representative shall be notified of the rights specified in 22 CCR 101218.1, including, but not limited to, the right to enter and inspect the child care facility and the right to be informed, upon request, of the name and type of association to the center of any adult who has been granted a criminal record exemption. (Health and Safety Code 1596.857; 22 CCR 101218.1)

The written notice of parent/guardian rights also shall be permanently posted within the facility in a location accessible to parents/guardians. Notwithstanding these rights, access to the facility may be denied to an adult whose behavior presents a risk to children present in the facility or to noncustodial parents/guardians when so requested by the responsible parent/guardian. (Health and Safety Code 1596.857)

Note: The remainder of this section is for use by all districts and applies to licensed and unlicensed child care programs.

In addition, if a parent/guardian disagrees with any district action to deny a child's eligibility for subsidized child care services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise change the level of services, the parent/guardian may file a request for a hearing with the Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5 CCR 18120)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, the parent/guardian may, within 14 calendar days, appeal the decision to the CDE. (5 CCR 18120-18122)

Records

Note: CDE contracts require the district to submit data on both subsidized and nonsubsidized families served by child care centers. In addition, the district is required to provide monthly reports, through CDE's online management information system, regarding any families receiving subsidized services during that month.

The Superintendent or designee shall maintain records of enrollment, attendance, types of families served, income received from all families participating in the district's child care and development program, and any other records required by CDE.

(cf. 3580 - District Records)

(cf. 5125 - Student Records)