Certificate of Appointment

STATE OF CALIFORNIA,

County of Santa Barbara } *SS.*

THIS CERTIFIES that pursuant to Education Code Sections 5328 and 5328.5, the undersigned, governing board members for the Cuyama Joint Unified School District of Santa Barbara County, California, at a board meeting held on December 13, 2022 appointed Whitney Goller whose phone number is 661-979-4785 and whose residence is #5 Cottonwood Canyon Road, New Cuyama, CA 93254 to the office of Member of the Governing Board of the above named district, to hold the office ***as if elected at a district election*** for the term expiring December, 2024.

Dated December 13, 2022

Governing Board Member Signatures

_____ _____

_____ _____

_____ _____

Oath of Office

STATE OF CALIFORNIA

County of Santa Barbara } *SS.*

I, _____ do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

_____
(Appointee signature)

Subscribed and sworn to (or affirmed) before me, this_____ day of_____, _____

_____
(Signature of person administering oath)

_____
(Title)

Prior to taking office, each newly appointed board member must take and subscribe this Oath of Office, to be filed with the County Clerk, before a governing board member, a school officer, a state or county officer, a judicial officer, or a notary public.



HIGH WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES (WASC)

Superintendent/Principal Mr. Gamino

Thursday, January 12, 2023



- **WASC**

Western Association of Schools and Colleges is an organization providing accreditation of public and private universities, colleges, and high schools in California.



Rationale: Focus on an ongoing improvement process that assists the school in an in-depth look at what currently exists and what needs to be improved in relation to student achievement.

Why Accreditation: Certifies to the public that the school is a trustworthy institution of learning and validates the integrity of the school's program and student transcripts..

Fosters improvement of the school's programs and assists the school in establishing growth areas for continuous improvement.



6-year cycle

- Accreditation is a six-year process with a mid-year review.
- Involves all stakeholders
- Continuous school improvement and accountability

Leadership team – all teachers, counselor, schools community coordinator, and Superintendent secretary Alleigh Cortes

Kevin Lebsack, Rachel Leyland are lead teachers. Other teacher committee members include: Alberto Panchi, Angelique Cannon, Kendy Fetterman, and Jennifer Stancliff.

* Staff has been meeting since March of 2022 on a monthly basis and sometimes two times a month to complete a DRAFT WASC report.

* WASC orientation will be held with the board (today), and with students, and parents prior to the visit March 13-15, 2023



WASC Report divided into 5 chapters:

Chapter #1: Progress Report on schoolwide actions plan including integrated growth areas for continuous improvement

Chapter #2: Student/Community Profile based on analyzed data, schoolwide learner outcomes, and student learner needs.

Chapter #3: Self-Study findings: Listing strengths and areas of growth for continuous improvement. Includes five categories:

1. Organization: Vision, Purpose, Staff, and Resources
2. Curriculum
3. Learning and Teaching
4. Assessment and Accountability
5. School Culture and support for student personal, social-emotional, and academic Growth

Chapter #4: Summary of identified Major Student Learner Needs

Chapter #5: School wide action plan passed on identified Student Learner Needs

- Visiting Committee possible schedule for March 13-15, 2023

Sunday, March 12, 2023:

A. 3:00 p.m. meeting with principal, and leadership team to clarify issues in the self-study and explain visit.
B. 4:30 – 5:00 p.m. Principal and school leaders conduct a brief school tour for VC
C. 5:00 -6:00 p.m. Meeting with school board members
D. Meeting with SSC/DELAC committee

Day 1: Agenda:

A. VC chair meets with Principal in morning.
B. Evidence gathering – visiting classrooms, program observations, interviews, and exam of student work.
C. VC representatives meet with student committee
D. Continue to visit classrooms in afternoon.

Day 2 agenda:

A. VC chair meets with principal, meet with teachers, support staff, counselor and continue to observe classrooms. Meet with students, meet with focus student groups.



- **Day 3: Final Day of visit:**

A. **VC meets with Leadership team**

B. VC meets with Principal

C. VC completes a DRAFT report of visit

D. Meeting with Leadership team and other staff to discuss/clarify findings of the visit.

E. Oral Report to staff using a PowerPoint presentation. Principal may invite students, classified staff, teachers, and some community members to hear the oral report.

F. Final Draft of report left with principal.

Thank You

CUYAMA JOINT UNIFIED SCHOOL DISTRICT
BOARD MEETING MINUTES
Tuesday, December 13, 2022, 6:00 P.M.
BOARD ROOM, CUYAMA ELEMENTARY SCHOOL
2300 Hwy 166, New Cuyama CA 93254

Join via Zoom at:

Alfonso Gamino is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

https://us06web.zoom.us/j/88005353966?pwd=bU1oRGUybmRDSnNWQ2lLdERrT0tKUT09

Meeting ID: 880 0535 3966

Passcode: W1pfCX

I. The meeting will be called to order by Superintendent, Alfonso Gamino at **6:00** P.M.

Roll Call Vote:

Heather Lomax **P** Elaine Johnson **P** Whitney Goller **Ab** Jeff Mitchell **P**

Michael Funkhouser **P**

Alfonso Gamino **P** Superintendent

FLAG SALUTE: Led by **Mr. Jeffery Mitchell**

II. PUBLIC FORUM:
Following recognition by the President, members of the public shall have an opportunity to address the Board of Trustees either before or during the Board's consideration of each item of business to be discussed. In order to efficiently manage the business of the Board, the Board President may limit the amount of time allocated for each individual speaker to 3 minutes and limit the total time allocated on a particular issue to 15 minutes, pursuant to board policy. Items not appearing on the agenda cannot, by law, be the subject of Board action. Such items may be placed on future agendas for full discussion and/or action.

ASB: Mr. Lebsack started with the ASB report. Mr. Lebsack passed out the ASB report dated December 13, 2022.

ASB was going to do a winter program so Mr. Lebsack bought a Santa suit. The program was cancelled but he can use the Santa suit in the future.

Treasurere Report: ASB has continued to provide concessions for the last of the football games and the basketball games. ASB has continued to sale shirts and hoodies. ASB is planning on looking into future fundraisers including a dinner and a show, plays, and more.

Past ASB activities: ASB challenged the classes this year to come up with a winter parade float. Some of the classes showed up in great spirits. The participating students had a lot of fun. After the parade, those in the float volunteered to help at the rec hall with cookies and Santa.

ASB Current/Future Events:
ASB will host a pep rally this week to introduce the boys varsity, junior varsity, and lady bears teams.
ASB will be hosting winter holiday activites that support healthy competition and teamwork with their classes.

FFA report presented by Senior student Kevin Cruz: We had a chapter meeting in November of 2022. After the meeting, students and their siblings had dinner and a pumpkin decoration contest. The CTE Advisor Board meetng in November had 12 parents present. Dinner was served. Many students preparing for upcoming competititions. The FFA Advisor is going to be Mrs. Fetterman. Job interview advisor is going to be Mrs. Cannon. Prepared speaking advisor will be Mrs. Fetterman. Welding Advisor is going to be Mr. Lebsack. Livestock advisor will be Mrs. Cannon. Parliamentary Proceducers advisor will be Mrs. Cannon. Judging advisor will be Mrs. Fetterman. There are several students that would like to start raising animals on the district farm. We plan on purchasing animals in the spring and raising them until the summer. This will give the students an opportunity to raise the animals for the Santa Maria fair.

Mrs. Lomax asks: What kind of animals?
Kevin Cruz: Goats, chickens, bunnies, cattle raising, sheep raising, and pigs.
Students want to purchase the animals and raise them in the school or at their home.

Mr. Kevin Lebsack: We can purchase the animals so that everyone can participate and purchase an animal regarding if they can affor it or not. Mrs. Cannon just received her preliminary CTE credential so she will be considered an ag advisor now.

Supervised Agricultural experience. They learn to pay for the food for the animal to learn how the process works. CTE Round 8 grant funding approved for the district.

Mr. Lebsack is teaching Mrs. Kendy Fetterman how to apply for grants. Mr. Lebsack stated that Terri is also getting very good at grant writing.

III. ACTION ITEMS:

a. Certificate of Appointment and Oath of Office for newly appointed board members:

1. Elaine Johnson (4-year term)	**Pg. 1**
1. Heather Lomax (4-year term)	**Pg. 2**
3. Whitney Goller (2-year provisional)	**Pg. 3**
4. Michael Funkhouser (2-year provisional	**Pg. 4**
5. Jeffrey Mitchell (2-year provisional)	**Pg. 5**

Mr. Gamino administered the Oath of Office to the following Cuyama Joint Unified School District Board Members:

1. **Elaine Johnson appointed to a four year term**
2. **Heather Lomax appointed to a four year term**
3. **Whitney Goller – Absent (will be administered the oath at the January 2023 board meeting)**
4. **Michael Funkhouser administered a (2 year provisional) board appointment.**
5. **Jeffrey Mitchell (2 year provisiona) board appointment.**

All four board members signed their Certificate of Appointment and Oath of Office form. Mr. Gamino congratulated each officially appointed board member.

b. Annual Organizational Meeting. Nomination and Election of Officers.
Nomination and Election of President of the Board for the 2023 calendar year (Board President then presides over the meeting) (Attachment B**). Pg. 6**

Moved By: **Michael Funkhouser** 2nd By: **Jeffrey Mitchell**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Mr. Gamino opened nominations for President of the Board for the 2023 school year. Mr. Gamino mentioned that a board member may serve up to 2 consecutive years as Board President. He also mentioned that Mrs. Goller was open to serving a second term as President if elected and would serve as a board member if not elected to be President.

Mrs. Heather Lomax was appointed Board President for the 2023 calendar year.

Approved 4-0

Mrs. Lomax took over the meeting as the newly elected Board President.

c. Nomination and Election of Clerk of the Board for the 2023 calendar year(Attachment B). **Pg. 6**

Moved By: Heather Lomax Seconded By: **Michael Funkhouser**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Elaine Johnson was approved as the Clerk of the Board for the 2023 calendar year.

Approved 4-0

d. Appointment of Superintendent as Board Secretary for the 2023 calendar year (Attachment B). **Pg. 6**

Moved By: **Heather Lomax** 2nd By: **Michael Funkhouser**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Mr. Gamino, Superintendent, was appointed Board Secretary for the 2023 calendar year.

Approved 4-0

e. It is recommended that the Board approve the Governing Board Regular Meeting Schedule (Attachment A and 2023 Calendar Schedule). **Pg. 7-8**

Moved By: **Michael Funkhouser** 2nd By: **Heather Lomax**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Approved 4-0

f. Appointment of School Board Representative to the Santa Barbara Committee on School District Organization for the 2023 calendar year (attachment C). **Pg. 9**

Moved By: **Heather Lomax** 2nd By: **Elaine Johnson**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

The board appointed Mr. Michael Funkhouser to the Santa Barbara Committee on School District Organization for the 2023 calendar year.

Approved 4-0

g. It is recommended that the Board update the Governing Board Authorized Signature Form for the 2023 calendar year (Attachment D). **Pg. 10**

Moved By: **Heather Lomax** 2nd By: **Michael Funkhouser**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Governing Board updated the Authrized Signature Form for the 2023 calendar year.

Approved 4-0

h. It is recommended that the Board approve the Authorized Signatures for Release of Commercial and Payroll Warrants for the 2023 calendar year (Attachment E) **Pg. 11**

Moved By: **Heather Lomax** 2nd By: **Michael Funkhouser**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Board approved the Authorized Signatures for Release of Commercial and Payroll Warrants for the 2023 calendar year.

Approved 4-0

i. It is recommended that the Board approve the Authorized Signature of District Personnel to Act as District Agents for the 2023 calendar year (Attachment F). **Pg. 12**

Moved By: **Michael Funkhouser** 2nd By: **Jeffrey Mitchell**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Board approved the Authorized Signatures of District Personnel to Act as District Agents for the 2023 calendar year.

Approved 4-0

j. It is recommended that the Board approve the resolution of the Governing Board Powers Duties Authority to make cash and budget transfers to Alfonso Gamino, Superintendent and to Theresa King, Business Manager for the 2023 calendar year (Attachment G(1)). **Pg. 13**

Moved By: **Michael Funkhouser** 2nd By: **Elaine Johbnson**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Board approved resolution to allow Mr. Gamino, Superintendent and Ms. Theresa King to make cash budget transfers for the 2023 calendar year.

Approved 4-0

k. It is recommended that the Board approve the Statement of Facts Roster of Public Agencies Filing and file it with the Secretary of State within (10) days. **Pg. 14**

Moved By: **Heather Lomax** 2nd By: **Michael Funkhouser**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Approved 4-0

l. It is recommended that the board review and approve the September 2022 Board Policy updates for Cuyama Joint Unified School District.

1. CSBA Policy Guide and CSBA Update Checklist **Pg. 15-21**
2. BP and Adm. Regulation 3515.3 - District Policy/Security Dept. **Pg.23-41**
3. BP and Adm. Regulation 4118 – Dismissal/Suspension/Disciplinary Action **Pg. 42-63**
4. BP 4119.1/4219.1/4319.2 - Civil Rights **Pg. 64-70/127-133/164-170**
5. BP 4140/4240/4340 - Bargaining Units **Pg. 71-79/134-142/171-179**
6. Adm. Regulation 4161.2/4261.2/4361.2 – Personal Leaves **Pg. 80-92/143-155/180192**
7. Adm. Regulation 4161.5/4261.5/4361.5 – Military Leave **Pg. 93-100/156-163/193-200**
8. BP 4216 – Probationary/Permanent Status **Pg. 101-103**
9. BP and Adm. Regulation 4218 – Dismissal/Suspension/Disciplinary Action **Pg104-121**
10. BP 4218.1 – Dismissal/Suspension/Disciplinary Action (Merit System) – Cuyama is is not a Merit District – Do not adopt. **Pg. 122-126**
11. BP 6146.1 – High School Graduation **Pg. 201-211**
12. **DELETE** - Adm. Regulation 6146.1 – High School Graduation Requirements **Pg. 212-217**
13. BP and Adm. Regulation 6158 – Independent Study **Pg. 218-248**
14. BP 6146.2 – Guidance/Counseling Services **Pg. 249-259**
15. BP and Adm. Regulation 6178 – Career Technical Education **Pg. 260-280**
16. BP and Adm. Regulation 6200 – Adult Education **Pg. 281-296**
17. BP 7110 – Facilities Master Plan **Pg. 297-303**
18. BP and Adm. Regulation 7150 – Site Selection and Development **Pg. 304-311**
19. Board Bylaw 9100 – Organizational **Pg. 312-414**
20. BP 4030 – Nondiscrimination in Employment - **No need to update current policy**
21. BP 4154/4254/4354 – Health and Welfare Benefits **Pg. 315-326**

Moved By: **Michael Funkhouser** 2nd By: **Elaine Johnson**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Board approved the September 2022 Board Policy updates for CJUSD with the following revisions:

Item #4: This item lists 4319.2 but it is instead 4319.1

Item #19: Lists pages 312-414 but it is instead pages 312-314

Board approved the September 2022 Board Policy updates.

Approved 4-0

m. It is recommended that the board discuss and approve the Memorandum of Understanding (MOU) regarding the Student Behavioral Health Incentive Program (SBHIP) 2022-2023. This MOU is between CenCal Health and the Cuyama Joint Unified School District. **Pg. 327-334**

Moved By: **Michael Funkhouser** 2nd By: **Jeffrey Mitchell**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Approved 4-0

n. It is recommended that the board discuss and approve the December 13, 2022, personnel activity report. **Pg. 335**

Moved By: **Michael Funkhouser** 2nd By: **Elaine Johnson**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Personnel Activity for December 13, 2022, approved 4-0

o. It is recommended that the board discuss and provide direction as to whether the board would approve SchoolStore.com fundraiser for Cuyama Elementary and Cuyama Valley High School. Schools earn money from things people are already buying when they designate their school while shopping at SchoolStore.com. **Pg. 337-242**

Moved By: **Michael Funkhouser** 2nd By: **Jeffery Mitchell**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Board approved SchoolStore.com fundraiser for Cuyama Elementary School and Cuyama Valley High School.

Approved 4-0

p. It is recommended that the board approve the Extension of teleconference flexibility during the proclaimed State of Emergency (Government Code section 54953 (b)(3). It is recommended that the Board consider the current state of emergency and make a finding that state and local officials continue to recommend some measures to promote social distancing. This motion is to extend this flexibility until January 15, 2023, the time period for teleconferencing without complying with the usual requirements of Government Code section 54953(b)(3) based on the finding that state or local officials continue to impose or recommend measures to promote social distancing. **Pg. 343-357**

Moved By: **Heather Lomax** 2nd By: **Michael Funkhouser**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Approved 4-0

q. It is recommended that the board discuss and approve the Cuyama Joint Unified School District Financial Statements Audit report presented by Independent Auditor Bobby Patel, CPA, CFE Partner for Eide Bailly for year ending June 30, 2022.

Moved By: **Elaine Johnson** 2nd By: **Michael Funkhouser**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Financial statement Audit for year ending June 30, 2022, was presented to the board and the board approved the audit after the presentation by Mr. Bobby Patel, CPA, CFE for Aide Bailly.

Approved 4-0

r. It is recommended that the board discuss and approve the Cuyama Joint Unified School District Financial and Performance Audits Building Fund (Measure Q) report presented by Independent Auditor Bobby Patel, CPA, CFE Partner for Eide Bailly for year ending June 30, 2022.

Moved By: **Michael Funkhouser** 2nd By: **Elaine Johnson**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Board approved the Measure Q bond report as presented by Mr. Bobby Pate, CPA, CFE Partner with Aide Bailly for year ending June 30, 2022.

Approved 4-0

s. It is recommended that the Board review and approve the 1st Interim Report of the 2022-2023 school year. Ms. Theresa King will present the 1st Interim Report.

Moved By: Michael Funkhouser 2nd By: Elaine Johnson

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Terri presented a budget friendly report for First Interim. She presented the various funds that the district has. She presented the Balances in Excess of Minimum Reserve Requirements form. The Reserves are comprised of the Reserve

for Economic Uncertainty (5%) and Reserves for the A3 Charter legal contingency. Total unsubstantiated needs equals $631,319. The district will be paying for the heater repairs at the high school through the bond budget. Funds 1, 8, 13, 17, and other funds presented to the board. Multi year budget telling us that the board will have enough funds to support the district. COLA going up in subsequent years. We just need to keep expenses neutral and we should do well to preserve our reserves.

Mrs. Lomax: Thanks Mr. Gamino and Ms. King for managing the district budget over the last couple of years. Board Members can follow up with Terri King if anyone has further questions on the First Interim Report.

First Interim report approved 4-0

IV. SUPERINTENDENT'S REPORT:

WASC update for Cuyama Joint Unified School District

Mr. Gamino informed the board that he will give a short WASC presentation to the Board in January or February describing the WASC process. The visiting team will come to Cuyama Valley High School in March of 2023. We have been working on this report since March of 2021. I will present the first draft to the WASC chairperson by end of next week to see if we need to revise/change/edit the report in any way. The committee will be here for three days in March of 2023. We are looking forward to a great review. This has been a total team effort. They want to know if we are working together on this report.

Mr. Lebsack: Six years ago they gave us recommendations and we've been working on those recommendations.

Mr. Gamino: I'm going to send all board members a presentation by Schools Legal. It is for new board members but we should have all board members attend. We want to hear the same thing from school lega at the same time.

V. BOARD MEMBER REPORT:

Mrs. Heather Lomax: Informed the board and encouraged new board members to attend the New Board Member training. She also mentioned the 40 hour training presented that board members can attend. This training is titled Master's in Governance training. This helps all board members with how to be effective team members.

Elaine Johnson: Last week I went to a basketball game in Oceano where Cuyama Valley High School played Coastal Christian. It was awesome. Girls didn't win but

they tried very hard. The boys busted right through and won at end. All teams are doing fantastic. They practice every day. They are definitely representing Cuyama when they go out to other schools. They were so well behaved in Oceano.

VI. Informational item: Notice of Amendment to Schools Legal Service Joint Powers Agreement. **Pg. 359-375**

Mr. Gamino: Notice of Amendment. This is just information for you. We are part of the JPA with other districts. We do have the Schools Legal and they have been very response to our needs. The track changes are there for you to look at. Schools Legal board is made up of Superintendents. I represent Cuyama and other district close to us as a voting member. This is just for your information.

VII. CONSENT AGENDA:

The Board will consider the following consent calendar items. All items listed are considered to be routine and noncontroversial. Consent items will be considered first and may be approved by one motion if no member of the CJUSD Board wishes to comment or discuss. If comment or discussion is desired, the item will be removed from the consent agenda and considered in the listed sequence with an opportunity for any member of the public to address the CJUSD Board concerning the item before action is taken.

1. Minutes of the November 10, 2022, Regular Board Meeting –Members present were: Whitney Goller, Emily Johnson, Jan Smith, and Michael Funkhouser. Members absent: Heather Lomax **Pg. 377-387**
2. Checks Board Report and Warrants November 1-30, 2022. **Pg. 389-412**
3. CVHS FFA field trips as follows and as transportation is available (Ag truck or Ag van or in some cases both). In addition, CTEIG and SWP grant funds will be used to pay for these field trips:
    a. FFA competition January 20, 2023, at Reedley College **Pg. 413**
    b. FFA speaking competition February 8, 2023, at Arroyo Grande HS **Pg. 414**
    c. World Ag expo. February 14, 2023, at Tulare, Ca **Pg. 415**
    d. FFA Leadership Conference February 19, 2023, at Visalia, CA **Pg. 416**
    e. FFA competition Farm Power February 25, 2023, at Carpinteria HS **Pg. 417**
    f. CATA meeting for students & advisor March 9, 2023, at King City, CA **Pg. 418**

g. FFA state conference students and chaperones March 15, 2023, at Ontario, CA **Pg. 419**
h. FFA welding competition March 24, 2023, at Sanger HS **Pg. 420**
i. FFA livestock judging, and Meat judging, March 24, 2023, at Modesto Jr. College **Pg. 421**
j. FFA welding competition March 31, 2023, at Sanger HS **Pg. 422**
k. FFA competition livestock judging and meat judging on April 21, 2023, at Fresno State **Pg. 423**
l. FFA competition livestock/meat finals May 5, 2023, at Cal Poly SLO **Pg. 424**
m. FFA competition parliamentary procedures pro officer team date TBA at Arroyo Grande HS **Pg. 425**
n. FFA competition welding date TBA at Allen Hancock College **Pg. 426**
o. FFA ag night CSUB basketball date TBA (Feb. or March) at CSUB **Pg. 427**

4. 4th – 8th grade field trip to Cuyama Airport to meet and listen to CHP Pilot. She will provide information to students. Trip on January 19, 2023. Submited by Mr. Barnes. **Pg. 428-429**

Moved By: **Michael Funkhouser** 2nd By: **Elaine Johnson**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

These competitions will be paid by SWP and CTEIG grants.

Approved 4-0

VIII. ITEM(S) PULLED FROM CONSENT AGENDA:

1._____

_____

Moved By: _____ 2nd By: _____

Roll Call Vote:

Heather Lomax ____ Elaine Johnson _____ Whitney Goller _____

Jeffrey Mitchell _____ Michael Funkhouser_____

2._____

_____

Moved By: _____ 2nd By: _____

Roll Call Vote:

Heather Lomax ____ Elaine Johnson _____ Whitney Goller _____

Jeffrey Mitchell _____ Michael Funkhouser_____

3.

_____

_____

Moved By: _____ 2nd By: _____

Roll Call Vote:

Heather Lomax ____ Elaine Johnson _____ Whitney Goller _____

Jeffrey Mitchell _____ Michael Funkhouser_____

IX. CLOSED SESSION:

NOTE: The Brown Act permits the Board to consider certain matters in closed session, in limited circumstances. The Board will consider and may act upon any of the items described below in closed session. The Brown Act requires that the Board report out certain actions taken in closed session, which will be announced following the closed session. WITH LIMITED EXCEPTIONS, THE LAW REQUIRES THAT INFORMATION DISCLOSED IN CLOSED SESSION REMAIN CONFIDENTIAL.

A. Negotiations as it relates to CSEA Cuyama Chapter #288 – Consult with District negotiators Mr. Tim Salazar and Mr. Alfonso Gamino, authorized by Government Code section 3549.1

The Board will adjourn into closed session at **8:00** p.m.

The Board returned to open session at: **8:15** p.m.

Report out from closed session

Board Clerk Elaine Johnson reported the following: Discussion and no action on closed session item #A.

VIII. ADJOURNMENT:

Moved By: **Michael Funkhouser** 2nd By: **Elaine Johnson**

Roll Call Vote:

Heather Lomax **Y** Elaine Johnson **Y** Whitney Goller **Ab**

Jeffrey Mitchell **Y** Michael Funkhouser **Y**

Meeting adjourned at 8:16 p.m.

Materials prepared in connection with an item on the regular session agenda may be reviewed in the Superintendent's office 72 hours in advance of the meeting and will be available for public inspection at the meeting. An individual who requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting should contact the Superintendent or designee. (Government Code 54954.2)

The next regularly scheduled School Board Meeting will be on
Thursday, January 12, 2023; 6:00 p.m., Elementary School Board Room
Materials related to an item on this Order of Business distributed to the Board of Education are available for public inspection at the District office and at: https://cuyamaunified.org/board-materials-2021-2022/ using the "Click Here" links next to the date: 01/12/2023.
USE OF RELAXED TELECONFERENCE PROCEDURES PER GOVERNOR'S COVID-19 EXECUTIVE ORDER: Notice of Teleconferencing Pursuant to Executive Order N-25-20 and Government Code section 54953: In order to mitigate possible impacts relating to the Coronavirus (COVID-19), the Board will conduct this meeting via teleconference or videoconference, with one or more board members participating from remote locations. Members of the public wishing to observe the meeting or make public comments as authorized under Government Code section 54954.3 may do so at the following location: 2300 Hwy 166, New Cuyama, CA 93254, or via electronic participation by accessing the link provided as the beginning of the agenda. Voting at this meeting shall be by roll call.

Checks Dated 12/01/2022 through 12/31/2022

Check Number	Check Date	Pay to the Order of	Fund-Object	Expensed Amount	Check Amount
01-719418	12/02/2022	De Los Santos, Maria O	13-5200		109.00
01-719419	12/02/2022	Lebsack, Kevin D	01-4300		72.00
01-719420	12/02/2022	Amazon Capital Services	01-4300	1,102.05	
			01-4400	1,350.53	2,452.58
01-719421	12/02/2022	CA Dept of Ed / Acct Office	01-9501		4,137.04
01-719422	12/02/2022	Cdw Government, Inc.	01-4400		892.51
01-719423	12/02/2022	Document Tracking Services	01-5800		255.00
01-719424	12/02/2022	Eide Bailly LLP	01-5810	5,000.00	
			21-5810	2,500.00	7,500.00
01-719425	12/02/2022	Fred C. Gilbert Co.	01-4400		1,783.54
01-719426	12/02/2022	Interquest Detection Canines	01-5800		350.00
01-719427	12/02/2022	Jordano's Food Service	13-4710		3,305.39
01-719428	12/02/2022	LimottaIT	01-5835		9,488.47
01-719429	12/02/2022	Midwest Volleyball Warehouse	01-4300		1,960.42
01-719430	12/02/2022	Read Naturally	01-4200		297.00
01-719431	12/02/2022	Schools Legal Service	01-5200		50.00
01-719432	12/02/2022	State Of Calif-CDE	01-5800		120.90
01-720564	12/09/2022	King, Theresa A	01-5800		485.00
01-720565	12/09/2022	Lebsack, Kevin D	01-4300		74.96
01-720566	12/09/2022	American Business Machines	01-4300		15.00
01-720567	12/09/2022	BENCHMARK AIR CONDITIONING	01-4300		729.00
01-720568	12/09/2022	Brown & Reich Petroleum, Inc.	01-4381	1,857.04	
			01-4384	269.16	2,126.20
01-720569	12/09/2022	CANON FINANCIAL SERVICES, INC.	01-5600		1,284.14
01-720570	12/09/2022	Combat Plumbing and Rooter LLC	01-5640		3,000.00
01-720571	12/09/2022	County Of Santa Barbara EHS	01-5800	1,654.00	
			13-5800	1,170.00	2,824.00
01-720572	12/09/2022	Farm Supply Company	01-4300		717.73
01-720573	12/09/2022	Frontier Communications	01-5910		373.34
01-720574	12/09/2022	Home Depot Credit Services	01-4300		573.36
01-720575	12/09/2022	IEC Power, LLC	01-5640		1,319.98
01-720576	12/09/2022	James Herrera	01-5100		240.00
01-720577	12/09/2022	Jordano's Food Service	13-4710		3,446.74
01-720578	12/09/2022	Lincoln Electric	01-4300		54.96
01-720579	12/09/2022	Old Cuyama Do It Best	01-4300		246.24
01-720580	12/09/2022	Pacific Gas & Electric	01-5520		1,301.28
01-720581	12/09/2022	Quill Corporation	01-4300		194.20
01-720582	12/09/2022	Santa Barbara County Fire Dept	01-5800		198.00
01-720583	12/09/2022	Southern California Gas Co.	01-5510		5,057.36
01-720584	12/09/2022	Verizon Business	01-5910		21.52
01-721790	12/16/2022	Dumbrigue, Joanne L	13-4790		17.50
01-721791	12/16/2022	Lebsack, Kevin D	01-4300		1,680.26
01-721792	12/16/2022	Applied Technology Group, Inc.	01-5900		250.00
01-721793	12/16/2022	Bakersfield Athletic Supply	01-4300		1,028.02
01-721794	12/16/2022	CANON FINANCIAL SERVICES, INC.	01-5600	1,296.35	
			01-5800	2,243.81	3,540.16

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

Checks Dated 12/01/2022 through 12/31/2022

Check Number	Check Date	Pay to the Order of	Fund-Object	Expensed Amount	Check Amount
01-721795	12/16/2022	CIF State Office	01-5800		52.80
01-721796	12/16/2022	Combat Plumbing and Rooter LLC	01-5640		3,000.00
01-721797	12/16/2022	Combat Plumbing and Rooter LLC	01-5640		3,800.00
01-721798	12/16/2022	Combat Plumbing and Rooter LLC	01-5640		1,600.00
01-721799	12/16/2022	Cuyama Community Services Dist	01-5530	324.19	
			01-5570	150.06	474.25
01-721800	12/16/2022	Department Of Justice	01-5800		49.00
01-721801	12/16/2022	Dubuque Bank & Trust	01-7438	4,398.04	
			01-7439	23,575.88	27,973.92
01-721802	12/16/2022	Jordano's Food Service	13-4300	38.79	
			13-4710	12,109.72	12,148.51
01-721803	12/16/2022	Marborg Disposal	01-5570		741.60
01-721804	12/16/2022	Midway Laboratory, Inc	01-5800		50.00
01-721805	12/16/2022	National FFA Organization	01-4300		3,720.00
01-721806	12/16/2022	Pacific Gas & Electric	01-5520		11.52
01-721807	12/16/2022	Quill Corporation	01-4300		343.50
01-721808	12/16/2022	Scholastic Book Fairs	01-4200		1,979.00
01-721809	12/16/2022	Self-Insured Schools of CA	01-3701		600.00
01-721810	12/16/2022	Verizon Business	01-5910		21.68
01-722604	12/21/2022	BENCHMARK AIR CONDITIONING	21-5640		50,190.00
01-722605	12/21/2022	J & E Restaurant Supply	01-6400		14,323.23
		Total Number of Checks	**59**		**184,651.81**

Fund Recap

Fund	Description	Check Count	Expensed Amount
01	General Fund	53	111,764.67
13	Cafeteria Spec Rev Fund	6	20,197.14
21	Building Fund 1	2	52,690.00
	Total Number of Checks	**59**	184,651.81
	Less Unpaid Tax Liability		.00
	Net (Check Amount)		**184,651.81**

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

Batch AP12022022 — Bank Account COUNTY - County-AP

	Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Employee	De Los Santos, Maria O (000018) PO BOX 27 4500 Russell Ranch New Cuyama, CA 93254										
	2022/23	10/07/22		Manager food safety course	4369179	11/30/22	Paid	Cleared	109.00		109.00
	2023 13-5310-0-0000-3700-5200-000-0000-0000										
Check #	01-719418						Check Date 12/02/22	PO#		Register # 000298	
							Total Invoice Amount		**109.00**		
Direct Employee	Lebsack, Kevin D (000033) 1070 Paso Robles Ave Los Osos, CA 93402										
	2022/23	11/17/22		Physics Supplies	T-3661	11/30/22	Paid	Cleared	72.00		72.00
	2023 01-6387-0-3800-1000-4300-070-0000-00R6										
Check #	01-719419						Check Date 12/02/22	PO#		Register # 000298	
							Total Invoice Amount		**72.00**		
Direct Vendor	Amazon Capital Services (000201/1) PO Box 035184 Seattle, WA 98124-5184										
	2022/23	10/05/22		ES and HS Supplies	1FMW-GWQL-YWK4	11/28/22	Paid	Cleared	781.23		781.23
	2023 01-0000-0-0000-2700-4300-000-0000-0000						294.05				
	2023 01-0000-0-0000-2700-4300-030-0000-0000						94.98				
	2023 01-0000-0-0000-2700-4300-070-0000-0000						392.20				
Check #	01-719420						Check Date 12/02/22	PO#		Register # 000298	
	2022/23	10/05/22		Teacher clock for ES teacher	1NKY-XGXJ-WJR1	11/28/22	Paid	Cleared	22.62		22.62
	2023 01-0000-0-1110-1000-4300-030-0000-0000										
Check #	01-719420						Check Date 12/02/22	PO#		Register # 000298	
	2022/23	10/05/22		Replacement projector lamp for ES	1NKY-XGXJ-XNKC	11/28/22	Paid	Cleared	97.50		97.50
	2023 01-0000-0-0000-8100-4300-030-0000-0000										
Check #	01-719420						Check Date 12/02/22	PO#		Register # 000298	
F	2022/23	11/16/22	R23-00102	Comp & printer for library & for business office	1QYF-CHGM-DJYR	11/28/22	Paid	Cleared	1,487.63		1,487.63
	2023 01-0000-0-0000-7200-4300-000-0000-0000						68.55				
	2023 01-0000-0-0000-7200-4400-000-0000-0000						166.57				
	2023 01-3213-0-1110-1000-4300-030-0000-0000						68.55				

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

ESCAPE ONLINE

Batch AP12022022 (continued) — **Bank Account COUNTY - County-AP**

	Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
AP Vendor			Amazon Capital Services (000201/1)	(continued)							(continued)
F	2022/23	11/16/22	R23-00102	Comp & printer for library & for business office (continued)	1QYF-CHGM-DJYR	11/28/22	Paid	Cleared	(continued)		
		2023	01-3213-0-1110-1000-4400-030-0000-0000				1,183.96				
Check #	01-719420						Check Date 12/02/22		PO# PO23-00098	Register # 000298	
	2022/23	11/02/22		Jump ropes for ES	1TQH-MWTF-J69V	11/28/22	Paid	Cleared	63.60		63.60
		2023	01-0000-0-1110-1000-4300-030-0000-0000								
Check #	01-719420						Check Date 12/02/22		PO#	Register # 000298	
							Total Invoice Amount		**2,452.58**		
Direct Vendor			CA Dept of Ed / Acct Office (000102/1) PO Box 515006 Sacramento, CA 95851-5006								
	2022/23	11/01/22		20/21 Refund due to COVID Grant I.D 42-23939-7501-FR	C-068765	11/30/22	Paid	Cleared	4,137.04		4,137.04
		2023	01-6010-0- - -9501- - -								
Check #	01-719421						Check Date 12/02/22		PO#	Register # 000298	
							Total Invoice Amount		**4,137.04**		
AP Vendor			Cdw Government, Inc. (001962/1) 75 Remittance Dr. Ste1515 Chicago, IL 60675								
F	2022/23	11/17/22	R23-00100	Virtual Reality kit for career center	FD79754	11/30/22	Paid	Cleared	892.51		892.51
		2023	01-6388-0-3800-1000-4400-030-0000-00R2				892.51				
		2023	01-6388-0-3800-1000-4400-030-POST-00R3								
Check #	01-719422						Check Date 12/02/22		PO# PO23-00097	Register # 000298	
							Total Invoice Amount		**892.51**		
Direct Vendor			Document Tracking Services (002686/1) 10225 Barnes Canyon Road, Ste A200 San Diego, CA 92121								
	2022/23	11/22/22		Site addition for Sierra Madre HS	7501015	11/29/22	Paid	Cleared	255.00		255.00
		2023	01-0000-0-0000-7100-5800-000-0000-0000								
Check #	01-719423						Check Date 12/02/22		PO#	Register # 000298	

Selection Sorted by Batchld, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12022022 (continued) — Bank Account COUNTY - County-AP

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
						Total Invoice Amount		**255.00**		
AP Vendor	Eide Bailly LLP (000197/1) 10681 Foothill BLVD., Ste. 300 Rancho Cucamonga, CA 91730-3831									
2022/23	11/20/22	R23-00041	Audit Fees for 2021-2022 FY	EI01415225	11/29/22	Paid	Cleared	5,000.00		5,000.00
2023	01-0000-0-0000-7100-5810-000-0000-0000									
Check #	01-719424					Check Date 12/02/22		PO# PO23-00039	Register # 000298	
2022/23	11/20/22	R23-00041	Audit Fees for General Obligation Bonds 2021-2022 FY	EI01415226	11/29/22	Paid	Cleared	2,500.00		2,500.00
2023	21-0000-0-0000-8500-5810-000-0000-0000									
Check #	01-719424					Check Date 12/02/22		PO# PO23-00039	Register # 000298	
						Total Invoice Amount		**7,500.00**		
AP Vendor	Fred C. Gilbert Co. (000196/1) P.O. Box 5534 Bakersfield, CA 93308									
2022/23	10/11/22	R23-00092	Chlorinating pump for RO	309010	11/30/22	Paid	Cleared	1,783.54		1,783.54
2023	01-0000-0-0000-8100-4400-030-0000-WELL									
Check #	01-719425					Check Date 12/02/22		PO# PO23-00091	Register # 000298	
						Total Invoice Amount		**1,783.54**		
AP Vendor	Interquest Detection Canines (000212/1) P.O. Box 407 Kerman, CA 93630									
2022/23	10/13/22	R23-00104	Canine inspection services 09/26/2022	892	11/16/22	Paid	Cleared	350.00		350.00
2023	01-0000-0-0000-2700-5800-000-0000-0000									
Check #	01-719426					Check Date 12/02/22		PO# PO23-00100	Register # 000298	
						Total Invoice Amount		**350.00**		
AP Vendor	Jordano's Food Service (001095/1) 550 South Patterson Ave. Santa Barbara, CA 93111									
2022/23	11/28/22	R23-00064	ES Lunch	6729393	11/29/22	Paid	Cleared	1,451.00		1,451.00
2023	13-5310-0-0000-3700-4710-030-0000-0000									
Check #	01-719427					Check Date 12/02/22		PO# PO23-00061	Register # 000298	

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12022022 (continued) — **Bank Account COUNTY - County-AP**

	Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
AP Vendor			Jordano's Food Service (001095/1)	(continued)							(continued)
	2022/23	11/28/22	R23-00064	ES Breakfast	6729394	11/29/22	Paid	Cleared	317.50		317.50
		2023	13- 5310- 0- 0000- 3700- 4710- 030- 0000- 0000								
	Check #	01-719427					Check Date 12/02/22		PO# PO23-00061	Register # 000298	
	2022/23	11/28/22	R23-00087	ASES Snack	6729395	11/29/22	Paid	Cleared	23.82		23.82
		2023	13- 5310- 0- 0000- 3700- 4710- 030- 0000- ASES								
	Check #	01-719427					Check Date 12/02/22		PO# PO23-00085	Register # 000298	
	2022/23	11/28/22	R23-00065	HS Lunch	6729396	11/29/22	Paid	Cleared	1,166.93		1,166.93
		2023	13- 5310- 0- 0000- 3700- 4710- 070- 0000- 0000								
	Check #	01-719427					Check Date 12/02/22		PO# PO23-00062	Register # 000298	
	2022/23	11/28/22	R23-00065	HS Breakfast	6729397	11/29/22	Paid	Cleared	346.14		346.14
		2023	13- 5310- 0- 0000- 3700- 4710- 070- 0000- 0000								
	Check #	01-719427					Check Date 12/02/22		PO# PO23-00062	Register # 000298	
							Total Invoice Amount		**3,305.39**		
AP Vendor			LimottaIT (002779/1) 320 Alisal Road Suite 101 Solvang, CA 93463								
F	2022/23	11/15/22	R23-00108	SonicWall 2 year Subscription	775847	11/30/22	Paid	Cleared	9,488.47		9,488.47
		2023	01- 0000- 0- 1110- 2700- 5835- 000- 0000- 0000								
	Check #	01-719428					Check Date 12/02/22		PO# PO23-00106	Register # 000298	
							Total Invoice Amount		**9,488.47**		
Direct Vendor			Midwest Volleyball Warehouse (000047/1) 14050 Judicial Road Burnsville, MN 55337								
	2022/23	11/29/22		Basketball uniforms for HS	22250829	11/29/22	Paid	Cleared	1,960.42		1,960.42
		2023	01- 0000- 0- 1137- 4200- 4300- 070- 0000- BBBL								
	Check #	01-719429					Check Date 12/02/22		PO#	Register # 000298	
							Total Invoice Amount		**1,960.42**		
Direct Vendor			Read Naturally (000230/1) 1284 Corporate Center Dr, Ste 600 Saint Paul, MN 55121-1279								

Selection: Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12022022 (continued) Bank Account COUNTY - County-AP

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor	Read Naturally (000230/1) (continued)									
2022/23	11/11/22		Materials for HS RTI program	258489	11/30/22	Paid	Cleared	297.00		297.00
	2023 01-2600-0-1110-1000-4200-070-0000-0000									
Check #	01-719430					Check Date 12/02/22	PO#		Register # 000298	
						Total Invoice Amount		**297.00**		
Direct Vendor	Schools Legal Service (000215/1) PO BOX 2445 Bakersfield, CA 93303									
2022/23	08/04/22		Sexual Harassment workshop A.Gamino	300206	11/30/22	Paid	Cleared	50.00		50.00
	2023 01-0000-0-0000-2700-5200-030-0000-0000									
Check #	01-719431					Check Date 12/02/22	PO#		Register # 000298	
						Total Invoice Amount		**50.00**		
Direct Vendor	State Of Calif-CDE (001183/1) PO BOX 515006 Cashier's Office Sacramento, CA 95851-5006									
2022/23	11/18/22		Receivable ID# SF-4185000 AR Debit Receivable	221118	11/30/22	Paid	Cleared	120.90		120.90
	2023 01-0000-0-0000-7200-5800-000-0000-0000									
Check #	01-719432					Check Date 12/02/22	PO#		Register # 000298	
						Total Invoice Amount		**120.90**		

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12092022 — **Bank Account COUNTY - County-AP**

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Employee	King, Theresa A (000129) 12414 Woodson Bridge Dr Bakersfield, CA 93311									
2022/23	12/05/22		DMV payments	221205	12/07/22	Paid	Cleared	460.00		460.00
	2023 01-0000-0-0000-3600-5800-000-0000-7230									
Check #	01-720564					Check Date 12/09/22	PO#		Register # 000299	
2022/23	12/06/22		Employment ad	221206	12/07/22	Paid	Cleared	25.00		25.00
	2023 01-0000-0-0000-7200-5800-000-0000-0000									
Check #	01-720564					Check Date 12/09/22	PO#		Register # 000299	
						Total Invoice Amount		**485.00**		
Direct Employee	Lebsack, Kevin D (000033) 1070 Paso Robles Ave Los Osos, CA 93402									
2022/23	12/05/22		Physics Models	221205KL	12/07/22	Paid	Cleared	74.96		74.96
	2023 01-6387-0-3800-1000-4300-070-0000-00R6									
Check #	01-720565					Check Date 12/09/22	PO#		Register # 000299	
						Total Invoice Amount		**74.96**		
Direct Vendor	American Business Machines (000365/1) PO BOX 2737 Bakersfield, CA 93303-2737									
2022/23	11/28/22		Toner for DO copier	655822	12/07/22	Paid	Cleared	15.00		15.00
	2023 01-0000-0-0000-7200-4300-000-0000-0000									
Check #	01-720566					Check Date 12/09/22	PO#		Register # 000299	
						Total Invoice Amount		**15.00**		
AP Vendor	BENCHMARK AIR CONDITIONING (000029/1) 1920 Mineral Court Bakersfield, CA 93308									
2022/23	12/07/22	R23-00109	Maint. parts	23909281	12/07/22	Paid	Cleared	729.00		729.00
	2023 01-0000-0-0000-8100-4300-000-0000-0000									
Check #	01-720567					Check Date 12/09/22	PO# PO23-00107		Register # 000299	
						Total Invoice Amount		**729.00**		
AP Vendor	Brown & Reich Petroleum, Inc. (002798/1) 215 South 6th Street PO BOX 1076 Taft, CA 93268									

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12092022 (continued) Bank Account COUNTY - County-AP

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
AP Vendor	Brown & Reich Petroleum, Inc. (002798/1) (continued)									
2022/23	12/02/22	R23-00012	Diesel and Fuel Dec. 2022 Order# 15130	33276	12/06/22	Paid	Cleared	2,126.20		2,126.20
	2023 01-0000-0-0000-3600-4381-000-0000-7230					1,857.04				
	2023 01-0000-0-0000-3600-4382-000-0000-7230									
	2023 01-0000-0-0000-8100-4300-030-0000-WELL									
	2023 01-0000-0-0000-8100-4384-000-0000-0000					269.16				
Check #	01-720568					Check Date 12/09/22		PO# PO23-00009	Register # 000299	
						Total Invoice Amount		**2,126.20**		
AP Vendor	CANON FINANCIAL SERVICES, INC. (000155/1) 14904 Collections Center Drive Chicago, IL 60693-0149									
2022/23	08/12/22	R23-00026	COPIER LEASE 08/01/2022-08/31/2022	29022304	12/07/22	Paid	Cleared	1,284.14		1,284.14
	2023 01-0000-0-0000-2700-5600-030-0000-0000									
	2023 01-0000-0-0000-2700-5600-070-0000-0000					376.55				
	2023 01-0000-0-0000-2700-5800-000-0000-0000									
	2023 01-0000-0-0000-7200-5600-000-0000-0000									
	2023 01-0000-0-1110-1000-5600-030-0000-0000					678.78				
	2023 01-0000-0-1110-1000-5600-070-0000-0000					228.81				
Check #	01-720569					Check Date 12/09/22		PO# PO23-00026	Register # 000299	
						Total Invoice Amount		**1,284.14**		
AP Vendor	Combat Plumbing and Rooter LLC (000090/1) 26851 Henry Road Fellows, CA 93224									
2022/23	12/06/22	R23-00110	Bathroom/plumbing repairs deposit for 4825 Cebrian	4148	12/07/22	Paid	Cleared	3,000.00		3,000.00
	2023 01-0035-0-0000-8100-5640-000-RENT-0000									
Check #	01-720570					Check Date 12/09/22		PO# PO23-00108	Register # 000299	
						Total Invoice Amount		**3,000.00**		
Direct Vendor	County Of Santa Barbara EHS (002302/1) 2125 S. Centerpointe Parkway #333 Santa Maria, CA 93455									

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12092022 (continued) — **Bank Account COUNTY - County-AP**

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor			County Of Santa Barbara EHS (002302/1)	(continued)						
2022/23	11/15/22		Annual ES dining permit and water system permit	IN0117645	12/07/22	Paid	Cleared	2,239.00		2,239.00
	2023	01-0000-0-0000-8100-5800-030-0000-0000				1,654.00				
	2023	13-5310-0-0000-3700-5800-030-0000-0000				585.00				
Check #	01-720571					Check Date 12/09/22	PO#		Register # 000299	
2022/23	11/15/22		Annual HS permit	IN0117646	12/07/22	Paid	Cleared	585.00		585.00
	2023	13-5310-0-0000-3700-5800-070-0000-0000								
Check #	01-720571					Check Date 12/09/22	PO#		Register # 000299	
						Total Invoice Amount		**2,824.00**		
Direct Vendor			Farm Supply Company (000653/1) PO BOX 111 San Luis Obispo, CA 93406							
2022/23	12/06/22		Ag supplies	88583	12/07/22	Paid	Cleared	717.73		717.73
	2023	01-6387-0-3800-1000-4300-070-0000-00R6								
Check #	01-720572					Check Date 12/09/22	PO#		Register # 000299	
						Total Invoice Amount		**717.73**		
AP Vendor			Frontier Communications (000033/1) PO BOX 740407 Cincinnati, OH 45274-0407							
2022/23	11/13/22	R23-00003	Frontier comm. Fee 661-766-2293 11/13/2022-12/12/2022	221113-2293	12/06/22	Paid	Cleared	283.05		283.05
	2023	01-0000-0-0000-2700-5910-070-0000-0000								
Check #	01-720573					Check Date 12/09/22	PO# PO23-00003		Register # 000299	
2022/23	11/13/22	R23-00004	Frontier Comm. Fee 661-766-2642 11/13/2022-12/12/2022	221113-2642	12/06/22	Paid	Cleared	90.29		90.29
	2023	01-0000-0-0000-2700-5910-030-0000-0000								
Check #	01-720573					Check Date 12/09/22	PO# PO23-00004		Register # 000299	
						Total Invoice Amount		**373.34**		

Selection: Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12092022 (continued) Bank Account COUNTY - County-AP

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor	Home Depot Credit Services (002329/1) Dept 32-2502046356 PO BOX 78047 Phoenix, AZ 85062-8047									
2022/23	11/09/22		Ag supplies	4022861	12/07/22	Paid	Cleared	262.02		262.02
	2023 01-6387-0-3800-1000-4300-070-0000-00R6									
Check #	01-720574					Check Date 12/09/22	PO#		Register # 000299	
2022/23	10/26/22		Ag supplies	8083846	12/07/22	Paid	Cleared	311.34		311.34
	2023 01-6387-0-3800-1000-4300-070-0000-00R6									
Check #	01-720574					Check Date 12/09/22	PO#		Register # 000299	
						Total Invoice Amount		**573.36**		
AP Vendor	IEC Power, LLC (002897/1) 8775 Folsom Blvd, Suit 110 Sacramento, CA 95826									
2022/23	11/17/22	R23-00022	Solar Maintenance Agreement 10/18/2022-11/17/2022	CUYAMA-OM-IN101	12/06/22	Paid	Printed	1,319.98		1,319.98
	2023 01-0000-0-0000-8100-5640-030-0000-SOLR					659.99				
	2023 01-0000-0-0000-8100-5640-070-0000-SOLR					659.99				
Check #	01-720575					Check Date 12/09/22	PO# PO23-00022		Register # 000299	
						Total Invoice Amount		**1,319.98**		
AP Vendor	James Herrera (002887/1) PO BOX 251 New Cuyama, CA 93254									
2022/23	11/30/22	R23-00053	SPED StudentTransportation Daily Rate Nov. 2022	221130	12/07/22	Paid	Cleared	240.00		240.00
	2023 01-0000-0-0000-3600-5100-070-0000-SPED									
Check #	01-720576					Check Date 12/09/22	PO# PO23-00051		Register # 000299	
						Total Invoice Amount		**240.00**		
AP Vendor	Jordano's Food Service (001095/1) 550 South Patterson Ave. Santa Barbara, CA 93111									
2022/23	12/05/22	R23-00064	ES Lunch	6733463	12/07/22	Paid	Cleared	2,147.21		2,147.21
	2023 13-5310-0-0000-3700-4710-030-0000-0000									

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12092022 (continued) — **Bank Account COUNTY - County-AP**

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
AP Vendor	Jordano's Food Service (001095/1) (continued)									
Check #	01-720577					Check Date 12/09/22		PO# PO23-00061	Register # 000299	
2022/23	12/05/22	R23-00064	ES Breakfast	6733464	12/07/22	Paid	Cleared	352.72		352.72
	2023	13-5310-0-0000-3700-4710-030-0000-0000								
Check #	01-720577					Check Date 12/09/22		PO# PO23-00061	Register # 000299	
2022/23	12/05/22	R23-00087	ASES Snack	6733465	12/07/22	Paid	Cleared	185.70		185.70
	2023	13-5310-0-0000-3700-4710-030-0000-ASES								
Check #	01-720577					Check Date 12/09/22		PO# PO23-00085	Register # 000299	
2022/23	12/05/22	R23-00065	HS Lunch	6733466	12/07/22	Paid	Cleared	449.22		449.22
	2023	13-5310-0-0000-3700-4710-070-0000-0000								
Check #	01-720577					Check Date 12/09/22		PO# PO23-00062	Register # 000299	
2022/23	12/05/22	R23-00065	HS Breakfast	6733467	12/07/22	Paid	Cleared	311.89		311.89
	2023	13-5310-0-0000-3700-4710-070-0000-0000								
Check #	01-720577					Check Date 12/09/22		PO# PO23-00062	Register # 000299	
						Total Invoice Amount		**3,446.74**		
AP Vendor	Lincoln Electric (000137/1) PO Box 644248 Pittsburgh, PA 15264-4248									
F 2022/23	11/16/22	R23-00101	Data cable for the plasma cutter	911633492	12/07/22	Paid	Cleared	54.96		54.96
	2023	01-6387-0-3800-1000-4300-070-0000-00R6								
Check #	01-720578					Check Date 12/09/22		PO# PO23-00102	Register # 000299	
						Total Invoice Amount		**54.96**		
AP Vendor	Old Cuyama Do It Best (000217/1) 3045 Hwy 166 Cuyama, CA 93254									
2022/23	10/10/22	R23-00085	Drinking water for ES	B301192	12/05/22	Paid	Cleared	42.00		42.00
	2023	01-0000-0-0000-2700-4300-030-0000-0000				42.00				
	2023	01-0000-0-0000-3600-4380-000-BUS4-7230								
	2023	01-0000-0-0000-8100-4300-000-0000-0000								
	2023	01-0000-0-0000-8100-4300-030-0000-0000								
	2023	01-0000-0-0000-8100-4300-070-0000-0000								
	2023	01-0000-0-1137-4200-4300-070-0000-FTBL								
	2023	01-0035-0-0000-8100-4300-000-RENT-0000								
Check #	01-720579					Check Date 12/09/22		PO# PO23-00083	Register # 000299	

Selection: Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12092022 (continued) Bank Account COUNTY - County-AP

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
AP Vendor		Old Cuyama Do It Best (000217/1)		(continued)						(continued)
2022/23	10/17/22	R23-00085	Rental supplies	B301603	12/05/22	Paid	Cleared	59.26		59.26
			4831 Morales							
	2023	01-0000-0-0000-2700-4300-030-0000-0000								
	2023	01-0000-0-0000-3600-4380-000-BUS4-7230								
	2023	01-0000-0-0000-8100-4300-000-0000-0000								
	2023	**01-0000-0-0000-8100-4300-030-0000-0000**								
	2023	01-0000-0-0000-8100-4300-070-0000-0000								
	2023	01-0000-0-1137-4200-4300-070-0000-FTBL								
	2023	01-0035-0-0000-8100-4300-000-RENT-0000				59.26				
Check #	01-720579					Check Date 12/09/22		PO# PO23-00083	Register # 000299	
2022/23	11/04/22	R23-00085	Rental supplies	B302544	12/05/22	Paid	Cleared	27.13		27.13
			4825 Cebrian							
	2023	01-0000-0-0000-2700-4300-030-0000-0000								
	2023	01-0000-0-0000-3600-4380-000-BUS4-7230								
	2023	01-0000-0-0000-8100-4300-000-0000-0000								
	2023	**01-0000-0-0000-8100-4300-030-0000-0000**								
	2023	01-0000-0-0000-8100-4300-070-0000-0000								
	2023	01-0000-0-1137-4200-4300-070-0000-FTBL								
	2023	01-0035-0-0000-8100-4300-000-RENT-0000				27.13				
Check #	01-720579					Check Date 12/09/22		PO# PO23-00083	Register # 000299	
2022/23	11/16/22	R23-00085	Socket wrench	B303076	12/05/22	Paid	Cleared	28.00		28.00
	2023	01-0000-0-0000-2700-4300-030-0000-0000								
	2023	01-0000-0-0000-3600-4380-000-BUS4-7230								
	2023	01-0000-0-0000-8100-4300-000-0000-0000								
	2023	**01-0000-0-0000-8100-4300-030-0000-0000**								
	2023	01-0000-0-0000-8100-4300-070-0000-0000								
	2023	01-0000-0-1137-4200-4300-070-0000-FTBL								
	2023	01-0035-0-0000-8100-4300-000-RENT-0000								
	2023	**01-6387-0-3800-1000-4300-070-0000-00R6**				28.00				
Check #	01-720579					Check Date 12/09/22		PO# PO23-00083	Register # 000299	
2022/23	11/29/22	R23-00085	ES Grounds	B303528	12/05/22	Paid	Cleared	30.56		30.56
	2023	01-0000-0-0000-2700-4300-030-0000-0000								
	2023	01-0000-0-0000-3600-4380-000-BUS4-7230								
	2023	01-0000-0-0000-8100-4300-000-0000-0000								
	2023	**01-0000-0-0000-8100-4300-030-0000-0000**				30.56				
	2023	01-0000-0-0000-8100-4300-070-0000-0000								
	2023	01-0000-0-1137-4200-4300-070-0000-FTBL								
	2023	01-0035-0-0000-8100-4300-000-RENT-0000								
Check #	01-720579					Check Date 12/09/22		PO# PO23-00083	Register # 000299	

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N,-On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12092022 (continued) — **Bank Account COUNTY - County-AP**

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
AP Vendor		Old Cuyama Do It Best (000217/1)	(continued)							(continued)
2022/23	11/29/22	R23-00085	ES Grounds	B303534	12/05/22	Paid	Cleared	21.59		21.59
	2023	01-0000-0-0000-2700-4300-030-0000-0000								
	2023	01-0000-0-0000-3600-4380-000-BUS4-7230								
	2023	01-0000-0-0000-8100-4300-000-0000-0000								
	2023	**01-0000-0-0000-8100-4300-030-0000-0000**				**21.59**				
	2023	01-0000-0-0000-8100-4300-070-0000-0000								
	2023	01-0000-0-1137-4200-4300-070-0000-FTBL								
	2023	01-0035-0-0000-8100-4300-000-RENT-0000								
Check #	01-720579					Check Date 12/09/22		PO# PO23-00083	Register # 000299	
2022/23	12/02/22	R23-00085	HS Keys	B303705	12/05/22	Paid	Cleared	5.38		5.38
	2023	01-0000-0-0000-2700-4300-030-0000-0000								
	2023	01-0000-0-0000-3600-4380-000-BUS4-7230								
	2023	01-0000-0-0000-8100-4300-000-0000-0000								
	2023	**01-0000-0-0000-8100-4300-030-0000-0000**								
	2023	01-0000-0-0000-8100-4300-070-0000-0000				**5.38**				
	2023	01-0000-0-1137-4200-4300-070-0000-FTBL								
	2023	01-0035-0-0000-8100-4300-000-RENT-0000								
Check #	01-720579					Check Date 12/09/22		PO# PO23-00083	Register # 000299	
2022/23	12/05/22	R23-00085	HS Grounds	B303784	12/05/22	Paid	Cleared	32.32		32.32
	2023	01-0000-0-0000-2700-4300-030-0000-0000								
	2023	01-0000-0-0000-3600-4380-000-BUS4-7230								
	2023	01-0000-0-0000-8100-4300-000-0000-0000								
	2023	**01-0000-0-0000-8100-4300-030-0000-0000**								
	2023	01-0000-0-0000-8100-4300-070-0000-0000				**32.32**				
	2023	01-0000-0-1137-4200-4300-070-0000-FTBL								
	2023	01-0035-0-0000-8100-4300-000-RENT-0000								
Check #	01-720579					Check Date 12/09/22		PO# PO23-00083	Register # 000299	
						Total Invoice Amount		**246.24**		
AP Vendor		Pacific Gas & Electric (000074/1) Box 997300 Sacramento, CA 95899-7300								
2022/23	11/14/22	R23-00068	E.S Electric 10/05/2022-11/02/2022	221114-CCCEEGC	12/07/22	Paid	Cleared	1,124.08		1,124.08
	2023	01-0000-0-0000-8100-5520-030-0000-0000								
Check #	01-720580					Check Date 12/09/22		PO# PO23-00064	Register # 000299	

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

ESCAPE ONLINE

Batch AP12092022 (continued) Bank Account COUNTY - County-AP

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
AP Vendor	Pacific Gas & Electric (000074/1) (continued)									(continued)
2022/23	11/14/22	R23-00068	E.S Electric 10/05/2022-11/02/2022	221114-M1010432536	12/07/22	Paid	Cleared	23.82		23.82
2023	01-0000-0-0000-8100-5520-030-0000-0000									
Check #	01-720580					Check Date 12/09/22		PO# PO23-00064	Register # 000299	
2022/23	11/23/22	R23-00077	High School Electric Bill 10/18/2022-11/16/2022	221123-CCCEEGC	12/07/22	Paid	Cleared	36.48		36.48
2023	01-0000-0-0000-8100-5520-070-0000-0000									
Check #	01-720580					Check Date 12/09/22		PO# PO23-00086	Register # 000299	
2022/23	11/23/22	R23-00077	High School Electric Bill 10/05/2022-11/02/2022	221123-M1010260288	12/07/22	Paid	Cleared	23.82		23.82
2023	01-0000-0-0000-8100-5520-070-0000-0000									
Check #	01-720580					Check Date 12/09/22		PO# PO23-00086	Register # 000299	
2022/23	11/23/22	R23-00077	High School Electric Bill 10/18/2022-11/16/2022	221123-M1010428403	12/07/22	Paid	Cleared	93.08		93.08
2023	01-0000-0-0000-8100-5520-070-0000-0000									
Check #	01-720580					Check Date 12/09/22		PO# PO23-00086	Register # 000299	
						Total Invoice Amount		**1,301.28**		
Direct Vendor	Quill Corporation (000734/1) PO BOX 37600 Philadelphia, PA 19101-0600									
2022/23	11/09/22		Cable for Gloria's scanner D.O	28886595	12/07/22	Paid	Printed	18.31		18.31
2023	01-0000-0-0000-2700-4300-000-0000-0000									
Check #	01-720581					Check Date 12/09/22		PO#	Register # 000299	
2022/23	11/09/22		HS office supplies and Ink for Leah B.	28910809	12/07/22	Paid	Printed	153.27		153.27
2023	01-0000-0-0000-2700-4300-070-0000-0000					117.29				
2023	01-0000-0-1110-1000-4300-070-0000-0000					35.98				
Check #	01-720581					Check Date 12/09/22		PO#	Register # 000299	

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12092022 (continued) — **Bank Account COUNTY - County-AP**

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor	Quill Corporation (000734/1) (continued)									(continued)
2022/23	11/10/22		Award paper for HS	28914872	12/07/22	Paid	Printed	22.62		22.62
	2023 01-0000-0-0000-2700-4300-070-0000-0000									
Check #	01-720581					Check Date 12/09/22		PO#		Register # 000299
						Total Invoice Amount		**194.20**		
Direct Vendor	Santa Barbara County Fire Dept (001069/1) 4401 Cathedral Oaks Road Santa Barbara, CA 93110									
2022/23	10/07/22		ES Fire inspection	PO23-00056	12/07/22	Paid	Cleared	198.00		198.00
	2023 01-0000-0-0000-8100-5800-070-0000-0000									
Check #	01-720582					Check Date 12/09/22		PO#		Register # 000299
						Total Invoice Amount		**198.00**		
AP Vendor	Southern California Gas Co. (000091/1) PO BOX C Monterey Park, CA 91756-5111									
2022/23	11/28/22	R23-00040	E.S Natural Gas 10/21/2022-11/22/2022	221118-M12760450	12/07/22	Paid	Cleared	3,401.25		3,401.25
	2023 01-0000-0-0000-8100-5510-030-0000-0000									
Check #	01-720583					Check Date 12/09/22		PO# PO23-00038		Register # 000299
2022/23	11/28/22	R23-00039	Monthly H.S Gas Bill 10/21/2022-11/22/2022	221128-M12775093	12/07/22	Paid	Cleared	1,597.27		1,597.27
	2023 01-0000-0-0000-8100-5510-070-0000-0000									
Check #	01-720583					Check Date 12/09/22		PO# PO23-00037		Register # 000299
2022/23	11/28/22		SOCALGAS 4825 CEBRIAN VACANT	221128-M13792332	12/07/22	Paid	Cleared	58.84		58.84
	2023 01-0035-0-0000-8100-5510-000-RENT-0000									
Check #	01-720583					Check Date 12/09/22		PO#		Register # 000299
						Total Invoice Amount		**5,057.36**		
AP Vendor	Verizon Business (002132/1) PO Box 15043 Albany, NY 12212-5043									

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Batch AP12092022 (continued) **Bank Account COUNTY - County-AP**

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
AP Vendor		Verizon Business (002132/1)	(continued)							
2022/23	11/10/22	R23-00023	Verizon Fax Monthly Fee 11/01/2022-11/30/2022	06640802	12/07/22	Paid	Cleared	21.52		21.52
	2023	01-0000-0-0000-2700-5910-000-0000-0000								
Check #	01-720584					Check Date 12/09/22		PO# PO23-00023	Register # 000299	
						Total Invoice Amount		**21.52**		

Batch AP12162022 — **Bank Account COUNTY - County-AP**

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Employee	Dumbrigue, Joanne L (000141) 6308 Euclid Ave Bakersfield, CA 93308									
2022/23	12/14/22		Bread for HS lunch	221214JD	12/14/22	Paid	Printed	17.50		17.50
	2023 13-5310-0-0000-3700-4790-070-0000-0000									
Check #	01-721790					Check Date 12/16/22	PO#		Register # 000300	
						Total Invoice Amount		**17.50**		
Direct Employee	Lebsack, Kevin D (000033) 1070 Paso Robles Ave Los Osos, CA 93402									
2022/23	12/06/22		Gauge Steel	13155	12/14/22	Paid	Printed	642.26		642.26
	2023 01-6387-0-3800-1000-4300-070-0000-00R6									
Check #	01-721791					Check Date 12/16/22	PO#		Register # 000300	
2022/23	12/06/22		Pro Master Kit for Ag Class	G0EMXHQ7A	12/14/22	Paid	Printed	1,000.00		1,000.00
	2023 01-6387-0-3800-1000-4300-070-0000-00R6									
Check #	01-721791					Check Date 12/16/22	PO#		Register # 000300	
2022/23	12/06/22		Pro Master Kit for Ag Class Cont.	G0EMXHQ7A-B	12/14/22	Paid	Printed	38.00		38.00
	2023 01-6387-0-3800-1000-4300-070-0000-00R6									
Check #	01-721791					Check Date 12/16/22	PO#		Register # 000300	
						Total Invoice Amount		**1,680.26**		
AP Vendor	Applied Technology Group, Inc. (000419/1) 4440 Easton Drive Bakersfield, CA 93309									
2022/23	12/01/22	R23-00010	UHF RADIO SERVICE 12/01/2022-12/31/2022	REC0000085365	12/14/22	Paid	Cleared	250.00		250.00
	2023 01-0000-0-0000-3600-5900-000-0000-7230									
Check #	01-721792					Check Date 12/16/22	PO# PO23-00010		Register # 000300	
						Total Invoice Amount		**250.00**		
Direct Vendor	Bakersfield Athletic Supply (000884/1) PO BOX 1826 Bakersfield, CA 93303									
2022/23	11/30/22		Basketball Supplies	265066	12/14/22	Paid	Cleared	1,028.02		1,028.02

Selection: Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12162022 (continued) Bank Account COUNTY - County-AP

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor	Bakersfield Athletic Supply (000884/1) (continued)									
2022/23	11/30/22		Basketball Supplies	265066 (continued)	12/14/22	Paid	Cleared	(continued)		
	2023 01-0000-0-1137-4200-4300-070-0000-BBBL									
Check #	01-721793					Check Date 12/16/22		PO#	Register # 000300	
						Total Invoice Amount		**1,028.02**		
AP Vendor	CANON FINANCIAL SERVICES, INC. (000155/1) 14904 Collections Center Drive Chicago, IL 60693-0149									
2022/23	12/12/22	R23-00026	COPIER LEASE & CA 2022 PROPERTY TAX 12/01/2022-13/31/20 22	29656057	12/14/22	Paid	Printed	1,652.83		1,652.83
	2023 01-0000-0-0000-2700-5600-030-0000-0000									
	2023 01-0000-0-0000-2700-5600-070-0000-0000									
	2023 01-0000-0-0000-2700-5800-000-0000-0000					356.48				
	2023 01-0000-0-0000-7200-5600-000-0000-0000					**432.12**				
	2023 01-0000-0-1110-1000-5600-030-0000-0000					432.11				
	2023 01-0000-0-1110-1000-5600-070-0000-0000					432.12				
Check #	01-721794					Check Date 12/16/22		PO# PO23-00026	Register # 000300	
2022/23	12/12/22	R23-00076	Copier meter 09/01/2022-11/30/20 22	29656057B	12/14/22	Paid	Printed	1,887.33		1,887.33
	2023 01-0000-0-0000-2700-5800-000-0000-COPY					523.55				
	2023 01-0000-0-0000-2700-5800-030-0000-COPY									
	2023 01-0000-0-0000-2700-5800-070-0000-COPY									
	2023 01-0000-0-0000-7100-5800-000-0000-COPY					**523.54**				
	2023 01-0000-0-0000-7200-5800-000-0000-COPY					523.54				
	2023 01-0000-0-1110-1000-5800-030-0000-COPY					316.70				
	2023 01-0000-0-1110-1000-5800-070-0000-COPY									
Check #	01-721794					Check Date 12/16/22		PO# PO23-00076	Register # 000300	
						Total Invoice Amount		**3,540.16**		
Direct Vendor	CIF State Office (000233/1) 4658 Duckhorn Dr Sacramento, CA 95834									
2022/23	12/14/22		2022-2023 CIF State Office	3758	12/14/22	Paid	Printed	52.80		52.80
	2023 01-0000-0-1137-4200-5800-070-0000-0000									

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12162022 (continued) — **Bank Account COUNTY - County-AP**

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor	CIF State Office (000233/1) (continued)									
Check # 01-721795						Check Date 12/16/22		PO#		Register # 000300
						Total Invoice Amount		**52.80**		
AP Vendor	Combat Plumbing and Rooter LLC (000090/1) 26851 Henry Road Fellows, CA 93224									
2022/23	12/06/22	R23-00115	Bathroom plumbing repairs/4825 Cebrian rental Payment 1	4148-B	12/14/22	Paid	Cleared	3,000.00		3,000.00
	2023 01-0035-0-0000-8100-5640-000-RENT-0000									
Check # 01-721796						Check Date 12/16/22		PO# PO23-00113		Register # 000300
						Total Invoice Amount		**3,000.00**		
AP Vendor	Combat Plumbing and Rooter LLC (000090/1) 26851 Henry Road Fellows, CA 93224									
2022/23	12/06/22	R23-00115	Bathroom plumbing repairs/4825 Cebrian rental Payment 2	4148-C	12/14/22	Paid	Cleared	3,800.00		3,800.00
	2023 01-0035-0-0000-8100-5640-000-RENT-0000									
Check # 01-721797						Check Date 12/16/22		PO# PO23-00113		Register # 000300
						Total Invoice Amount		**3,800.00**		
AP Vendor	Combat Plumbing and Rooter LLC (000090/1) 26851 Henry Road Fellows, CA 93224									
F 2022/23	12/06/22	R23-00115	Bathroom plumbing repairs/4825 Cebrian rental Payment 3	4148-D	12/14/22	Paid	Printed	1,600.00		1,600.00
	2023 01-0035-0-0000-8100-5640-000-RENT-0000									
Check # 01-721798						Check Date 12/16/22		PO# PO23-00113		Register # 000300
						Total Invoice Amount		**1,600.00**		
Direct Vendor	Cuyama Community Services Dist (000206/1) PO BOX 368 New Cuyama, CA 93254									

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12162022 (continued) — Bank Account COUNTY - County-AP

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor		Cuyama Community Services Dist (000206/1)	(continued)							
2022/23	11/30/22		Water Bill 4825 Cebrian Rental Vacant 10/17/2022-11/20/2022	221130-100043	12/14/22	Paid	Cleared	150.06		150.06
	2023	01-0035-0-0000-8100-5570-000-RENT-0000								
Check #	01-721799					Check Date 12/16/22	PO#		Register # 000300	
2022/23	11/30/22	R23-00046	Monthly water service for High School 10/20/2022--11/20/2022	221130-100213A	12/14/22	Paid	Cleared	223.86		223.86
	2023	01-0000-0-0000-8100-5530-070-0000-0000								
Check #	01-721799					Check Date 12/16/22	PO# PO23-00045		Register # 000300	
2022/23	12/02/22	R23-00046	Monthly water service for High School 10/20/2022-11/20/2022	223011-100213B	12/14/22	Paid	Cleared	100.33		100.33
	2023	01-0000-0-0000-8100-5530-070-0000-0000								
Check #	01-721799					Check Date 12/16/22	PO# PO23-00045		Register # 000300	
						Total Invoice Amount		**474.25**		
AP Vendor		Department Of Justice (001311/1) PO BOX 944255 Sacramento, CA 94244-2550								
2022/23	12/05/22	R23-00018	Employee live scan	621425	12/14/22	Paid	Printed	49.00		49.00
	2023	01-0000-0-0000-7200-5800-000-0000-0000								
Check #	01-721800					Check Date 12/16/22	PO# PO23-00018		Register # 000300	
						Total Invoice Amount		**49.00**		
AP Vendor		Dubuque Bank & Trust (002903/1) P.O. Box 360 Dubuque, IA 52004-0360								
2022/23	12/14/22	R23-00080	QUARTERLY COMMERCIAL LOAN PAYMENT Q 2 PAYMENT	221214	12/14/22	Paid	Printed	27,973.92		27,973.92
	2023	01-0000-0-0000-9100-7438-030-0000-QZAB				2,199.02				
	2023	01-0000-0-0000-9100-7438-070-0000-QZAB				2,199.02				

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12162022 (continued) — **Bank Account COUNTY - County-AP**

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
AP Vendor		Dubuque Bank & Trust (002903/1)	(continued)							
2022/23	12/14/22	R23-00080	QUARTERLY COMMERCIAL LOAN PAYMENT Q 2 PAYMENT	221214 (continued)	12/14/22	Paid	Printed	(continued)		
	2023	01-0000-0-0000-9100-7439-030-0000-QZAB				11,787.94				
	2023	01-0000-0-0000-9100-7439-070-0000-QZAB				11,787.94				
Check #	01-721801					Check Date 12/16/22		PO# PO23-00078	Register # 000300	
						Total Invoice Amount		**27,973.92**		
AP Vendor		Jordano's Food Service (001095/1) 550 South Patterson Ave. Santa Barbara, CA 93111								
2022/23	10/24/22	R23-00065	HS LUNCH	6710104	12/14/22	Paid	Cleared	1,319.29		1,319.29
	2023	13-5310-0-0000-3700-4710-070-0000-0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00062	Register # 000300	
2022/23	10/24/22	R23-00065	HS BREAKFAST	6710105	12/14/22	Paid	Cleared	655.32		655.32
	2023	13-5310-0-0000-3700-4710-070-0000-0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00062	Register # 000300	
2022/23	10/31/22	R23-00064	ES LUNCH	6714013	12/14/22	Paid	Cleared	1,642.92		1,642.92
	2023	13-5310-0-0000-3700-4710-030-0000-0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00061	Register # 000300	
2022/23	10/31/22	R23-00064	ES BREAKFAST	6714014	12/14/22	Paid	Cleared	556.07		556.07
	2023	13-5310-0-0000-3700-4710-030-0000-0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00061	Register # 000300	
2022/23	10/31/22	R23-00087	ASES Snack	6714015	12/14/22	Paid	Cleared	45.01		45.01
	2023	13-5310-0-0000-3700-4710-030-0000-ASES								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00085	Register # 000300	
2022/23	10/31/22	R23-00064	ES JORDANOS	6714016	12/14/22	Paid	Cleared	38.79		38.79
	2023	13-5310-0-0000-3700-4300-030-0000-0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00061	Register # 000300	
2022/23	10/31/22	R23-00065	HS LUNCH	6714017	12/14/22	Paid	Cleared	385.70		385.70
	2023	13-5310-0-0000-3700-4710-070-0000-0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00062	Register # 000300	
2022/23	10/31/22	R23-00065	HS BREAKFAST	6714018	12/14/22	Paid	Cleared	456.83		456.83
	2023	13-5310-0-0000-3700-4710-070-0000-0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00062	Register # 000300	

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12162022 (continued) Bank Account COUNTY - County-AP

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
AP Vendor		Jordano's Food Service (001095/1)		(continued)						(continued)
2022/23	11/07/22	R23-00064	ES LUNCH	6718141	12/14/22	Paid	Cleared	1,603.37		1,603.37
	2023	13- 5310- 0- 0000- 3700- 4710- 030- 0000- 0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00061	Register # 000300	
2022/23	11/07/22	R23-00064	ES BREAKFAST	6718142	12/14/22	Paid	Cleared	562.26		562.26
	2023	13- 5310- 0- 0000- 3700- 4710- 030- 0000- 0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00061	Register # 000300	
2022/23	11/07/22	R23-00087	ASES Snack	6718143	12/14/22	Paid	Cleared	57.65		57.65
	2023	13- 5310- 0- 0000- 3700- 4710- 030- 0000- ASES								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00085	Register # 000300	
2022/23	11/07/22	R23-00065	HS LUNCH	6718144	12/14/22	Paid	Cleared	1,022.15		1,022.15
	2023	13- 5310- 0- 0000- 3700- 4710- 070- 0000- 0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00062	Register # 000300	
2022/23	11/07/22	R23-00065	HS BREAKFAST	6718145	12/14/22	Paid	Cleared	686.67		686.67
	2023	13- 5310- 0- 0000- 3700- 4710- 070- 0000- 0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00062	Register # 000300	
2022/23	12/12/22	R23-00064	ES LUNCH	6737130	12/14/22	Paid	Cleared	1,217.66		1,217.66
	2023	13- 5310- 0- 0000- 3700- 4710- 030- 0000- 0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00061	Register # 000300	
2022/23	12/12/22	R23-00064	ES CHRISTMAS COOKIES	6737131	12/14/22	Paid	Cleared	115.32		115.32
	2023	13- 5310- 0- 0000- 3700- 4710- 030- 0000- 0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00061	Register # 000300	
2022/23	12/12/22	R23-00064	ES BREAKFAST	6737132	12/14/22	Paid	Cleared	497.66		497.66
	2023	13- 5310- 0- 0000- 3700- 4710- 030- 0000- 0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00061	Register # 000300	
2022/23	12/12/22	R23-00065	HS LUNCH	6737133	12/14/22	Paid	Cleared	974.06		974.06
	2023	13- 5310- 0- 0000- 3700- 4710- 070- 0000- 0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00062	Register # 000300	
2022/23	12/12/22	R23-00065	HS BREAKFAST	6737134	12/14/22	Paid	Cleared	311.78		311.78
	2023	13- 5310- 0- 0000- 3700- 4710- 070- 0000- 0000								
Check #	01-721802					Check Date 12/16/22		PO# PO23-00062	Register # 000300	
						Total Invoice Amount		**12,148.51**		

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12162022 (continued) — **Bank Account COUNTY - County-AP**

	Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
AP Vendor			Marborg Disposal (000715/1) PO BOX 4127 Santa Barbara, CA 93140								
	2022/23	11/30/22	R23-00048	Trash Services NOV. 2022	5687045	12/14/22	Paid	Printed	247.20		247.20
	2023	01-0000-0-0000-8100-5570-000-0000-0000									
Check #	01-721803						Check Date 12/16/22		PO# PO23-00047	Register # 000300	
	2022/23	11/30/22	R23-00048	Trash Services NOV.. 2022	5687046	12/14/22	Paid	Printed	494.40		494.40
	2023	01-0000-0-0000-8100-5570-000-0000-0000									
Check #	01-721803						Check Date 12/16/22		PO# PO23-00047	Register # 000300	
							Total Invoice Amount		**741.60**		
AP Vendor			Midway Laboratory, Inc (002627/1) 315 Main Street PO BOX 1151 Taft, CA 93268								
	2022/23	11/16/22	R23-00047	Monthly water testing Fee	38496	12/14/22	Paid	Printed	25.00		25.00
	2023	01-0000-0-0000-8100-5800-030-0000-0000									
Check #	01-721804						Check Date 12/16/22		PO# PO23-00046	Register # 000300	
	2022/23	11/30/22	R23-00047	Monthly water testing Fee	38541	12/14/22	Paid	Printed	25.00		25.00
	2023	01-0000-0-0000-8100-5800-030-0000-0000									
Check #	01-721804						Check Date 12/16/22		PO# PO23-00046	Register # 000300	
							Total Invoice Amount		**50.00**		
AP Vendor			National FFA Organization (000413/1) PO BOX 631363 Cincinnati, OH 45263-1363								
F	2022/23	10/19/22	R23-00107	FFA Competition Supplies	1021929	12/14/22	Paid	Printed	1,941.00		1,941.00
	2023	01-6388-0-3800-1000-4300-070-POST-00R2									
Check #	01-721805						Check Date 12/16/22		PO# PO23-00105	Register # 000300	
F	2022/23	11/03/22	R23-00105	Student supplies for competition	1027089	12/14/22	Paid	Printed	1,779.00		1,779.00
	2023	01-6388-0-3800-1000-4300-070-POST-00R2									
Check #	01-721805						Check Date 12/16/22		PO# PO23-00103	Register # 000300	
							Total Invoice Amount		**3,720.00**		

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12162022 (continued) Bank Account COUNTY - County-AP

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor	Pacific Gas & Electric (000074/1) Box 997300 Sacramento, CA 95899-7300									
2022/23	12/06/22		Light Bill 4825 Cebrian Rental Vacant11/03/2022-12 /05/2022	221206-M1005116792	12/14/22	Paid	Printed	11.52		11.52
	2023 01-0035-0-0000-8100-5520-000-RENT-0000									
Check #	01-721806					Check Date 12/16/22	PO#		Register # 000300	
						Total Invoice Amount		**11.52**		
Direct Vendor	Quill Corporation (000734/1) PO BOX 37600 Philadelphia, PA 19101-0600									
2022/23	11/22/22		Bus Barn, HS, ES Supplies	29171105	12/14/22	Paid	Printed	343.50		343.50
	2023 01-0000-0-0000-2700-4300-030-0000-0000					180.30				
	2023 01-0000-0-0000-2700-4300-070-0000-0000					104.38				
	2023 01-0000-0-0000-8100-4300-000-0000-0000					58.82				
Check #	01-721807					Check Date 12/16/22	PO#		Register # 000300	
						Total Invoice Amount		**343.50**		
Direct Vendor	Scholastic Book Fairs (001778/1) PO BOX 3745 Jefferson City, MO 65102									
2022/23	10/28/22		2022-2023 BOOKFAIR AT ES	B5187671FR	12/14/22	Paid	Printed	1,979.00		1,979.00
	2023 01-0900-0-1110-1000-4200-030-0000-BOOK									
Check #	01-721808					Check Date 12/16/22	PO#		Register # 000300	
						Total Invoice Amount		**1,979.00**		
Direct Vendor	Self-Insured Schools of CA (002199/1) PO BOX 1808 Bakersfield, CA 93303-1808									
2022/23	12/14/22		Jean Reyes Retiree Insurance	221214JR	12/14/22	Paid	Printed	600.00		600.00
	2023 01-0000-0-1110-1000-3701-000-0000-REI M									
Check #	01-721809					Check Date 12/16/22	PO#		Register # 000300	
						Total Invoice Amount		**600.00**		

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

Batch AP12162022 (continued)							Bank Account COUNTY - County-AP			
Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
AP Vendor		Verizon Business (002132/1) PO Box 15043 Albany, NY 12212-5043								
2022/23	12/10/22	R23-00023	Verizon Fax Monthly Fee 11/01/2022-11/30/2022	07116486	12/14/22	Paid	Cleared	21.68		21.68
	2023	01-0000-0-0000-2700-5910-000-0000-0000								
Check #	01-721810					Check Date 12/16/22		PO# PO23-00023	Register # 000300	
						Total Invoice Amount		**21.68**		

Batch AP12212022 — Bank Account COUNTY - County-AP

	Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
AP Vendor			BENCHMARK AIR CONDITIONING (000029/1) 1920 Mineral Court Bakersfield, CA 93308								
F	2022/23	12/19/22	R23-00114	Classroom heater repairs for HS	23989922	12/20/22	Paid	Printed	50,190.00		50,190.00
			2023 21-0000-0-0000-8100-5640-070-0000-HVAC								
Check #		01-722604					Check Date 12/21/22		PO# PO23-00112	Register # 000301	
							Total Invoice Amount		**50,190.00**		
AP Vendor			J & E Restaurant Supply (000223/1) 430 E. 19th Strett Bakersfield, CA 93305								
F	2022/23	10/07/22	R23-00081	Double Electric Convection Oven for ES Cafeteria	401414	12/20/22	Paid	Printed	14,323.23		14,323.23
			2023 01-7028-0-0000-3700-6400-030-0000-0000								
Check #		01-722605					Check Date 12/21/22		PO# PO23-00079	Register # 000301	
							Total Invoice Amount		**14,323.23**		

EXPENSES BY FUND - Bank Account COUNTY

Fund	Expense	Cash Balance	Difference
01	111,764.67	1,023,860.37	912,095.70
13	20,197.14	27,518.42-	47,715.56-
21	52,690.00	1,187,783.87	1,135,093.87
Total	**184,651.81**		

Bank Account COUNTY - County-AP

Number of Payments	116	
Number of Checks	**59**	**$150,752.33**
Number of ACH Advice	**0**	
Number of vCard Advice	**0**	
Total Check/Advice Amount	**$184,651.81**	
Total Unpaid Sales Tax	$.00	
Total Expense Amount	$184,651.81	

CHECK/ADVICE AMOUNT DISTRIBUTION COUNTS

$0 -	$99	12
$100 -	$499	14
$500 -	$999	6
$1,000 -	$4,999	20
$5,000 -	$9,999	3
$10,000 -	$14,999	2
$15,000 -	$99,999	2
$100,000 -	$199,999	
$200,000 -	$499,999	
$500,000 -	$999,999	
$1,000,000 -		

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

* Number of payments to a different vendor
! Number of Prepaid payments
@ Number of Liability payments
& Number of Employee Also Vendors
? denotes check name different than payment name
F denotes Final Payment

Report Totals - Payment Count **116** Check Count **59** ACH Count **0** vCard Count **0** Total Check/Advice Amount **184,651.81**
$184,651.81

Selection Sorted by BatchId, Filtered by (Org = 43, Payment Method = N, Payment Type = N, On Hold? = Y, Starting Check/Advice Date = 12/1/2022, Ending Check/Advice Date = 12/31/2022, Page Break by Check/Advice? = N, Zero? = Y)

CUYAMA JOINT UNIFIED SCHOOL DISTRICT

Student Field Trip Request

All applications for student field trips must be submitted to the District Office for Superintedent and Board approval at least three (3) weeks in advance of the field trip requested. Please include any supporting documentation with this request.

REQUESTED BY: Kendy Fetterman TODAY'S DATE: 12/16/22

PURPOSE: CDE Competition

FIELD TRIP LOCATION/DESTINATION: Chico State

DEPARTURE DATE: 02/10/23 DEPARTURE TIME: Noon -TBD

RETURN DATE: 02/12/23 or 2/11/23 RETURN TIME: TBD

GRADE LEVEL: 9-12 SITE LOCATION: CUHS

NUMBER OF STUDENTS: 10 NUMBER OF ADULTS/CHAPERONES: 3

WILL SACK LUNCHES BE NEEDED? Yes _____ No X If yes, please notify cafeteria staff once request has been approved.

METHOD OF TRANSPORTATION: AG Truck & AG Van

(Bus, District Car/Van, Own Car, Parent/Guardian, etc..)

ESTIMATE OF EXPENDITURES:

SUBSTITUTE NEEDED? Yes _____ No ✓ NUMBER OF DAYS SUB NEEDED: _____

LODGING NEEDED? Yes ✓ No _____ WHERE? Chico, CA

MEALS NEEDED? Yes ✓ No _____ TOTAL ESTIMATE OF EXPENSES: 1800 r-

SOURCE OF FUNDING FOR THIS FIELD TRIP: AG

DO NOT WRITE BELOW THIS LINE- FOR DISTRICT OFFICE USE ONLY

ADMINISTRATION APPROVAL

SITE ADMINISTRATOR SIGNATURE: _____ DATE: _____

SUPERINTENDENT SIGNATURE: _____

DATE: _____ REQUEST APPROVED? Yes _____ No _____

BOARD APPROVAL

APPROVED BY BOARD? Yes _____ No _____ DATE OF APPROVAL: _____

APPLICANT NOTIFIED? Yes _____ No _____

FINANCE NOTIFIED? Yes _____ No _____

Quarterly Report
on
Williams/Valenzuela Uniform Complaints

[Education Code § 35186]

2022

District: Cuyama Joint Unified School District

Name of person completing this form: Alfonso Gamino

Title of person completing this form: Superintendent/Principal

Please provide the date when this information will be reported publicly at the district governing board meeting:
January 12, 2023

Quarterly report submission date (check one):	
☐	April (Jan.—March)
☐	July (April—June)
☐	October (July—Sept.)
☑	January (Oct.—Dec.)

General Subject Area	Total no. of complaints	No. of complaints resolved	No. of complaints unresolved
Textbooks and instructional materials	0	0	0
Teacher vacancy or misassignment	0	0	0
Facilities conditions	0	0	0
Valenzuela/CAHSEE intensive instruction and services	0	0	0
TOTALS	0	0	0

Alfonso Gamino
Signature of district superintendent

1/12/2023
Date

Cuyama Joint Unified School District
2300 Highway 166, New Cuyama, California 93254
(661) 766-2482 • FAX: (661) 766-2255

January 13, 2023

Steve Gliessman
Robbie Jaffe
Condor's Hope Ranch
P.O. Box 215
New Cuyama, CA. 93254

Dear Steve Gliessman and Robbie Jaffe (Condor's Hope Ranch)

Thank you for your donation of $150.00 to the Cuyama Elementary School Garden program. Your interest in supporting the school garden in truly appreciated by the students, staff, the board, and the community. Cuyama Joint Unified School District thanks you for your continued support of our community schools.

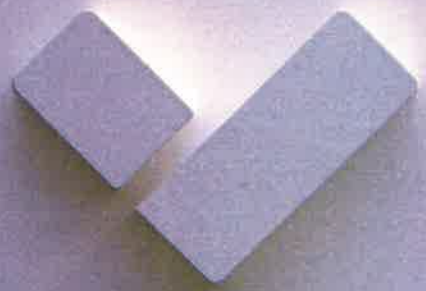
Thank you again,

Alfonso Gamino, Superintendent
Cuyama Joint Unified School District

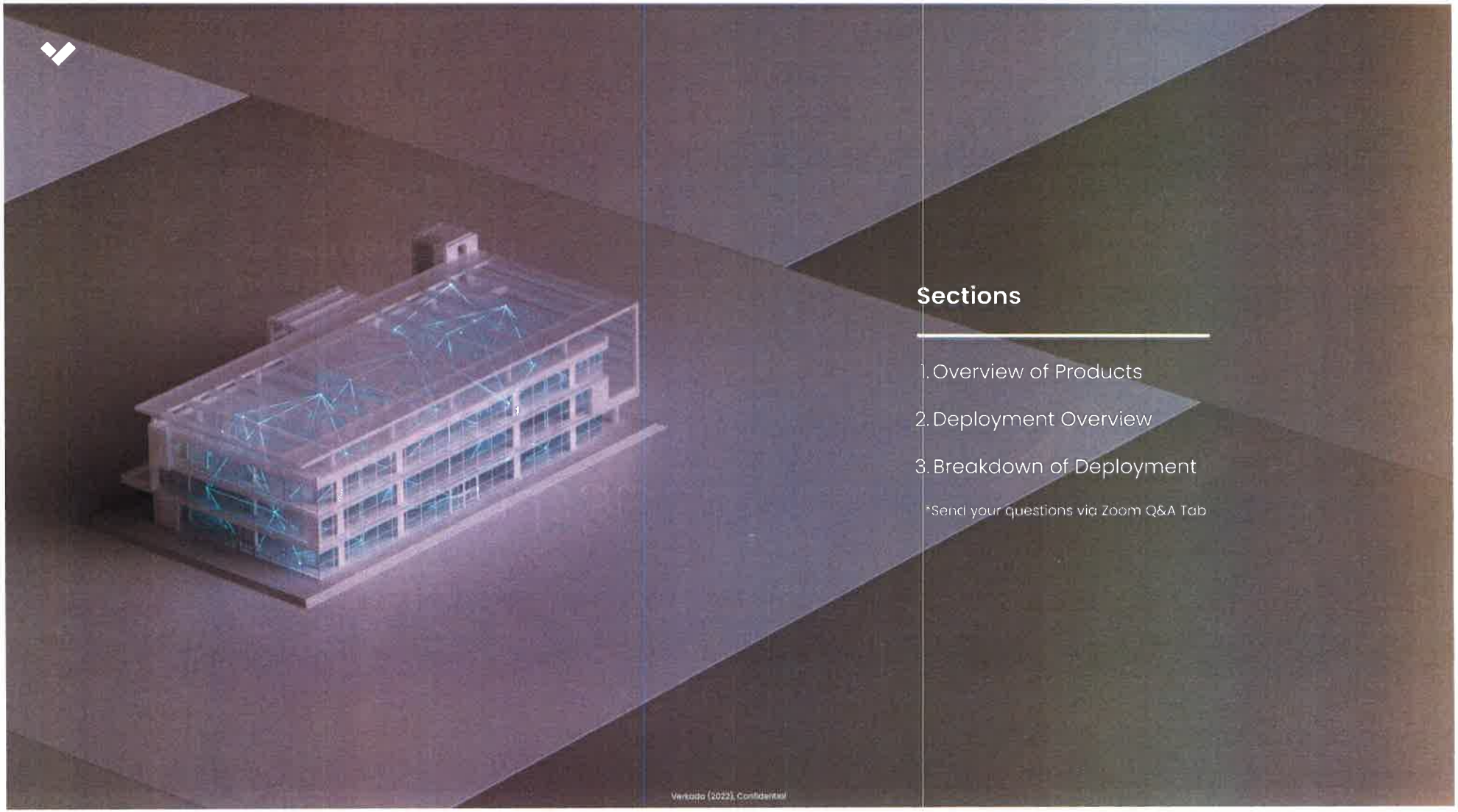
TECHNIC BUSINESS SOLUTIONS

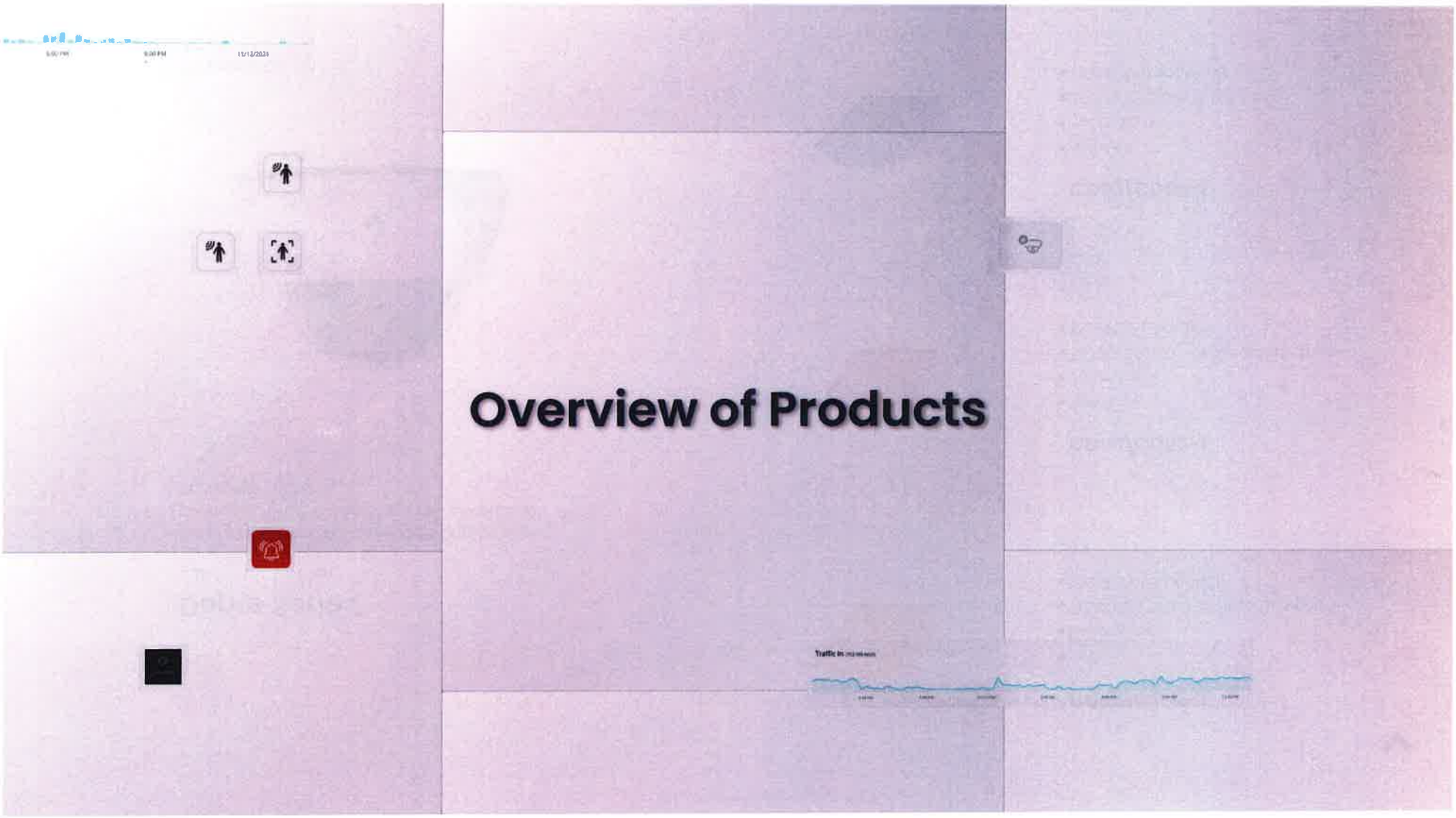
Cuyama USD
Floor Plans

Overview of Proposed Camera Deployment



Verkada & Technic (2023). Confidential


Sections
1. Overview of Products
2. Deployment Overview
3. Breakdown of Deployment
*Send your questions via Zoom Q&A Tab
Verkada (2022). Confidential


Overview of Products

Dome Series

Durable and versatile, Verkada's Dome Series provides a wide-range of indoor and outdoor enterprise cameras.





CD42/CD42-E

- 5MP
- Fixed Lens
- 30, 60, 90, 120, 365 Days Retention
- 128° FOV (Diagonal)



CD52/CD52-E

- 5MP
- Zoom Lens
- 30, 60, 90, 120, 365 Days Retention
- 126° FOV (Diagonal)



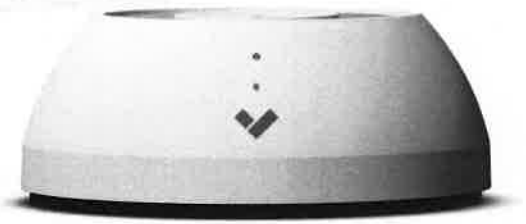
CD62/CD62-E

- 8MP (4K)
- Zoom Lens
- 30, 60, 90 Days Retention
- 136° FOV (Diagonal)

Environmental Sensor

—

The SV11 is a multi-sensor device with a wide range of applications for environmental monitoring.



SV11
Sensors for the following:

- Temperature
- TVOC
- Air Quality Index
- Noise
- Humidity
- PM 2.5
- Vape Detection
- Motion

Controlled Total Cost of Ownership

Transparent pricing, 10-year warranty and best in class support

License Overview

- No hidden costs - predictable renewal costs
- Best-in-class technical support
- No ongoing maintenance costs
- No ongoing software costs
- Automatic firmware updates
- Unlimited users

How Pricing Works



Hardware
(Up to 365 Days of Local Storage)

+



License
1,3,5, 10–Year License

Your Total Cost

Deployment
Overview

Cameras

Model	Total
CD31/E	
CD42/E	
CD52/E	3
CD62/E	3
CM41/E	
CM61	
CM41-S	
CB51-E	
CB61-E	
CB52-TE	
CB61-TE	
CF81-E	
VX52	2

Total Cameras



Cameras

Model	Total
CD31/E	
CD42/E	
CD52/E	4
CD62/E	3
CM41/E	
CM61	
CM41-S	
CB51-E	
CB61-E	
CB52-TE	
CB61-TE	
CF81-E	
VX52	2

Total Cameras



Breakdown of
Deployment

Location	Model	Description	List Price (MSRP)	Discount	Discount Total	Sale Price	5 Year Licence		Total price
Elementary Entrance Looking at School	CD62-30E-HW	*CD62-E Outdoor Dome Camera, 512GB, 30 Days Max*	$1,699.00	30.00%	$509.70	$1,189.30		$899.00	$2,088.30
Elementary Entrance Looking Back at Entrance	CD62-30E-HW	*CD62-E Outdoor Dome Camera, 512GB, 30 Days Max*	$1,699.00	30.00%	$509.70	$1,189.30		$899.00	$2,088.30
Elementary Looking at Bathrooms	CD62-30E-HW	*CD62-E Outdoor Dome Camera, 512GB, 30 Days Max*	$1,699.00	30.00%	$509.70	$1,189.30		$899.00	$2,088.30
Elementary Bus Barn	CD62-30E-HW	*CD62-E Outdoor Dome Camera, 512GB, 30 Days Max*	$1,699.00	30.00%	$509.70	$1,189.30		$899.00	$2,088.30
Elementary Camera Looking at Boys Bathroom	*CD52-256E-HW*	*CD52-E Outdoor Dome Camera, 256GB, 30 Days Max*	$1,399.00	30.00%	$419.70	$979.30		$899.00	$1,878.30
Elementary Camera Looking at Girls Bathroom	*CD52-256E-HW*	*CD52-E Outdoor Dome Camera, 256GB, 30 Days Max*	$1,399.00	30.00%	$419.70	$979.30		$899.00	$1,878.30
Elementary Boys Bathroom Sensor	*SV11-HW*	*SV11 Environmental Sensor*	$1,199.00	30.00%	$359.70	$839.30		$999.00	$1,838.30
Elementary Girls Bathroom Sensor	*SV11-HW*	*SV11 Environmental Sensor*	$1,199.00	30.00%	$359.70	$839.30		$999.00	$1,838.30
High School Entrance & Parking Lot	CD62-30E-HW	*CD62-E Outdoor Dome Camera, 512GB, 30 Days Max*	$1,699.00	30.00%	$509.70	$1,189.30		$899.00	$2,088.30
High School Main Office Back	CD62-30E-HW	*CD62-E Outdoor Dome Camera, 512GB, 30 Days Max*	$1,699.00	30.00%	$509.70	$1,189.30		$899.00	$2,088.30
High School Main Office Front	CD62-30E-HW	*CD62-E Outdoor Dome Camera, 512GB, 30 Days Max*	$1,699.00	30.00%	$509.70	$1,189.30		$899.00	$2,088.30
CPOD 1 Pointed to see Bathrooms	CD62-30E-HW	*CD62-E Outdoor Dome Camera, 512GB, 30 Days Max*	$1,699.00	30.00%	$509.70	$1,189.30		$899.00	$2,088.30
CPOD 2 CourtYard	CD62-30E-HW	*CD62-E Outdoor Dome Camera, 512GB, 30 Days Max*	$1,699.00	30.00%	$509.70	$1,189.30		$899.00	$2,088.30
High School Shop 1	*CD52-256-HW*	CD52 Indoor Dome Camera, 256GB, 30 Days Max	$1,199.00	30.00%	$359.70	$839.30		$899.00	$1,738.30
High School Shop 2	*CD52-256-HW*	*CD52 Indoor Dome Camera, 256GB, 30 Days Max*	$1,199.00	30.00%	$359.70	$839.30		$899.00	$1,738.30
CPOD Boys Bathroom Sensor	*SV11-HW*	*SV11 Environmental Sensor*	$1,199.00	30.00%	$359.70	$839.30		$999.00	$1,838.30
CPOD Girls Bathroom Sensor	*SV11-HW*	*SV11 Environmental Sensor*	$1,199.00	30.00%	$359.70	$839.30		$999.00	$1,838.30
Additional Equipment									
Elementary Point 2 Point for Bus Barn	GBE-Plus-US	UISP airMAX GigaBeam Plus 60 GHz Radio	$179.00						
Elementary Point 2 Point for Bus Barn	GBE-Plus-US	UISP airMAX GigaBeam Plus 60 GHz Radio	$179.00						
Elementary Ubiquiti POE+ Switches to Power Cameras	USW-16-PoE	Switch 16 PoE	$299.00						
Elementary Ubiquiti POE+ Switches to Power Cameras	USW-16-PoE	Switch 16 PoE	$299.00						
Elementary Ubiquiti POE+ Switches to Power Cameras	USW-16-PoE	Switch 16 PoE	$299.00						
High School Ubiquiti POE+ Switches to Power Cameras	USW-16-PoE	Switch 16 PoE	$299.00						
High School Ubiquiti POE+ Switches to Power Cameras	USW-16-PoE	Switch 16 PoE	$299.00						
High School Ubiquiti POE+ Switches to Power Cameras	USW-16-PoE	Switch 16 PoE	$299.00						
High School Ubiquiti POE+ Switches to Power Cameras	USW-16-PoE	Switch 16 PoE	$299.00						
		Shipping & Handling	$255.00						

Elementary Additional Equipment	$1,255.00			High School Additional Equipment	$1,451.00
Elementary Equipment Total	$15,786.40			High School Equipment Total	$17,594.70
Elementary Labor & Materials Total	$5,120.00			High School Labor & Materials Total	$5,760.00
Elementary Grand Total	$22,161.40			High School Grand Total	$24,805.70
Down Payment	$0.00			Down Payment	$0.00
Net Cost	$22,161.40			Net Cost	$24,805.70
Lease Payment FMV 60 mo	$487.55			Lease Payment FMV 60 mo	$545.73
Total Lease Payment Both Schools	$1,033.28				

PROTECT YOUR INVESTMENT

Optional Preventative Maintenance: Semi-Annual Cleaning to all Cameras and Sensors with replacement if faulty for the life of the contract (includes travel, labor, parts, and equipment)*.

Optional Monthly Preventative Maintenance: $290/month

*We do not cover vandalism or stolen cameras

Cuyama Elementary School
2021-2022 School Accountability Report Card
(Published During the 2022-2023 School Year)

General Information about the School Accountability Report Card (SARC)

SARC Overview



By February 1 of each year, every school in California is required by state law to publish a School Accountability Report Card (SARC). The SARC contains information about the condition and performance of each California public school. Under the Local Control Funding Formula (LCFF) all local educational agencies (LEAs) are required to prepare a Local Control and Accountability Plan (LCAP), which describes how they intend to meet annual school-specific goals for all pupils, with specific activities to address state and local priorities. Additionally, data reported in an LCAP is to be consistent with data reported in the SARC.

For more information about SARC requirements and access to prior year reports, see the California Department of Education (CDE) SARC web page at https://www.cde.ca.gov/ta/ac/sa/

For more information about the LCFF or the LCAP, see the CDE LCFF web page at https://www.cde.ca.gov/fg/aa/lc/

For additional information about the school, parents/guardians and community members should contact the school principal or the district office.

DataQuest

DataQuest is an online data tool located on the CDE DataQuest web page at https://dq.cde.ca.gov/dataquest/ that contains additional information about this school and comparisons of the school to the district and the county. Specifically, DataQuest is a dynamic system that provides reports for accountability (e.g., test data, enrollment, high school graduates, dropouts, course enrollments, staffing, and data regarding English learners).

California School Dashboard

The California School Dashboard (Dashboard) https://www.caschooldashboard.org/ reflects California's new accountability and continuous improvement system and provides information about how LEAs and schools are meeting the needs of California's diverse student population. The Dashboard contains reports that display the performance of LEAs, schools, and student groups on a set of state and local measures to assist in identifying strengths, challenges, and areas in need of improvement.

Internet Access

Internet access is available at public libraries and other locations that are publicly accessible (e.g., the California State Library). Access to the Internet at libraries and public locations is generally provided on a first-come, first-served basis. Other use restrictions may include the hours of operation, the length of time that a workstation may be used (depending on availability), the types of software programs available on a workstation, and the ability to print documents.

2022-23 School Contact Information

School Name	Cuyama Elementary School
Street	2300 Highway 166
City, State, Zip	New Cuyama, CA 93254
Phone Number	(661) 766-2642
Principal	Mr. Alfonso Gamino
Email Address	agamino@cuyamaunified.org
County-District-School (CDS) Code	42-75010-6045389

2022-23 District Contact Information

District Name	Cuyama Joint Unified School District
Phone Number	(661) 766-2482
Superintendent	Mr. Alfonso Gamino
Email Address	agamino@cuyamaunified.org
District Website Address	www.cuyamaunified.org

2022-23 School Overview

Cuyama Elementary is a rural school serving students from a forty mile radius, covering three counties. It is located in the scenic Cuyama Valley, educating kindergarten through eighth grade students taught by six highly qualified teachers, one intervention teacher, and one special education teacher. Three instructional assistants work closely with teachers to address student needs and to try to close the learning gap.

Cuyama Elementary School is dedicated to the ideals of academic excellence and to the personal and social development of our students. Academic integrity is fostered in a climate which respects the unique needs of each individual. Our students develop a positive self-image, respect for the rights of others, and the ability to communicate effectively, think critically, meet challenges, and accept responsibility. Cuyama has the following expectations consistently reinforced in all classrooms and areas of the school: Be Responsible, Excel Together, Actively Participate, Respect All, and Safety First.

Our staff is continually looking to meet the needs of our students, thirty percent of whom are English Learners, and eighty-three percent who are socioeconomically disadvantaged. Meeting those particular students' needs have been a focus of staff professional development. One of Cuyama Elementary's greatest strengths is the small class sizes. Students are respected learners at our school and develop personal connections with staff.

Family involvement is increasing at Cuyama Elementary slowly as we are coming of the Covid-19 pandemic. Many parents are active members in School Site Council, the English Learners Advisory Committee, the District Advisory Council, and the Parent's Club. There is a high participation rate in parent-teacher conferences and campus events. We are continually seeking avenues to encourage more family support.

About this School

2022-23 Student Enrollment by Grade Level

Grade Level	Number of Students

2022-23 Student Enrollment by Student Group

Student Group	Percent of Total Enrollment

A. Conditions of Learning

State Priority: Basic

The SARC provides the following information relevant to the State priority: Basic (Priority 1):

- Degree to which teachers are appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching;
- Pupils have access to standards-aligned instructional materials; and
- School facilities are maintained in good repair

2020-21 Teacher Preparation and Placement

Authorization/Assignment	School Number	School Percent	District Number	District Percent	State Number	State Percent
Fully (Preliminary or Clear) Credentialed for Subject and Student Placement (properly assigned)						
Intern Credential Holders Properly Assigned						
Teachers Without Credentials and Misassignments ("ineffective" under ESSA)						
Credentialed Teachers Assigned Out-of-Field ("out-of-field" under ESSA)						
Unknown						
Total Teaching Positions						

Note: The data in this table is based on Full Time Equivalent (FTE) status. One FTE equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time. Additionally, an assignment is defined as a position that an educator is assigned based on setting, subject, and grade level. An authorization is defined as the services that an educator is authorized to provide to students.

2021-22 Teacher Preparation and Placement

Authorization/Assignment	School Number	School Percent	District Number	District Percent	State Number	State Percent
Fully (Preliminary or Clear) Credentialed for Subject and Student Placement (properly assigned)						
Intern Credential Holders Properly Assigned						
Teachers Without Credentials and Misassignments ("ineffective" under ESSA)						
Credentialed Teachers Assigned Out-of-Field ("out-of-field" under ESSA)						
Unknown						
Total Teaching Positions						

Note: The data in this table is based on Full-Time Equivalent (FTE) status. One FTE equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time. Additionally, an assignment is defined as a position that an educator is assigned based on setting, subject, and grade level. An authorization is defined as the services that an educator is authorized to provide to students.

Teachers Without Credentials and Misassignments (considered "ineffective" under ESSA)

Authorization/Assignment	2020-21	2021-22
Permits and Waivers		
Misassignments		
Vacant Positions		
Total Teachers Without Credentials and Misassignments		

Credentialed Teachers Assigned Out-of-Field (considered "out-of-field" under ESSA)

Indicator	2020-21	2021-22
Credentialed Teachers Authorized on a Permit or Waiver		
Local Assignment Options		
Total Out-of-Field Teachers		

2021-22 Class Assignments

Indicator	2020-21	2021-22
Misassignments for English Learners (a percentage of all the classes with English learners taught by teachers that are misassigned)		
No credential, permit or authorization to teach (a percentage of all the classes taught by teachers with no record of an authorization to teach)		

Note: For more information refer to the Updated Teacher Equity Definitions web page at https://www.cde.ca.gov/pd/ee/teacherequitydefinitions.asp.

2022-23 Quality, Currency, Availability of Textbooks and Other Instructional Materials

Cuyama Joint Unified School District chooses its texts and materials from the list most recently adopted by the State Board of Education. Students have textbooks from the most current lists and textbooks are aligned with the California Common Core State Standards. The district, in accordance with the Williams Review, has ensured that all students have all textbooks and materials, and that they may take them home. Cuyama Joint Unified School District adopted a new English Language Arts curriculum in 2016, Mathematics in 2015, and is piloting new History/Social Science curriculum in the 2019-2020 school year. We still begin examining Science curriculum as it becomes available.

Year and month in which the data were collected	December 2021

Subject	Textbooks and Other Instructional Materials/year of Adoption	From Most Recent Adoption ?	Percent Students Lacking Own Assigned Copy
Reading/Language Arts	6-8 Collections California 2017 (Houghton Mifflin Harcourt) Adopted in 2016 Published in 2015	Yes	0%

	K-5 California Journeys 2017 (Houghton Mifflin Harcourt) Adopted in 2016 Published in 2015		
Mathematics	6-8: McGraw Hill, California Math Adopted 2015 K-5: McGraw Hill, My Math Adopted 2015	Yes	0%
Science	McGraw Hill Science Adopted in 2002 Prentice Hall Science Explorer Adopted in 2002 Glencoe Science Adopted in 2007	No	0%
History-Social Science	Teacher's Curriculum Institute (CTI) Social Studies adopted by the California State Board of Education Adopted in 2017 Cuyama School Board adopted the TCI for the district to start using program for the 2021-2022 school year Teacher's Curriculum Institute Adopted in 2017	No	0%

School Facility Conditions and Planned Improvements

Cuyama Elementary School is situated on 20 acres, and includes two large grassy playgrounds and fifteen regular classrooms. A new science lab for middle school was completed and the school received a new roof and paint in 2003. Additionally, new doors were installed to meet handicapped regulations, and the fire alarm system has been upgraded. New playground equipment was installed for the upper grades in the spring of 2002 and new playground equipment was installed for the primary grades in the summer of 2013. The driveway and parking lot was repaved in the summer of 2017. There is a Head Start Pre-School program housed on campus. There is space for baseball, soccer, football, and track activities, as well as a cafeteria/auditorium for performance events.

Our school meets most or all of the standards for good repair, established by the Office of Public School Construction. If we have any deficiencies, they are not significant. We scored between 89 and 100 percent on the 15 categories of our evaluation, with an overall percentage of 90.

Year and month of the most recent FIT report	September 2021

System Inspected	Rate Good	Rate Fair	Rate Poor	Repair Needed and Action Taken or Planned
Systems: Gas Leaks, Mechanical/HVAC, Sewer	X			No apparent problems
Interior:	X			Some patchwork in hall of kindergarten room.

School Facility Conditions and Planned Improvements

Interior Surfaces			
Cleanliness: Overall Cleanliness, Pest/Vermin Infestation	X		
Electrical	X		No apparent problems
Restrooms/Fountains: Restrooms, Sinks/ Fountains	X		Boys and girls restrooms need ceiling patch work.
Safety: Fire Safety, Hazardous Materials	X		No apparent problems
Structural: Structural Damage, Roofs	X		No apparent problems
External: Playground/School Grounds, Windows/ Doors/Gates/Fences		X	Need gopher control. Grounds in poor condition due to gophers.

Overall Facility Rate

Exemplary	Good	Fair	Poor
		X	

B. Pupil Outcomes

State Priority: Pupil Achievement

The SARC provides the following information relevant to the State priority: Pupil Achievement (Priority 4):

Statewide Assessments
(i.e., California Assessment of Student Performance and Progress [CAASPP] System includes the Smarter Balanced Summative Assessments for students in the general education population and the California Alternate Assessments [CAAs] for English language arts/literacy [ELA] and mathematics given in grades three through eight and grade eleven. Only eligible students may participate in the administration of the CAAs. CAAs items are aligned with alternate achievement standards, which are linked with the Common Core State Standards [CCSS] for students with the most significant cognitive disabilities).

The CAASPP System encompasses the following assessments and student participation requirements:

1. **Smarter Balanced Summative Assessments and CAAs for ELA** in grades three through eight and grade eleven.
2. **Smarter Balanced Summative Assessments and CAAs for mathematics** in grades three through eight and grade eleven.
3. **California Science Test (CAST) and CAAs for Science** in grades five, eight, and once in high school (i.e., grade ten, eleven, or twelve).
4. **College and Career Ready**
   The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study.

SARC Reporting in the 2020-2021 School Year Only
Where the most viable option, LEAs were required to administer the statewide summative assessment in ELA and mathematics. Where a statewide summative assessment was not the most viable option for the LEA (or for one or more grade-level[s] within the LEA) due to the pandemic, LEAs were allowed to report results from a different assessment that met the criteria established by the State Board of Education (SBE) on March 16, 2021. The assessments were required to be:

- Aligned with CA CCSS for ELA and mathematics;
- Available to students in grades 3 through 8, and grade 11; and
- Uniformly administered across a grade, grade span, school, or district to all eligible students.

Options
Note that the CAAs could only be administered in-person following health and safety requirements. If it was not viable for the LEA to administer the CAAs in person with health and safety guidelines in place, the LEA was directed to not administer the tests. There were no other assessment options available for the CAAs. Schools administered the Smarter Balanced Summative Assessments for ELA and mathematics, other assessments that meet the SBE criteria, or a combination of both, and they could only choose one of the following:

- Smarter Balanced ELA and mathematics summative assessments;
- Other assessments meeting the SBE criteria; or
- Combination of Smarter Balanced ELA and mathematics summative assessments and other assessments.

The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study.

Percentage of Students Meeting or Exceeding the State Standard on CAASPP

This table displays CAASPP test results in ELA and mathematics for all students grades three through eight and grade eleven taking and completing a state-administered assessment.

The 2020-21 data cells have N/A values because these data are not comparable to other year data due to the COVID-19 pandemic during the 2020-21 school year. Where the CAASPP assessments in ELA and/or mathematics is not the most viable option, the LEAs were allowed to administer local assessments. Therefore, the 2020-21 data between school years for the school, district, state are not an accurate comparison. As such, it is inappropriate to compare results of the 2020-21 school year to other school years.

Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

ELA and mathematics test results include the Smarter Balanced Summative Assessment and the CAA. The "Percent Met or Exceeded" is calculated by taking the total number of students who met or exceeded the standard on the Smarter Balanced Summative Assessment plus the total number of students who met the standard (i.e., achieved Level 3-Alternate) on the CAAs divided by the total number of students who participated in both assessments.

Subject	School 2020-21	School 2021-22	District 2020-21	District 2021-22	State 2020-21	State 2021-22
English Language Arts/Literacy (grades 3-8 and 11)	N/A		N/A		N/A	
Mathematics (grades 3-8 and 11)	N/A		N/A		N/A	

2021-22 CAASPP Test Results in ELA by Student Group

This table displays CAASPP test results in ELA by student group for students grades three through eight and grade eleven taking and completing a state-administered assessment.

ELA test results include the Smarter Balanced Summative Assessment and the CAA. The "Percent Met or Exceeded" is calculated by taking the total number of students who met or exceeded the standard on the Smarter Balanced Summative Assessment plus the total number of students who met the standard (i.e., achieved Level 3-Alternate) on the CAAs divided by the total number of students who participated in both assessments.

Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

The number of students tested includes all students who participated in the test whether they received a score or not; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using only students who received scores.

CAASPP Student Groups	CAASPP Total Enrollment	CAASPP Number Tested	CAASPP Percent Tested	CAASPP Percent Not Tested	CAASPP Percent Met or Exceeded
All Students					
Female					
Male					
American Indian or Alaska Native					
Asian					
Black or African American					
Filipino					
Hispanic or Latino					
Native Hawaiian or Pacific Islander					
Two or More Races					
White					
English Learners					
Foster Youth					
Homeless					
Military					
Socioeconomically Disadvantaged					
Students Receiving Migrant Education Services					
Students with Disabilities					

2021-22 CAASPP Test Results in Math by Student Group

This table displays CAASPP test results in Math by student group for students grades three through eight and grade eleven taking and completing a state-administered assessment.

Mathematics test results include the Smarter Balanced Summative Assessment and the CAA. The "Percent Met or Exceeded" is calculated by taking the total number of students who met or exceeded the standard on the Smarter Balanced Summative Assessment plus the total number of students who met the standard (i.e., achieved Level 3-Alternate) on the CAAs divided by the total number of students who participated in both assessments.

Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

The number of students tested includes all students who participated in the test whether they received a score or not; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using only students who received scores.

CAASPP Student Groups	CAASPP Total Enrollment	CAASPP Number Tested	CAASPP Percent Tested	CAASPP Percent Not Tested	CAASPP Percent Met or Exceeded
All Students					
Female					
Male					
American Indian or Alaska Native					
Asian					
Black or African American					
Filipino					
Hispanic or Latino					
Native Hawaiian or Pacific Islander					
Two or More Races					
White					
English Learners					
Foster Youth					
Homeless					
Military					
Socioeconomically Disadvantaged					
Students Receiving Migrant Education Services					
Students with Disabilities					

CAASPP Test Results in Science for All Students

This table displays the percentage of all students grades five, eight, and High School meeting or exceeding the State Standard.

For any 2020–21 data cells with N/T values indicate that this school did not test students using the CAASPP for Science.

Subject	School 2020-21	School 2021-22	District 2020-21	District 2021-22	State 2020-21	State 2021-22
Science (grades 5, 8 and high school)						

2021-22 CAASPP Test Results in Science by Student Group

This table displays CAASPP test results in Science by student group for students grades five, eight, and High School. Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Student Group	Total Enrollment	Number Tested	Percent Tested	Percent Not Tested	Percent Met or Exceeded
All Students					
Female					
Male					
American Indian or Alaska Native					
Asian					
Black or African American					
Filipino					
Hispanic or Latino					
Native Hawaiian or Pacific Islander					
Two or More Races					
White					
English Learners					
Foster Youth					
Homeless					
Military					
Socioeconomically Disadvantaged					
Students Receiving Migrant Education Services					
Students with Disabilities					

B. Pupil Outcomes

State Priority: Other Pupil Outcomes

The SARC provides the following information relevant to the State priority: Other Pupil Outcomes (Priority 8): Pupil outcomes in the subject area of physical education.

2021-22 California Physical Fitness Test Results

This table displays the percentage of students participating in each of the five fitness components of the California Physical Fitness Test Results. Due to changes to the 2021-22 PFT administration, only participation results are required for these five fitness areas. Percentages are not calculated and double dashes (--) appear in the table when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Grade Level	Component 1: Aerobic Capacity	Component 2: Abdominal Strength and Endurance	Component 3: Trunk Extensor and Strength and Flexibility	Component 4: Upper Body Strength and Endurance	Component 5: Flexibility
Grade 5	100%	84%	90%	90%	95%
Grade 7	100%	93%	93%	93%	100%

C. Engagement

State Priority: Parental Involvement

The SARC provides the following information relevant to the State priority: Parental Involvement (Priority 3): Efforts the school district makes to seek parent input in making decisions regarding the school district and at each school site.

2022-23 Opportunities for Parental Involvement

Parents have several excellent opportunities to participate in their student's education. Formal parent-teacher conferences are held annually, with informal conferences held as student needs arise. Parents may join the School Site Council (SSC), District Advisory Council (DAC), and the English Language Advisory Committee (ELAC). All parents are welcome at the yearly meetings, and may contact the school office for dates. Many campus events are planned with parent engagement in mind. These include the Winter Program, Halloween activities, and LCAP input sessions. In 2021-2022, we canceled the Winter Program and the Eighth Grade Dinner due to the Covid-19 Pandemic. A school garden is in the planning and early implementation stages and parents have been and continue to be an integral part of this learning lab. Parents are encouraged to be active participants in their child's education. It is expected that the garden planning will continue in 2022-2023 once students are back for in-person instruction for a second straight year.

2021-22 Chronic Absenteeism by Student Group

Student Group	Cumulative Enrollment	Chronic Absenteeism Eligible Enrollment	Chronic Absenteeism Count	Chronic Absenteeism Rate
All Students				
Female				
Male				
American Indian or Alaska Native				
Asian				
Black or African American				
Filipino				
Hispanic or Latino				
Native Hawaiian or Pacific Islander				
Two or More Races				
White				
English Learners				
Foster Youth				
Homeless				
Socioeconomically Disadvantaged				
Students Receiving Migrant Education Services				
Students with Disabilities				

C. Engagement

State Priority: School Climate

The SARC provides the following information relevant to the State priority: School Climate (Priority 6):

- Pupil suspension rates;
- Pupil expulsion rates; and
- Other local measures on the sense of safety

Suspensions and Expulsions

This table displays suspensions and expulsions data collected between July through February, partial school year due to the COVID-19 pandemic. The 2019-20 suspensions and expulsions rate data are not comparable to other year data because the 2019-20 school year is a partial school year due to the COVID-19 crisis. As such, it would be inappropriate to make any comparisons in rates of suspensions and expulsions in the 2019-20 school year compared to other school years.

Subject	School 2019-20	District 2019-20	State 2019-20
Suspensions			
Expulsions			

This table displays suspensions and expulsions data collected between July through June, each full school year respectively. Data collected during the 2020-21 school year may not be comparable to earlier years of this collection due to differences in learning mode instruction in response to the COVID-19 pandemic.

Subject	School 2020-21	School 2021-22	District 2020-21	District 2021-22	State 2020-21	State 2021-22
Suspensions						
Expulsions						

2021-22 Suspensions and Expulsions by Student Group

Student Group	Suspensions Rate	Expulsions Rate
All Students		
Female		
Male		
American Indian or Alaska Native		
Asian		
Black or African American		
Filipino		
Hispanic or Latino		
Native Hawaiian or Pacific Islander		
Two or More Races		
White		
English Learners		
Foster Youth		
Homeless		
Socioeconomically Disadvantaged		
Students Receiving Migrant Education Services		
Students with Disabilities		

2022-23 School Safety Plan

A Site Emergency Plan (Revised January 2022)adopted on February 10, 2022, is on file, and earthquake, fire, and lockdown drills are held regularly. While we pride ourselves on our safe community, we ensure that emergency response procedures are in place. Faculty, staff, and students are trained to exit the school buildings safely. Staff and administration worked collaboratively to develop an updated lockdown procedure with successful implementation. Classified staff members are also trained to assist in case of an emergency. Staff is on duty and assigned to monitor all students both in classrooms and on the playground.

The safety of students and staff is the primary concern of Cuyama Elementary. The school is aware of and complies with laws and regulation regarding hazardous materials. Laboratory supplies are carefully housed, and their use is diligently monitored. A regularly scheduled maintenance program ensures classrooms, restrooms, and other facilities are kept in good condition.

D. Other SARC Information

Information Required in the SARC

The information in this section is required to be in the SARC but is not included in the state priorities for LCFF.

2019-20 Elementary Average Class Size and Class Size Distribution

This table displays the 2019-20 average class size and class size distribution. The columns titled "Number of Classes" indicates how many classes fall into each size category (a range of total students per class). The "Other" category is for multi-grade level classes.

Grade Level	Average Class Size	Number of Classes with 1-20 Students	Number of Classes with 21-32 Students	Number of Classes with 33+ Students
K				
1				
2				
3				
4				
5				
6				

2020-21 Elementary Average Class Size and Class Size Distribution

This table displays the 2020-21 average class size and class size distribution. The columns titled "Number of Classes" indicates how many classes fall into each size category (a range of total students per class). The "Other" category is for multi-grade level classes.

Grade Level	Average Class Size	Number of Classes with 1-20 Students	Number of Classes with 21-32 Students	Number of Classes with 33+ Students
K				
1				
2				
3				
4				
5				
6				

2021-22 Elementary Average Class Size and Class Size Distribution

This table displays the 2021-22 average class size and class size distribution. The columns titled "Number of Classes" indicates how many classes fall into each size category (a range of total students per class). The "Other" category is for multi-grade level classes.

Grade Level	Average Class Size	Number of Classes with 1-20 Students	Number of Classes with 21-32 Students	Number of Classes with 33+ Students
K				
1				
2				
3				
4				
5				
6				

2021-22 Ratio of Pupils to Academic Counselor

This table displays the ratio of pupils to Academic Counselor. One full time equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

Title	Ratio
Pupils to Academic Counselor	

2021-22 Student Support Services Staff

This table displays the number of FTE support staff assigned to this school. One full time equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

Title	Number of FTE Assigned to School
Counselor (Academic, Social/Behavioral or Career Development)	
Library Media Teacher (Librarian)	
Library Media Services Staff (Paraprofessional)	
Psychologist	
Social Worker	
Speech/Language/Hearing Specialist	
Resource Specialist (non-teaching)	

2020-21 Expenditures Per Pupil and School Site Teacher Salaries

This table displays the 2020-21 expenditures per pupil and average teacher salary for this school. Cells with N/A values do not require data.

Level	Total Expenditures Per Pupil	Expenditures Per Pupil (Restricted)	Expenditures Per Pupil (Unrestricted)	Average Teacher Salary
School Site	$11,670	$2534	$9136	$66,550
District	N/A	N/A	10,908	
Percent Difference - School Site and District	N/A	N/A	-17.7	1.7
State	N/A	N/A		
Percent Difference - School Site and State	N/A	N/A	7.9	-7.2

2021-22 Types of Services Funded

These are the types of programs and services funded that support and assist students:

- Title 1 (supports socio-economically challenged students)
- Title 2 (teacher training and professional development)
- National School Lunch program
- Low Performing Schools Grant
- Tobacco Use and Prevention
- Mandate Block Grant
- Teacher Induction Program (TIP)
- After School Education and Safety Grant (ASES)
- Frontier Grant (ASES transportation)
- Multi-Tiered Systems of Support Grant (MTSS)

* Expanded Learning Opportunities Response to Intervention (RTI) support

2020-21 Teacher and Administrative Salaries

This table displays the 2020-21 Teacher and Administrative salaries. For detailed information on salaries, see the CDE Certification Salaries & Benefits web page at http://www.cde.ca.gov/ds/fd/cs/.

Category	District Amount	State Average for Districts in Same Category
Beginning Teacher Salary		
Mid-Range Teacher Salary		
Highest Teacher Salary		
Average Principal Salary (Elementary)		
Average Principal Salary (Middle)		
Average Principal Salary (High)		
Superintendent Salary		
Percent of Budget for Teacher Salaries		
Percent of Budget for Administrative Salaries		

Professional Development

Based on student data evaluation and teacher input, the focus for 2021-2022 was developing teacher skills in the area of social-emotional learning, with the main emphasis being on Universal Design for Learning (UDL). Support has been provided by the Santa Barbara County Office of Education in the form of individual coaching, after school workshops, and conference attendance. Grade level span monthly meetings are conducted to reflect on practice and student data, with the opportunity for colleagues to provide support to each other. Grade levem meetings and Professional Development was conducted in person and via Zoom for the 2021-2022 school year.

Teachers meet frequently to discuss data via Zoom and in person at times. In moving forward with the 2022-2023 school year, educators are continuing to deepen their knowledge of UDL, and discovered more about the Social Emotional Learning components of UDL. One-on-one coaching is still a practice, along with after school workshops. Several teachers are part of the Multi-Tiered Systems of Support (MTSS) team and have attended training in positive behavioral supports.

Cuyama Elementary School has continued to develop and deepen practices with on-going professional development in the realms of MTSS, Social Emotional Learning, and UDL for the 2021-2022 and 2022-2023 school year. With the school district returning to in-person instruction, professional development was added to support teachers working with social emotional students with one-on-one coaching sessions provided by the Santa Barbara County Office of Education.

This table displays the number of school days dedicated to staff development and continuous improvement.

Subject	2020-21	2021-22	2022-23
Number of school days dedicated to Staff Development and Continuous Improvement	10	10	10

Cuyama Valley High School
2021-2022 School Accountability Report Card
(Published During the 2022-2023 School Year)

General Information about the School Accountability Report Card (SARC)

SARC Overview



By February 1 of each year, every school in California is required by state law to publish a School Accountability Report Card (SARC). The SARC contains information about the condition and performance of each California public school. Under the Local Control Funding Formula (LCFF) all local educational agencies (LEAs) are required to prepare a Local Control and Accountability Plan (LCAP), which describes how they intend to meet annual school-specific goals for all pupils, with specific activities to address state and local priorities. Additionally, data reported in an LCAP is to be consistent with data reported in the SARC.

For more information about SARC requirements and access to prior year reports, see the California Department of Education (CDE) SARC web page at https://www.cde.ca.gov/ta/ac/sa/

For more information about the LCFF or the LCAP, see the CDE LCFF web page at https://www.cde.ca.gov/fg/aa/lc/

For additional information about the school, parents/guardians and community members should contact the school principal or the district office.

DataQuest

DataQuest is an online data tool located on the CDE DataQuest web page at https://dq.cde.ca.gov/dataquest/ that contains additional information about this school and comparisons of the school to the district and the county. Specifically, DataQuest is a dynamic system that provides reports for accountability (e.g., test data, enrollment, high school graduates, dropouts, course enrollments, staffing, and data regarding English learners).

California School Dashboard

The California School Dashboard (Dashboard) https://www.caschooldashboard.org/ reflects California's new accountability and continuous improvement system and provides information about how LEAs and schools are meeting the needs of California's diverse student population. The Dashboard contains reports that display the performance of LEAs, schools, and student groups on a set of state and local measures to assist in identifying strengths, challenges, and areas in need of improvement.

Internet Access

Internet access is available at public libraries and other locations that are publicly accessible (e.g., the California State Library). Access to the Internet at libraries and public locations is generally provided on a first-come, first-served basis. Other use restrictions may include the hours of operation, the length of time that a workstation may be used (depending on availability), the types of software programs available on a workstation, and the ability to print documents.

2022-23 School Contact Information

School Name	Cuyama Valley High School
Street	4500 Highway 166
City, State, Zip	New Cuyama, CA 93254
Phone Number	(661) 766-2293
Principal	Mr. Alfonso Gamino
Email Address	agamino@cuyamaunified.org
County-District-School (CDS) Code	42-75010-4231205

2022-23 District Contact Information

District Name	Cuyama Joint Unified School District
Phone Number	(661) 766-2482
Superintendent	Mr. Alfonso Gamino
Email Address	agamino@cuyamaunified.org
District Website Address	www.cuyamaunified.org

2022-23 School Overview

Cuyama Valley High is much more than a school; it is a community. This School Accountability Report Card (SARC) highlights our current achievements and outlines our plans for improvement. We strive to establish a closer relationship with our students and parents as we strengthen the ties between school and community. We invite greater involvement from all stakeholders in an effort to showcase the energy and professional dedication of the faculty and staff. Our teachers' continued training in technology, curriculum, social emotional learning, and classroom strategies will ensure that students are prepared for the challenges and promises of tomorrow.

An intense focus on academic achievement is evident at Cuyama Valley High School. The faculty remains committed to serving the needs of all students. Becoming a vital center for learning that provides the best educational choices for all students in our attendance area is our most important goal. Our attendance during the 2021-2022 school year remained high eventhough we were dealing with many Covid exposures and students had to stay home for ten days. With an honest appraisal of the entire school program, teachers are building a dynamic environment that prepares all students for the ever-changing demands of our society.

Our District
Cuyama Joint Unified School District serves a community centrally located in the beautiful Cuyama Valley, a remote northeastern section of Santa Barbara County. The area is very rural with farming and natural resources the key industries. It is the District's philosophy that public education is of fundamental importance to a free society and to the continued development of democratic values, individual liberty and an appreciation for cultural diversity in society. The District's objective is to provide the guidance and resources necessary to insure an environment conducive to learning. In order for education to succeed, there must be an ongoing partnership between parents, students, educators, and the community. It is important to emphasize that the goal of our educational system is not to supplant parental responsibilities throughout the learning process. Rather, it is the policy of the District to foster parental participation in order that an educational climate is created which reinforces and fosters the positive and healthy development of the child. The District's first goal is to provide each student with the basic skills necessary to participate and function effectively in society. The District is committed to the goal of achieving academic excellence through a program of instruction and experiences which offers each child an opportunity to develop to the maximum of his or her individual capabilities.

About this School

2022-23 Student Enrollment by Grade Level	
Grade Level	Number of Students

2022-23 Student Enrollment by Student Group	
Student Group	Percent of Total Enrollment

A. Conditions of Learning

State Priority: Basic

The SARC provides the following information relevant to the State priority: Basic (Priority 1):

- Degree to which teachers are appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching;
- Pupils have access to standards-aligned instructional materials; and
- School facilities are maintained in good repair

2020-21 Teacher Preparation and Placement

Authorization/Assignment	School Number	School Percent	District Number	District Percent	State Number	State Percent
Fully (Preliminary or Clear) Credentialed for Subject and Student Placement (properly assigned)						
Intern Credential Holders Properly Assigned						
Teachers Without Credentials and Misassignments ("ineffective" under ESSA)						
Credentialed Teachers Assigned Out-of-Field ("out-of-field" under ESSA)						
Unknown						
Total Teaching Positions						

Note: The data in this table is based on Full Time Equivalent (FTE) status. One FTE equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time. Additionally, an assignment is defined as a position that an educator is assigned based on setting, subject, and grade level. An authorization is defined as the services that an educator is authorized to provide to students.

2021-22 Teacher Preparation and Placement

Authorization/Assignment	School Number	School Percent	District Number	District Percent	State Number	State Percent
Fully (Preliminary or Clear) Credentialed for Subject and Student Placement (properly assigned)						
Intern Credential Holders Properly Assigned						
Teachers Without Credentials and Misassignments ("ineffective" under ESSA)						
Credentialed Teachers Assigned Out-of-Field ("out-of-field" under ESSA)						
Unknown						
Total Teaching Positions						

Note: The data in this table is based on Full-Time Equivalent (FTE) status. One FTE equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time. Additionally, an assignment is defined as a position that an educator is assigned based on setting, subject, and grade level. An authorization is defined as the services that an educator is authorized to provide to students.

Teachers Without Credentials and Misassignments (considered "ineffective" under ESSA)

Authorization/Assignment	2020-21	2021-22
Permits and Waivers		
Misassignments		
Vacant Positions		
Total Teachers Without Credentials and Misassignments		

Credentialed Teachers Assigned Out-of-Field (considered "out-of-field" under ESSA)

Indicator	2020-21	2021-22
Credentialed Teachers Authorized on a Permit or Waiver		
Local Assignment Options		
Total Out-of-Field Teachers		

2021-22 Class Assignments

Indicator	2020-21	2021-22
Misassignments for English Learners (a percentage of all the classes with English learners taught by teachers that are misassigned)		
No credential, permit or authorization to teach (a percentage of all the classes taught by teachers with no record of an authorization to teach)		

Note: For more information refer to the Updated Teacher Equity Definitions web page at https://www.cde.ca.gov/pd/ee/teacherequitydefinitions.asp.

2022-23 Quality, Currency, Availability of Textbooks and Other Instructional Materials

Cuyama Valley High School is in the process of updating all curriculum, selected from the most recent list of standards-based materials adopted by the State Board of Education. New English Language Arts curriculum, aligned with Common Core State Standards (CCSS) was adopted in the 2016/2017 school year. New mathematics curriculum, aligned with the Common Core State Standards, was adopted for the 2018/2019 school year.. Science curriculum will be purchased as soon as it becomes available. A history/social science program was piloted for the 2018/2019 and 2019/2020 school year. Staff will analyze the success of the program, and look to adopt the curriculum, based on student achievement data.

Year and month in which the data were collected	December 2020

Subject	Textbooks and Other Instructional Materials/year of Adoption	From Most Recent Adoption ?	Percent Students Lacking Own Assigned Copy
Reading/Language Arts	Collections California 2017 (Houghton Mifflin Harcourt) Adopted in 2016 Published in 2015	Yes	0%

Mathematics	Integrated Mathematics I (Big Ideas Learning) Adopted in 2018 Integrated Mathematics II (Big Ideas Learning) Adopted in 2018 Integrated Mathematics III (Big Ideas Learning) Adopted in 2018 Integrated Mathematics IV (Big Ideas Learning) Adopted in 2018	Yes	0%
Science	Biology (Glencoe) Adopted in 2007 Chemistry (Glencoe) Adopted in 2007 Earth Science (Glencoe) Adopted in 2007 Physics (Glencoe) Adopted in 2008	Yes	0%
History-Social Science	Teacher's Curriculum Institute (TCI) History Alive State Board of Education approved in 2017 Piloted for Cuyma School District in 2019/2020 Cuyama Board adopted for the 2021-2022 school year	Yes	0%
Foreign Language	Discovering French I (McDougall Littell) Published in 2001 Discovering French II (McDougall Littell) Published in 2001 Spanish Que Tal? (McDougall Little) Published in 2001	No	0%
Health	Glencoe health (Glencoe/McGraw-Hill) Published in 2007	Yes	0%

School Facility Conditions and Planned Improvements

In addition to regular classrooms, Cuyama Valley High School has an administration building, library, full kitchen and cafeteria, industrial arts classrooms, and multipurpose gymnasium that are safe, clean, and provide adequate space for student and community activities. We have a computer classroom, a weight room, and tennis courts. The main campus was built in 1957.

Improvements have occurred with the passing of a local bond. Over the past two years, there has been asbestos removal, new flooring installed in all the classrooms and office, the demolition of the swimming pool and construction of new outdoor basketball courts. The electrical system was completely replaced in 2020.

The district takes great efforts to ensure that all schools are clean, safe, and functional. To assist in this effort, the district used a facility survey instrument developed by the State of California Office of Public School Instruction. The results of this survey are available at the school office or district office.

District maintenance staff ensures that the repairs necessary to keep the school in good repair and working order are completed in a timely manner. A work order process is used to ensure efficient service and that emergency repairs are given the highest priority.

Our school is in good repair, according to the criteria established by the Office of Public School Construction. Our deficiencies are minor ones resulting from common wear and tear, and there are few of them. We scored between 86 and 100 percent on the 15 categories of our evaluation.

Year and month of the most recent FIT report	September 2021

System Inspected	Rate Good	Rate Fair	Rate Poor	Repair Needed and Action Taken or Planned
Systems: Gas Leaks, Mechanical/HVAC, Sewer			X	Electrical and HVAC systems need upgrading. Heating repairs to be conducted in 2022-2023.
Interior: Interior Surfaces	X			No apparent problems.
Cleanliness: Overall Cleanliness, Pest/Vermin Infestation	X			Termite infestation in kitchen/life skills building.
Electrical	X			Electrical system was upgraded in 2021.
Restrooms/Fountains: Restrooms, Sinks/ Fountains		X		Sewer and drain lines need repair or replacing.
Safety: Fire Safety, Hazardous Materials	X			No apparent problems.
Structural: Structural Damage, Roofs	X			No apparent problems.
External: Playground/School Grounds, Windows/ Doors/Gates/Fences			X	Need gopher control. District maintenance staff working on a gopher control plan.

Overall Facility Rate

Exemplary	Good	Fair	Poor
		X	

B. Pupil Outcomes

State Priority: Pupil Achievement

The SARC provides the following information relevant to the State priority: Pupil Achievement (Priority 4):

Statewide Assessments
(i.e., California Assessment of Student Performance and Progress [CAASPP] System includes the Smarter Balanced Summative Assessments for students in the general education population and the California Alternate Assessments [CAAs] for English language arts/literacy [ELA] and mathematics given in grades three through eight and grade eleven. Only eligible students may participate in the administration of the CAAs. CAAs items are aligned with alternate achievement standards, which are linked with the Common Core State Standards [CCSS] for students with the most significant cognitive disabilities).

The CAASPP System encompasses the following assessments and student participation requirements:

1. **Smarter Balanced Summative Assessments and CAAs for ELA** in grades three through eight and grade eleven.
2. **Smarter Balanced Summative Assessments and CAAs for mathematics** in grades three through eight and grade eleven.
3. **California Science Test (CAST) and CAAs for Science** in grades five, eight, and once in high school (i.e., grade ten, eleven, or twelve).
4. **College and Career Ready**
   The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study.

SARC Reporting in the 2020-2021 School Year Only
Where the most viable option, LEAs were required to administer the statewide summative assessment in ELA and mathematics. Where a statewide summative assessment was not the most viable option for the LEA (or for one or more grade-level[s] within the LEA) due to the pandemic, LEAs were allowed to report results from a different assessment that met the criteria established by the State Board of Education (SBE) on March 16, 2021. The assessments were required to be:

- Aligned with CA CCSS for ELA and mathematics;
- Available to students in grades 3 through 8, and grade 11; and
- Uniformly administered across a grade, grade span, school, or district to all eligible students.

Options
Note that the CAAs could only be administered in-person following health and safety requirements. If it was not viable for the LEA to administer the CAAs in person with health and safety guidelines in place, the LEA was directed to not administer the tests. There were no other assessment options available for the CAAs. Schools administered the Smarter Balanced Summative Assessments for ELA and mathematics, other assessments that meet the SBE criteria, or a combination of both, and they could only choose one of the following:

- Smarter Balanced ELA and mathematics summative assessments;
- Other assessments meeting the SBE criteria; or
- Combination of Smarter Balanced ELA and mathematics summative assessments and other assessments.

The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study.

Percentage of Students Meeting or Exceeding the State Standard on CAASPP

This table displays CAASPP test results in ELA and mathematics for all students grades three through eight and grade eleven taking and completing a state-administered assessment.

The 2020-21 data cells have N/A values because these data are not comparable to other year data due to the COVID-19 pandemic during the 2020-21 school year. Where the CAASPP assessments in ELA and/or mathematics is not the most viable option, the LEAs were allowed to administer local assessments. Therefore, the 2020-21 data between school years for the school, district, state are not an accurate comparison. As such, it is inappropriate to compare results of the 2020-21 school year to other school years.

Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

ELA and mathematics test results include the Smarter Balanced Summative Assessment and the CAA. The "Percent Met or Exceeded" is calculated by taking the total number of students who met or exceeded the standard on the Smarter Balanced Summative Assessment plus the total number of students who met the standard (i.e., achieved Level 3-Alternate) on the CAAs divided by the total number of students who participated in both assessments.

Subject	School 2020-21	School 2021-22	District 2020-21	District 2021-22	State 2020-21	State 2021-22
English Language Arts/Literacy (grades 3-8 and 11)	N/A		N/A		N/A	
Mathematics (grades 3-8 and 11)	N/A		N/A		N/A	

2021-22 CAASPP Test Results in ELA by Student Group

This table displays CAASPP test results in ELA by student group for students grades three through eight and grade eleven taking and completing a state-administered assessment.

ELA test results include the Smarter Balanced Summative Assessment and the CAA. The "Percent Met or Exceeded" is calculated by taking the total number of students who met or exceeded the standard on the Smarter Balanced Summative Assessment plus the total number of students who met the standard (i.e., achieved Level 3-Alternate) on the CAAs divided by the total number of students who participated in both assessments.

Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

The number of students tested includes all students who participated in the test whether they received a score or not; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using only students who received scores.

CAASPP Student Groups	CAASPP Total Enrollment	CAASPP Number Tested	CAASPP Percent Tested	CAASPP Percent Not Tested	CAASPP Percent Met or Exceeded
All Students					
Female					
Male					
American Indian or Alaska Native					
Asian					
Black or African American					
Filipino					
Hispanic or Latino					
Native Hawaiian or Pacific Islander					
Two or More Races					
White					
English Learners					
Foster Youth					
Homeless					
Military					
Socioeconomically Disadvantaged					
Students Receiving Migrant Education Services					
Students with Disabilities					

2021-22 CAASPP Test Results in Math by Student Group

This table displays CAASPP test results in Math by student group for students grades three through eight and grade eleven taking and completing a state-administered assessment.

Mathematics test results include the Smarter Balanced Summative Assessment and the CAA. The "Percent Met or Exceeded" is calculated by taking the total number of students who met or exceeded the standard on the Smarter Balanced Summative Assessment plus the total number of students who met the standard (i.e., achieved Level 3-Alternate) on the CAAs divided by the total number of students who participated in both assessments.

Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

The number of students tested includes all students who participated in the test whether they received a score or not; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using only students who received scores.

CAASPP Student Groups	CAASPP Total Enrollment	CAASPP Number Tested	CAASPP Percent Tested	CAASPP Percent Not Tested	CAASPP Percent Met or Exceeded
All Students					
Female					
Male					
American Indian or Alaska Native					
Asian					
Black or African American					
Filipino					
Hispanic or Latino					
Native Hawaiian or Pacific Islander					
Two or More Races					
White					
English Learners					
Foster Youth					
Homeless					
Military					
Socioeconomically Disadvantaged					
Students Receiving Migrant Education Services					
Students with Disabilities					

CAASPP Test Results in Science for All Students

This table displays the percentage of all students grades five, eight, and High School meeting or exceeding the State Standard.

For any 2020–21 data cells with N/T values indicate that this school did not test students using the CAASPP for Science.

Subject	School 2020-21	School 2021-22	District 2020-21	District 2021-22	State 2020-21	State 2021-22
Science (grades 5, 8 and high school)						

2021-22 CAASPP Test Results in Science by Student Group

This table displays CAASPP test results in Science by student group for students grades five, eight, and High School. Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Student Group	Total Enrollment	Number Tested	Percent Tested	Percent Not Tested	Percent Met or Exceeded
All Students					
Female					
Male					
American Indian or Alaska Native					
Asian					
Black or African American					
Filipino					
Hispanic or Latino					
Native Hawaiian or Pacific Islander					
Two or More Races					
White					
English Learners					
Foster Youth					
Homeless					
Military					
Socioeconomically Disadvantaged					
Students Receiving Migrant Education Services					
Students with Disabilities					

2021-22 Career Technical Education Programs

Cuyama Valley High School is dedicated to preparing students to be successful whether they choose to further their education, join the armed forces, or enter the workforce. The CTE courses fit well with academic courses. Agriculture Chemistry, Agriculture Biology, and Agriculture Physics have been A-G approved. Most CTE courses are A-G approved, so that all students have as many options as possible available to them upon graduation. For the 2020-2021 school year, the agriculture pathway is in place since the 2019-2020 school year. Students are evaluated through a skills assessment upon the completion of agriculture courses. Kendy Fetterman is the primary representative of the advisory committee with local agriculture industries represented on the committee.

2021-22 Career Technical Education (CTE) Participation

Measure	CTE Program Participation
Number of Pupils Participating in CTE	
Percent of Pupils that Complete a CTE Program and Earn a High School Diploma	
Percent of CTE Courses that are Sequenced or Articulated Between the School and Institutions of Postsecondary Education	

Course Enrollment/Completion

This table displays the course enrollment/completion of University of California (UC) and/or California State University (CSU) admission requirements.

UC/CSU Course Measure	Percent
2021-22 Pupils Enrolled in Courses Required for UC/CSU Admission	
2020-21 Graduates Who Completed All Courses Required for UC/CSU Admission	

B. Pupil Outcomes

State Priority: Other Pupil Outcomes

The SARC provides the following information relevant to the State priority: Other Pupil Outcomes (Priority 8): Pupil outcomes in the subject area of physical education.

2021-22 California Physical Fitness Test Results

This table displays the percentage of students participating in each of the five fitness components of the California Physical Fitness Test Results. Due to changes to the 2021-22 PFT administration, only participation results are required for these five fitness areas. Percentages are not calculated and double dashes (--) appear in the table when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Grade Level	Component 1: Aerobic Capacity	Component 2: Abdominal Strength and Endurance	Component 3: Trunk Extensor and Strength and Flexibility	Component 4: Upper Body Strength and Endurance	Component 5: Flexibility
Grade 5		100%	100%	100%	100%
Grade 7		100%	100%	100%	100%
Grade 9	100%	100%	100%	100%	100%

C. Engagement

State Priority: Parental Involvement

The SARC provides the following information relevant to the State priority: Parental Involvement (Priority 3): Efforts the school district makes to seek parent input in making decisions regarding the school district and at each school site.

2022-23 Opportunities for Parental Involvement

Parents are encouraged to be active participants in their child's education. They are encouraged to attend yearly parent-teacher conferences, Back to School Night, and the many sporting events and campus activities. During the 2021-2022 school year, most of the events were conducted virtually due to the Covid-19 pandemic concerns although students were attending school in person. Parents can be a part of School Site Council, District Advisory Council, and ELAC/DELAC committee, and are welcome to become volunteers on campus and at school events once the Covid-19 protocols are lifted. Our parents also attend and participate in input sessions for the LCAP that are held throughout the year.

C. Engagement

State Priority: Pupil Engagement

The SARC provides the following information relevant to the State priority: Pupil Engagement (Priority 5):

- High school dropout rates;
- High school graduation rates; and
- Chronic Absenteeism

Dropout Rate and Graduation Rate (Four-Year Cohort Rate)

Indicator	School 2019-20	School 2020-21	School 2021-22	District 2019-20	District 2020-21	District 2021-22	State 2019-20	State 2020-21	State 2021-22
Dropout Rate									
Graduation Rate									

2021-22 Graduation Rate by Student Group (Four-Year Cohort Rate)

This table displays the 2021-22 graduation rate by student group. For information on the Four-Year Adjusted Cohort Graduation Rate (ACGR), visit the CDE Adjusted Cohort Graduation Rate web page at www.cde.ca.gov/ds/ad/acgrinfo.asp.

Student Group	Number of Students in Cohort	Number of Cohort Graduates	Cohort Graduation Rate
All Students			
Female			
Male			
American Indian or Alaska Native			
Asian			
Black or African American			
Filipino			
Hispanic or Latino			
Native Hawaiian or Pacific Islander			
Two or More Races			
White			
English Learners			
Foster Youth			
Homeless			
Socioeconomically Disadvantaged			
Students Receiving Migrant Education Services			
Students with Disabilities			

2021-22 Chronic Absenteeism by Student Group

Student Group	Cumulative Enrollment	Chronic Absenteeism Eligible Enrollment	Chronic Absenteeism Count	Chronic Absenteeism Rate
All Students				
Female				
Male				
American Indian or Alaska Native				
Asian				
Black or African American				
Filipino				
Hispanic or Latino				
Native Hawaiian or Pacific Islander				
Two or More Races				
White				
English Learners				
Foster Youth				
Homeless				
Socioeconomically Disadvantaged				
Students Receiving Migrant Education Services				
Students with Disabilities				

C. Engagement

State Priority: School Climate

The SARC provides the following information relevant to the State priority: School Climate (Priority 6):

- Pupil suspension rates;
- Pupil expulsion rates; and
- Other local measures on the sense of safety

Suspensions and Expulsions

This table displays suspensions and expulsions data collected between July through February, partial school year due to the COVID-19 pandemic. The 2019-20 suspensions and expulsions rate data are not comparable to other year data because the 2019-20 school year is a partial school year due to the COVID-19 crisis. As such, it would be inappropriate to make any comparisons in rates of suspensions and expulsions in the 2019-20 school year compared to other school years.

Subject	School 2019-20	District 2019-20	State 2019-20
Suspensions			
Expulsions			

This table displays suspensions and expulsions data collected between July through June, each full school year respectively. Data collected during the 2020-21 school year may not be comparable to earlier years of this collection due to differences in learning mode instruction in response to the COVID-19 pandemic.

Subject	School 2020-21	School 2021-22	District 2020-21	District 2021-22	State 2020-21	State 2021-22
Suspensions						
Expulsions						

2021-22 Suspensions and Expulsions by Student Group

Student Group	Suspensions Rate	Expulsions Rate
All Students		
Female		
Male		
American Indian or Alaska Native		
Asian		
Black or African American		
Filipino		
Hispanic or Latino		
Native Hawaiian or Pacific Islander		
Two or More Races		
White		
English Learners		
Foster Youth		
Homeless		
Socioeconomically Disadvantaged		
Students Receiving Migrant Education Services		
Students with Disabilities		

2022-23 School Safety Plan

A School Safety Plan (Revised January 2022), board approved February 2022, is on file, and earthquake, fire, and lockdown drills are held regularly now that in-person instruction has resumed in 2021-2022. While we pride ourselves on our safe community, we ensure that emergency response procedures are in place. Faculty, staff, and students are trained to exit the school buildings safely. Teacher responsibilities regarding student safety are reviewed during each school year. Classified staff members are also trained to assist in case of an emergency. Staff is on duty and assigned to monitor all students both in classrooms and on the school grounds.

The school is aware of and complies with laws and regulations regarding hazardous materials. Laboratory and chemical supplies are carefully housed, and their use is diligently monitored. A regularly scheduled maintenance program ensures classrooms, restrooms, and other facilities are kept in good repair.

2019-20 Secondary Average Class Size and Class Size Distribution

This table displays the 2019-20 average class size and class size distribution. The columns titled "Number of Classes" indicates how many classes fall into each size category (a range of total students per classroom). At the secondary school level, this information is reported by subject area rather than grade level.

Subject	Average Class Size	Number of Classes with 1-22 Students	Number of Classes with 23-32 Students	Number of Classes with 33+ Students
English Language Arts				
Mathematics				
Science				
Social Science				

2020-21 Secondary Average Class Size and Class Size Distribution

This table displays the 2020-21 average class size and class size distribution. The columns titled "Number of Classes" indicates how many classes fall into each size category (a range of total students per classroom). At the secondary school level, this information is reported by subject area rather than grade level.

Subject	Average Class Size	Number of Classes with 1-22 Students	Number of Classes with 23-32 Students	Number of Classes with 33+ Students
English Language Arts				
Mathematics				
Science				
Social Science				

2021-22 Secondary Average Class Size and Class Size Distribution

This table displays the 2021-22 average class size and class size distribution. The columns titled "Number of Classes" indicates how many classes fall into each size category (a range of total students per classroom). At the secondary school level, this information is reported by subject area rather than grade level.

Subject	Average Class Size	Number of Classes with 1-22 Students	Number of Classes with 23-32 Students	Number of Classes with 33+ Students
English Language Arts				
Mathematics				
Science				
Social Science				

2021-22 Ratio of Pupils to Academic Counselor

This table displays the ratio of pupils to Academic Counselor. One full time equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

Title	Ratio
Pupils to Academic Counselor	

2021-22 Student Support Services Staff

This table displays the number of FTE support staff assigned to this school. One full time equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

Title	Number of FTE Assigned to School
Counselor (Academic, Social/Behavioral or Career Development)	
Library Media Teacher (Librarian)	
Library Media Services Staff (Paraprofessional)	
Psychologist	
Social Worker	
Speech/Language/Hearing Specialist	
Resource Specialist (non-teaching)	

2020-21 Expenditures Per Pupil and School Site Teacher Salaries

This table displays the 2020-21 expenditures per pupil and average teacher salary for this school. Cells with N/A values do not require data.

Level	Total Expenditures Per Pupil	Expenditures Per Pupil (Restricted)	Expenditures Per Pupil (Unrestricted)	Average Teacher Salary
School Site	$19259	$2577	$16682	$58089
District	N/A	N/A	$10908	
Percent Difference - School Site and District	N/A	N/A	41.9	-11.9
State	N/A	N/A		
Percent Difference - School Site and State	N/A	N/A	65.6	-20.8

2021-22 Types of Services Funded

These are the types of programs and services funded that support and assist students:

- Title 1 (supports socio-economically challenged students)
- Title 2 (teacher training and professional development)
- National School Lunch program
- Low Performing Schools Grant
- Tobacco Use and Prevention TUPE)
- Teacher Induction Program (TIP)
- Multi-Tiered Systems of Support (MTSS)

* Expanded Learning Program for Response to Intervention

2020-21 Teacher and Administrative Salaries

This table displays the 2020-21 Teacher and Administrative salaries. For detailed information on salaries, see the CDE Certification Salaries & Benefits web page at http://www.cde.ca.gov/ds/fd/cs/.

Category	District Amount	State Average for Districts in Same Category
Beginning Teacher Salary		
Mid-Range Teacher Salary		
Highest Teacher Salary		
Average Principal Salary (Elementary)		
Average Principal Salary (Middle)		
Average Principal Salary (High)		
Superintendent Salary		
Percent of Budget for Teacher Salaries		
Percent of Budget for Administrative Salaries		

2021-22 Advanced Placement (AP) Courses

This table displays the percent of student in AP courses at this school.

Percent of Students in AP Courses

This table displays the number of AP courses offered at this school where there are student course enrollments of at least one student.

Subject	Number of AP Courses Offered
Computer Science	
English	
Fine and Performing Arts	
Foreign Language	
Mathematics	
Science	
Social Science	
Total AP Courses Offered Where there are student course enrollments of at least one student.	

Professional Development

For the 2021-2022 school year, after examining student data and gathering teaching input, it was determined that staff development would focus on Universal Design for Learning (UDL) and social-emotional learning as well as reading data to drive student instruction. Support has been provided by the Santa Barbara Office of Education with one-on-one coaching and after school workshops, along with conference attendance. Teachers meet frequently to discuss data. In moving forward with the 2021-2022 and 2022-2023 school years, educators are continuing to deepen their knowledge of UDL, and have added discovering more about the Social Emotional Learning components of UD especially now that our students spent close to 1.5 years on a distance learning program due to the Covd-19 pandemic. One-on-one coaching is still a practice, along with after school workshops. Several teachers are part of the Multi-Tiered Systems of Support (MTSS) team and have attended training in positive behavioral supports.

Cuyama Valley High School has continued to develop and deepen practices with on-going professional development in the realms of MTSS and UDL for the 2021-2022 school year. With the return to in-person instruction in 2021-2022, professional development was added to better support teacher and students by receiving sessions on Social Emotional learning. Some SBCEO PD was conducted in person for the 2021-2022 school year.

This table displays the number of school days dedicated to staff development and continuous improvement.

Subject	2020-21	2021-22	2022-23
Number of school days dedicated to Staff Development and Continuous Improvement	10	10	10

Sierra Madre Continuation High School

2021-2022 School Accountability Report Card
(Published During the 2022-2023 School Year)

General Information about the School Accountability Report Card (SARC)

SARC Overview



By February 1 of each year, every school in California is required by state law to publish a School Accountability Report Card (SARC). The SARC contains information about the condition and performance of each California public school. Under the Local Control Funding Formula (LCFF) all local educational agencies (LEAs) are required to prepare a Local Control and Accountability Plan (LCAP), which describes how they intend to meet annual school-specific goals for all pupils, with specific activities to address state and local priorities. Additionally, data reported in an LCAP is to be consistent with data reported in the SARC.

For more information about SARC requirements and access to prior year reports, see the California Department of Education (CDE) SARC web page at https://www.cde.ca.gov/ta/ac/sa/

For more information about the LCFF or the LCAP, see the CDE LCFF web page at https://www.cde.ca.gov/fg/aa/lc/

For additional information about the school, parents/guardians and community members should contact the school principal or the district office.

DataQuest

DATAQUEST
California DEPARTMENT OF EDUCATION

DataQuest is an online data tool located on the CDE DataQuest web page at https://dq.cde.ca.gov/dataquest/ that contains additional information about this school and comparisons of the school to the district and the county. Specifically, DataQuest is a dynamic system that provides reports for accountability (e.g., test data, enrollment, high school graduates, dropouts, course enrollments, staffing, and data regarding English learners).

California School Dashboard

California School DASHBOARD

The California School Dashboard (Dashboard) https://www.caschooldashboard.org/ reflects California's new accountability and continuous improvement system and provides information about how LEAs and schools are meeting the needs of California's diverse student population. The Dashboard contains reports that display the performance of LEAs, schools, and student groups on a set of state and local measures to assist in identifying strengths, challenges, and areas in need of improvement.

Internet Access

Internet access is available at public libraries and other locations that are publicly accessible (e.g., the California State Library). Access to the Internet at libraries and public locations is generally provided on a first-come, first-served basis. Other use restrictions may include the hours of operation, the length of time that a workstation may be used (depending on availability), the types of software programs available on a workstation, and the ability to print documents.

2022-23 School Contact Information

School Name	Sierra Madre Continuation High School
Street	4500 Highway 166
City, State, Zip	New Cuyama, CA 93254
Phone Number	(661) 766-2293
Principal	Alfonso Gamino
Email Address	agamino@cuyamaunified.org
County-District-School (CDS) Code	42-75010-4230173

2022-23 District Contact Information

District Name	Cuyama Joint Unified School District
Phone Number	(661) 766-2482
Superintendent	Alfonso Gamino
Email Address	agamino@cuyamaunified.org
District Website Address	www.cuyamaunified.org

2022-23 School Overview

Sierra Madre Continuation High School is an alternative program that strives to provide educational support for students by offering a program designed to meet individualized student needs. Our goal is to make every student successful in obtaining a high school diploma, preparing for the completing the requirements to earn a continuation high school diploma, and/or returning to a traditional high school setting. We make every effort possible to recognize a student's individuality and work with them to improve their potential to have the very best possible future, both personally and as a productive citizen.

Students are offered an individualized approach that requires them to assume more responsibility for their education. A great deal of thought has gone into establishing a program that provides students with the opportunity to achieve a practical and effective high school education.

Sierra Madre Continuation High School is designed to include students who for reasons of health, social skills, emotional development, or family commitment cannot manage a full-day schedule at the comprehensive high school. Certain characteristics provide us with a better understanding of the fundamental objectives of a continuation/alternative education high school. The characteristics listed below are not all-encompassing, but do help to explain the basic education philosophy of Sierra Madre Continuation High School:

Our highest priority is an individual approach to education. Each student is given as much personal attention as possible.

Guidance and counseling services are present in all aspects of the student's curriculum. Students will assume personal responsibility for their educational growth, and by doing this, will receive more rewarding accomplishments.

The staff believes that the well-planned use of short-term goals and frequent rewards will encourage students to move forward in their education. A strong emphasis is placed on the importance of open and honest actions between adults and students. Students' observations of adults provide one of the most lasting impressions for role modeling.

About this School

2022-23 Student Enrollment by Grade Level	
Grade Level	Number of Students

2022-23 Student Enrollment by Student Group	
Student Group	Percent of Total Enrollment

A. Conditions of Learning

State Priority: Basic

The SARC provides the following information relevant to the State priority: Basic (Priority 1):

- Degree to which teachers are appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching;
- Pupils have access to standards-aligned instructional materials; and
- School facilities are maintained in good repair

2020-21 Teacher Preparation and Placement

Authorization/Assignment	School Number	School Percent	District Number	District Percent	State Number	State Percent
Fully (Preliminary or Clear) Credentialed for Subject and Student Placement (properly assigned)						
Intern Credential Holders Properly Assigned						
Teachers Without Credentials and Misassignments ("ineffective" under ESSA)						
Credentialed Teachers Assigned Out-of-Field ("out-of-field" under ESSA)						
Unknown						
Total Teaching Positions						

Note: The data in this table is based on Full Time Equivalent (FTE) status. One FTE equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time. Additionally, an assignment is defined as a position that an educator is assigned based on setting, subject, and grade level. An authorization is defined as the services that an educator is authorized to provide to students.

2021-22 Teacher Preparation and Placement

Authorization/Assignment	School Number	School Percent	District Number	District Percent	State Number	State Percent
Fully (Preliminary or Clear) Credentialed for Subject and Student Placement (properly assigned)						
Intern Credential Holders Properly Assigned						
Teachers Without Credentials and Misassignments ("ineffective" under ESSA)						
Credentialed Teachers Assigned Out-of-Field ("out-of-field" under ESSA)						
Unknown						
Total Teaching Positions						

Note: The data in this table is based on Full-Time Equivalent (FTE) status. One FTE equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time. Additionally, an assignment is defined as a position that an educator is assigned based on setting, subject, and grade level. An authorization is defined as the services that an educator is authorized to provide to students.

Teachers Without Credentials and Misassignments (considered "ineffective" under ESSA)

Authorization/Assignment	2020-21	2021-22
Permits and Waivers		
Misassignments		
Vacant Positions		
Total Teachers Without Credentials and Misassignments		

Credentialed Teachers Assigned Out-of-Field (considered "out-of-field" under ESSA)

Indicator	2020-21	2021-22
Credentialed Teachers Authorized on a Permit or Waiver		
Local Assignment Options		
Total Out-of-Field Teachers		

2021-22 Class Assignments

Indicator	2020-21	2021-22
Misassignments for English Learners (a percentage of all the classes with English learners taught by teachers that are misassigned)		
No credential, permit or authorization to teach (a percentage of all the classes taught by teachers with no record of an authorization to teach)		

Note: For more information refer to the Updated Teacher Equity Definitions web page at https://www.cde.ca.gov/pd/ee/teacherequitydefinitions.asp.

2022-23 Quality, Currency, Availability of Textbooks and Other Instructional Materials

Sierra Madre High School is in the process of updating all curriculum, selected from the most recent list of standards-based materials adopted by the State Board of Education. New English Language Arts curriculum, aligned with Common Core State Standards (CCSS) was adopted in the 2016/2017 school year. An integrated math program was adopted in 2018. New History/Social Science textbooks will be adopted by the end of the 2020/2021 school year. Science curriculum will be purchased as soon as it becomes available.

Year and month in which the data were collected	December 2020

Subject	Textbooks and Other Instructional Materials/year of Adoption	From Most Recent Adoption?	Percent Students Lacking Own Assigned Copy
Reading/Language Arts	Collections California 2017 (Houghton Mifflin Harcourt) Adopted in 2016 Published in 2015	Yes	0%

Mathematics	Integrated Mathematics I (Big Ideas Learning) Adopted in 2018 Integrated Mathematics II (Big Ideas Learning) Adopted in 2018 Integrated Mathematics III (Big Ideas Learning) Adopted in 2018 Integrated Mathematics IV (Big Ideas Learning) Adopted in 2018	Yes	0%
Science	Biology (Glencoe) Adopted in 2007 Chemistry (Glencoe) Adopted in 2007 Earth Science (Glencoe) Adopted in 2007 Physics (Glencoe) Adopted in 2008	No	0%
History-Social Science	Teacher's Curriculum Institute (TCI) History Alive State Board of Education approved in 2017 Piloted for Cuyma School District in 2019/2020 Cuyama Board adopted for the 2021-2022 school year	No	0%
Foreign Language	Discovering French I (McDougall Littell) Published in 2001 Discovering French II (McDougall Littell) Published in 2001 Spanish Que Tal? Published in 2001	No	0%
Health	Glencoe Health (Glencoe/McGraw-Hill) Published in 2007	Yes	0%

School Facility Conditions and Planned Improvements

The main campus was built in 1957 and all facilities are in good working order. The electrical system was updated in 2020. In addition to regular classrooms, Sierra Madre Continuation High School has access to an administration building, library, full kitchen and cafeteria, and multipurpose gymnasium that are safe, clean, and provide adequate space for student and community activities. We have a computer laboratory, a weight room, and tennis courts.

The district takes great efforts to ensure that all schools are clean, safe, and functional. To assist in this effort, the district used a facility survey instrument developed by the State of California Office of Public School Instruction. The results of the survey are available at the school office or district office.

District maintenance staff ensures that the repairs necessary to keep the school in good repair and working order are completed in a timely manner. A work order process is used to ensure efficient service and that emergency repairs are given the highest priority.

Our school meets most or all of the standards for good repair, established by the Office of Public School Construction. If we have any deficiencies, they are not significant. We scored between 86 and 100 percent on the 15 categories of our evaluation.

Year and month of the most recent FIT report	September 2020

System Inspected	Rate Good	Rate Fair	Rate Poor	Repair Needed and Action Taken or Planned
Systems: Gas Leaks, Mechanical/HVAC, Sewer			X	Sewer lines need repair or replacing, cooling system in gym needs repair. Heating system needs to be installed in 2022-2023.
Interior: Interior Surfaces	X			Chipped and worn paint.
Cleanliness: Overall Cleanliness, Pest/Vermin Infestation	X			No apparent problems.
Electrical	X			
Restrooms/Fountains: Restrooms, Sinks/ Fountains		X		Sewer and drain lines need repair or replacing.
Safety: Fire Safety, Hazardous Materials	X			No apparent problems.
Structural: Structural Damage, Roofs	X			No apparent problems.
External: Playground/School Grounds, Windows/ Doors/Gates/Fences			X	Need gopher control. No heaters in the classrooms. Plan to repair heaters in 2022-2023.

Overall Facility Rate

Exemplary	Good	Fair	Poor
		X	

B. Pupil Outcomes

State Priority: Pupil Achievement

The SARC provides the following information relevant to the State priority: Pupil Achievement (Priority 4):

Statewide Assessments
(i.e., California Assessment of Student Performance and Progress [CAASPP] System includes the Smarter Balanced Summative Assessments for students in the general education population and the California Alternate Assessments [CAAs] for English language arts/literacy [ELA] and mathematics given in grades three through eight and grade eleven. Only eligible students may participate in the administration of the CAAs. CAAs items are aligned with alternate achievement standards, which are linked with the Common Core State Standards [CCSS] for students with the most significant cognitive disabilities).

The CAASPP System encompasses the following assessments and student participation requirements:

1. **Smarter Balanced Summative Assessments and CAAs for ELA** in grades three through eight and grade eleven.
2. **Smarter Balanced Summative Assessments and CAAs for mathematics** in grades three through eight and grade eleven.
3. **California Science Test (CAST) and CAAs for Science** in grades five, eight, and once in high school (i.e., grade ten, eleven, or twelve).
4. **College and Career Ready**
   The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study.

SARC Reporting in the 2020-2021 School Year Only
Where the most viable option, LEAs were required to administer the statewide summative assessment in ELA and mathematics. Where a statewide summative assessment was not the most viable option for the LEA (or for one or more grade-level[s] within the LEA) due to the pandemic, LEAs were allowed to report results from a different assessment that met the criteria established by the State Board of Education (SBE) on March 16, 2021. The assessments were required to be:

- Aligned with CA CCSS for ELA and mathematics;
- Available to students in grades 3 through 8, and grade 11; and
- Uniformly administered across a grade, grade span, school, or district to all eligible students.

Options
Note that the CAAs could only be administered in-person following health and safety requirements. If it was not viable for the LEA to administer the CAAs in person with health and safety guidelines in place, the LEA was directed to not administer the tests. There were no other assessment options available for the CAAs. Schools administered the Smarter Balanced Summative Assessments for ELA and mathematics, other assessments that meet the SBE criteria, or a combination of both, and they could only choose one of the following:

- Smarter Balanced ELA and mathematics summative assessments;
- Other assessments meeting the SBE criteria; or
- Combination of Smarter Balanced ELA and mathematics summative assessments and other assessments.

The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study.

Percentage of Students Meeting or Exceeding the State Standard on CAASPP

This table displays CAASPP test results in ELA and mathematics for all students grades three through eight and grade eleven taking and completing a state-administered assessment.

The 2020-21 data cells have N/A values because these data are not comparable to other year data due to the COVID-19 pandemic during the 2020-21 school year. Where the CAASPP assessments in ELA and/or mathematics is not the most viable option, the LEAs were allowed to administer local assessments. Therefore, the 2020-21 data between school years for the school, district, state are not an accurate comparison. As such, it is inappropriate to compare results of the 2020-21 school year to other school years.

Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

ELA and mathematics test results include the Smarter Balanced Summative Assessment and the CAA. The "Percent Met or Exceeded" is calculated by taking the total number of students who met or exceeded the standard on the Smarter Balanced Summative Assessment plus the total number of students who met the standard (i.e., achieved Level 3-Alternate) on the CAAs divided by the total number of students who participated in both assessments.

Subject	School 2020-21	School 2021-22	District 2020-21	District 2021-22	State 2020-21	State 2021-22
English Language Arts/Literacy (grades 3-8 and 11)	N/A		N/A		N/A	
Mathematics (grades 3-8 and 11)	N/A		N/A		N/A	

2021-22 CAASPP Test Results in ELA by Student Group

This table displays CAASPP test results in ELA by student group for students grades three through eight and grade eleven taking and completing a state-administered assessment.

ELA test results include the Smarter Balanced Summative Assessment and the CAA. The "Percent Met or Exceeded" is calculated by taking the total number of students who met or exceeded the standard on the Smarter Balanced Summative Assessment plus the total number of students who met the standard (i.e., achieved Level 3-Alternate) on the CAAs divided by the total number of students who participated in both assessments.

Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

The number of students tested includes all students who participated in the test whether they received a score or not; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using only students who received scores.

CAASPP Student Groups	CAASPP Total Enrollment	CAASPP Number Tested	CAASPP Percent Tested	CAASPP Percent Not Tested	CAASPP Percent Met or Exceeded
All Students					
Female					
Male					
American Indian or Alaska Native					
Asian					
Black or African American					
Filipino					
Hispanic or Latino					
Native Hawaiian or Pacific Islander					
Two or More Races					
White					
English Learners					
Foster Youth					
Homeless					
Military					
Socioeconomically Disadvantaged					
Students Receiving Migrant Education Services					
Students with Disabilities					

2021-22 CAASPP Test Results in Math by Student Group

This table displays CAASPP test results in Math by student group for students grades three through eight and grade eleven taking and completing a state-administered assessment.

Mathematics test results include the Smarter Balanced Summative Assessment and the CAA. The "Percent Met or Exceeded" is calculated by taking the total number of students who met or exceeded the standard on the Smarter Balanced Summative Assessment plus the total number of students who met the standard (i.e., achieved Level 3-Alternate) on the CAAs divided by the total number of students who participated in both assessments.

Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

The number of students tested includes all students who participated in the test whether they received a score or not; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using only students who received scores.

CAASPP Student Groups	CAASPP Total Enrollment	CAASPP Number Tested	CAASPP Percent Tested	CAASPP Percent Not Tested	CAASPP Percent Met or Exceeded
All Students					
Female					
Male					
American Indian or Alaska Native					
Asian					
Black or African American					
Filipino					
Hispanic or Latino					
Native Hawaiian or Pacific Islander					
Two or More Races					
White					
English Learners					
Foster Youth					
Homeless					
Military					
Socioeconomically Disadvantaged					
Students Receiving Migrant Education Services					
Students with Disabilities					

CAASPP Test Results in Science for All Students

This table displays the percentage of all students grades five, eight, and High School meeting or exceeding the State Standard.

For any 2020–21 data cells with N/T values indicate that this school did not test students using the CAASPP for Science.

Subject	School 2020-21	School 2021-22	District 2020-21	District 2021-22	State 2020-21	State 2021-22
Science (grades 5, 8 and high school)						

2021-22 CAASPP Test Results in Science by Student Group

This table displays CAASPP test results in Science by student group for students grades five, eight, and High School. Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Student Group	Total Enrollment	Number Tested	Percent Tested	Percent Not Tested	Percent Met or Exceeded
All Students					
Female					
Male					
American Indian or Alaska Native					
Asian					
Black or African American					
Filipino					
Hispanic or Latino					
Native Hawaiian or Pacific Islander					
Two or More Races					
White					
English Learners					
Foster Youth					
Homeless					
Military					
Socioeconomically Disadvantaged					
Students Receiving Migrant Education Services					
Students with Disabilities					

2021-22 Career Technical Education Programs

Sierra Madre High School students are focused on earning a high school diploma, and either entering the work force, join the Armed Services, or continuing their education. The instructor gives students individualized attention to help students reach their greatest potential and advises them on their future goals. Students are given ample opportunity to prepare for college and careers, which is integrated with their academic work. As Sierra Madre students, attending a shortened school day, they are not enrolled in CTE programs.

2021-22 Career Technical Education (CTE) Participation

Measure	CTE Program Participation
Number of Pupils Participating in CTE	
Percent of Pupils that Complete a CTE Program and Earn a High School Diploma	
Percent of CTE Courses that are Sequenced or Articulated Between the School and Institutions of Postsecondary Education	

Course Enrollment/Completion

This table displays the course enrollment/completion of University of California (UC) and/or California State University (CSU) admission requirements.

UC/CSU Course Measure	Percent
2021-22 Pupils Enrolled in Courses Required for UC/CSU Admission	
2020-21 Graduates Who Completed All Courses Required for UC/CSU Admission	

B. Pupil Outcomes

State Priority: Other Pupil Outcomes

The SARC provides the following information relevant to the State priority: Other Pupil Outcomes (Priority 8): Pupil outcomes in the subject area of physical education.

2021-22 California Physical Fitness Test Results

This table displays the percentage of students participating in each of the five fitness components of the California Physical Fitness Test Results. Due to changes to the 2021-22 PFT administration, only participation results are required for these five fitness areas. Percentages are not calculated and double dashes (--) appear in the table when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Grade Level	Component 1: Aerobic Capacity	Component 2: Abdominal Strength and Endurance	Component 3: Trunk Extensor and Strength and Flexibility	Component 4: Upper Body Strength and Endurance	Component 5: Flexibility

C. Engagement

State Priority: Parental Involvement

The SARC provides the following information relevant to the State priority: Parental Involvement (Priority 3): Efforts the school district makes to seek parent input in making decisions regarding the school district and at each school site.

2022-23 Opportunities for Parental Involvement

Parents are encouraged to help their students be prepared for every school day, and to ensure that they attend regularly. Sierra Madre Continuation High School supports parents in their efforts to provide a designated time and place for homework, to seek open communication with teacher(s), and to respond to school requests for conferences. Parents can join the district School Site Council (SSC), district English Language Advisory Committee (ELAC) to become involved with Sierra Madre Continuation High School. The School Site Council and English Language Advisory Committee meet at least four times a year

2022-23 Opportunities for Parental Involvement

to provide input on the LCAP and the Title I funding. These are excellent opportunities for parents to be involved in their student's educational experience.

C. Engagement

State Priority: Pupil Engagement

The SARC provides the following information relevant to the State priority: Pupil Engagement (Priority 5):

- High school dropout rates;
- High school graduation rates; and
- Chronic Absenteeism

Dropout Rate and Graduation Rate (Four-Year Cohort Rate)

Indicator	School 2019-20	School 2020-21	School 2021-22	District 2019-20	District 2020-21	District 2021-22	State 2019-20	State 2020-21	State 2021-22
Dropout Rate									
Graduation Rate									

2021-22 Graduation Rate by Student Group (Four-Year Cohort Rate)

This table displays the 2021-22 graduation rate by student group. For information on the Four-Year Adjusted Cohort Graduation Rate (ACGR), visit the CDE Adjusted Cohort Graduation Rate web page at www.cde.ca.gov/ds/ad/acgrinfo.asp.

Student Group	Number of Students in Cohort	Number of Cohort Graduates	Cohort Graduation Rate
All Students			
Female			
Male			
American Indian or Alaska Native			
Asian			
Black or African American			
Filipino			
Hispanic or Latino			
Native Hawaiian or Pacific Islander			
Two or More Races			
White			
English Learners			
Foster Youth			
Homeless			
Socioeconomically Disadvantaged			
Students Receiving Migrant Education Services			
Students with Disabilities			

2021-22 Chronic Absenteeism by Student Group

Student Group	Cumulative Enrollment	Chronic Absenteeism Eligible Enrollment	Chronic Absenteeism Count	Chronic Absenteeism Rate
All Students				
Female				
Male				
American Indian or Alaska Native				
Asian				
Black or African American				
Filipino				
Hispanic or Latino				
Native Hawaiian or Pacific Islander				
Two or More Races				
White				
English Learners				
Foster Youth				
Homeless				
Socioeconomically Disadvantaged				
Students Receiving Migrant Education Services				
Students with Disabilities				

C. Engagement

State Priority: School Climate

The SARC provides the following information relevant to the State priority: School Climate (Priority 6):

- Pupil suspension rates;
- Pupil expulsion rates; and
- Other local measures on the sense of safety

Suspensions and Expulsions

This table displays suspensions and expulsions data collected between July through February, partial school year due to the COVID-19 pandemic. The 2019-20 suspensions and expulsions rate data are not comparable to other year data because the 2019-20 school year is a partial school year due to the COVID-19 crisis. As such, it would be inappropriate to make any comparisons in rates of suspensions and expulsions in the 2019-20 school year compared to other school years.

Subject	School 2019-20	District 2019-20	State 2019-20
Suspensions			
Expulsions			

This table displays suspensions and expulsions data collected between July through June, each full school year respectively. Data collected during the 2020-21 school year may not be comparable to earlier years of this collection due to differences in learning mode instruction in response to the COVID-19 pandemic.

Subject	School 2020-21	School 2021-22	District 2020-21	District 2021-22	State 2020-21	State 2021-22
Suspensions						
Expulsions						

2021-22 Suspensions and Expulsions by Student Group

Student Group	Suspensions Rate	Expulsions Rate
All Students		
Female		
Male		
American Indian or Alaska Native		
Asian		
Black or African American		
Filipino		
Hispanic or Latino		
Native Hawaiian or Pacific Islander		
Two or More Races		
White		
English Learners		
Foster Youth		
Homeless		
Socioeconomically Disadvantaged		
Students Receiving Migrant Education Services		
Students with Disabilities		

2022-23 School Safety Plan

A Site Emergency Plan (Revised January 2022) and approved by the Board in February of 2022. This plan is on file (and on the Cuyama Joint Unified School District website), and drills for earthquake and fire are held regularly. While we pride ourselves on our safe community, we ensure that emergency response procedures are in place. Faculty, staff, and students are trained to exit the school buildings safely and are familiar with safe locations on campus. Teacher responsibilities regarding student safety are reviewed during each school year. Classified staff members are also trained to assist in case of an emergency. Staff is on duty and assigned to monitor all students both in classrooms and on the school grounds.

The school is aware of and complies with laws and regulations regarding hazardous materials. Laboratory and chemical supplies are carefully housed, and their use is diligently monitored. A regularly scheduled maintenance program ensures classrooms, restrooms, and other facilities are kept in good condition.

2019-20 Secondary Average Class Size and Class Size Distribution

This table displays the 2019-20 average class size and class size distribution. The columns titled "Number of Classes" indicates how many classes fall into each size category (a range of total students per classroom). At the secondary school level, this information is reported by subject area rather than grade level.

Subject	Average Class Size	Number of Classes with 1-22 Students	Number of Classes with 23-32 Students	Number of Classes with 33+ Students
English Language Arts				
Mathematics				
Science				
Social Science				

2020-21 Secondary Average Class Size and Class Size Distribution

This table displays the 2020-21 average class size and class size distribution. The columns titled "Number of Classes" indicates how many classes fall into each size category (a range of total students per classroom). At the secondary school level, this information is reported by subject area rather than grade level.

Subject	Average Class Size	Number of Classes with 1-22 Students	Number of Classes with 23-32 Students	Number of Classes with 33+ Students
English Language Arts				
Mathematics				
Science				
Social Science				

2021-22 Secondary Average Class Size and Class Size Distribution

This table displays the 2021-22 average class size and class size distribution. The columns titled "Number of Classes" indicates how many classes fall into each size category (a range of total students per classroom). At the secondary school level, this information is reported by subject area rather than grade level.

Subject	Average Class Size	Number of Classes with 1-22 Students	Number of Classes with 23-32 Students	Number of Classes with 33+ Students
English Language Arts				
Mathematics				
Science				
Social Science				

2021-22 Ratio of Pupils to Academic Counselor

This table displays the ratio of pupils to Academic Counselor. One full time equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

Title	Ratio
Pupils to Academic Counselor	

2021-22 Student Support Services Staff

This table displays the number of FTE support staff assigned to this school. One full time equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

Title	Number of FTE Assigned to School
Counselor (Academic, Social/Behavioral or Career Development)	
Library Media Teacher (Librarian)	
Library Media Services Staff (Paraprofessional)	
Psychologist	
Social Worker	
Speech/Language/Hearing Specialist	
Resource Specialist (non-teaching)	

2020-21 Expenditures Per Pupil and School Site Teacher Salaries

This table displays the 2020-21 expenditures per pupil and average teacher salary for this school. Cells with N/A values do not require data.

Level	Total Expenditures Per Pupil	Expenditures Per Pupil (Restricted)	Expenditures Per Pupil (Unrestricted)	Average Teacher Salary
School Site	$9476.02	$1251.89	$8224.13	$56,002
District	N/A	N/A	$8224.13	
Percent Difference - School Site and District	N/A	N/A	0.0	-15.6
State	N/A	N/A		
Percent Difference - School Site and State	N/A	N/A	-2.6	-24.4

2021-22 Types of Services Funded

These are the types of programs and services funded that support and assist students:

- Title 1 (supports socio-economically challenged students)
- Title 2 (teacher training and professional development)
- National School Lunch program
- Economic Impact Aid (EIA)
- Tobacco Use and Prevention
- Mandate Block Grant
- Teacher Induction Program (TIP)
- Multi-Tiered Systems of Support (MTSS)

* Response to Intervention (RTI) - Individualized support during instructional time

2020-21 Teacher and Administrative Salaries

This table displays the 2020-21 Teacher and Administrative salaries. For detailed information on salaries, see the CDE Certification Salaries & Benefits web page at http://www.cde.ca.gov/ds/fd/cs/.

Category	District Amount	State Average for Districts in Same Category
Beginning Teacher Salary		
Mid-Range Teacher Salary		
Highest Teacher Salary		
Average Principal Salary (Elementary)		
Average Principal Salary (Middle)		
Average Principal Salary (High)		
Superintendent Salary		
Percent of Budget for Teacher Salaries		
Percent of Budget for Administrative Salaries		

2021-22 Advanced Placement (AP) Courses

This table displays the percent of student in AP courses at this school.

Percent of Students in AP Courses

This table displays the number of AP courses offered at this school where there are student course enrollments of at least one student.

Subject	Number of AP Courses Offered
Computer Science	
English	
Fine and Performing Arts	
Foreign Language	
Mathematics	
Science	
Social Science	
Total AP Courses Offered Where there are student course enrollments of at least one student.	

Professional Development

For the 2021-2022 school year, after examining student data and gathering teaching input, it was determined that staff development would focus on Universal Design for Learning (UDL) and social-emotional learning. Support has been provided by the Santa Barbara Office of Education with one-on-one coaching and after school workshops, along with conference attendance. Teacher frequently reviews data to plan instruction. In moving forward with the 2022-2023 school year, educators are continuing to deepen their knowledge of UDL, and have added discovering more about the Social Emotional Learning components of UDL. One-on-one coaching is still a practice, along with after school workshops. Teacher participates in the Multi-Tiered Systems of Support (MTSS) and has attended training in positive behavioral supports.

Sierra Madre Continuation High School has continued to develop and deepen practices with on-going professional development in the realms of MTSS and UDL for the 2021-2022 and continuing in the 2022-2023 school year. With the return to in-person instruction in 2021-2022, professional development was added to better support teacher and students by receiving sessions on Social Emotional learning. Some SBCEO PD was conducted in person for the 2021-2022 school year. Sierra Madre Continuation High School teacher participates with one-on-one coaching sessions provided by the Santa Barbara County Office of Education. Sierra Madre did not have students enrolled in the 2020-2021 school year (distance learning instruction in the district). Sierra Madre did not have any students enrolled in the school until March 7, 2022, when one student enrolled in the program. This is the time we also brought in a teacher to teach teach during at the school.

This table displays the number of school days dedicated to staff development and continuous improvement.

Subject	2020-21	2021-22	2022-23
Number of school days dedicated to Staff Development and Continuous Improvement	0	0	10

TENTATIVE AGREEMENT

BETWEEN THE

CUYAMA JOINT UNIFIED SCHOOL DISTRICT

AND THE

CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION AND ITS CUYAMA CHAPTER #288

JULY 1, 2020 – JUNE 30, 2023

(October 7, 2022)

This Tentative Agreement is entered into by and between the Cuyama Joint Unified School District ("District") and the California School Employees Association and its Cuyama Chapter No. 288 ("Association") and is dated October 7, 2022 for purposes of reference only. As a result of negotiations, the District and the Association have agreed to a Tentative Agreement as set forth below.

2021-2022 School Year:

The Parties agree to status quo on all provisions of the 2020-2023 Collective Bargaining Agreement.

ARTICLE 7
COMPENSATION AND HEALTH BENEFITS

A. Regular Rate of Pay: The regular rate of pay for each position in the unit shall be established in accordance with the rates established for each class as provided in Appendix B and by reference incorporated as part of this Agreement.

~~1. All unit members will be paid according to the classified salary schedules attached to this Agreement as Appendix B and Appendix B-1.~~

~~1. For the 2017-2018 fiscal year commencing July 1, 2017, all steps and ranges shown in the classified salary schedule shall be increased by three (3) percent. The 2017-2018 Classified Salary Schedule is attached as Appendix B.~~

For the ~~2018-2019~~ **2022-2023** fiscal year commencing July 1, **2022** ~~2018~~, Appendix B shall be in effect. **Appendix B reflects the squaring of the salary schedule and an additional three percent (3%) as reflected in the attached salary schedule.** ~~all steps and ranges shown in the classified salary schedule shall be increased by two (2) percent. The 2018-2019 Classified Salary Schedule is attached as Appendix B-1~~.

B – G: No Changes.

H. Health and Welfare Benefits:

1. ~~For the 2017-2018 benefit plan year, the District shall provide up to $9,277.92 for payment of the premiums for medical insurance for all eligible employees belonging to health and welfare benefit plans listed in Appendix C attached to this Agreement.~~

~~2.~~ For the ~~2018-2019~~ **2022-2023** benefit plan year, the District shall provide up to $10,000.00 for payment of the premiums for medical insurance for all eligible

employees belonging to health and welfare benefit plans listed in Appendix C attached to this Agreement.

2. The District agrees to negotiate any proposed changes in benefit and/or carrier with CSEA.

3. Insurance contributions for unit members hired prior to July 1, 1995, are based on full-time employees' regular assignment of 8 hours per day, 40 hours per week, 12 months per year. Part-time employees (four hours or more) hired prior to this date will contribute a prorated share to their insurance premiums as they compare to a full-time employee's regular assignment.

4. Effective March 1996, in order for an employee to be eligible for the health and welfare benefits specified under the provisions of this article, the employee must work at least seven or more hours per day, five days per week, ten or more months per year.

5. Employees shall pay any premium costs above the District's contribution set forth in paragraph H.1.

I – L: No Changes.

ARTICLE 8
HOLIDAYS

A. Scheduled Holidays: The District agrees to provide employees with the following paid holidays:

New Year's Day - January 1
Martin Luther King's Birthday
Lincoln Day – February
President's Day (Washington)
Memorial Day
Juneteenth (retroactive to June 2021)
Independence Day
Labor Day
Veterans' Day
Thanksgiving Day
Friday following Thanksgiving
Christmas Day
A day in lieu of Admissions Day (this day will be mutually determined by the end of school year, when possible, or as soon thereafter prior to publication of the school calendar)

B – F: No Changes.

OTHER MATTERS

1. The Parties agree to cooperate in preparing a final agreement that will contain the agreements set forth in this Tentative Agreement.

2. The Parties acknowledge and agree that there may be certain language clean-up of a non-substantive nature that will be corrected in the final agreement. The Parties must mutually agree to any clean-up requests or the change shall not be made.

3. The salary schedule increase is retroactive to July 1, 2022 and will apply base salary only.

4. This Tentative Agreement is entered into pursuant to the provisions of Sections 3540-3549 of the California Government Code.

This Tentative Agreement is subject to ratification by the California School Employees Association Chapter #288 membership and approval by the Cuyama Joint Unified School District Board of Trustees.

RECOMMENDED FOR RATIFICATION

CUYAMA JOINT UNIFIED SCHOOL DISTRICT

October 7, 2022

_____

Alfonso Gamino

Superintendent

CSEA No. 288

October 7, 2022

_____

Fernando De Los Santos

President

_____

Carlos Lopez

CSEA Labor Relations Rep

APPENDIX B

(July 1, 2022 – June 30, 2023 Classified Salary Schedule)

3% between Steps
1.5% between ranges

CUYAMA JOINT UNIFIED SCHOOL DISTRICT
CLASSIFIED SALARY SCHEDULE
(YEAR)

Range	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Range
100	$15.96	$16.44	$16.93	$17.44	$17.96	$18.50	$19.06	$19.63	100
200	$16.20	$16.69	$17.19	$17.70	$18.23	$18.78	$19.34	$19.92	200
300	$16.44	$16.93	$17.44	$17.96	$18.50	$19.06	$19.63	$20.22	300
400	$16.69	$17.19	$17.70	$18.23	$18.78	$19.34	$19.92	$20.53	400
500	$16.93	$17.44	$17.96	$18.50	$19.06	$19.63	$20.22	$20.83	500
600	$17.19	$17.70	$18.23	$18.78	$19.34	$19.92	$20.53	$21.15	600
700	$17.44	$17.96	$18.50	$19.06	$19.63	$20.22	$20.83	$21.46	700
800	$17.70	$18.23	$18.78	$19.34	$19.92	$20.53	$21.15	$21.79	800
900	$17.96	$18.50	$19.06	$19.63	$20.22	$20.83	$21.46	$22.11	900
1000	$18.23	$18.78	$19.34	$19.92	$20.53	$21.15	$21.79	$22.44	1000
1100	$18.50	$19.06	$19.63	$20.22	$20.83	$21.46	$22.11	$22.78	1100
1200	$18.78	$19.34	$19.92	$20.53	$21.15	$21.79	$22.44	$23.12	1200
1300	$19.06	$19.63	$20.22	$20.83	$21.46	$22.11	$22.78	$23.47	1300
1400	$19.34	$19.92	$20.53	$21.15	$21.79	$22.44	$23.12	$23.82	1400
1500	$19.63	$20.22	$20.83	$21.46	$22.11	$22.78	$23.47	$24.18	1500
1600	$19.92	$20.53	$21.15	$21.79	$22.44	$23.12	$23.82	$24.54	1600
1700	$20.22	$20.83	$21.46	$22.11	$22.78	$23.47	$24.18	$24.91	1700
1800	$20.53	$21.15	$21.79	$22.44	$23.12	$23.82	$24.54	$25.28	1800

Cuyama Joint Unified School District
2300 Highway 166, New Cuyama, California 93254
(661) 766-2482 • FAX (661) 766-2255

September 16, 2022
Classified Hourly Salary Schedule

	Range	Job Code	Position Title
1.	100	4012	Utility Worker/Rental Maintenance
2.	200	3004	Instructional Aide/ASES ACT Lead Medical/504 Aide
3.	300	5001	Cook's Helper
4.	400	3005	School Clerk/Data Entry
5.	500	4009	Custodian
6.	600	3009	Instruction Aide-Library/Media
7.	700	3001	Account Clerk
8.	800	5002	Cook
9.	900	4006	Bus Driver/Mechanic
10.	1000	4000	Maintenance I
11.	1100	3006	ASES Site Supervisor
12.	1200	3000	School Secretary
13.	1300	4002	Maintenance II
14.	1400	4004	Bus Driver
15.	1500	3010	Network/Tech support
16.	1600	4003	Maintenance III
17.	1700	3003	Student information/Testing Coordinator
18.	1800	4003	Maintenance/Operator/ Transportation Lead (MOT)

These ranges align with the current 2019-2020 Classified Hourly Salary Schedule on CBA

Classified Salaries

Employee #	Step	Range
1	A	200
2	A	200
3	A	200
4	A	200
5	A	1300
6	A	500
7	B	700
8	B	200
9	H	1600
10	C	200
11	F	800
12	H	1200
13	H	1600
14	F	800

Cuyama Joint Unified School District
CLASSIFIED CONFIDENTIAL/MANAGEMENT
Effective July 1, 2022

		Step 1	Step 2	Step3	Step 4	Step 5	Step6	Step 7	Step 8
2000									
MOT Supervisor		$51,521.60	$53,067.25	$54,659.27	$56,299.05	$57,988.02	$59,727.66	$61,519.49	$63,365.08
260 days	Monthly	$4,293.47	$4,422.27	$4,554.94	$4,691.59	$4,832.34	$4,977.31	$5,126.62	$5,280.42
	Hourly	$24.77	$25.51	$26.28	$27.07	$27.88	$28.72	$29.58	$30.46
2001									
Business Manager 260 days		$66,768.00	$68,771.04	$70,834.17	$72,959.20	$75,147.98	$77,402.41	$79,724.48	$82,116.22
	Monthly	$5,564.00	$5,730.92	$5,902.85	$6,079.93	$6,262.33	$6,450.20	$6,643.71	$6,843.02
	Hourly	$32.10	$33.06	$34.05	$35.08	$36.13	$37.21	$38.33	$39.48
3007									
Administrative Assistant		$43,284.80	$44,574.40	$45,905.60	$47,278.40	$48,962.80	$50,148.80	$51,667.20	$53,227.20
260 days	Monthly	$3,607.07	$3,714.53	$3,825.47	$3,939.87	$4,080.23	$4,179.07	$4,305.60	$4,435.60
	Hourly	$20.81	$21.43	$22.07	$22.73	$23.41	$24.11	$24.84	$25.59
5004									
Cafeteria Manager		$31,712.64	$32,683.76	$33,670.8	$34,689.68	$35,724.48	$36,791.12	$37,889.60	$39,026.29
(position)	daily	$159.36	$164.24	$169.20	$174.32	$179.52	$184.88	$190.40	$196.11
*199 days	Hourly	$19.92	$20.53	$21.15	$21.79	$22.44	$23.11	$23.80	$24.51
Sec. to Superintendent		$42,016.00	$43,284.80	$44,574.40	$45,905.60	$47,278.40	$48,962.80	$50,148.80	$51,667.20
260 days	Monthly	$3,501.33	$3,607.07	$3,714.53	$3,825.47	$3,939.87	$4,080.23	$4,179.07	$4,305.60
	Hourly	$20.20	$20.81	$21.43	$22.07	$22.73	$23.41	$24.11	$24.84

Longevity Pay

Effective July 1, 2000, an eligible employee employed not less than four hours a day, five days a week, and who has continuously served in the employment, of the District, shall be granted a longevity stipend beginning with year 10 and continuing at 5-year intervals up to and including year 30. This stipend shall be paid to the eligible employee on the first payroll period in the fiscal year qualifying the employee for the stipend. The amount of the longevity stipend will be calculated at 100 times the eligible employee's base hourly wage. The increments shall be based upon a full-time employment and shall be prorated for any eligible employee working less than full-time hours on the number of hours worked in relation to eight hours per day.

Previous schedule adopted 5/30/2018 and updated on 6/11/2018 effective July 1, 2018. New schedule effective July 1, 2022 Adopted: 11/10/2022

Cuyama Joint Unified School District

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(661) 766-2482 • FAX: (661) 766-2255

K-12 Counselor: Academic, social, emotional salary schedule

Counselor Salary Range:

Step I	Step II	Step III	Step IV
$94,748	$96,351	97,953	$99,556

SALARY

Counselor Salary Range - $94,748 - $99,556

WORKDAYS

195 Days (8 hours per day)

Job description created October 19, 2021
Salary increase: 7% effective July 1, 2022
This schedule reflects the 7% increase

Cuyama Joint Unified School District

2300 Highway 166, New Cuyama, California 93254
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Community Schools Coordinator – Grant Funded Salary Schedule

Step I	Step II	Step III	Step IV	Step V	Step VI
$74,900	$76,773	78,692	$80,659	$82,676	$84,742

2.5% difference in each step

Job description created: May 31, 2022
Job description Board approved: June 16, 2022
Salary increase: 7% effective July 1, 2022
This schedule reflects the 7% increase

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Cuyama Joint Unified School District

2380 Highway 166, New Cuyama, California 93254
(661) 766-2600 / FAX (661) 766-2606

APPLICATION FOR CITIZENS' BOND OVERSIGHT COMMITTEE

Please fill out and return by 4:30 p.m., Wednesday, March 31, 2021 or until filled to the Superintendent's Office, Cuyama Joint Unified School District, 2380 Highway 166, New Cuyama, CA 93254. Applications will be reviewed and considered for appointment once received by the district. Applications can be completed and attached to an email sent to Mr. Alfonso Gassing at: agassing@cuyamajunified.org

Date: Dec 5, 2022

Brown (Last Name) Margaret (Meg) (First Name) J (Initial)

Business Address: 1381 Foothill Rd. Phone: 6615655936

Home Address: 1381 Foothill Rd, New Cuyama Phone: 6615655936

Occupation: Small farmer No. of Years Residing in District: 17 years

I would be able to represent the following constituencies in the District: (check all that apply):

- [x] Business Representative - Active in a business organization representing local business.
- [ ] Senior Citizen Group Representative - Active member in a senior citizens' organization.
- [ ] Taxpayer Organization Member - Active in a bona fide taxpayers' association.
- [ ] Parent or Guardian of Child Enrolled in District.
- [ ] Parent /Guardian of Child Enrolled in District & Active in a Parent-Teacher Organization.
- [x] At-Large Community Member – Resident of the Cuyama Joint Unified School District.

Yes/No

- [ ] [x] Are you an employee of the District?*
- [ ] [x] Are you a vendor, contractor, or consultant to the District?*
- [ ] [x] Do you have conflicts that would preclude your attending quarterly meetings?
- [ ] [x] Do you know of any reason, such as a potential conflict of interest, which would adversely affect your ability to serve on the Citizens' Bond Oversight Committee?
- [ ] [ ] Are you willing to comply with the ethics code included in the bylaws?

(*Employees, vendors, contractors, and consultants of the Cuyama Joint Unified School District are prohibited from membership on the Citizens' Bond Oversight Committee. Employment which could result in a conflict of interest is also cause for disqualification.)

Margaret Brown 12/5/2022

Cuyama Joint Unified School District

2300 Highway 166, New Cuyama, California 93254
(661) 766-2482 • FAX (661) 766-2255

APPLICATION FOR CITIZENS'

BOND OVERSIGHT COMMITTEE

Please fill out and return by 4:30 p.m., Wednesday, March 31, 2021 or until filled to the Superintendent's Office, Cuyama Joint Unified School District, 2300 Highway 166, New Cuyama, CA 93254. Applications will be reviewed and considered for appointment once received by the district. Applications can be completed and attached to an email sent to Mr. Alfonso Gamino at: agamino@cuyamaunified.org

Date: 12-8-22

Kelly (Last Name) Brenton (First Name) Hughes (Initial)

Business Address: 35070 Hwy 33 93252 Phone: 805 722-2523

Home Address: Same - Quail Springs Farm Phone: 805 886 7239

Occupation: Stakeholder Engagement No. of Years Residing in District: 15

I would be able to represent the following constituencies in the District: (check all that apply):

- [X] Business Representative - Active in a business organization representing local business
- [ ] Senior Citizen Group Representative - Active member in a senior citizens' organization.
- [ ] Taxpayer Organization Member - Active in a bona fide taxpayers' association.
- [ ] Parent or Guardian of Child Enrolled in District.
- [ ] Parent /Guardian of Child Enrolled in District & Active in a Parent-Teacher Organization
- [X] At-Large Community Member – Resident of the Cuyama Joint Unified School District.
  Cuyama Valley Community Association chairperson

Yes/No

- [ ] [X] Are you an employee of the District?*
- [ ] [X] Are you a vendor, contractor, or consultant to the District?*
- [ ] [X] Do you have conflicts that would preclude your attending quarterly meetings?
- [ ] [X] Do you know of any reason, such as a potential conflict of interest, which would adversely affect your ability to serve on the Citizens' Bond Oversight Committee?*
- [ ] [X] Are you willing to comply with the ethics code included in the bylaws?

(*Employees, vendors, contractors, and consultants of the Cuyama Joint Unified School District are prohibited by law from being members of the Citizens' Bond Oversight Committee. Employment which could result in becoming a contractor or subcontractor to the district would also be a potential conflict.)

Brenton Kelly 12-8-22

Signature/Date

CSBA POLICY GUIDE SHEET
December 2022

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

Board Policy 0430 - Comprehensive Local Plan for Special Education

Policy updated to reflect **NEW LAW (AB 181, 2022)** requiring the State Superintendent of Public Instruction to make publicly available the special education funding each local educational agency (LEA) generates for their Special Education Local Plan Area (SELPA), and for the SELPA, to report to member LEA's the amount of funding each LEA generates for the SELPA.

Administrative Regulation 0430 - Comprehensive Local Plan for Special Education

Regulation updated to reflect **NEW LAW (AB 181, 2022)** which extends the timeline for developing an annual assurances support plan to July 1, 2027. A template for the annual assurances support plan will be developed by CDE by July 1, 2026. Additional minor revisions as necessary for clarity.

Board Policy 0450 - Comprehensive Safety Plan

Policy updated to clarify language related to approval of the tactical response plan and add material regarding the district's requirement to provide data to the California Department of Education pertaining to lockdown or multi-option response drills conducted at district schools.

Administrative Regulation 0450 - Comprehensive Safety Plan

Regulation updated to reflect **NEW LAW (SB 906, 2022)** which requires, starting with the 2023-24 school year, districts to include in the annual notification to parents/guardians information related to the safe storage of firearms, and for certificated and classified employees of the district, and other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, to immediately report the threat or perceived threat to law enforcement. Regulation also updated to reflect **NEW LAW (AB 1352, 2021)** which authorizes districts to request the Military Department, in consultation with the California Cybersecurity Integration Center (Cal-CSIC), to perform an independent security assessment of the district or an individual district school and **NEW LAW (AB 2355, 2022)** which requires districts that experience a cyberattack, which impacts more than 500 students or personnel, to report the cyberattack to Cal-CSIC. Additionally, regulation updated to include in the optional list of comprehensive safety plan components (1) strategies aimed at preventing potential incidents involving crime and violence on school campuses, (2) provision of safety materials and emergency communications in language(s) understandable to parents/guardians, (3) procedures for the early identification and threat assessment of, and appropriate response to, suspicious and/or threatening digital media content, (4) district policy and/or plan related to pandemics, (5) communication with parents/guardians regarding unification plans and necessity of cooperating with first responders, and (6) continuity of operations procedures to ensure that the district's essential functions are not disrupted during an emergency, to the extent possible.

Board Policy 0460 - Local Control and Accountability Plan

Policy updated to reflect **NEW LAW (AB 181, 2022)** which states, by January 31, 2025, an Individuals with Disabilities Education Act (IDEA) Addendum adopted by the State Board of Education (SBE) shall completed by districts which are identified by the California Department of Education (CDE) as needing an improvement plan. Additionally, policy is updated to reflect **NEW LAW (AB 181, 2022)** requiring the LCAP parent advisory committee to include at least a parent/guardian of currently enrolled students with disabilities. Policy also updated to reflect **NEW LAW (SB 997, 2022)** which requires, beginning July 1, 2024, districts serving middle or high school students to include two students as full members of the existing parent advisory committee or establish a student advisory committee to provide advice to the Board and the Superintendent or designee.

Administrative Regulation 0460 - Local Control and Accountability Plan

Regulation updated to reflect **NEW LAW (AB 181, 2022),** which states Beginning July 1, 2025, if the district is identified by State Board of Education (SBE) as needing an improvement plan related to improvements in services for students with disabilities, the Board shall adopt, and update on an annual basis, an Individual with Disabilities Education Act (IDEA) Addendum, based on the template adopted by SBE.

Board Policy 3250 - Transportation Fees

Policy updated to reflect **NEW LAW (AB 181, 2022)** which exempts a student classified as unduplicated from paying a fee for transportation. The policy is also updated to include an optional waiver of transportation fees for any group of district students, at the recommendation of the Superintendent. Also, the provision regarding privacy moved from AR to BP.

Administrative Regulation 3250 - Transportation Fees

Regulation updated to add that bus passes shall be sold electronically, if available, and removed language related to income eligibility that is no longer relevant. Moved provision regarding privacy to the Board Policy and deleted it from Administrative Regulation.

Administrative Regulation 3260 - Fees and Charges

Regulation updated to reflect **NEW LAW (AB 181, 2022)** which prohibits charging the parent of an unduplicated student a fee for transportation, removed policy related to the sale or lease of personal computers or internet appliances because of the increased use of technology in the modern classroom, changed terminology from "homemaking" to "family and consumer sciences," and reflect **NEW LAW (AB 130, 2021)** which requires a district to provide a free breakfast and lunch daily to any student who requests a meal.

Board Policy 3460 - Financial Reports and Accountability

Policy updated to reflect the predictors of fiscal distress as identified by FCMAT in its 2019 "Indicators of Risk or Potential Insolvency." Updated policy also revised to reflect the law more clearly with respect to studies, reports, evaluations, and audits, that the County Superintendent of Schools is required or authorized to consider when reviewing a district's budget.

Administrative Regulation 3460 - Financial Reports and Accountability

Regulation updated to add a new section - "Lease Accounting," to reflect GASB Statement 87 which, starting June 15, 2021, changed the rules for the financial reporting of governmental entities' leases, including the rules for the recognition, measurement, and disclosure of such leases in financial statements.

Board Policy 3515 - Campus Security

Policy updated to include that the district regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure and the monitoring and response to suspicious and/or threatening digital media content. Policy also updated to reflect **NEW LAW (SB 906, 2022)** which requires certificated and classified employees of the district, and other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, to immediately report the threat or perceived threat to law enforcement. Additionally, policy also updated to include that anyone who receives or learns of a health or safety threat related to school or a school activity is encouraged to report the threat to a school or district administrator, and that school site council's be included with other stakeholders when identifying appropriate locations for the placement of surveillance cameras.

Administrative Regulation 3515 - Campus Security

Regulation updated to reflect **NEW LAW (AB 1352, 2021)** which authorizes districts to request the Military Department, in consultation with the California Cybersecurity Integration Center (Cal-CSIC), to perform an independent security assessment of the district or an individual district school, **NEW LAW (AB 2355, 2022)** which requires districts that experience a cyberattack, which impacts more than 500 students or personnel, to report the cyberattack to Cal-CSIC, and **NEW LAW (SB 906, 2022)** which requires certificated and classified employees of the district, and other school officials such as Governing Board members, whose

duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, to immediately report the threat or perceived threat to law enforcement. Regulation also updated to provide that monitoring suspicious and/or threatening digital media content be part of the campus security plan and included in strategies to detect and intervene with school crime.

Administrative Regulation 3516.2 - Bomb Threats

Regulation updated to reflect **NEW LAW (P.L. 117-159)** which requires the creation of a Federal Clearinghouse on School Safety Evidence-Based Practices to serve as a federal resource to identify and publish online practices and recommendations to improve school safety, and include that the district regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure and the monitoring and response to suspicious and/or threatening digital media content. Regulation also updated to move and amend material regarding staff training, include and align language with information provided by the U.S. Department of Homeland Security, and reflect **NEW LAW (SB 906, 2022)** which requires certificated and classified employees of the district, and other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, to immediately report the threat or perceived threat to law enforcement.

Board Policy 3540 - Transportation

Policy updated to reflect **NEW LAW (AB 181, 2022)** which authorizes a district to provide transportation services by way of a joint powers agreement, a cooperative student transportation program, or a consortium, and which requires, as a condition of apportionment, a district to adopt a transportation plan that describes the transportation services to be provided to certain student groups, as specified, by April 1, 2023 and update the plan annually by April 1.

Board Policy 5131.7 - Weapons and Dangerous Instruments

Policy updated to (1) expand the concept of district provided transportation, (2) reflect **NEW LAW (SB 906, 2022)** which requires certificated and classified employees of the district, and other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, to immediately report the threat or perceived threat to law enforcement, (3) move language regarding student suspension and expulsion in order to keep related content together, and (4) add language regarding staff training to align with staff responsibilities to report potential homicidal acts. Regulation also updated to add headings for the Options regarding tear gas or tear gas weapons, and to emphasize that for districts that allow students to bring tear gas of tear gas weapons to school, the student needs to either be accompanied by, or have the written consent, of a parent/guardian.

Administrative Regulation 5131.7 - Weapons and Dangerous Instruments

Regulation updated to expand the list of prohibited weapons and dangerous instruments to include additional items that are listed in law.

Administrative Regulation 5141.3 - Health Examinations

Regulation updated to reflect **NEW LAW (AB 2329)** which authorizes districts to enter into a memorandum of understanding with a nonprofit eye examination provider to provide eye examinations and eyeglasses to students at a school site. Regulation also updated to reflect **NEW LAW (SB 97)** which requires that beginning on or after January 1, 2023, districts make Type 1 diabetes materials developed by CDE available to parents/guardians when student is first enrolled in elementary school or as part of certain notifications. The first note was changed to a Cautionary Note and updated to clarify that the obligation to perform specified mandated activities is relieved any year that the Budget Act does not provide reimbursement.

Board Policy 5142 - Safety

Policy updated to reflect **NEW LAW (P.L. 117-159)** which requires the creation of a Federal Clearinghouse on School Safety Evidence-Based Practices to serve as a federal resource to identify and publish online

practices and recommendations to improve school safety, and include that the district regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure and the monitoring and response to suspicious and/or threatening digital media content.

Administrative Regulation 5142 - Safety

Regulation updated to reflect **NEW LAW (SB 906, 2022)** which requires certificated and classified employees of the district, and other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, to immediately report the threat or perceived threat to law enforcement, and add language regarding staff responsibilities and training to align with requirement to report potential homicidal acts. Regulation also updated to add language that anyone who receives or learns of a health or safety threat related to school or a school activity is encouraged to report the threat to a school or district administrator, reflect **NEW LAW (AB 2028, 2022)** which authorizes the Board of an elementary, intermediate, junior high, or high school to assist local law enforcement, nonprofit associations or organizations such as the Girls Scouts, Boys Scouts, and parent-teacher associations, and public agencies that provide safety instruction related to using electric, motorized, or nonmotorized bicycles and scooters, to provide such safety instruction to district students, and **NEW LAW (AB 1946, 2022)** which requires the Department of the California Highway Patrol to develop, and post on its web site, by September 1, 2023, statewide safety and training programs based on evidence-based practices for users of electric bicycles, including general riding safety, emergency maneuver skills, rules of the road, and laws pertaining to electric bicycles.

Administrative Regulation 5142.2 - Safe Routes to School Program

Regulation updated to reflect **NEW LAW (AB 2028, 2022)** which authorizes the Governing Board of an elementary, intermediate, junior high, or high school to provide time and facilities to specified agencies that offer bicycle, scooter, electric bicycle, motorized bicycle, or motorized scooter safety instruction, and **NEW LAW (AB 1946, 2022)** which requires the Department of the California Highway Patrol to develop, by September 1, 2023, statewide safety and training programs based on evidence-based practices for the use of electric bicycles, including general riding safety, emergency maneuver skills, rules of the road, and laws pertaining to electric bicycles.

Board Policy 5148.2 - Before/After School Programs

Policy updated to clarify that it applies to expanded learning opportunities beyond the regular school day, including before-school, after-school, summer, vacation, and/or intersessional programs and to reflect **NEW LAWS (AB 181, 2022 and AB 185, 2022)** which updates the Expanded Learning Opportunities (ELO) program requirements for the 2022-23 school year and forward. Detailed information regarding various program collaboration requirements moved to AR.

Administrative Regulation 5148.2 - Before/After School Programs

Regulation updated to include definitions of "offer access" and "provide access" in regard to Expanded Learning Opportunities (ELO) programs. Detailed information regarding program collaboration requirements moved to Regulation from BP. Regulation updated to reflect **NEW LAWS (AB 181, 2022 and AB 185, 2022)** which updates the ELO program requirements for the 2022-23 school year and forward, including requirements for the district to offer access to ELO programs based on the district's prior fiscal year local control funding formula unduplicated pupil percentage. Regulation also updated to clarify that district that receive funds for classroom-based instructional programs that serve grades TK-6 cannot opt out of the ELO program funding, pursuant to California Department of Education's "Expanded Learning Opportunities Program FAQs." Regulation also updated to reflect requirement that ELO programs are required to offer a nutritional snack, meal, or both and to reflect California Department of Education guidance that ELO programs do not have an attendance requirement and to reflect **NEW LAW (SB 1380, 2022)** which renumbered The California Prekindergarten Planning and Implementation Grant Program, Education Code 8251.5 to 8322.

Board Policy 5148.3 - Preschool/Early Childhood Education

Policy updated to reflect **NEW LAWS (AB 210, 2022, AB 185, 2022 and SB 1047, 2022)** to revise and update requirements for California State Preschool Programs (CSPP), including requirements related to dual language learners, children with exceptional needs, and enrollment data collection and reporting. Policy also updated to reflect CSPP-specific **NEW STATE REGULATIONS (Register 2022, No. 26)**.

Administrative Regulation 5148.3 - Preschool/Early Childhood Education

Regulation updated to reflect **NEW LAWS (AB 210, 2022, AB 185, 2022, AB 321, 2022, and SB 1047, 2022)** which revised enrollment criteria, priorities, and requirements for California State Preschool Programs (CSPP). Sections of the regulation affected include "Eligibility and Enrollment Priorities for Part-Day CSPP Programs" and "Eligibility and Enrollment Priorities for Full-Day CSPP Programs," which were reorganized and revised to comply with law. Other updated sections are "Minimum Hours/Days of Operation" and "Staffing." Regulation was also updated to reflect **NEW LAW (AB 2806, 2022)** with new requirements related to expulsion/unenrollment and/or suspension from a CSPP Program based on behavior. Regulation also updated with CSPP-specific **NEW STATE REGULATIONS (Register 2022, No. 26)**.

Administrative Regulation 6164.4 - Identification and Evaluation of Individuals for Special Education

Regulation updated to reflect **NEW LAW** (SB 188, 2022), requiring each district to designate a main point of contact for coordinating and completing the transition of a child and family from Part C (Early Intervention Program for Infants and Toddlers with Disabilities) to Part B (Assistance for Children with Disabilities) of IDEA.

Board Bylaw 9220 - Governing Board Elections

Bylaw updated to reflect **NEW LAW (AB 2584, 2022)**, by adding a new section - "Recalling a Board Member." Updated Bylaw also revised "Election Process and Procedure" section to reflect **NEW LAW (SB 1061, 2022)** regarding the requirement that any petition for a special election to fill a Board vacancy include the county election official's estimate of the cost of conducting the special election.

Board Bylaw 9223 - Filling Vacancies

Bylaw updated to reflect **NEW LAW (SB 1061, 2022)**, by adding a new note and body paragraph at the end of the "Provisional Appointments" section. Updated Bylaw also reflects **New Attorney-General Opinion** on how a vacancy is to be filled when a district's trustee areas have been revised or election method has changed from "at-large" to "by-trustee area," since the Board member whose term is to be completed was last elected. The Bylaw also updated to rearrange the Items in "Timelines for Filling a Vacancy" and to revise as necessary for clarity.

Board Bylaw 9323 - Meeting Conduct

Bylaw Updated to reflect **NEW LAW (SB 1100, 2022)** which authorizes the Board President to remove an individual for disrupting a Board meeting, establishes a procedure for warning the individual prior to their removal, and defines "disrupting" and "true threat of force."

MINOR REVISION:

Board Policy 3260 - Fees and Charges

Policy updated to include reference to CDE Fiscal Management Advisory 22-01, Summer School, Third Parties, Tuition Fees, and updates reference to CDE FMA 20-01, Pupil Fees, Deposits, and Other Charges.

CSBA UPDATE CHECKLIST – December 2022

District Name: _____

Contact Name: _____ Phone: _____ Email: _____

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
BP 0430	Comprehensive Local Plan for Special Education	**OPTION 1:** ☐ **OPTION 2:** ☐ **OPTION 3:** ☒	
AR 0430	Comprehensive Local Plan for Special Education		
BP 0450	Comprehensive Safety Plan	**OPTION 1:** ☐ **OPTION 2:** ☒	
AR 0450	Comprehensive Safety Plan		
BP 0460	Local Control and Accountability Plan		
AR 0460	Local Control and Accountability Plan		
BP 3250	Transportation Fees		
AR 3250	Transportation Fees		
AR 3260	Fees and Charges		
BP 3460	Financial Reports and Accountability		
AR 3460	Financial Reports and Accountability		
BP 3515	Campus Security		
AR 3515	Campus Security		
AR 3516.2	Bomb Threats		
BP 3540	Transportation		
BP 5131.7	Weapons and Dangerous Instrument	**OPTION 1:** ☐ **OPTION 2:** ☒	
AR 5131.7	Weapons and Dangerous Instrument		

CSBA UPDATE CHECKLIST – December 2022

District Name: _____

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
AR 5141.3	Health Examinations		
BP 5142	Safety		
AR 5142	Safety		
AR 5142.2	Safe Routes to School Program		
BP 5148.2	Before/After School Programs	**OPTION 1:** ☒ **OPTION 2:** ☐	
AR 5148.2	Before/After School Programs	**OPTION 1:** ☒ **OPTION 2:** ☐	
BP 5148.3	Preschool/Early Childhood Education		
AR 5148.3	Preschool/Early Childhood Education		
AR 6164.4	Identification and Evaluation of Individuals for Special Education	**Fill in Blanks** K-12 Counselor 2300 Highway 166 New Cuyama, CA 93254 661-766-2293	

CSBA UPDATE CHECKLIST – December 2022

District Name:_____

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
BB 9220	Governing Board Elections	**OPTION 1:** ☐ **OPTION 2:** ☒ **OPTION 3:** ☐ **AND** **OPTION 1:** ☒ **OPTION 2:** ☐ **AND** **OPTION 1:** ☒ **OPTION 2:** ☐ **AND** **OPTION 1:** ☒ **OPTION 2:** ☐ **OPTION 3:** ☐	
BB 9223	Filling Vacancies		
BB 9323	Meeting Conduct		

Policy 0430: Comprehensive Local Plan For Special Education **Status:** ADOPTED

Original Adopted Date: 02/01/1998 | **Last Revised Date:** ~~05~~12/01/~~2020~~2022 | **Last Reviewed Date:** ~~05~~12/01/~~2020~~2022

CSBA NOTE: Pursuant to Education Code 56195.1, school districts and county offices of education (COE) are required to form geographical regions, known as Special Education Local Plan Areas (SELPAs), of sufficient size and scope to administer a local plan and the allocation of funds for all the special education service needs of the children residing within the boundaries of the region. Districts may join together or with a COE to form a SELPA, or a single district may form its own SELPA. ~~As amended by SB 98 (Ch. 24, Statutes of 2020),~~ Education Code 56195.1 prohibits a district from creating a single-district SELPA until July 1, 2024.

Each SELPA is required to develop and administer a local plan describing how it will provide special education services. Pursuant to Education Code 56195.5, the Governing Board has authority, consistent with the SELPA plan, over the programs it directly maintains.

The following policy and accompanying administrative regulation should be revised to reflect requirements for the type of SELPA in which the district participates.

The Governing Board recognizes its obligation to provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the district.

CSBA NOTE: Option 1 below is for use by districts that have their own single-district SELPA. Option 2 below is for use by districts that join with other districts to form a SELPA. Option 3 below is for use by districts that join with a COE to form a SELPA.

OPTION 1: (Single-district SELPA)

In order to meet the needs of individuals with disabilities, the district shall serve as a Special Education Local Plan Area (SELPA) pursuant to Education Code 56195.1.

The Superintendent or designee shall develop a local plan for the education of individuals with disabilities residing in the district. The plan shall be approved by the Board and submitted to the county office of education and the Superintendent of Public Instruction~~.~~ (SPI). (Education Code 56195.1, 56195.3)

OPTION 1 ENDS HERE

OPTION 2: (Districts that participate in a multi-district SELPA)

In order to meet the needs of individuals with disabilities, the district shall participate as a member of a multi-district Special Education Local Plan Area (SELPA) pursuant to Education Code 56195.1.

CSBA NOTE: Education Code 56195.8 mandates each entity providing special education that is participating in a multi-district SELPA to adopt policies for the programs and services it operates, including, but not limited to, policies on nonpublic, nonsectarian services, review of the class assignment of a student with disabilities, procedural safeguards, resource specialists, transportation of students with disabilities, information on the number of individuals with disabilities who are being provided special education and related services, and caseloads for speech and language specialists providing services to

children with disabilities ages 3-5 years. District policies on these topics should be consistent with policies adopted by the SELPA.

The district shall enter into agreements with other members of the SELPA in accordance with Education Code 56195.1 and 56195.7. Consistent with these agreements, the district shall adopt policies governing the programs and services it operates. (Education Code 56195.8)

The Superintendent or designee shall work with the other members of the SELPA to develop a local plan for the education of individuals with disabilities. The plan shall be approved by the Board and the other members of the SELPA, and shall be submitted to the county office of education and the ~~Superintendent of Public Instruction.~~SPI. (Education Code 56195.1, 56195.3)

OPTION 2 ENDS HERE

OPTION 3: (Districts that participate in a multi-district SELPA with the county office of education)

In order to meet the needs of individuals with disabilities, the district shall participate as a member of a Special Education Local Plan Area (SELPA) with other districts and the county office of education pursuant to Education Code 56195.1.

The district shall enter into agreements with other members of the SELPA in accordance with Education Code 56195.1 and 56195.7. Consistent with these agreements, the district shall adopt policies governing the programs and services it operates. (Education Code 56195.8)

The Superintendent or designee shall work with the other members of the SELPA to develop a local plan for the education of individuals with disabilities. The plan shall be approved by the Board and the other members of the SELPA, and shall be submitted to the ~~Superintendent of Public Instruction.~~SPI. (Education Code 56195.1)

OPTION 3 ENDS HERE

CSBA NOTE: Education Code 56836.148, as amended by AB 181 (Chapter 52, Statutes of 2022), requires the SPI to make publicly available the special education funding each local educational agency (LEA) generates for their SELPA, and for the SELPA, within thirty days of receiving their apportionment to report the amount of funding each LEA generates to member LEAs.

Each year, the Superintendent or designee shall provide to the Board any data and/or information regarding the special education funding generated by the district as supplied by the SPI and the SELPA in accordance with Education Code 56836.148.

CSBA NOTE: The remainder of this policy applies to all districts.

Pursuant to Education Code 56195.9, ~~beginning July 1, 2020,~~ the local plan must be reviewed by the SELPA at least once every three years. The budget plan, service plan, and annual assurances support plan must ~~still~~ be reviewed annually, pursuant to Education Code 56205; see the accompanying administrative regulation.

The local plan shall be reviewed at least once every three years and updated as needed to ensure the information contained in the plan remains relevant and accurate. The local plan shall be updated cooperatively by a committee of representatives of special and regular education teachers and administrators selected by the groups they represent and with participation by parent/guardian members of the community advisory committee, or parents/guardians selected by the community advisory

committee, to ensure adequate and effective participation and communication. (Education Code 56195.9)

CSBA NOTE: Pursuant to Education Code 56195.7, a single-district SELPA is mandated to adopt a written procedure for the ongoing review of programs and a mechanism for correcting any identified problem. For districts participating in a multi-district SELPA with or without a COE pursuant to Option 2 or 3 above, these requirements are contained in the written agreement entered into by members of the SELPA. The following paragraph may be revised to reflect district and/or SELPA practice.

Special education programs and services shall be reviewed on an ongoing basis. The results of such evaluations shall be used to identify and correct any program deficiencies.

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

State	**Description**
5 CCR 3000-3089	Regulations governing special education
Ed. Code 56000-56001	Education for individuals with exceptional needs
Ed. Code 56020-56035	Definitions
Ed. Code 56040-56046	General provisions
Ed. Code 56048-56050	Surrogate parents
Ed. Code 56055	Foster parents
Ed. Code 56060-56063	Substitute teachers in special education
Ed. Code 56170-56177	Children enrolled in private schools
Ed. Code 56190-56194	Community advisory committees
Ed. Code 56195-56195.10	Local plans
Ed. Code 56205-56208	Local plan requirements
~~Ed. Code 56213~~	~~Special education local plan~~
Ed. Code ~~56213~~56211-56214	Special education local plan areas with small or sparse populations
Ed. Code 56240-56245	Staff development
Ed. Code 56300-56385	Identification and referral; assessment, instructional planning
Ed. Code 56440-56447.1	Programs for individuals between the ages of three and five years
Ed. Code 56500-56508	Procedural safeguards, including due process rights
Ed. Code 56520-~~56525~~56524	Behavioral interventions

Ed. Code 56600-56606	Evaluation, audits and information
Ed. Code 56836-56836.05	Administration of local plan
Gov. Code 7579.5	Surrogate parent; appointment, ~~qualifications,~~qualification and liability
Gov. Code 95000-95004	California Early Intervention Services Act
W&I Code 361	Limitations on parental control
W&I Code 726	Limitations on parental control

Federal	**Description**
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1400-1482	Individuals with Disabilities Education Act
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 104.1-104.39	Section 504 of the Rehabilitation Act of 1973
34 CFR 300.1-300.818	Assistance to states for the education of students with disabilities
34 CFR 300.500-300.520	Procedural safeguards and due process for parents and students
34 CFR 303.1-303.654	Early intervention program for infants and toddlers with disabilities
34 CFR 99.10-99.22	Inspection, review and procedures for amending education records
42 USC 12101-12213	Americans with Disabilities Act

Management Resources	**Description**
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education, Special Education
Website	U.S. Department of Education, Office of Special Education Programs

Cross References

Code	**Description**
0400	Comprehensive Plans
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees

1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E (1)	Uniform Complaint Procedures
1312.3-E (2)	Uniform Complaint Procedures
3541.2	Transportation For Students With Disabilities
3542	School Bus Drivers
4112.23	Special Education Staff
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
6020	Parent Involvement
6020	Parent Involvement
6146.4	Differential Graduation And Competency Standards For Students With Disabilities
6159	Individualized Education Program
6159	Individualized Education Program
6159.1	Procedural Safeguards And Complaints For Special Education
6159.1	Procedural Safeguards And Complaints For Special Education
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education
6159.3	Appointment Of Surrogate Parent For Special Education Students
6159.3	Appointment Of Surrogate Parent For Special Education Students
6159.4	Behavioral Interventions For Special Education Students
6164.4	Identification And Evaluation Of Individuals For Special Education
6164.4	Identification And Evaluation Of Individuals For Special Education
6164.41	Children With Disabilities Enrolled By Their Parents In Private School
6164.41	Children With Disabilities Enrolled By Their Parents In Private School
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504

Regulation 0430: Comprehensive Local Plan For Special Education **Status:** ADOPTED

Original Adopted Date: 04/01/2003 | **Last Revised Date:** 12/01/~~2020~~2022 | **Last Reviewed Date:** 12/01/~~2020~~2022

Definitions

Free appropriate public education (FAPE) means special education and related services that are provided at public expense, under public supervision and direction, and without charge; meet the standards of the California Department of Education, including the requirements of 34 CFR 300.1-300.818; include appropriate preschool, elementary school, or secondary school education for individuals between the ages of 3 and 21; and are provided in conformity with an individualized education program (IEP) that meets the requirements of 34 CFR 300.320-300.324. (Education Code 56040; 34 CFR 300.17, 300.101, 300.104)

Least restrictive environment means that, to the maximum extent appropriate, students with disabilities, including individuals in public or private institutions or other care facilities, be educated with individuals who are nondisabled, including the provision of nonacademic and extracurricular services and activities. Special classes, separate schooling, or other removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (Education Code 56040.1; 34 CFR 300.107, 300.114, 300.117)

Elements of the Local Plan

CSBA NOTE: Education Code 56205 and 56206 detail the elements that must be included in the local plan developed by the Special Education Local Plan Area (SELPA), including a requirement that the plan contain assurances of general compliance with Section 504 of the Rehabilitation Act of 1973 (29 USC 794), the Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482), and the Americans with Disabilities Act (42 USC 12101-12213).

Pursuant to Education Code 56122, the California Department of Education (CDE) has developed templates for plan development, which are available on its web site.

The local plan developed by the Special Education Local Plan Area (SELPA) shall include, but not be limited to: (Education Code 56122, 56205, 56206)

1. Policies, procedures, and programs, that are consistent with state laws, regulations, and policies and 20 USC 1412(a), 20 USC 1413(a)(1), and 34 CFR 300.201 governing the following:

    a. Free appropriate public education

    b. Full educational opportunity

    c. Child find and referral

    d. Individualized education programs, including development, implementation, review, and revision

e. Least restrictive environment

f. Procedural safeguards

g. Annual and triennial assessments

h. Confidentiality

i. Transition from the Infants and Toddlers with Disabilities programs pursuant to 20 USC 1431 to the preschool program

j. Children in private schools

k. Compliance assurances, including general compliance with the federal Individuals with Disabilities Education Act (20 USC 1400-1482), Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794), the federal Americans with Disabilities Act of 1990 (42 USC 12101-12213), related federal regulations, and Education Code 56000-56865

l. A description of the governance and administration of the local plan in accordance with Education Code 56205(a)(12)

m. Personnel qualification to ensure that personnel, including special education teachers and personnel and paraprofessionals are appropriately and adequately prepared and trained in accordance with Education Code 56058 and 56070 and 20 USC 1412(a)(14) and 1413(a)(3)

n. Performance goals and indicators

o. Participation in state and districtwide assessments, including assessments described in 20 USC 6301 et seq. and alternate assessments in accordance with 20 USC 1412(a)(16), and reports relating to assessments

p. Supplementation of state, local, and other federal funds, including nonsupplantation of funds

q. Maintenance of financial effort

r. Opportunities for public participation before adoption of policies and procedures

s. Suspension and expulsion rates

t. Access to instructional materials by blind individuals with exceptional needs and others with print disabilities in accordance with 20 USC 1412(a)(23)

u. Overidentification and disproportionate representation by race and ethnicity of children as individuals with exceptional needs, including children with disabilities with a particular impairment described in 20 USC 1401 and 1412(a)(24)

v. Prohibition of mandatory medication use pursuant to Education Code 56040.5 and 20 USC 1412(a)(25)

2. An annual budget plan, including descriptions of the SELPA's allocation plan in accordance with Education Code 56836-56845, all revenues by revenue source received by the SELPA specifically for the purpose of special education, a breakdown of the distribution of funds to each ~~local educational agency (LEA)~~ LEA within the SELPA, projected total special education expenditures by each LEA, projected total expenditures by the SELPA and the LEAs within the SELPA, projected

funding to be received specifically for regionalized operations, and a breakdown of projected SELPA operating expenditures

3. An annual service plan, describing the services to be provided by each LEA, regardless of whether the LEA participates in the local plan, including the nature of the services and the physical location at which the services will be provided. This description shall demonstrate that all individuals with exceptional needs shall have access to services and instruction appropriate to meet their needs as specified in their individualized education programs.

CSBA NOTE: Pursuant to Education Code 56205 and 56122, the local plan must include an annual assurances support plan to demonstrate how the SELPA and its participating agencies are coordinating to assure effective outcomes for students with disabilities. As amended by ~~SB 98~~AB 181 (Ch. ~~2452~~, Statutes of ~~20202022~~), Education Code 56122 extends the timeline for developing an annual assurances support plan to July 1, ~~20232027~~. A template for the annual assurances support plan will be developed by CDE by July 1, ~~20222026~~.

4. Beginning July 1, ~~20232027~~, an annual assurances support plan to demonstrate how the SELPA and its participating agencies are coordinating for purposes of assuring effective outcomes for students with disabilities, including a description of:

   a. ~~How~~Support the governing board of the SELPA will ~~support~~provide to participating agencies in achieving the goals, actions, and services identified in their local control and accountability plans

   b. ~~How~~The ways in which the governing board of the SELPA will connect participating agencies in need of technical assistance to the statewide system of support

   c. The services, technical assistance, and support the governing board of the SELPA will provide to meet the required policies, procedures, and programs specified in Education Code 56205

5. A description of programs for early childhood special education from birth through five years of age

6. A description of the method by which members of the public, including parents/guardians of individuals with ~~disabilities~~exceptional needs who are receiving services under the plan, may address questions or concerns pursuant to Education Code 56205

7. A description of a dispute resolution process, including mediation and arbitration to resolve disputes over the distribution of funding, the responsibility for service provision, and the other governance activities specified within the local plan

8. Verification that the plan has been reviewed by the community advisory committee in accordance with Education Code 56205 and that the committee had at least 30 days to conduct this review before submission of the local plan to CDE

9. A description of the process being utilized to refer students for special education instruction pursuant to Education Code 56303

10. A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools, the method of ensuring that all requirements of each student's IEP are being met, and a method for evaluating whether the student is making appropriate educational progress

11. A description of how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environment

The local plan, annual budget plan, annual service plan, and annual assurances support plan shall be written in language that is understandable to the general public. They shall be adopted at a public hearing of the SELPA, for which notice of the hearing shall be posted in each school in the SELPA at least 15 days before the hearing. (Education Code 56205)

Availability of the Plan

The Superintendent or designee shall post on the district's web site the approved local plan, annual budget plan, annual service plan, and annual assurances support plan and any updates or revisions to the plans. A complete copy of the local plan, annual budget plan, annual service plan, annual assurances support plan, and policies and procedures shall be held on file in the district office and shall be accessible to any interested party. (Education Code 56205.5)

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Ed. Code 56205-56208	Local plan requirements 56213 Special education local plan
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Ed. Code 56500-56508	Procedural safeguards, including due process rights
Ed. Code 56520-~~5652~~56524	Behavioral interventions

Ed. Code 56600-56606	Evaluation, audits and information
Ed. Code 56836-56836.05	Administration of local plan
Gov. Code 7579.5	Surrogate parent; appointment, qualifications, liability
Gov. Code 95000-95004	California Early Intervention Services Act
W&I Code 361	Limitations on parental control
W&I Code 726	Limitations on parental control

Federal	Description
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1400-1482	Individuals with Disabilities Education Act
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 104.1-104.39	Section 504 of the Rehabilitation Act of 1973
34 CFR 300.1-300.818	Assistance to states for the education of students with disabilities
34 CFR 300.500-300.520	Procedural safeguards and due process for parents and students
34 CFR 303.1-303.654	Early intervention program for infants and toddlers with disabilities
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6164.41	Children With Disabilities Enrolled By Their Parents In Private School
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504

Policy 0450: Comprehensive Safety Plan **Status:** ADOPTED

Original Adopted Date: 11/01/2011 | **Last Revised Date:** 12/01/~~2018~~2022 | **Last Reviewed Date:** 12/01/~~2018~~2022

CSBA NOTE: Pursuant to Education Code 32280-32289.5, districts are responsible for ensuring that a comprehensive safety plan with specified components is in place for each district school. As ~~amended~~required by ~~AB 1747 (Ch. 806, Statutes of 2018),~~ Education Code 32282 ~~requires~~and 32288, the California Department of Education (CDE) ~~to post~~has posted on its web site a compliance checklist for developing comprehensive safety plans~~, and Education Code 32288 requires CDE to post~~ and best practices for reviewing and approving the plans. ~~Beginning in the 2018-19 school year,~~ ~~comprehensive~~Comprehensive safety plans ~~will be audited~~are reviewed through the annual audits required by Education Code 41020 to ensure that they are updated and approved by March 1 of each year.

The Governing Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for student conduct, responsible behavior, and respect for others.

CSBA NOTE: Pursuant to Education Code 32281 and 32286, each school is required to adopt a comprehensive safety plan (Option 1 below). However, districts with an average daily attendance (ADA) of 2,500 or less are authorized by Education Code 32281 to develop a districtwide safety plan in lieu of developing school plans; thus, those districts may select either Option 1 or 2 to reflect district practice. Any district may choose to develop both district and school plans.

OPTION 1: (Districts with more than 2,500 ADA, and districts with 2,500 or less ADA that choose to develop school site plans)

The school site council at each district school shall develop a comprehensive school safety plan relevant to the needs and resources of that particular school. New school campuses shall develop a safety plan within one year of initiating operations. (Education Code 32281, 32286)

The school safety plan shall take into account the school's staffing, available resources, and building design, as well as other factors unique to the site.

OPTION 1 ENDS HERE

OPTION 2: (Districts with 2,500 or less ADA that choose to develop a districtwide plan)

The Superintendent or designee shall oversee the development of a districtwide comprehensive safety plan that is applicable to each school site. (Education Code 32281)

OPTION 2 ENDS HERE

CSBA NOTE: The following two paragraphs apply to all districts. Education Code 32286 requires that the school site council review and update the comprehensive safety plan by March 1 of each year. In districts with ADA of 2,500 or less that choose to develop a districtwide plan in accordance with Option 2 above, the Superintendent or designee may conduct the annual review.

Pursuant to Education Code 32288, the updated plan(s) must be submitted to the district for approval. The Governing Board may choose to delegate to the Superintendent or designee the responsibility to review and approve the updated plans, but the Board remains responsible for ensuring compliance with the law.

The comprehensive safety plan(s) shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (Education Code 32286, 32288)

The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

CSBA NOTE: Education Code 32288 requires that districts notify CDE if a school has not complied with the safety plan requirements. In the event that the Superintendent of Public Instruction determines that there has been a willful failure by a district to make any report required by Education Code 32280-32289, Education Code 32287 provides that the district may be fined up to $2,000.

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education (CDE) of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

Tactical Response Plan

CSBA NOTE: The following section is optional. Pursuant to Education Code 32281, the Board may, after consulting with law enforcement officials, elect to have the district, rather than the school site council, develop those portions of the comprehensive safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury.

Notwithstanding the process described above, any portion of a comprehensive safety plan that addresses tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to ~~be taken to~~ safeguard students and staff, secure ~~the~~ affected school premises, and apprehend ~~the~~ criminal perpetrator(s), shall be developed by district administrators in accordance with Education Code 32281. In developing such strategies, district administrators shall consult with law enforcement officials and with representative(s) of employee bargaining unit(s), if they choose to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials and approve the tactical response plan, provided that any vote to approve the tactical response plan is announced in open session following the closed session. (Education Code 32281)

~~Access to~~ Safety Plan(s) Access and Reporting

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

CSBA NOTE: The following paragraph is optional. Pursuant to Education Code 32281, the Board may choose to prohibit disclosure of those portions of the comprehensive safety plan that include tactical responses to criminal incidents.

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed.

~~CSBA NOTE: Education Code 32281, as amended by AB 1747, adds a requirement to share the comprehensive safety plans with the following entities.~~

The Superintendent or designee shall share the comprehensive safety plans and any updates to the plans with local law enforcement, the local fire department, and other first responder entities. (Education Code 32281)

CSBA NOTE: Pursuant to Education Code 32289.5, the district is required to provide data to CDE pertaining to lockdown or multi-option response drills conducted at district schools, as specified.

The Superintendent or designee shall also provide data to CDE pertaining to lockdown or multi-option response drills conducted at district schools in accordance with Education Code 32289.5. (Education Code 32289.5)

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

State	**Description**
5 CCR 11987-11987.7	School Community Violence Prevention Program requirements
5 CCR 11992-11993	Definition; persistently dangerous schools
CA Constitution Article 1, Section 28	Right to Safe Schools
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code ~~32261~~32260-32262	Interagency School Safety Demonstration Act of 1985
Ed. Code 32270	School safety cadre
Ed. Code 32280-32289.5	School safety plans
Ed. Code 32290	Safety devices
Ed. Code 35147	School site councils and advisory committees
Ed. Code 35183	School dress code; uniforms
Ed. Code 35266	Reporting of cyber attacks
Ed. Code 35291-~~35291.5~~	Rules
Ed. Code 35291.5	School-adopted discipline rules
Ed. Code 41020	Requirement for annual audit
Ed. Code 48900-48927	Suspension and expulsion
Ed. Code 48950	Speech and other communication
Ed. Code 48980	Annual notifications
Ed. Code 49079	Notification to teacher; student act constituting grounds for suspension or expulsion
Ed. Code 49390-49395	Homicide threats

Ed. Code 67381	~~Violent crime~~Availability of information regarding crimes
Gov. Code 11549.3	Independent security assessment
Gov. Code 54957	Closed session meetings for threats to security
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act
Pen. Code 422.55	Definition of hate crime
Pen. Code 626.8	Disruptions
Federal	**Description**
6 USC 665k	Federal Clearinghouse on School Safety Evidence-Based Practices
20 USC 7111-7122	Student ~~Support~~support and ~~Academic Enrichment Grants~~academic enrichment grants
20 USC 7912	Transfers from persistently dangerous schools
42 USC 12101-12213	Americans with Disabilities Act
Management Resources	**Description**
CSBA Publication	Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010
CSBA Publication	Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
CSBA Publication	Safe Schools: A Planning Guide for Action Workbook, 2002
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
CSBA Publication	Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against ~~Sex~~ Discrimination, March 2017
Federal Bureau of Investigation Publication	Uniform Crime Reporting Handbook, 2004
U.S. DOE Publication	Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007
U.S. ~~SS~~Secret Service & DOE Publication	Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2004
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Secret Service, National Threat Assessment Center
Website	Centers for Disease Control and Prevention
Website	Federal Bureau of Investigation
Website	National Center for Crisis Management
Website	National School Safety Center
Website	California Department of Education, Safe Schools

Website	California Department of Technology, Independent Security Assessment (https://cdt.ca.gov/security/independent-security-assessments-services/)
Website	California Governor's Office of Emergency Services
Website	California Military Department (https://calguard.ca.gov/)
Website	California State Threat Assessment System (https://calstas.org/)
Website	California Healthy Kids Survey
Website	U.S. Department of Education
Website	U.S. Department of Homeland Security, Fusion Centers (https://www.dhs.gov/fusion-centers)
Website	CSBA

Cross References

Code	Description
0400	Comprehensive Plans
0410	Nondiscrimination In District Programs And Activities
0420	School Plans/Site Councils
0420	School Plans/Site Councils
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0470	COVID-19 Mitigation Plan
0500	Accountability
0510	School Accountability Report Card
1100	Communication With The Public
1112	Media Relations
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E (1)	Uniform Complaint Procedures
1312.3-E (2)	Uniform Complaint Procedures
1313	Civility
1330	Use Of School Facilities
1330	Use Of School Facilities
1330-E(1)	Use Of School Facilities
1330.1	Joint Use Agreements

1340	Access To District Records
1340	Access To District Records
1400	Relations Between Other Governmental Agencies And The Schools
2210	Administrative Discretion Regarding Board Policy
3510	Green School Operations
3511	Energy And Water Management
3511	Energy And Water Management
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3514	Environmental Safety
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3514.2	Integrated Pest Management
3515	Campus Security
3515	Campus Security
3515.2	Disruptions
3515.2	Disruptions
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3515.31	School Resource Officers
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
3515.5	Sex Offender Notification
3515.5	Sex Offender Notification
3515.7	Firearms On School Grounds
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3516.1	Fire Drills and Fires
3516.2	Bomb Threats
3516.3	Earthquake Emergency Procedure System
3516.5	Emergency Schedules
3530	Risk Management/Insurance
3530	Risk Management/Insurance

3543	Transportation Safety And Emergencies
4112.41	Employee Drug Testing
4112.41	Employee Drug Testing
4119.11	Sexual Harassment
4119.11	Sexual Harassment
4119.23	Unauthorized Release Of Confidential/Privileged Information
4131	Staff Development
4140	Bargaining Units
4141.6	Concerted Action/Work Stoppage
4141.6	Concerted Action/Work Stoppage
4157	Employee Safety
4157	Employee Safety
4158	Employee Security
4158	Employee Security
4212.41	Employee Drug Testing
4212.41	Employee Drug Testing
4219.11	Sexual Harassment
4219.11	Sexual Harassment
4219.23	Unauthorized Release Of Confidential/Privileged Information
4231	Staff Development
4240	Bargaining Units
4241.6	Concerted Action/Work Stoppage
4241.6	Concerted Action/Work Stoppage
4257	Employee Safety
4257	Employee Safety
4258	Employee Security
4258	Employee Security
4312.41	Employee Drug Testing
4312.41	Employee Drug Testing
4319.11	Sexual Harassment
4319.11	Sexual Harassment
4319.21	Professional Standards
4319.21-E(1)	Professional Standards
4319.23	Unauthorized Release Of Confidential/Privileged Information
4331	Staff Development

4340	Bargaining Units
4357	Employee Safety
4357	Employee Safety
4358	Employee Security
4358	Employee Security
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5112.5	Open/Closed Campus
5113	Absences And Excuses
5113	Absences And Excuses
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5116.1	Intradistrict Open Enrollment
5116.1	Intradistrict Open Enrollment
5131	Conduct
5131.2	Bullying
5131.2	Bullying
5131.4	Student Disturbances
5131.4	Student Disturbances
5131.41	Use Of Seclusion And Restraint
5131.5	Vandalism And Graffiti
5131.6	Alcohol And Other Drugs
5131.6	Alcohol And Other Drugs
5131.61	Drug Testing
5131.62	Tobacco
5131.62	Tobacco
5131.63	Steroids
5131.63	Steroids
5131.7	Weapons And Dangerous Instruments
5131.7	Weapons And Dangerous Instruments
5131.8	Mobile Communication Devices
5132	Dress And Grooming
5132	Dress And Grooming
5136	Gangs
5136	Gangs

5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5142	Safety
5142	Safety
5142.2	Safe Routes To School Program
5142.2	Safe Routes To School Program
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.12	Search And Seizure
5145.12	Search And Seizure
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parent/Guardian Notifications
5145.7	Sexual Harassment
5145.7	Sexual Harassment
5145.9	Hate-Motivated Behavior
5148.2	Before/After School Programs
5148.2	Before/After School Programs
6020	Parent Involvement
6020	Parent Involvement
6141.2	Recognition Of Religious Beliefs And Customs
6141.2	Recognition Of Religious Beliefs And Customs
6142.3	Civic Education
6142.4	Service Learning/Community Service Classes
6142.8	Comprehensive Health Education

6142.8	Comprehensive Health Education
6153	School-Sponsored Trips
6153	School-Sponsored Trips
6159	Individualized Education Program
6159	Individualized Education Program
6164.2	Guidance/Counseling Services
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6184	Continuation Education
6184	Continuation Education
7214	General Obligation Bonds
7214	General Obligation Bonds
9010	Public Statements
9011	Disclosure Of Confidential/Privileged Information
9320	Meetings And Notices
9321	Closed Session
9321-E (1)	Closed Session
9321-E (2)	Closed Session

Regulation 0450: Comprehensive Safety Plan **Status:** ADOPTED

Original Adopted Date: 11/01/2011 | **Last Revised Date:** 12/01/~~2018~~2022 | **Last Reviewed Date:** 12/01/~~2018~~2022

CSBA NOTE: The following optional administrative regulation should be revised to reflect district practice.

Pursuant to Education Code 234.5, the California Department of Education (CDE) has posted on its web site a list of statewide resources for youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying, and youth affected by gangs, gun violence, and psychological trauma caused by violence at home, at school, and in the community.

Additionally, 6 USC 665k, as added by the Luke and Alex School Safety Act of 2022 (P.L. 117-159), requires the creation of a Federal Clearinghouse on School Safety Evidence-Based Practices to serve as a federal resource to identify and publish online evidence-based practices and recommendations to improve school safety.

Development and Review of Comprehensive School Safety Plan

CSBA NOTE: The following section reflects requirements for the development of site-level comprehensive safety plans pursuant to Education Code 32280-32289 and is for use by districts that selected Option 1 in the accompanying Board policy. Districts with an average daily attendance ~~(ADA)~~ of 2,500 or less that selected Option 2 in the accompanying Board policy (i.e., that have developed a districtwide comprehensive safety plan applicable to all school sites in lieu of individual site plans, as authorized by Education Code 32281) should omit this section.

~~As amended by AB 1747 (Ch. 806, Statutes of 2018), Education Code 32281 requires school site councils to consult with the fire department and other first responders, in addition to local law enforcement, in the writing and development of comprehensive safety plans.~~

The school site council shall consult with local law enforcement, the local fire department, and other first responders in the writing and development of the comprehensive school safety plan. When practical, the school site council shall also consult with other school site councils and safety planning committees. (Education Code 32281, 32282)

The school site council may delegate the responsibility for developing a comprehensive safety plan to a school safety planning committee composed of the following members: (Education Code 32281)

1. The principal or designee
2. One teacher who is a representative of the recognized certificated employee organization
3. One parent/guardian whose child attends the school
4. One classified employee who is a representative of the recognized classified employee organization

CSBA NOTE: Item #5 below may be modified to specify other groups or individuals who will be represented on the committee. For example, the committee might include representatives of social service agencies, other city or county agencies, health care and emergency service providers, community-based organizations, and/or students.

5. Other members, if desired

Before adopting the comprehensive safety plan, the school site council or school safety planning committee shall hold a public meeting at the school in order to allow members of the public the opportunity to express an opinion about the plan. (Education Code 32288)

The school site council or safety planning committee shall notify, in writing, the following persons and entities of the public meeting: (Education Code 32288)

1. The local mayor
2. A representative of the local school employee organization
3. A representative of each parent/guardian organization at the school, including the parent teacher association and parent teacher clubs
4. A representative of each teacher organization at the school
5. A representative of the school's student body government
6. All persons who have indicated that they want to be notified

In addition, the school site council or safety planning committee may notify, in writing, the following entities of the public meeting: (Education Code 32288)

1. Representatives of local religious organizations
2. Local civic leaders
3. Local business organizations

Content of the Safety Plan

Each comprehensive safety plan shall include an assessment of the current status of any crime committed on campus and at school-related functions. (Education Code 32282)

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. In assessing the current status of school crime as required by Education Code 32282, districts may contract with a consultant, work with local law enforcement, develop their own local assessment, and/or use available instruments such as the "California Healthy Kids Survey," or the Centers for Disease Control and Prevention's "Youth Risk Behavior Survey."

The assessment may include, but not be limited to, reports of crime, suspension and expulsion rates, and surveys of students, parents/guardians, and staff regarding their perceptions of school safety.

CSBA NOTE: Education Code 32282 requires that the following components be included in the districtwide and/or school site safety plan. The district may expand this list to require other components at its discretion.

The plan shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including all of the following: (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164-11174.3

2. Routine and emergency disaster procedures including, but not limited to:

   a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act

CSBA NOTE: Education Code 32282 requires districts to incorporate earthquake emergency procedures into the comprehensive safety plan, as specified in ~~items~~Items #2b and #2c below. See BP/AR 3516 - Emergencies and Disaster Preparedness Plan and AR 3516.3 - Earthquake Emergency Procedure System for further details about required components of these procedures. ~~As amended by AB 1747, Education Code 32282 requires CDE to provide guidance to districts in regard to the contents of school building disaster plans.~~

   b. An earthquake emergency procedure system in accordance with Education Code 32282

   c. A procedure to allow public agencies, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations

4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079

CSBA NOTE: Education Code 234.1 requires the Board to adopt policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics and requires school personnel who witness such acts to take immediate steps to intervene when safe to do so; see BP 0410 - Nondiscrimination in District Programs and Activities and BP 5145.3 - Nondiscrimination/Harassment. In addition, the district's complaint process must include a timeline for investigating and resolving complaints and an appeals process; see BP/AR 1312.3 - Uniform Complaint Procedures.

~~Education Code 234.4, as amended by AB 2291 (Ch. 491, Statutes of 2018), requires districts to adopt, by December 31, 2019, procedures for preventing acts of bullying, including cyberbullying. See BP 5131.2 - .~~

5. A policy consistent with the prohibition against discrimination, harassment, intimidation, and bullying pursuant to Education Code 200-262.4

6. If the school has adopted a dress code prohibiting students from wearing "gang-related apparel" pursuant to Education Code 35183, the provisions of that dress code and the definition of "gang-related apparel"

7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school

8. A safe and orderly school environment conducive to learning

9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5

CSBA NOTE: Pursuant to Education Code 32282~~, as amended by AB 1747~~, schools are required to include in their comprehensive safety plans procedures for conducting tactical responses to criminal incidents, as specified in ~~item~~Item #10. Such procedures must be based on the specific needs and context of each school and community.

Pursuant to Education Code 32281, the Governing Board may elect to have district administrators, rather than the school site council, develop those portions of the comprehensive safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury; see the accompanying Board policy.

10. Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on campus and at school-related functions

CSBA NOTE: The following components are optional and should be revised to reflect district practice.

Among the strategies for providing a safe environment, the comprehensive safety plan may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution

CSBA NOTE: Education Code 32261 and 32282 ~~and 32261~~ encourage, but do not require, all comprehensive safety plans to include policies and procedures aimed at the prevention of bullying, as defined in Education Code 48900(r).

2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing, and cyberbullying, as well as behavioral expectations and consequences for violations

CSBA NOTE: Education Code 32261 encourages, but does not require, comprehensive safety plans to include Item #3, below.

3. Strategies aimed at preventing potential incidents involving crime and violence on school campuses, including vandalism, drug and alcohol abuse, gang membership and violence, hate crimes, bullying, including bullying committed personally or by means of an electronic act, teen relationship violence, and discrimination and harassment, including sexual harassment

~~1.~~ 4. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education and literacy, character/values education, social and emotional learning, media analysis skills, conflict resolution, community service learning, and education related to the prevention of dating violence

~~2.~~ 5. Parent/guardian involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus

CSBA NOTE: When providing parents/guardians with school safety materials and emergency communications, CSBA encourages districts to do so in language(s) understandable to parents/guardians, as appropriate for the school site.

6. Provision of safety materials and emergency communications in language(s) understandable to parents/guardians

CSBA NOTE: Education Code 49392, as added by SB 906 (Ch. 144, Statutes of 2022), requires districts, starting with the 2023-24 school year, to include in the annual notification to parents/guardians pursuant to Education Code 48980 information related to the safe storage of firearms, as specified.

7. Annual notification to parents/guardians related to the safe storage of firearms

~~3.~~ 8. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students

~~4.~~ 9. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction

~~5.~~ 10. District policy ~~related to~~ prohibiting the possession of firearms and ammunition on school grounds

~~6.~~ 11. Measures to prevent or minimize the influence of gangs on campus

CSBA NOTE: Education Code 32281 authorizes the principal, upon receiving verification from law enforcement, to notify parents/guardians and employees in writing that a violent crime has occurred on the school site. A "violent crime" is any act for which a student could be expelled and which meets the definition listed in Education Code 67381, including willful homicide, forcible rape, robbery, and aggravated assault, as defined in the , "Federal Bureau of Investigation's Uniform Crime Reporting Handbook.," Education Code 32281 encourages that the notice be sent no later than the second workday after receiving verification from law enforcement.

20 USC 7912 requires that all students attending a "persistently dangerous" school be provided notice of the designation and an option to transfer to a different school within the district. See BP/AR 5116.1 - Intradistrict Open Enrollment.

~~7.~~ 12. Procedures for receiving verification from law enforcement when a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime

13. Procedures for the early identification and threat assessment of, and appropriate response to, suspicious and/or threatening digital media content

~~8.~~ 14. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for closing campuses to outsiders, installing surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus

CSBA NOTE: Government Code 11549.3, as amended by AB 1352 (Ch. 593, Statutes of 2021), authorizes districts, at district expense, to request the Military Department, in consultation with the California Cybersecurity Integration Center, to perform an independent security assessment of the district or individual district school. Districts are encouraged to consult with the California Office of Emergency Services (OES) and utilize resources such as the State Threat Assessment System and Regional Fusion Centers to help assess potential threats. For more information see OES' web site.

Pursuant to Education Code 35266, as added by AB 2355 (Ch. 498, Statutes of 2022), districts that experience a cyberattack, as defined, which impacts more than 500 students or personnel, are required to report such cyberattack to the California Cybersecurity Integration Center.

15. Independent security assessment of the school's network infrastructure and selected web applications to identify vulnerabilities and provide recommendations to improve cybersecurity

CSBA NOTE: Education Code 32282.1 does not require, but encourages, that comprehensive safety plans include the strategies described in ~~item #11~~Item #16 below, to the extent the district uses the listed professionals. CDE's, "The Comprehensive School Safety Plan: Recommended Components," available on its web site, includes athletic coaches in the list of professionals and specifies that community intervention professionals include those who speak languages other than English.

~~9.~~ 16. Guidelines for the roles and responsibilities of mental health professionals, athletic coaches, community intervention professionals, school counselors, school resource officers, and police officers on school campuses. Guidelines may include, but are not limited to, the following:

a. Strategies to create and maintain a positive school climate, promote school safety, and increase student achievement

b. Strategies to prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support

c. Protocols to address the mental health care of students who have witnessed a violent act at any time, including, but not limited to, while on school grounds, while coming or going from school, during a lunch period whether on or off campus, or during or while going to or coming from a school-sponsored activity

~~10.~~ 17. Strategies for suicide prevention and intervention

CSBA NOTE: Policies and/or plans for maintaining a safe school environment during a pandemic, as described in Item #18 below, may be included in the district's comprehensive safety plan. Such policies may include BP 0470 – COVID-19 Mitigation Plan, BP 3516.5 – Emergency Schedules, BP 4113.5 – Working Remotely, BP 4119.41 – Employees with Infectious Disease, BP/AR 5141.22 – Infectious Diseases, and BP/AR 6158 – Independent Study.

18. District policy and/or plan related to pandemics

CSBA NOTE: Penal Code 626.8 provides that a person may be guilty of a misdemeanor for infringing with or disrupting a school activity, remaining on campus after having been asked to leave, reentering within seven days of being asked to leave, establishing a continued pattern of unauthorized entry, or willfully or knowingly creating a disruption with the intent to threaten the immediate physical safety of a student in preschool or grades K-8 who is arriving at, attending, or leaving school; see BP/AR 3515.2 - Disruptions.

~~11.~~ 19. Procedures to implement when a person interferes with or disrupts a school activity, remains on campus after having been asked to leave, or creates a disruption with the intent to threaten the immediate physical safety of students or staff

~~12.~~ 20. Crisis prevention and intervention strategies, which may include the following:

a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate

b. Threat assessment strategies to determine the credibility and seriousness of a threat and provide appropriate interventions for the potential offender(s)

c. Assignment of staff members responsible for each identified task and procedure

d. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan

e. Coordination of communication to schools, Governing Board members, parents/guardians, and the media

f. Communication with parents/guardians of reunification plans and the necessity of cooperating with first responders

~~f.~~ g. Development of a method for the reporting of violent incidents

~~g.~~ h. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling

~~13. Staff development in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan~~

CSBA NOTE: Education Code 49390 and 49393, as added by SB 906, require certificated and classified employees of the district, or other school officials such as Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, as defined, to immediately report the threat or perceived threat to law enforcement in accordance with Education Code 49393. "Threat or perceived threat" means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association

with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual.

21. Training on assessment and reporting of potential threats, violence prevention, and intervention techniques. Such training shall include preparation to implement the elements of the safety plan

CSBA NOTE: Pursuant to Education Code 32284, the comprehensive safety plan may, at the discretion of the Board, include procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of a school. No state funds may be used for this purpose.

~~14.~~ 22. Environmental safety strategies, including, but not limited to, procedures for preventing and mitigating exposure to toxic pesticides, lead, asbestos, vehicle emissions, and other hazardous substances and contaminants

23. Continuity of operations procedures to ensure that the district's essential functions are not disrupted during an emergency, to the extent possible

Policy Reference UPDATE Service
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Ed. Code 48950	Speech and other communication

Ed. Code 49079	Notification to teacher; student act constituting grounds for suspension or expulsion
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Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act
Pen. Code 422.55	Definition of hate crime
Pen. Code 626.8	Disruptions

Federal	**Description**
20 USC 7111-7122	Student Support and Academic Enrichment Grants
20 USC 7912	Transfers from persistently dangerous schools
42 USC 12101-12213	Americans with Disabilities Act

Management Resources	**Description**
CSBA Publication	Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010
CSBA Publication	Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
CSBA Publication	Safe Schools: A Planning Guide for Action, 2002
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
CSBA Publication	Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, March 2017
Federal Bureau of Investigation Publication	Uniform Crime Reporting Handbook, 2004
U.S. DOE Publication	Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007
U.S. SS & DOE Publication	Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2004
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Secret Service, National Threat Assessment Center
Website	Centers for Disease Control and Prevention
Website	Federal Bureau of Investigation
Website	National Center for Crisis Management
Website	National School Safety Center
Website	California Department of Education, Safe Schools
Website	California Governor's Office of Emergency Services

Website	California Healthy Kids Survey
Website	U.S. Department of Education
Website	CSBA

Cross References

Code	Description
0400	Comprehensive Plans
0410	Nondiscrimination In District Programs And Activities
0420	School Plans/Site Councils
0420	School Plans/Site Councils
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0470	COVID-19 Mitigation Plan
0500	Accountability
0510	School Accountability Report Card
1100	Communication With The Public
1112	Media Relations
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E (1)	Uniform Complaint Procedures
1312.3-E (2)	Uniform Complaint Procedures
1313	Civility
1330	Use Of School Facilities
1330	Use Of School Facilities
1330-E (1)	Use Of School Facilities
1330.1	Joint Use Agreements
1340	Access To District Records
1340	Access To District Records
1400	Relations Between Other Governmental Agencies And The Schools
2210	Administrative Discretion Regarding Board Policy
3510	Green School Operations
3511	Energy And Water Management
3511	Energy And Water Management

3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3514	Environmental Safety
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3514.2	Integrated Pest Management
3515	Campus Security
3515	Campus Security
3515.2	Disruptions
3515.2	Disruptions
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3515.31	School Resource Officers
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
3515.5	Sex Offender Notification
3515.5	Sex Offender Notification
3515.7	Firearms On School Grounds
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3516.1	Fire Drills and Fires
3516.2	Bomb Threats
3516.3	Earthquake Emergency Procedure System
3516.5	Emergency Schedules
3530	Risk Management/Insurance
3530	Risk Management/Insurance
3543	Transportation Safety And Emergencies
4112.41	Employee Drug Testing
4112.41	Employee Drug Testing
4119.11	Sexual Harassment
4119.11	Sexual Harassment
4119.23	Unauthorized Release Of Confidential/Privileged Information
4131	Staff Development
4140	Bargaining Units

4141.6	Concerted Action/Work Stoppage
4141.6	Concerted Action/Work Stoppage
4157	Employee Safety
4157	Employee Safety
4158	Employee Security
4158	Employee Security
4212.41	Employee Drug Testing
4212.41	Employee Drug Testing
4219.11	Sexual Harassment
4219.11	Sexual Harassment
4219.23	Unauthorized Release Of Confidential/Privileged Information
4231	Staff Development
4240	Bargaining Units
4241.6	Concerted Action/Work Stoppage
4241.6	Concerted Action/Work Stoppage
4257	Employee Safety
4257	Employee Safety
4258	Employee Security
4258	Employee Security
4312.41	Employee Drug Testing
4312.41	Employee Drug Testing
4319.11	Sexual Harassment
4319.11	Sexual Harassment
4319.21	Professional Standards
4319.21-E(1)	Professional Standards
4319.23	Unauthorized Release Of Confidential/Privileged Information
4331	Staff Development
4340	Bargaining Units
4357	Employee Safety
4357	Employee Safety
4358	Employee Security
4358	Employee Security
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5112.5	Open/Closed Campus

5113	Absences And Excuses
5113	Absences And Excuses
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5116.1	Intradistrict Open Enrollment
5116.1	Intradistrict Open Enrollment
5131	Conduct
5131.2	Bullying
5131.2	Bullying
5131.4	Student Disturbances
5131.4	Student Disturbances
5131.41	Use Of Seclusion And Restraint
5131.5	Vandalism And Graffiti
5131.6	Alcohol And Other Drugs
5131.6	Alcohol And Other Drugs
5131.61	Drug Testing
5131.62	Tobacco
5131.62	Tobacco
5131.63	Steroids
5131.63	Steroids
5131.7	Weapons And Dangerous Instruments
5131.7	Weapons And Dangerous Instruments
5131.8	Mobile Communication Devices
5132	Dress And Grooming
5132	Dress And Grooming
5136	Gangs
5136	Gangs
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5141.52	Suicide Prevention
5141.52	Suicide Prevention

5142	Safety
5142	Safety
5142.2	Safe Routes To School Program
5142.2	Safe Routes To School Program
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.12	Search And Seizure
5145.12	Search And Seizure
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sexual Harassment
5145.7	Sexual Harassment
5145.9	Hate-Motivated Behavior
5148.2	Before/After School Programs
5148.2	Before/After School Programs
6020	Parent Involvement
6020	Parent Involvement
6141.2	Recognition Of Religious Beliefs And Customs
6141.2	Recognition Of Religious Beliefs And Customs
6142.3	Civic Education
6142.4	Service Learning/Community Service Classes
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6153	School-Sponsored Trips
6153	School-Sponsored Trips
6159	Individualized Education Program
6159	Individualized Education Program
6164.2	Guidance/Counseling Services
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6184	Continuation Education

6184	Continuation Education
7214	General Obligation Bonds
7214	General Obligation Bonds
9010	Public Statements
9011	Disclosure Of Confidential/Privileged Information
9320	Meetings And Notices
9321	Closed Session
9321-E 1)	Closed Session
9321-E (2)	Closed Session

Policy 0460: Local Control And Accountability Plan **Status:** ADOPTED

Original Adopted Date: 10/01/2017 | **Last Revised Date:** ~~10~~12/01/~~2019~~2022 | **Last Reviewed Date:** 12/01/2022

CSBA NOTE: Education ~~Code~~Codes 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a local control and accountability plan (LCAP). Pursuant to Education Code 52060, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement and family engagement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of supplemental and concentration grants under the local control funding formula (LCFF)); and (8) student outcomes in the specified course of study. Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities and goals. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, ~~and~~ effective governance and leadership, and environmental literacy. See the accompanying administrative regulation for further information about the required content of the LCAP.

The Governing Board desires to ensure the most effective use of available funding to improve outcomes for all students. A comprehensive, data-driven planning process shall be used to identify annual goals and specific actions which are aligned with the district budget and facilitate continuous improvement of district practices.

CSBA NOTE: Pursuant to Education Code 52064, the State Board of Education (SBE) has adopted a template that districts must use to complete the LCAP. An electronic version of the template is available on the California Department of Education's (CDE) web site.

The Board shall adopt a districtwide local control and accountability plan (LCAP), based on the template adopted by the State Board of Education (SBE), that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and two subsequent fiscal years. (Education Code 52060, 52064; 5 CCR 15494-15497)

CSBA NOTE: Education Code 52060 requires that the LCAP include annual goals to be achieved for all students and for each numerically significant student subgroup as defined in Education Code 52052. In addition, several state priorities address programs and services for "unduplicated students," as defined in Education Code 42238.01-42238.02.

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" or are part of any numerically significant student subgroup that is at risk of or is underperforming.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners,

and foster youth, as defined in Education Code 42238.01 for purposes of the local control funding formula (LCFF). (Education Code 42238.02)

Numerically significant student subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup or at least 15 foster youth or homeless students. (Education Code 52052)

CSBA NOTE: Pursuant to Education Code 52064.3, as added by AB 181 (Ch. 52, Statutes of 2022), by January 31, 2025, an Individuals with Disabilities Education Act (IDEA) Addendum adopted by SBE relating to improvements in services for students with disabilities is required to be completed by districts that are identified by CDE as needing an improvement plan pursuant to 34 CFR 300.600-300.647. Such identified districts must comply with the requirements specified in the following paragraph.

Beginning July 1, 2025, if the district is identified by the California Department of Education (CDE) as needing an improvement plan pursuant to 34 CFR 300.600-300.647, the Board shall adopt, and update on an annual basis, an Individual with Disabilities Education Act (IDEA) Addendum, based on the template adopted by SBE. However, if the district adopts an improvement plan after being identified, but before July 1, 2025, the IDEA Addendum shall be developed upon expiration of the adopted improvement plan, but no later than July 1, 2028, whichever occurs first. The IDEA addendum shall be developed, reviewed, and approved in conjunction with and in the same manner as the LCAP and the annual update to the LCAP, and shall be submitted to CDE within 15 days of adoption by the Board. (Education Code 52064.3)

The Superintendent or designee shall review the school plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

The LCAP shall also be aligned with other district and school plans, to the extent possible, in order to minimize duplication of effort and provide clear direction for program implementation.

CSBA NOTE: Pursuant to Education Code 52064.1, districts are required to develop an LCFF budget overview for parents/guardians in conjunction with, and attached as a cover to, the LCAP and annual update to the LCAP. The budget overview is subject to the requirements of Education Code 52062 and 52070 pertaining to the adoption, review, and approval of the LCAP.

As part of the LCAP adoption and annual update to the LCAP, the Board shall separately adopt an LCFF budget overview for parents/guardians, based on the template developed by ~~the~~ SBE, which includes specified information relating to the district's budget. The budget overview shall be adopted, reviewed, and approved in the same manner as the LCAP and the annual update. (Education Code 52064.1)

Any complaint that the district has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the number of students in student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

CSBA NOTE: Education Code 52060 requires consultation on plan development with all of the groups listed below. The Board may delegate responsibility for arranging meetings and other input opportunities to the Superintendent or designee.

5 CCR 15495 defines what it means to consult with students, including unduplicated students and other numerically significant student subgroups, and gives examples of methods that may be used for this consultation. State regulations do not provide examples of consultation with groups other than students, but consultations might include surveys, the establishment of an advisory committee consisting of representatives of all the specified groups, solicitation of feedback from the groups after a draft plan is available, discussion of the LCAP at staff meetings, and communication with parent organizations, student councils, school site councils, or other established committees or organizations. The district may expand the following paragraph to reflect district practice.

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

Public Review and Input

CSBA NOTE: Pursuant to Education Code 52063 and 5 CCR 15495, the Board is required to establish a parent advisory committee and, if district enrollment includes at least 15 percent English learners, an English learner parent advisory committee to review and comment on the LCAP. The district may use existing parent advisory committees for these purposes if the committee composition complies with Education Code 52063 and 5 CCR 15945. However, the district should consider whether such opportunities need to be expanded to achieve significant levels of stakeholder involvement in the planning process as intended by law.

Education Code 52063, as amended by AB 181, requires the LCAP parent advisory committee to include parents/guardians of currently enrolled students with disabilities.

The Board shall establish a parent advisory committee to ~~review and comment~~provide advice on the LCAP. The committee shall be composed of a majority of parents/guardians and shall include parents/guardians of unduplicated students as defined above. and parents/guardians of students with disabilities. (Education Code 52063; 5 CCR 15495)

CSBA NOTE: The following paragraph is for districts serving middle and/or high school students. Education Code 52063, as amended by SB 997 (Ch. 922, Statutes of 2022), requires, beginning July 1, 2024, districts serving middle or high school students to include two students as full members of the existing parent advisory committee or establish a student advisory committee to provide advice to the Board and the Superintendent or designee. Student members of the parent advisory committee or the student advisory committee shall represent the diversity of the district's students, as described below. Districts that do not serve middle or high school students may delete the following paragraphs relating to student advisory members.

Beginning July 1, 2024, unless a student advisory committee is established to provide advice to the Board and Superintendent, two students shall be included as full members of the parent advisory committee. The students shall serve for a renewable term of one full school year. (Education Code 52063)

Student members of the parent advisory committee or the student advisory committee shall represent the diversity of the district's students, including geographical, socioeconomic, cultural, physical, and educational diversity, and particular effort shall be made to reach out to at-risk or disadvantaged students to serve as members of such committees. (Education Code 52063)

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board shall establish an English learner parent advisory committee composed of a majority of parents/guardians of English learners to review and comment on the LCAP. (Education Code 52063; 5 CCR 15495)

CSBA NOTE: The following paragraph is required in relation to parent advisory committees, pursuant to Education Code 52062. For consistency, it is recommended that the same treatment be afforded a student advisory committee established to advise the Board and Superintendent.

The Superintendent or designee shall present the LCAP to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). ~~(Education Code 52062)~~

CSBA NOTE: Education Code 52062 requires notification to the public of the opportunity to submit written comments on the proposed LCAP, including notification in the primary language of parents/guardians when required by Education Code 48985. Pursuant to Education Code 48985, whenever 15 percent or more of the students in a school speak a single primary language other than English, notifications sent to parents/guardians of such students must be written in the primary language as well as in English; see BP 5145.6 - Parental Notifications.

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

CSBA NOTE: Pursuant to Education Code 305, the LCAP parent/guardian and community engagement process must include solicitation of input on language acquisition programs. See BP/AR 6174 - Education for English Learners for further information regarding the types of language acquisition programs that may be offered.

As part of the parent/guardian and community engagement process, the district shall solicit input on effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs to enable all students, including English learners and native English speakers, to have access to the core academic content standards and to become proficient in English. (Education Code 305-306)

The Superintendent or designee shall consult with the administrator(s) of the special education local plan area of which the district is a member to ensure that specific actions for students with disabilities are included in the LCAP and are consistent with strategies included in the annual assurances support plan for the education of students with disabilities. (Education Code 52062)

CSBA NOTE: Pursuant to Education Code 42127, the Board must not adopt a district budget until the LCAP is in place for the budget year; see BP 3100 - Budget. The budget must include the expenditures

necessary to implement the plan that will be effective during the subsequent fiscal year. If it does not, the County Superintendent of Schools will disapprove the district's budget.

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP. The public hearing shall be held at the same meeting as the budget hearing required pursuant to Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)

Adoption of the Plan

The Board shall adopt the LCAP prior to adopting the district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing. (Education Code 52062)

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

Submission of Plan to County Superintendent of Schools

CSBA NOTE: Education Code 52070 requires the district to submit the LCAP to the County Superintendent, who may seek written clarification of the contents of the plan and may submit recommendations for amendments as provided below. The County Superintendent is required to approve the LCAP on or before October 8 if it is determined that (1) the LCAP adheres to the template adopted by ~~the~~ SBE and follows any SBE instructions or directions for completing the template; (2) the district budget includes expenditures sufficient to implement the specific actions and strategies in the LCAP; and (3) the LCAP adheres to supplemental and concentration grant expenditure requirements specified in Education Code 42238.07 for unduplicated students. In determining whether the district has fully demonstrated that it will use supplemental and concentration funds to increase or improve services for unduplicated students, 5 CCR 15497 requires the County Superintendent to review any descriptions of districtwide or schoolwide services provided.

Education Code 52064.1 requires the district to file the LCFF budget overview for parents/guardians with the County Superintendent to be reviewed for adherence with the template adopted by the SPI. If the budget overview is not approved, the County Superintendent will withhold approval of the LCAP and will provide technical assistance pursuant to Education Code 52071.

Not later than five days after adoption of the LCAP, the district budget, and the budget overview for parents/guardians, the Board shall file the LCAP, the budget, and the budget overview with the County Superintendent of Schools. (Education Code 42127, 52064.1, 52070)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

If the County Superintendent does not approve the district's LCAP, the Board shall accept technical assistance from the County Superintendent focused on revising the plan so that it can be approved. (Education Code 52071)

Monitoring Progress

CSBA NOTE: The following optional paragraph may be revised to reflect the district's timeline for reviewing the progress and effectiveness of strategies included in the LCAP. Reports should be provided to the Board in sufficient time to allow for any necessary changes in the annual update to the LCAP by July 1 of each year, as required by Education Code 52060-52061. The Dashboard provides a tool to assist in evaluation of district and school performance and includes all of the state priorities for the LCAP described in Education Code 52060.

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by the Superintendent and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. Evaluation shall include, but not be limited to, an assessment of district and school performance reported on the California School Dashboard. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

CSBA NOTE: Pursuant to Education Code 52071, when a school or a numerically significant student subgroup is not making sufficient progress toward its LCAP goals, the County Superintendent may be required to provide technical assistance or the Board may request technical assistance. In addition, the Superintendent of Public Instruction may intervene in any school which has been identified as in need of intervention based on criteria specified in Education Code 52072. Pursuant to Education Code 52059.5, CDE has established a unified system of support for districts and schools that meets state requirements as well as federal Title I requirements and ensures consistency between technical assistance provided under both sets of requirements. For more information, see BP 0520 - Intervention for Underperforming Schools.

The Superintendent or designee shall seek and/or accept technical assistance or other intervention that may be required pursuant to Education Code 52071 or 52072 when a school or a numerically significant student subgroup is not making sufficient progress toward the goals in the LCAP.

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

State	Description
5 CCR 15494-15497	Local control and accountability plan and spending requirements
Ed. Code 17002	State School Building Lease-Purchase Law, including definition of good repair
Ed. Code 305-306	English language education
Ed. Code 33430-33436	Learning Communities for School Success Program; grants for LCAP implementation
Ed. Code 41020	Requirement for annual audit

Ed. Code 41320-41322	Emergency apportionments
Ed. Code 42127	Public hearing on budget adoption
Ed. Code 42238.01-42238.07	Local control funding formula
Ed. Code 44258.9	County superintendent review of teacher assignment
Ed. Code 47604.33	Submission of reports by charter schools
Ed. Code 47606.5	Charter schools; local control and accountability plan
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 51210	Course of study for grades 1-6
Ed. Code 51220	Course of study for grades 7-12
Ed. Code 52052	Numerically significant student subgroups
Ed. Code 52059.5	Statewide system of support
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52302	Regional occupational centers and programs
Ed. Code 52372.5	Linked learning program
Ed. Code 54692	Partnership academies
Ed. Code 60119	Sufficiency of textbooks and instructional materials; hearing and resolution
Ed. Code 60605.8	California Assessment of Academic Achievement; Academic Content Standards Commission
Ed. Code 64001	School plan for student achievement; consolidated application programs
Ed. Code 99300-99301	Early Assessment Program
W&I Code 300	Dependent child of the court

Federal	**Description**
20 USC 6311	State plan
20 USC 6312	Local educational agency plan
20 USC 6826	Title III funds; local plans
34 CFR 300.600-300.647	Education of students with disabilities; monitoring, enforcement, confidentiality, and program information

Management Resources	**Description**
CA Department of Education Publication	California School Accounting Manual
California Department of Education Publication	California Career Technical Education Model Curriculum Standards, 2013
California Department of Education Publication	LCFF Frequently Asked Questions
California Department of Education Publication	Local Control and Accountability Plan and Annual Update (LCAP) Template

California Department of Education Publication	California Common Core State Standards: English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. 2013
California Department of Education Publication	California Common Core State Standards: Mathematics, rev. 2013
California Department of Education Publication	California English Language Development Standards, 2012
California Department of Education Publication	California School Dashboard
California Department of Education Publication	Family Engagement Framework: A Tool for California School Districts, 2014
CSBA Publication	The California School Dashboard and Small Districts, October 2018
CSBA Publication	Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016
CSBA Publication	LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016
Website	CSBA District and County Office of Education Legal Services
Website	California School Dashboard
Website	CSBA
Website	California Department of Education

Cross References

Code	Description
0000	Vision
0400	Comprehensive Plans
0415	Equity
0420	School Plans/Site Councils
0420	School Plans/Site Councils
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.41	Charter School Oversight
0420.41-E(1)	Charter School Oversight
0430	Comprehensive Local Plan For Special Education
0430	Comprehensive Local Plan For Special Education
0440	District Technology Plan
0440	District Technology Plan

0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0500	Accountability
0520	Intervention in Underperforming Schools
0520.1	Comprehensive and Targeted School Improvement
1100	Communication With The Public
1113	District And School Web Sites
1113	District And School Web Sites
1113-E(1)	District And School Web Sites
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E (1)	Uniform Complaint Procedures
1312.3-E (2)	Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
1312.4-E(2)	Williams Uniform Complaint Procedures
1340	Access To District Records
1340	Access To District Records
2121	Superintendent's Contract
2210	Administrative Discretion Regarding Board Policy
3100	Budget
3100	Budget
3110	Transfer Of Funds
3231	Impact Aid
3460	Financial Reports And Accountability
3460	Financial Reports And Accountability
3517	Facilities Inspection
3517-E(1)	Facilities Inspection
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
4112.2	Certification

4112.2	Certification
4113	Assignment
4113	Assignment
4131	Staff Development
4140	Bargaining Units
4231	Staff Development
4240	Bargaining Units
4315	Evaluation/Supervision
4331	Staff Development
4340	Bargaining Units
5030	Student Wellness
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5137	Positive School Climate
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5145.9	Hate-Motivated Behavior
5147	Dropout Prevention
5148.2	Before/After School Programs
5148.2	Before/After School Programs
6011	Academic Standards
6020	Parent Involvement
6020	Parent Involvement
6120	Response To Instruction And Intervention
6141.4	International Baccalaureate Program
6141.5	Advanced Placement
6142.5	Environmental Education

6142.92	Mathematics Instruction
6142.93	Science Instruction
6143	Courses Of Study
6143	Courses Of Study
6146.1	High School Graduation Requirements
6151	Class Size
6152.1	Placement In Mathematics Courses
6152.1	Placement In Mathematics Courses
6153	School-Sponsored Trips
6153	School-Sponsored Trips
6159	Individualized Education Program
6159	Individualized Education Program
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1-E(1)	Selection And Evaluation Of Instructional Materials
6162.5	Student Assessment
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6163.1	Library Media Centers
6164.2	Guidance/Counseling Services
6164.4	Identification And Evaluation Of Individuals For Special Education
6164.4	Identification And Evaluation Of Individuals For Special Education
6164.5	Student Success Teams
6164.5	Student Success Teams
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504
6171	Title I Programs
6171	Title I Programs
6172	Gifted And Talented Student Program
6172	Gifted And Talented Student Program
6173	Education For Homeless Children
6173	Education For Homeless Children

6173-E(1)	Education For Homeless Children
6173-E(2)	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6173.4	Title VI Indian Education Program
6174	Education For English Learners
6174	Education For English Learners
6177	Summer Learning Programs
6178	Career Technical Education
6178	Career Technical Education
6179	Supplemental Instruction
6184	Continuation Education
6184	Continuation Education
6190	Evaluation Of The Instructional Program
7110	Facilities Master Plan
9230	Orientation
9310	Board Policies
9320	Meetings And Notices

Regulation 0460: Local Control And Accountability Plan **Status:** ADOPTED

Original Adopted Date: 10/01/2017 | **Last Revised Date:** ~~10~~12/01/~~2019~~2022 | **Last Reviewed Date:** 12/01/2022

CSBA NOTE: Education Codes 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a three-year local control and accountability plan (LCAP). See the accompanying Board policy for information about plan development and monitoring.

Goals and Actions Addressing State and Local Priorities

CSBA NOTE: Education Code 52060 requires that the LCAP include annual goals, aligned with specified state priorities, to be achieved for all students and for each numerically significant subgroup as defined in Education Code 52052. Pursuant to Education Code 52052, a numerically significant subgroup includes ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup (or at least 15 foster youth or homeless students) in the school or district.

In addition, several state priorities address programs and services for "unduplicated students." For purposes of supplemental and concentration grants allocated through the local control funding formula (LCFF), "unduplicated students" are defined by Education Code 42238.02 as students eligible for free or reduced-price meals, English learners, and foster youth; see the accompanying Board policy.

The district's local control and accountability plan (LCAP) and annual updates shall include, for the district and each district school: (Education Code 52060)

1. A description of the annual goals established for all students and for each numerically significant subgroup as defined in Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. The LCAP shall identify goals for each of the following state priorities:

    a. The degree to which district teachers are appropriately assigned in accordance with Education Code 44258.9 and fully credentialed in the subject areas and for the students they are teaching; every district student has sufficient access to standards-aligned instructional materials as determined pursuant to Education Code 60119; and school facilities are maintained in good repair as specified in Education Code 17002

    b. Implementation of the academic content and performance standards adopted by the State Board of Education (SBE), including how the programs and services will enable English learners to access the Common Core State Standards and the English language development standards for purposes of gaining academic content knowledge and English language proficiency

CSBA NOTE: Education Code 52060 provides that family engagement may include, but not be limited to, efforts by the district and schools to apply research-based practices, such as welcoming all families into the school community, engaging in effective two-way communication, supporting student success, and empowering families to advocate for equity and access. It may also include partnering with families to inform, influence, and create practices and programs that support student success and collaboration with families and the broader community, expand student learning opportunities, and promote civic participation.

c. Parent/guardian involvement and family engagement, including efforts the district makes to seek parent/guardian input in district and school site decision making and how the district will promote parent/guardian participation in programs for unduplicated students, as defined in Education Code 42238.02 and Board policy, and students with disabilities

d. Student achievement, as measured by all of the following as applicable:

   i. Statewide assessments of student achievement

   ii. The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University; have successfully completed career technical education (CTE) sequences or programs of study that align with SBE-approved career technical education standards and frameworks, including, but not limited to, those described in Education Code 52302, 52372.5, or 54692; and have successfully completed both college entrance courses and CTE sequences or programs

   iii. The percentage of English learners who make progress toward English proficiency as measured by the SBE-certified assessment of English proficiency

   iv. The English learner reclassification rate

   v. The percentage of students who have passed an Advanced Placement examination with a score of 3 or higher

   vi. The percentage of students who demonstrate college preparedness in the Early Assessment Program pursuant to Education Code 99300-99301

e. Student engagement, as measured by school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, and high school graduation rates, as applicable

f. School climate, as measured by student suspension and expulsion rates and other local measures, including surveys of students, parents/guardians, and teachers on the sense of safety and school connectedness, as applicable

g. The extent to which students have access to and are enrolled in a broad course of study that includes all of the subject areas described in Education Code 51210 and 51220, as applicable, including the programs and services developed and provided to unduplicated students and students with disabilities, and the programs and services that are provided to benefit these students as a result of supplemental and concentration grant funding pursuant to Education Code 42238.02 and 42238.03

h. Student outcomes, if available, in the subject areas described in Education Code 51210 and 51220, as applicable

CSBA NOTE: In addition to goals aligned with the state priorities described in Item #1 above, Education Code 52060 provides that the LCAP may include goals for local priorities established by the Board; see the accompanying Board policy. Optional Item #2 below may be revised to reflect local priorities.

2. Any goals identified for any local priorities established by the Board.

3. A description of the specific actions the district will take during each year of the LCAP to achieve the identified goals, including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state and local priorities specified in ~~items~~Items #1-2 above. Such actions shall not supersede provisions of existing collective bargaining agreements within the district.

CSBA NOTE: Pursuant to Education Code 52060, in developing goals and actions for the LCAP, the Board may consider qualitative information, including, but not limited to, the results of school quality reviews conducted pursuant to Education Code 52052. Education Code 52052 authorizes the Superintendent of Public Instruction (SPI), with approval of the State Board of Education (SBE) and conditional upon an appropriation in the state budget, to develop and implement a program of school quality reviews that features locally convened panels to visit schools, observe teachers, interview students, and examine student work.

For purposes of the descriptions required by ~~items~~Items #1-3 above, the Board may consider qualitative information, including, but not limited to, findings that result from any school quality review conducted pursuant to Education Code 52052 or any other reviews. (Education Code 52060)

For any local priorities addressed in the LCAP, the Board and Superintendent or designee shall identify and include in the LCAP the method for measuring the district's progress toward achieving those goals. (Education Code 52060)

To the extent practicable, data reported in the LCAP shall be reported in a manner consistent with how information is reported on the California School Dashboard. (Education Code 52060)

Increase or Improvement in Services for Unduplicated Students

CSBA NOTE: The following section is for use by districts that receive LCFF supplemental and/or concentration grant funds. Such districts are required to increase or improve services for unduplicated students in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students; see BP 3100 - Budget. 5 CCR 15494-15496 specify the method for determining the percentage by which services for unduplicated students must be increased or improved above services provided to all students in the fiscal year.

The LCAP shall demonstrate how the district will increase or improve services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students. (5 CCR 15494-15496)

When the district expends supplemental and/or concentration grant funds on a districtwide or schoolwide basis during the year for which the LCAP is adopted, the district's LCAP shall: (5 CCR 15496)

1. Identify those services that are being funded and provided on a districtwide or schoolwide basis

2. Describe how such services are principally directed towards, and are effective in, meeting the district's goals for unduplicated students in the state priority areas and any local priority areas

3. If the enrollment of unduplicated students is less than 55 percent of district enrollment or less than 40 percent of school enrollment, describe how these services are the most effective use of the funds to meet the district's goals for its unduplicated students in the state priority areas and any local priority areas. The description shall provide the basis for this determination, including, but not limited to, any alternatives considered and any supporting research, experiences, or educational theory.

Availability of the Plan

CSBA NOTE: Education Code 52065 requires the district to prominently post its LCAP, any annual update or revisions to the LCAP, and LCFF budget overview for parents/guardians on the homepage of its web site. In addition, the County Superintendent of Schools is required to post all district LCAPs, or links to those plans, on the county office of education web site and to transmit all such plans to the SPI, who will then post links to all plans on the California Department of Education web site.

Beginning July 1, 2025, if the district is identified by SBE as needing an improvement plan pursuant to 34 CFR 300.600-300.647, the Board shall adopt, and update on an annual basis, an Individual with Disabilities Education Act (IDEA) Addendum, based on the template adopted by SBE. However, if the district adopts an improvement plan after being identified, but before July 1, 2025, the IDEA Addendum shall be developed upon expiration of the adopted improvement plan, but no later than July 1, 2028.

The Superintendent or designee shall prominently post the LCAP, any updates or revisions to the LCAP, including the IDEA Addendum as applicable, and the LCFF budget overview for parents/guardians on the homepage of the district's web site. (Education Code 52064.1, 52064.3, 52065)

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Policy Reference Disclaimer:
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State	Description
5 CCR 15494-15497	Local control and accountability plan and spending requirements
Ed. Code 17002	State School Building Lease-Purchase Law, including definition of good repair
Ed. Code 305-306	English language education
Ed. Code 33430-33436	Learning Communities for School Success Program; grants for LCAP implementation
Ed. Code 41020	Requirement for annual audit
Ed. Code 41320-41322	Emergency apportionments
Ed. Code 42127	Public hearing on budget adoption
Ed. Code 42238.01-42238.07	Local control funding formula
Ed. Code 44258.9	County superintendent review of teacher assignment
Ed. Code 47604.33	Submission of reports by charter schools
Ed. Code 47606.5	Charter schools; local control and accountability plan
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 51210	Course of study for grades 1-6

Ed. Code 51220	Course of study for grades 7-12
Ed. Code 52052	Numerically significant student subgroups
Ed. Code 52059.5	Statewide system of support
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52302	Regional occupational centers and programs
Ed. Code 52372.5	Linked learning program
Ed. Code 54692	Partnership academies
Ed. Code 60119	Sufficiency of textbooks and instructional materials; hearing and resolution
Ed. Code 60605.8	California Assessment of Academic Achievement; Academic Content Standards Commission
Ed. Code 64001	School plan for student achievement; consolidated application programs
Ed. Code 99300-99301	Early Assessment Program
W&I Code 300	Dependent child of the court

Federal	**Description**
20 USC 6311	State plan
20 USC 6312	Local educational agency plan
20 USC 6826	Title III funds; local plans
34 USC 300.600	State monitoring and enforcement

Management Resources	**Description**
CA Department of Education Publication	California School Accounting Manual
California Department of Education Publication	California Career Technical Education Model Curriculum Standards, 2013
California Department of Education Publication	LCFF Frequently Asked Questions
California Department of Education Publication	Local Control and Accountability Plan and Annual Update (LCAP) Template
California Department of Education Publication	California Common Core State Standards: English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. 2013
California Department of Education Publication	California Common Core State Standards: Mathematics, rev. 2013
California Department of Education Publication	California English Language Development Standards, 2012
California Department of Education Publication	California School Dashboard
California Department of Education Publication	Family Engagement Framework: A Tool for California School Districts, 2014

CSBA Publication	The California School Dashboard and Small Districts, October 2018
CSBA Publication	Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016
CSBA Publication	LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016
Website	CSBA District and County Office of Education Legal Services
Website	California School Dashboard
Website	CSBA
Website	California Department of Education

Cross References

Code	Description
0000	Vision
0400	Comprehensive Plans
0415	Equity
0420	School Plans/Site Councils
0420	School Plans/Site Councils
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.41	Charter School Oversight
0420.41-E(1)	Charter School Oversight
0430	Comprehensive Local Plan For Special Education
0430	Comprehensive Local Plan For Special Education
0440	District Technology Plan
0440	District Technology Plan
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0500	Accountability
0520	Intervention in Underperforming Schools
0520.1	Comprehensive and Targeted School Improvement
1100	Communication With The Public
1113	District And School Web Sites
1113	District And School Web Sites

1113-E(1)	District And School Web Sites
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E (1)	Uniform Complaint Procedures
1312.3-E (2)	Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
1312.4-E(2)	Williams Uniform Complaint Procedures
1340	Access To District Records
1340	Access To District Records
2121	Superintendent's Contract
2210	Administrative Discretion Regarding Board Policy
3100	Budget
3100	Budget
3110	Transfer Of Funds
3231	Impact Aid
3460	Financial Reports And Accountability
3460	Financial Reports And Accountability
3517	Facilities Inspection
3517-E(1)	Facilities Inspection
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
4112.2	Certification
4112.2	Certification
4113	Assignment
4113	Assignment
4131	Staff Development
4140	Bargaining Units
4231	Staff Development
4240	Bargaining Units
4315	Evaluation/Supervision

4331	Staff Development
4340	Bargaining Units
5030	Student Wellness
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5137	Positive School Climate
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5145.9	Hate-Motivated Behavior
5147	Dropout Prevention
5148.2	Before/After School Programs
5148.2	Before/After School Programs
6011	Academic Standards
6020	Parent Involvement
6020	Parent Involvement
6120	Response To Instruction And Intervention
6141.4	International Baccalaureate Program
6141.5	Advanced Placement
6142.5	Environmental Education
6142.92	Mathematics Instruction
6142.93	Science Instruction
6143	Courses Of Study
6143	Courses Of Study
6146.1	High School Graduation Requirements
6151	Class Size
6152.1	Placement In Mathematics Courses
6152.1	Placement In Mathematics Courses

6153	School-Sponsored Trips
6153	School-Sponsored Trips
6159	Individualized Education Program
6159	Individualized Education Program
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1-E(1)	Selection And Evaluation Of Instructional Materials
6162.5	Student Assessment
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6163.1	Library Media Centers
6164.2	Guidance/Counseling Services
6164.4	Identification And Evaluation Of Individuals For Special Education
6164.4	Identification And Evaluation Of Individuals For Special Education
6164.5	Student Success Teams
6164.5	Student Success Teams
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504
6171	Title I Programs
6171	Title I Programs
6172	Gifted And Talented Student Program
6172	Gifted And Talented Student Program
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E (1)	Education For Homeless Children
6173-E (2)	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6173.4	Title VI Indian Education Program
6174	Education For English Learners
6174	Education For English Learners
6177	Summer Learning Programs

6178	Career Technical Education
6178	Career Technical Education
6179	Supplemental Instruction
6184	Continuation Education
6184	Continuation Education
6190	Evaluation Of The Instructional Program
7110	Facilities Master Plan
9230	Orientation
9310	Board Policies
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Policy 3250: Transportation Fees

Status: ADOPTED

Original Adopted Date: 12/01/1992 | **Last Revised Date:** ~~05~~12/01/~~2019~~2022 | **Last Reviewed Date:** ~~05~~12/01/~~2019~~2022

CSBA NOTE: The following policy and regulation are for use only by districts that provide transportation services to students and choose to charge a fee for such services as authorized by law. In addition to charging a fee for home-to-school transportation as authorized by Education Code 39807.5, the Governing Board may approve a fee for transportation of students to a regional occupational center or program pursuant to Education Code 39807.5, transportation for adult students pursuant to Education Code 39801.5, transportation of students to and from their place of summer employment in connection with a summer employment program for youth pursuant to Education Code 39837, and/or transportation for participants in a community recreation program pursuant to Education Code 10913 and 39835. See the accompanying administrative regulation.

Whenever the cost of providing student transportation exceeds funding provided by the state, the Governing Board may charge fees for home-to-school student transportation and other transportation services as expressly authorized by law.

The Superintendent or designee shall annually submit proposed transportation fee schedules for Board approval.

~~CSBA NOTE: Education Code 39807.5 mandates the Board to adopt rules and regulations for identifying parents/guardians who are exempt from these fees based on financial need. The following paragraph provides for the use of applications that parallel those used for the free and reduced-price meal program, and may be revised to reflect district practice. Because Education Code 49557-49558 provide that applications and records related to free and reduced-price meal eligibility are confidential and may only be used for specified purposes, districts are advised to require a separate application for free transportation and take further measures, as described below, to ensure the privacy of program beneficiaries.~~CSBA NOTE: Pursuant to Education Code 39807.5, as amended by AB 181 (Ch. 52, Statutes of 2022), the transportation fee shall be waived for any student who is eligible for free or reduced-price meals, who is an English learner, or who is a foster youth, as included in the definition of "unduplicated students" in Education Code 42238.02.

The transportation fee shall be waived for ~~students with demonstrated financial need in accordance with~~ any student who is eligible for free or reduced-price meals, who is an English learner, or who is a foster youth. (Education Code 39807.5~~. Eligibility for free~~)

CSBA NOTE: The following paragraph is optional and may be revised to reflect district practice. At the discretion of the Board, the transportation ~~based on financial need shall be determined in accordance with the income eligibility scales used for the free and reduced-price lunch program~~fee may be waived for other categories of students.

At the recommendation of the Superintendent or designee, the Board may also approve a waiver of a transportation fee for any group of district students.

CSBA NOTE: Pursuant to Education Code 39807.5, eligible students with disabilities must also be exempted from transportation fees. The California Department of Education's (CDE), "Fiscal Management Advisory ~~17~~20-01, Pupil Fees, Deposits, and Other Charges~~,~~," interprets Education Code 39807.5 to exempt from the fee only those students with disabilities whose individualized education program requires that transportation be provided. Any district that charges students with disabilities for transportation based on CDE's interpretation should consult CSBA District and County Office of Education Legal Services or district legal counsel.

In addition, no charge shall be made for any transportation of a student with a disability ~~whose individualized education program includes transportation as a related service necessary to receive a free appropriate public education.~~ (Education Code 39807.5)

Students receiving free transportation shall not be identified by the use of special bus passes, tickets, lines, seats, or any other means. They shall in no way be treated differently from other students, nor shall their names be published, posted, or announced in any manner or used for any purpose other than the transportation program.

The Board shall certify to the County Superintendent of Schools that the district has levied fees in accordance with law and that, in the event that excess fees have been charged, the fees have been reduced and excess fee revenue eliminated. (Education Code 39809.5)

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State	**Description**
5 CCR 350	Fees not permitted
Ed. Code 10900-10914.5	Community recreation programs
Ed. Code 10913	Fees for uses of school buses for community recreation purposes
Ed. Code 35330	Field trips and excursions; student fees
Ed. Code 39800-39860	Transportation
Ed. Code 39801.5	Transportation for adults
Ed. Code 39807.5	Payment of transportation costs by parents
Ed. Code 39809.5	Excess fees; adjustments

Ed. Code 39837	Transportation to summer employment program
Ed. Code 41850	Transportation to ~~ROC/P,~~ ~~apportionments~~regional occupational center or program
Ed. Code 42238.02	Local Control Funding Formula
Ed. Code 49014	Public School Fair Debt Collection Act
Ed. Code 49557-49558	Applications for free and reduced-price meals
Ed. Code 56026	Individual with exceptional needs

Management Resources	**Description**
California Department of Education Publication	Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory ~~17~~20-01, July ~~28, 2017~~23, 2020
Court Decision	Arcadia Unified School District et. al. v. State Department of Education~~,~~ (1992) 2 Cal. 4th 251 ~~(1992)~~
Court Decision	Hartzell v. Connell~~,~~ (1984) 35 Cal.3d 899 ~~(1984)~~
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	CSBA

Cross References

Code	**Description**
3260	Fees And Charges
3260	Fees And Charges
3540	Transportation
3541	Transportation Routes And Services
3541.2	Transportation For Students With Disabilities
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
4119.23	Unauthorized Release Of Confidential/Privileged Information
4219.23	Unauthorized Release Of Confidential/Privileged Information
4319.23	Unauthorized Release Of Confidential/Privileged Information
5125	Student Records
5125	Student Records
6159	Individualized Education Program
6159	Individualized Education Program

6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E(1)	Education For Homeless Children
6173-E(2)	Education For Homeless Children
6178.2	Regional Occupational Center/Program
6181	Alternative Schools/Programs Of Choice
6181	Alternative Schools/Programs Of Choice

Regulation 3250: Transportation Fees **Status:** ADOPTED

Original Adopted Date: 05/01/2019 | **Last Reviewed Date:** ~~05~~12/01/~~2019~~2022

CSBA NOTE: The following optional administrative regulation should be revised to reflect transportation services provided by the district for which fees will be charged.

Pursuant to 5 CCR 350, students must not be required to pay any fee, deposit, or other charge not specifically authorized by law. Districts should consult CSBA District and County Office of Education Legal Services or district legal counsel before establishing any transportation fee not listed below.

In *Hartzell v. Connell*, the California Supreme Court ruled that districts may not charge students to participate in extracurricular activities, but did not speak directly to transportation. There is no law which directly permits a district to charge a fee for transportation to and from extracurricular activities. It could be argued that transportation is not an integral part of an extracurricular activity. However, absent any case law, legislation, or regulation authorizing fees for transportation to extracurricular activities or for any other activity not specifically enumerated as permitting fees to be charged, districts desiring to charge such fees should consult ~~with~~ legal counsel.

When approved by the Governing Board, the district may charge transportation fees for students traveling to and from school. (Education Code 39807.5)

With Board approval, the district may also charge transportation fees for:

CSBA NOTE: Pursuant to Education Code 10901, the community recreation programs described in ~~item~~Item #1 below are programs that are sponsored by a nonprofit organization for the benefit of disadvantaged school-age children or students with disabilities in a county with a population of 45,000 or less according to the most recent federal census.

1. Participants in a community recreation program offered pursuant to Education Code 10900-10914.5 (Education Code 10913, 39835)

CSBA NOTE: Items #2-4 are for use by districts that maintain high schools.

2. Students traveling between the regular full-time schools ~~they would attend~~of attendance and ~~the~~ regular full-time occupational classes provided by a regional occupational center or program ~~(ROC/P)~~ (Education Code 39807.5)

3. Matriculated or enrolled adults traveling to and from school, or adults pursuing other educational purposes (Education Code 39801.5)

4. Students traveling to and from ~~their places~~a place of employment during ~~the~~ summer in connection with a summer employment program for youth (Education Code 39837)

CSBA NOTE: Although Education Code 39807.5 requires any fee for home-to-school transportation or transportation to and from a regional occupational center or program to be no greater than the statewide average nonsubsidized cost of providing this transportation to a student on a publicly owned or operated transit system, as determined by the Superintendent of Public Instruction, this statewide average cost is no longer being calculated. Instead, districts must ensure that transportation fees, when combined with funding received from the state, do not exceed actual operating costs. Similarly, for the services described in ~~items~~Items #1 and 3-4 above, the district is authorized pursuant to Education Code 10913, 39801.5, and 39837 to establish a reasonable fee covering all or parts of the costs of the services.

The total amount received by the district from the state and parent/guardian fees shall not exceed the actual operating cost of home-to-school transportation during the fiscal year. If excess fees are collected due to errors in estimated costs, fees shall be reduced in succeeding years. (Education Code 10913, 39801.5, 39809.5, 39837)

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

Bus passes and tickets shall be sold ~~at~~ , electronically, if available, and at all district schools and at the district office. No money shall be collected on school buses.

~~**Exemption from Fees**~~

~~CSBA NOTE: The following section may be revised to reflect district practice.~~

~~Pursuant to Education Code 39807.5, the Governing Board is mandated to adopt criteria for parents/guardians to be exempted from transportation fees based on financial need; see the accompanying Board policy.~~

~~Upon enrollment and at the beginning of each school year, parents/guardians shall receive information about income eligibility standards and application procedures for a waiver of the transportation fee. All applications and related records shall be confidential and used only for the purpose of determining a student's eligibility for a fee waiver.~~

~~Students receiving free transportation shall not be identified by the use of special bus passes, tickets, lines, seats, or any other means. They shall in no way be treated differently from other students, nor shall their names be published, posted, or announced in any manner or used for any purpose other than the transportation program.~~

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State	Description
5 CCR 350	Fees not permitted
Ed. Code 10900-10914.5	Community recreation programs

Ed. Code 10913	Fees for uses of school buses for community recreation purposes
Ed. Code 35330	Field trips and excursions; student fees
Ed. Code 39800-39860	Transportation
Ed. Code 39801.5	Transportation for adults
Ed. Code 39807.5	Payment of transportation costs by parents
Ed. Code 39809.5	Excess fees; adjustments
Ed. Code 39837	Transportation to summer employment program
Ed. Code 41850	Transportation to ~~ROC/P, apportionments~~regional occupational center or program
Ed. Code 42238.02	Local Control Funding Formula
Ed. Code 49014	Public School Fair Debt Collection Act
Ed. Code 49557-49558	Applications for free and reduced-price meals
Ed. Code 56026	Individual with exceptional needs

Management Resources	**Description**
California Department of Education Publication	Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory ~~17~~20-01, July ~~28, 2017~~23, 2020
Court Decision	Arcadia Unified School District et. al. v. State Department of Education~~,~~ (1992) 2 Cal. 4th 251 ~~(1992)~~
Court Decision	Hartzell v. Connell~~,~~ (1984) 35 Cal.3d 899 ~~(1984)~~
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	CSBA

Cross References

Code	**Description**
3260	Fees And Charges
3260	Fees And Charges
3540	Transportation
3541	Transportation Routes And Services
3541.2	Transportation For Students With Disabilities
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals

4119.23	Unauthorized Release Of Confidential/Privileged Information
4219.23	Unauthorized Release Of Confidential/Privileged Information
4319.23	Unauthorized Release Of Confidential/Privileged Information
5125	Student Records
5125	Student Records
6159	Individualized Education Program
6159	Individualized Education Program
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E(1)	Education For Homeless Children
6173-E(2)	Education For Homeless Children
6178.2	Regional Occupational Center/Program
6181	Alternative Schools/Programs Of Choice
6181	Alternative Schools/Programs Of Choice

Regulation 3260: Fees And Charges

Status: ADOPTED

Original Adopted Date: 03/01/2019 | **Last Reviewed Date:** ~~03~~12/01/~~2019~~2022

CSBA NOTE: Pursuant to 5 CCR 350, districts may charge fees only when specifically authorized by law. The following list specifies fees currently authorized by law and should be revised to reflect the types of fees that have been approved by the Governing Board; see the accompanying Board policy. Other permissible fees may exist and be identified in the future. For further information about fees and charges, see the California Department of Education's (CDE~~)~~), "Fiscal Management Advisory ~~17~~20-01, Pupil Fees, Deposits and Other Charges~~.~~."

Pursuant to Education Code 49011, a district is prohibited from requiring a student to pay fees or charges in order to participate in an educational activity. A complaint alleging the unauthorized charging of student fees should be filed in accordance with the uniform complaint procedures; see the accompanying Board policy and BP/AR 1312.3 - Uniform Complaint Procedures. Districts with questions as to whether a particular fee may be charged should consult ~~with~~CSBA District and County Office of Education Legal Services or district legal counsel.

When approved by the Governing Board, the Superintendent or designee may impose a fee for the following: (5 CCR 350)

1. Insurance for athletic team members, with an exemption providing for the district to pay the cost of the insurance for any team member who is financially unable to pay (Education Code 32221)

2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)

CSBA NOTE: In its , "Fiscal Management Advisory ~~17~~20-01~~,~~," CDE interprets Education Code 35330 as permitting the district, at its discretion, to charge fees for any field trip, provided that no student is prevented from participating in a field trip due to a lack of funds.

3. Expenses of students' participation in a field trip or excursion within the state or to another state, the District of Columbia, or a foreign country, as long as no student is prohibited from making the field trip due to lack of funds (Education Code 35330)

4. Student fingerprinting program, as long as the fee does not exceed the actual costs associated with the program (Education Code 32390)

5. School camp programs in outdoor science education, conservation education, or forestry operated pursuant to Education Code 8760-8774, provided that the fee is not mandatory and no student is denied the opportunity to participate for nonpayment of the fee (Education Code 35335)

CSBA NOTE: Education Code 17551 permits the district to sell to a student any property of the district which has been fabricated by the student, as provided in ~~item~~Item #6 below. ~~CDE~~ CDE's, "Fiscal Management Advisory ~~17~~20-01," clarifies that this cost applies to materials students will take home for their own possession and use, such as wood shop, art, or sewing projects.

6. Reimbursement to the district for the direct cost of materials used by students to fabricate property they will take home for their own possession and use, such as wood shop, art, or sewing projects kept by students (Education Code 17551)

CSBA NOTE: Education Code 39807.5, as amended by AB 181 (Ch. 52, Statutes of 2022), prohibits charging a fee for transportation to the parent/guardian of an unduplicated student as defined in Education Code 42238.02, which includes a student who is eligible for free or reduced-price meals, who is an English learner, or who is a foster youth.

7. Home-to-school transportation and transportation between regular, full-time day schools and regional occupational centers, programs, or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student, ~~the district provides a waiver based on financial need,~~ and an exemption is made for any student with a disability ~~whose individualized education program includes transportation as a related service necessary to receive~~ a, or any student who is eligible for free ~~appropriate public education~~or reduced-price meals, any student who is an English learner, or any student who is a foster youth. (Education Code 39807.5)

8. Transportation for students to and from their places of employment in connection with any summer employment program for youth (Education Code 39837)

9. Deposit for school band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries (Education Code 38120)

~~10. Sale or lease of personal computers or of Internet appliances that allow a person to connect to or access the district's educational network, provided that the items are sold or leased to parents/guardians at no more than cost and the district provides network access for families who cannot afford it (Education Code 17453.1)~~

~~11.~~10. An adult education or secondary school community service class in civic, vocational, literacy, health, ~~homemaking,~~family and consumer sciences, technical, and general education, not to exceed the cost of maintaining the class (Education Code 51810-51815)

CSBA NOTE: In its, "Fiscal Management Advisory 20-01," CDE interprets Education Code 32030-32033 as permitting the district to charge fees for safety glasses that a student keeps, if the school provides them free of charge for use in specified courses or activities involving the use of hazardous substances likely to cause injury to the eyes.

~~12.~~11. Eye safety devices worn in courses or activities involving the use of hazardous substances likely to cause injury to the eyes, when being sold to students and/or teachers or instructors to keep and at a price not to exceed the district's actual costs (Education Code 32033)

~~13.~~12. Actual cost of furnishing copies of any student's records, except that no charge shall be made for furnishing up to two transcripts or two verifications of a former student's records or for reproducing records of a student with a disability when the cost would

effectively prevent the parent/guardian from exercising the right to receive the copies (Education Code 49065, 56504)

~~14.~~13. Actual cost of duplication for reproduction of the prospectus of school curriculum or for copies of public records (Education Code 49091.14; Government Code 6253)

CSBA NOTE: Pursuant to the California Universal Meals Program established by Education Code 49501.5, as added by AB 130 (Ch. 44, Statutes of 2021), a district is required to provide a free, nutritionally adequate breakfast and lunch each school day, to any student who requests a meal, without consideration of the student's eligibility for a federally funded free or reduced-price meal. For more information regarding the California Universal Meals Program see BP/AR 3550 - Food Service/Child Nutrition Program, BP/AR 3551 - Food Service Operations/Cafeteria Fund, and BP/AR 3553 - Free and Reduced Price Meals.

~~15.~~14. Food sold at school, subject to the California Universal Meals Program, free and reduced-price meal program eligibility, and other restrictions specified in law (Education Code 38084) , 49501.5)

CSBA NOTE: According to CDE's, "Fiscal Management Advisory 20-01," a blanket policy that charges fees for any damage caused to district property would be inconsistent with Education Code 19911 and 48904. Therefore, a district should analyze, on a case-by-case basis, whether property has been willfully damaged.

~~16.~~15. In accordance with law, replacement cost or reimbursement for lost or willfully damaged district books, supplies, or property, or for district property loaned to a student that the student fails to return (Education Code 19910-19911, 48904)

~~17.~~16. Tuition for district school attendance by an out-of-state or out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)

~~18.~~17. Adult education books, materials, transportation, and classes, except that no fee may be charged for classes in elementary subjects, classes for which high school credit is granted when taken by a person who does not hold a high school diploma, or classes in English and citizenship (Education Code 39801.5, 52612, 60410)

~~19.~~18. Preschool and child care and development services, in accordance with the fee schedule established by the Superintendent of Public Instruction, unless the family qualifies for subsidized services or the program is exempted from fees by law (Education Code ~~8239, 8250, 8263)~~ 8211, 8213, 8252-8254)

CBSA NOTE: Districts are prohibited from charging a fee for summer school programs. However, it is permissible for third parties that offer a summer school program to charge a fee for such program. CDE's, "Fiscal Management Advisory 22-01, Summer School, Third Parties, and Tuition Fees," provides that if a third party that is affiliated with a district charges tuition for a summer program, the district should make an individualized inquiry as to the relationship between the district and the third party to determine whether the educational activities are being offered by the district. In making this determination, districts may consider factors listed in Fiscal Management Advisory 22-01. Districts with questions as to whether a fee may be charged for summer school should consult CSBA District and County Office of Education Legal Services or district legal counsel.

~~20.~~19. Participation in a before-school ~~or~~, after-school, or intersession program that is funded as an After School Education and Safety (ASES) program, 21st Century Community Learning Center (21st CCLC), ~~or~~ 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program, or Expanded Learning Opportunity (ELO) program, provided that fees are waived or reduced for families with students who are eligible for free or reduced-price meals and, in regard to ASES and 21st CCLC programs, fees are not charged if the district knows the student is a homeless or foster youth (Education Code 8422, 8482.6, 46120)

CSBA NOTE: In , "Fiscal Management Advisory ~~17~~20-01~~,~~," CDE lists Advanced Placement and International Baccalaureate examination fees as permissible. Some districts choose to reduce the cost of the fees for low-income students through the use of district funds or other funding sources; see BP 6141.4 - International Baccalaureate Program and BP 6141.5 - Advanced Placement.

~~21.~~20. Advanced Placement and International Baccalaureate Diploma examinations for college credits, as long as the examination is not a course requirement and the results have no impact on student grades or credits in the course

CSBA NOTE: In its , "Fiscal Management Advisory ~~17~~20-01~~,~~," CDE advises that a district that requires its students to wear a cap and gown as a condition for their participation in the high school graduation ceremony may not require such students to purchase the cap and gown. CDE recommends that such districts provide the graduates with a cap and gown for their use at the graduation ceremony and inform them that those interested may purchase a cap and gown from a vendor.

Collection of Debt

CSBA NOTE: Education Code 49014 (the Public School Fair Debt Collection Act~~)~~, ~~as added by AB 1974 (Ch. 577, Statutes of 2018),~~) establishes requirements for districts to follow when seeking to recover a debt owed by students and/or parents/guardians, including a requirement to provide the parent/guardian with an itemized invoice that references the district's policies relating to debt collection and the rights established pursuant to Education Code 49014 and 49557.5 (unpaid meal fees). It is recommended that districts include references to this administrative regulation and the accompanying Board policy~~, as well as BP/AR 3551 - Food Service Operations/Cafeteria Fund.~~. For additional rights established by Education Code 49014, including prohibitions against directly billing a student or former student or imposing any negative action on a student, see the accompanying Board policy.Before pursuing payment of any debt that has accumulated from unpaid permissible fees, the Superintendent or designee shall provide an itemized invoice for any amount owed by the parent/guardian on behalf of a student or former student. The invoice shall reference district policies related to debt collection and the rights established pursuant to Education Code 49014 and 49557.5. For each payment received, the district shall provide a receipt to the parent/guardian. (Education Code 49014)

The Superintendent or designee shall not sell debt owed by a parent/guardian of a student or former student. (Education Code 49014)

Policy Reference Disclaimer:

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

State	Description
5 CCR 350	Fees not permitted
5 CCR 4600-4687	Uniform complaint procedures
CA Constitution Article 9, Section 5	Common school system
Ed. Code 17453.1	District sale or lease of Internet appliances or personal computers to parents of students
Ed. Code 17551	Property fabricated by students
Ed. Code 19910-19911	Offenses against libraries
Ed. Code 32033	Eye protective devices
Ed. Code 32221	Insurance for athletic team member
Ed. Code 32390	Voluntary program for fingerprinting students
Ed. Code 35330-35332	Field trips
Ed. Code 35335	School camp programs
Ed. Code 38080-38086.1	Cafeteria establishment and use
Ed. Code 38120	Use of school band equipment on excursions to foreign countries
Ed. Code 39801.5	Transportation for adults
Ed. Code 39807.5	Payment of transportation costs by parents
Ed. Code 39837	Transportation to summer employment program
Ed. Code 42238.02	Local Control Funding Formula
Ed. Code 46120	Expanded learning opportunities
Ed. Code 48050	Residents of adjoining states
Ed. Code 48052	Tuition for foreign residents
Ed. Code 48904	Liability of parent or guardian; withholding of grades, diplomas, transcripts
Ed. Code 49010-49013	Student fees
Ed. Code 49014	Public School Fair Debt Collection Act
Ed. Code 49065	Reasonable charge for transcripts
Ed. Code 49066	Grades; effect of physical education class apparel
Ed. Code 49091.14	Parental review of curriculum

Ed. Code 49501.5	California Universal Meals Program
Ed. Code 49557.5	Child Hunger Prevention and Fair Treatment Act of 2017
Ed. Code 51810-51815	Community service classes
Ed. Code 52612	Tuition for adult classes
Ed. Code 52613	Nonimmigrant foreign nationals
Ed. Code 56504	School records; students with disabilities
Ed. Code 60410	Books for adult classes
Ed. Code ~~8239~~8211	~~Preschool and wraparound child care services~~Priority for full-day early childhood education programs
Ed. Code ~~8250~~8213	~~Child care and development services for children with disabilities~~Income eligible; definition
Ed. Code ~~8263~~8252-8254	~~Eligibility and priorities for subsidized child development services~~Early childhood education family fees
Ed. Code ~~8422~~8420-8428	21st Century High School After School Safety and Enrichment for Teens programs
Ed. Code 8760-8774	Outdoor science, conservation, and forestry programs
Gov. Code 6253	Request for copy; fee
Federal	**Description**
8 USC 1184	Foreign students
Management Resources	**Description**
California Department of Education Publication	Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory ~~17~~20-01, July ~~28, 2017~~23, 2020
California Department of Education Publication	Summer School, Third Parties, and Tuition Fees, Fiscal Management Advisory 22-01, September 1, 2022
Court Decision	CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738
Court Decision	Driving School Assn of CA v. San Mateo Union HSD (1992) 11 Cal. App. 4th 1513
Court Decision	Hartzell v. Connell (1984) 35 Cal. 3d 899
Court Decision	Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739
Court Decision	Arcadia Unified School District v. California Department of Education~~,~~ (1992) 2 Cal. 4th 251
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education

Website	CSBA

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0440	District Technology Plan
0440	District Technology Plan
1230	School-Connected Organizations
1230	School-Connected Organizations
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1321	Solicitation Of Funds From And By Students
1321	Solicitation Of Funds From And By Students
3100	Budget
3100	Budget
3250	Transportation Fees
3250	Transportation Fees
3290	Gifts, Grants And Bequests
3452	Student Activity Funds
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3552	Summer Meal Program

3552	Summer Meal Program
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
3554	Other Food Sales
3554	Other Food Sales
4112.9	Employee Notifications
4112.9-E(1)	Employee Notifications
4131	Staff Development
4212.9	Employee Notifications
4212.9-E(1)	Employee Notifications
4231	Staff Development
4312.9	Employee Notifications
4312.9-E(1)	Employee Notifications
4331	Staff Development
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5111.1	District Residency
5111.1	District Residency
5111.2	Nonresident Foreign Students
5125	Student Records
5125	Student Records
5142	Safety
5142	Safety
5142.1	Identification And Reporting Of Missing Children
5143	Insurance
5143	Insurance
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5148	Child Care And Development
5148	Child Care And Development
5148.2	Before/After School Programs

5148.2	Before/After School Programs
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6141.4	International Baccalaureate Program
6141.5	Advanced Placement
6142.4	Service Learning/Community Service Classes
6142.5	Environmental Education
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6145.2	Athletic Competition
6153	School-Sponsored Trips
6153	School-Sponsored Trips
6158	Independent Study
6158	Independent Study
6161.2	Damaged Or Lost Instructional Materials
6163.1	Library Media Centers
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E(1)	Education For Homeless Children
6173-E(2)	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6177	Summer Learning Programs
6178.2	Regional Occupational Center/Program
6200	Adult Education
6200	Adult Education
9323.2	Actions By The Board
9323.2-E(1)	Actions By The Board

Policy 3460: Financial Reports And Accountability

Status: ADOPTED

Original Adopted Date: 11/01/2004 | **Last Revised Date:** ~~04~~12/01/~~2013~~2022 | **Last Reviewed Date:** ~~04~~12/01/~~2013~~2022

CSBA NOTE: The following policy is optional and should be revised to reflect district practice.

The Governing Board is committed to ensuring public accountability and the fiscal health of the district. The Board shall adopt sound fiscal management policies and practices, oversee the district's financial condition, and continually evaluate whether the district's budget and financial operations support the district's goals for student achievement.

CSBA NOTE: The following optional paragraph sets the Governing Board's expectation that the district's financial reports will adhere to generally accepted financial and accounting standards. The Governmental Accounting Standards Board (GASB) is a nonprofit agency that establishes financial and accounting standards for state and local government agencies, including school districts. By using the California Department of Education's (CDE) standardized account code structure (SACS) software to develop financial reports, the district will be assured of complying with generally accepted accounting principles prescribed by GASB and meeting other state and federal reporting guidelines.

The Superintendent or designee shall ensure that ~~all~~district financial reports are prepared in accordance with law and in conformity with generally accepted accounting principles and financial reporting standards stipulated by the Governmental Accounting Standards Board and the California Department of Education (CDE). ~~He/she~~The Superintendent or designee shall establish a system of ongoing internal controls to ensure the reliability of financial reporting.

When required by law or the Board, the Superintendent or designee shall submit to the Board reports of the district's financial status, including, but not limited to, any report specified in this Board policy or accompanying administrative regulation. When submission of any such report ~~must be approved by the Board prior to its submission~~ to a local, state, and/or federal agency requires prior Board approval, the Superintendent or designee shall provide the report to the Board in sufficient time to enable the Board to carefully review the report ~~and meet any applicable submission deadline.~~

~~The Board shall regularly communicate the district's financial position to the public and shall use financial reports to determine what actions and budget amendments, if any, are needed to ensure the district's financial stability~~without breaking any applicable submission deadline.

CSBA NOTE: The Fiscal Crisis and Management Assistance Team (FCMAT~~, which advises~~) is an independent entity created to help districts ~~on~~ avert fiscal insolvency and to provide districts with fiscal management ~~and works with insolvent districts, has~~ assistance. In August 2019, FCMAT revised the 15 identified ~~15~~ predictors of fiscal distress common in districts needing state intervention. ~~These conditions include a governance crisis; absence~~According to FCMAT's "Indicators of ~~communication to educational community; lack~~Risk or Potential Insolvency," the indicators of ~~interagency cooperation; failure to recognize year-to-year trends (e.g., declining enrollment or deficit spending); flawed projections for average daily attendance; failure to maintain reserves; insufficient consideration of long-term bargaining agreement effects; flawed multi-year projections; inaccurate revenue and expenditure estimations; poor cash flow analysis and reconciliation; bargaining agreements beyond state cost-of-living adjustment; no integration of employee position control with payroll;~~risk or potential insolvency

include, but are not limited ~~access~~to, conditions related to ~~timely personnel, payroll, and~~ unreliable budget ~~control data and reports; escalating general fund encroachment; and lack of regular~~ development, insufficient budget monitoring ~~of categorical programs.~~ See ~~FCMAT's Fiscal Oversight Guide for further information.~~

~~When the County Superintendent of Schools reviews~~or updates, inadequate cash management, mismanaged collective bargaining agreements, increasing and/or unplanned contributions and transfers, continuing deficit spending, mismanaged employee benefits, and inattention to enrollment and attendance reporting.

In reviewing the district's budget (see AR 3100 - Budget), ~~he/she~~ the County Superintendent of Schools is required by Education Code 42127 and 42127.6 to consider ~~whether more than three of these predictors are present. If so~~any studies, reports, evaluations, or audits of the district that contain evidence of fiscal distress based on the standards and criteria specified in Education Code 33127 or a finding that the district is in moderate or high risk of intervention based on the most common FCMAT indicators of a district needing intervention. In the event of any such evidence or finding, or if the district is showing fiscal distress under state criteria and standards for budgets or interim reports, as specified in 5 CCR 15440-15451 and 15453-15464, the County Superintendent ~~must~~is required to investigate whether the district may be unable to meet ~~its financial obligations for~~ the current year's or two subsequent fiscal ~~years~~years' financial obligations.

The Board shall regularly assess the district's financial position and communicate the results to the public, and shall use financial reports to determine the actions and budget amendments, if any, that are needed to ensure the district's financial stability. If district conditions predict fiscal distress or indicate that the district might not be able to meet its fiscal obligations, the Board and Superintendent or designee shall ~~act quickly~~take action to ~~identify and~~ resolve these conditions. without delay. The Board shall work cooperatively with the County Superintendent of Schools to improve the district's fiscal health and may contract with an external individual or organization to ~~advise~~provide the district ~~on~~with needed advice or fiscal ~~matters~~management or training.

CSBA NOTE: When a district is fiscally insolvent and is considering applying to the state for an emergency apportionment that exceeds 200 percent of the recommended reserve for that district, Education Code 41326 requires the Board to first discuss the need for that apportionment at a regular or special meeting. At that meeting, the Board must receive testimony from parents/guardians, exclusive representatives of employees, and other community members. ~~If the~~Any district that receives such an apportionment~~, it~~ is subject to the conditions set forth in Education Code 41326, including assumption of all the Board's legal rights, duties, and powers by a state-appointed administrator.

Unaudited Actual Receipts and Expenditures

On or before September 15, the Board shall approve and file with the County Superintendent a statement of the district's unaudited actual receipts and expenditures for the preceding fiscal year. The Superintendent or designee shall prepare this statement using the state's standardized account code structure (SACS) as prescribed by the Superintendent of Public Instruction (SPI). (Education Code 42100)

Gann Appropriations Limit Resolution

On or before September 15, the Board shall, at a regular or special meeting, adopt a resolution identifying, pursuant to Government Code 7900-7914, the district's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year. Documentation used to identify these limits shall be made available to the public on the day of the Board meeting. (Education

Code 42132; Government Code 7910)

Interim Reports/Certification of Ability to Meet Fiscal Obligations

CSBA NOTE: Education Code 42130 requires that the district issue two interim ~~fiscal~~ reports, as described below, based on the criteria and standards adopted by the State Board of Education (SBE) pursuant to Education Code 33127. These criteria and standards are delineated in 5 CCR 15453-15464. See the accompanying administrative regulation for further information about the contents of the interim reports.

~~The~~Each fiscal year, the Superintendent or designee shall submit two interim ~~fiscal~~ reports to the Board~~,~~ ~~the~~. The first report ~~covering~~shall cover the district's financial and budgetary status for the period ending October 31 and the second report ~~covering~~shall cover the period ending January 31. ~~The~~These reports and supporting data shall be made available by the district for public review. (Education Code 42130)

Within 45 days after the close of the period reported, the Board shall approve the interim report and ~~certify~~, on the basis of the interim report and any additional financial information known by the Board, shall certify in writing whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and, based on current forecasts, for the two subsequent fiscal years. The certification shall be classified as one of the following: (Education Code 42130, 42131)

1. "Positive certification" indicating that the district will meet its financial obligations for the current fiscal year and two subsequent fiscal years

2. "Qualified certification" indicating that the district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years

3. "Negative certification" indicating that the district will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year

CSBA NOTE: Education Code 42130 and 42131 require that the interim report and certification be submitted to the County Superintendent in a format or on forms prescribed by the Superintendent of Public Instruction (SPI). ~~The~~ CDE requires that these be reported using the SACS software. Pursuant to Education Code 42131, upon receiving the certification, the County Superintendent is required to send any qualified or negative certification, along with the interim report, to the State Controller and the SPI.

The Superintendent or designee shall submit a copy of each interim report and certification to the County Superintendent using the state's SACS software, as prescribed by the SPI. (Education Code 42130, 42131)

CSBA NOTE: Education Code 42131 gives the County Superintendent 75 days after the close of the reporting period to ~~change~~downgrade the district's positive certification to qualified or negative or~~, as amended by AB 2662 (Ch. 589, Statutes of 2012), to change the district's~~ a qualified certification to negative. Districts may appeal the County Superintendent's determination to the SPI, who will then determine the certification to be given to the district.

If the district's certification is subsequently changed by the County Superintendent from a positive to a qualified or negative certification, or from a qualified to a negative certification, the Board may appeal the decision to the SPI within five days of receiving the notice of change. (Education Code 42131)

CSBA NOTE: Whenever the district receives a qualified or negative certification, Education Code 42131 requires the County Superintendent, within 75 days after the close of the reporting period, to submit ~~his/her~~ comments on the certification to the State Controller and the SPI and report any remedial action proposed or taken under the authority granted ~~to the County Superintendent~~ by Education Code 42127.6. Pursuant to Education Code 42127.6, the County Superintendent is required to take one or more of the following actions: (1) assign a fiscal expert to advise the district on ~~its~~the financial problems; (2) conduct a study of the district's financial and budgetary conditions ~~of the district~~ including, but not limited to, a review of internal controls; (3) direct the district to submit a financial projection of all fund and cash balances as of June 30 of the current year and subsequent fiscal years; (4) require the district to encumber all contracts and other obligations, prepare appropriate cash flow analyses and monthly or quarterly budget revisions, and appropriately record all receivables and payables; (5) direct the district to submit a proposal for addressing the fiscal conditions that caused the negative or qualified certification; (6) withhold ~~the~~ Board stipend and Superintendent compensation if requested financial information is not provided; and/or (7) assign FCMAT to review and provide recommendations to improve the district's teacher hiring process, teacher retention rate, extent of teacher misassignment, and provision of highly qualified teachers. Education Code 42131 also authorizes the State Controller to conduct an audit or review of the financial condition of any district having a negative or qualified certification.

Pursuant to Education Code 42652, a district that receives a qualified or negative certification also may lose the County Superintendent's or SPI's approval to draw warrants on the county treasury. Furthermore, pursuant to Education Code 42133, a district that receives a qualified or negative certification must have the County Superintendent's approval before issuing any certificates of participation, tax anticipation notes, revenue bonds, or other non-voter-approved debt (see the section ~~entitled~~ "Non-Voter-Approved Debt Report" in the accompanying administrative regulation).

Whenever a district with a qualified or negative certification is negotiating a collective bargaining agreement, it must allow the County Superintendent 10 working days to review and comment on the proposed collective bargaining agreement pursuant to Government Code 3540.2; see BP 4143/4243 - Negotiations/Consultation.

Whenever the district receives a qualified or negative certification from the Board or the County Superintendent, the Superintendent or designee shall cooperate in the implementation of any remedial actions taken or prescribed by the County Superintendent ~~under the authority granted to him/her pursuant to~~ . (Education Code 42131.)

CSBA NOTE: Whenever the district's second interim report is accompanied by a qualified or negative certification, the district must submit another financial statement by June 1 as described below; this report is sometimes referred to as the "third interim report."

If the second interim report is accompanied by a qualified or negative certification, the Board shall, no later than June 1, provide to the County Superintendent, the State Controller, and the SPI a financial statement as of April 30 ("third interim report") that projects the district's fund and cash balances through June 30. (Education Code 42131)

CSBA NOTE: Education Code 42637 authorizes the County Superintendent, upon concluding at any time during the fiscal year ~~if he/she concludes,~~ that the district's budget does not comply with criteria and standards adopted by the SBE, to conduct a comprehensive review of the district's financial and budgetary conditions ~~of the district~~ and to report ~~his/her~~the findings to the Board at a public meeting. According to FCMAT's Fiscal Oversight Guide, ~~this provision of the law requires~~ the County Superintendent ~~to~~must exercise this authority when the district receives a negative certification and ~~authorizes him/her~~is authorized to do so when the district receives a qualified certification. After

receiving ~~such~~ athe report, the Board ~~must~~is required to respond to the recommendations within 15 days.

~~At~~If at any time during the fiscal year ~~when~~, the County Superintendent concludes that the district's budget does not comply with the standards and criteria for financial stability and conducts a comprehensive review of the ~~district's~~district's financial and budgetary conditions ~~after he/she has determined that the district's budget does not comply with state criteria and standards for fiscal stability~~, the Board shall review any report of the County ~~Superintendent's~~Superintendent's findings and recommendations at a public Board meeting. Within 15 days of receiving the report, the district shall notify the County Superintendent and the SPI of ~~its~~the Board's proposed actions on the recommendation. (Education Code 42637)

Audit Report

CSBA NOTE: Pursuant to Education Code 41020, the Board must, no later than May 1 of each year, arrange for an audit of all the district's funds. However, if the Board has not provided for an audit by April 1, the County Superintendent must do so at the district's cost. Thus, the paragraph below reflects the April 1 deadline.

Pursuant to Education Code 41020, any district contract for auditing services must be approved by the County Superintendent if the district has a disapproved budget, has received a negative certification on any budget or interim ~~fiscal~~ report during the current fiscal year or either of the two preceding fiscal years, or has otherwise been determined by the County Superintendent to have a lack of going concern~~, any contract the district enters into for auditing services must be approved by the County Superintendent.~~.

By April 1 of each year, the Board shall provide for an annual audit of the district's books and accounts. (Education Code 41020)

CSBA NOTE: Education Code 41020 requires the Board to select an auditor from a directory of certified public accountants and public accountants deemed by the State Controller as qualified to conduct audits of local education agencies. The State Controller is required to publish this directory by December 31 of each year.

In addition, Education Code 41020.5 prohibits the Board from employing any accountant identified by the State Controller as ineligible based on failure of past audits to comply with provisions of the K-12 annual audit guide. The State Controller will annually notify districts of ineligible accountants by March 1.

To conduct the audit, the Board shall select a certified public accountant or public accountant licensed by the State Board of Accountancy from among those deemed qualified by the State Controller. (Education Code 41020, 41020.5)

CSBA NOTE: Education Code 41020 requires that districts rotate auditors as specified below. However, the district may request that the Education Audit Appeals Panel waive this requirement if no otherwise eligible auditor is available to perform the audit.

~~The Board shall not select any~~Except when, as determined by the Education Audits Appeal Panel, no otherwise eligible auditor is available, a public accounting firm ~~to provide audit services if the~~whose lead or coordinating audit partner having primary responsibility for the audit~~,~~ or ~~the~~whose audit partner

responsible for reviewing the audit, has performed audit services for the district in each of the six previous fiscal years shall not be selected to perform a district audit. (Education Code 41020)

CSBA NOTE: Education Code 41020.3 requires the Board to review the audit report at an open meeting by January 31 of each year. However, Education Code 41020 requires that the audit report be filed with the County Superintendent, CDE, and State Controller no later than December 15. Thus, it is recommended that the Board conduct its review of the audit prior to December 15 whenever possible.

No later than December 15, the report of the audit for the preceding fiscal year shall be filed with the County Superintendent, the CDE, and the State Controller. (Education Code 41020)

Prior to December 15 whenever possible, but in no case later than January 31, the Board shall review, at an open meeting, the annual district audit for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or any issue raised in a management letter. (Education Code 41020.3)

The Board shall have an opportunity at the meeting to ask questions of the auditor and request further information about the audit findings.

Audit Committee

CSBA NOTE: The following optional section may be revised to reflect district practice. Although it is the responsibility of district staff to prepare financial statements and the responsibility of the independent auditor to assure that the information in the statements is reliable and fairly presented, establishment of an audit committee provides an additional mechanism to ensure fiscal responsibility, as well as providing an opportunity for community participation. Committees established by Board action are subject to the Brown Act; see BP/AR 1220 - Citizen Advisory Committees and BB 9130 - Board Committees.

The Board may appoint an audit committee composed of staff knowledgeable about fiscal matters, other staff, and representatives of the community.

The committee shall serve in an advisory capacity and may:

1. Make recommendations regarding the selection of the external independent auditor in accordance with Education Code 41020 and 41020.5
2. Review the plan for the audit process with the independent auditor to determine the adequacy of the nature, scope, and timetable of the audit
3. Review the results of the audit and participate with the independent auditor and management in preparing final recommendations and responses
4. Participate with the independent auditor in presenting the audit report to the Board
5. Review Board policies and administrative regulations to recommend any revisions needed to ensure effective financial reporting
6. Provide input on the effectiveness of the independent auditor
7. Periodically report to the Board regarding the status of previous audit recommendations for improving the accounting and internal control systems

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5 CCR 15070	Submission of reports using standardized account code structure
5 CCR 15440-15451	Criteria and standards for school district budgets
5 CCR 15453-15464	Criteria and standards for school district interim reports
5 CCR 19810-19816.1	Audits
Ed. Code 1240	County superintendent of schools; duties
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Federal	**Description**
2 CFR 200.0-200.521	Federal uniform grant guidance
31 USC 7501-7507	Single audits of federal program funds

Management Resources	**Description**
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California Department of Education Communication	Audit Resolution Process: Repayment Plans, December 8, 2000
Fiscal Crisis & Management Assistance Team Pub.	Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, September 2006
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State Controller Publication	Standards and Procedures for Audits of California K-12 Local Educational Agencies ~~(annual publication)~~
U.S. Gov. Accountability Office & PCIE Publication	Financial Audit Manual, revised 2008
U.S. Gov. Accountability Office & PCIE Publication	Government Auditing Standards, 2011
Website	CSBA District and County Office of Education Legal Services
Website	Governmental Accounting Standards Board
Website	California State Controller
Website	U.S. Government Accountability Office

Website	California County Superintendents Educational Services Association
Website	California Department of Education, Finance and Grants
Website	Education Audit Appeals Panel
Website	Fiscal Crisis and Management Assistance Team
Website	CSBA
Website	California Association of School Business Officials
Website	Office of Management and Budget
Website	School Services of California, Inc.

Cross References

Code	Description
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0500	Accountability
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1340	Access To District Records
1340	Access To District Records
3000	Concepts And Roles
3100	Budget
3100	Budget
3110	Transfer Of Funds
3220.1	Lottery Funds
3230	Federal Grant Funds
3230	Federal Grant Funds
3280	Sale Or Lease Of District-Owned Real Property
3280	Sale Or Lease Of District-Owned Real Property
3290	Gifts, Grants And Bequests
3300	Expenditures And Purchases
3312	Contracts
3314	Payment For Goods And Services
3314	Payment For Goods And Services
3314.2	Revolving Funds

3400	Management Of District Assets/Accounts
3400	Management Of District Assets/Accounts
3430	Investing
3430	Investing
3451	Petty Cash Funds
3452	Student Activity Funds
3470	Debt Issuance And Management
3510	Green School Operations
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3580	District Records
3580	District Records
4143	Negotiations/Consultation
4143.1	Public Notice - Personnel Negotiations
4143.1	Public Notice - Personnel Negotiations
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4243	Negotiations/Consultation
4243.1	Public Notice - Personnel Negotiations
4243.1	Public Notice - Personnel Negotiations
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4312.1	Contracts
4331	Staff Development
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
5117	Interdistrict Attendance
5117	Interdistrict Attendance
5126	Awards For Achievement
5126	Awards For Achievement
6117	Year-Round Schedules
7210	Facilities Financing
7212	Mello-Roos Districts

7214	General Obligation Bonds
7214	General Obligation Bonds
9000	Role Of The Board
9130	Board Committees
9140	Board Representatives
9322	Agenda/Meeting Materials

Regulation 3460: Financial Reports And Accountability **Status:** ADOPTED

Original Adopted Date: 04/01/2014 | **Last Revised Date:** ~~10~~12/01/~~2018~~2022 | **Last Reviewed Date:** ~~10~~12/01/~~2018~~2022

Interim Reports

CSBA NOTE: Education Code 42130 requires that the district issue two interim ~~fiscal~~ reports; see the accompanying Board policy for information about the use of these reports to certify whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and, based on current forecasts, for the two subsequent fiscal years.

Each interim ~~fiscal~~ report developed pursuant to Education Code 42130 shall include an assessment of the district budget as revised to reflect current information regarding the adopted state budget, district property tax revenues, if any, and ending balances for the preceding fiscal year. (Education Code 42130, 42131)

CSBA NOTE: Interim reports must be based on the criteria and standards adopted by the State Board of Education (SBE) pursuant to Education Code 33127. These criteria and standards are specified in 5 CCR 15453-15464 and address the areas listed below.

~~The interim~~Interim reports shall be based on State Board of Education (SBE) criteria and standards which address fund and cash balances, reserves, deficit spending, estimation of average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected local control funding formula (LCFF) revenue, salaries and benefits, other revenues and expenditures, and facilities maintenance. For purposes of assessing projections of LCFF revenue, the first interim report shall be compared to the adopted district budget~~,~~ and the second interim report shall be compared to the projections in the first interim report. (Education Code 42130; 5 CCR 15453-15464)

~~The~~An interim report shall also provide supplemental information regarding contingent liabilities, use of one-time revenues for ongoing expenditures, contingent revenues, contributions (i.e., projected contributions from unrestricted general fund resources to restricted general fund resources, projected transfers to or from the general fund to cover operating deficits in the general fund or any other fund, and capital project cost overruns that may impact the general fund budget), long-term commitments, unfunded liabilities, temporary interfund borrowings, the status of labor agreements, and the status of other funds. (Education Code 42130; 5 CCR 15453, 15464)

Audit Report

CSBA NOTE: Pursuant to Education Code 41020, each year the district is required to arrange for an independent audit of all the district's funds. The audit must be approved by the Governing Board and submitted to the County Superintendent of Schools, California Department of Education (CDE), and State Controller within specified timelines. See the accompanying Board policy.

The Superintendent or designee shall establish a timetable for the completion and review of the annual audit within the deadlines established by law.

CSBA NOTE: The following paragraph is optional. Governmental Accounting Standards Board (GASB) Statement 34 contains requirements for the contents of the district's annual audited financial reports.

The Superintendent or designee shall provide the necessary financial records and cooperate with the independent auditor selected by the Governing Board to ensure that the audit report contains all information required by law and the Governmental Accounting Standards Board (GASB).

CSBA NOTE: Pursuant to Education Code 41020, the audit must include an audit of income and expenditures for all district funds, as provided below. Additionally, Education Code 41020 requires that the audit include a determination of whether funds were expended in accordance with the district's local control and accountability plan (LCAP). Pursuant to Education Code 52061, the annual update to the LCAP must list expenditures for specific actions to be taken to achieve the goals in the LCAP, including expenditures for services to English learners, foster youth, and students eligible for free and reduced-price meals. See BP/AR 0460 - Local Control and Accountability Plan for requirements pertaining to the LCAP.

The district audit shall include ~~an audit of~~all income and expenditures by source of funds ~~for all funds of the district~~, including the student body and cafeteria funds and accounts, state and federal grant funds, and any other funds under the district's control or jurisdiction ~~of the district~~, as well as an audit of student attendance procedures. The audit shall also include a determination of whether LCFF funds were expended in accordance with the district's local control and accountability plan or an approved annual update of the plan. (Education Code 41020)

CSBA NOTE: The following optional paragraph is for use by districts that elect to participate in the school district of choice program (Education Code 48300-48316); see BP/AR 5117 - Interdistrict Attendance. Pursuant to Education Code 48301, any district that elects to participate in the school district of choice program must ensure that its annual financial audit includes a review of the district's compliance with program requirements to establish a random, unbiased process for student admittance and to provide appropriate and factually accurate parent/guardian communications.

If the district participates in the school district of choice program to accept interdistrict transfers, the Superintendent or designee shall notify the auditor, prior to the commencement of the audit, that the audit must include a review of the district's compliance with specified program requirements. (Education Code 48301)

CSBA NOTE: Pursuant to Education Code 41344 and 41344.1, the district may appeal to the Education Audit Appeals Panel (EAAP) when an audit finding requires the district to repay an apportionment or pay a penalty. If the EAAP finds that there has been substantial compliance with the law, it may waive or reduce repayments or order other remedial measures to induce future compliance.

If an audit finding results in the district being required to repay an apportionment or pay a penalty, the district may appeal the finding to the Education Audit Appeals Panel by making an informal summary appeal within 30 days of receiving the final audit report or initiating a formal appeal within 60 days of receiving the report. (Education Code 41344, 41344.1)

While a public accounting firm is performing the audit of the district, it shall not provide any nonauditing, management, or other consulting services for the district except as provided in Government Auditing Standards, Amendment #3, published by the U.S. Government Accountability Office. (Education Code 41020)

Report on Expenditures of State Facilities Funds

CSBA NOTE: Pursuant to Education Code 41024, ~~as added by AB 99 (Ch. 15, Statutes of 2017) and amended by AB 1808 (Ch. 32, Statutes of 2018),~~ districts that receive state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30) must annually report a detailed list of all expenditures of state funds, including interest, and of the district's matching funds for

completed projects. Education Code 41024 requires that an audit of completed facilities projects be submitted within one year of project completion.

Education Code 41024 requires ~~CDE to provide the Office of Public School Construction with a copy of the audit identifying any adjustments to be made in grant funding as a result of the audit findings.~~the auditor to file the audit of state facilities funds with the State Controller within 60 days of completion of the audit. The State Controller, within 60 days of the receipt of the certified audit and after determining that the audit conforms with reporting standards in the audit guide, is then required to provide a copy of the audit to CDE and the Office of Public School Construction (OPSC), and to notify OPSC of any audit findings required pursuant to Education Code 41024 and of any amounts or adjustments identified on the basis of district's failure to expend the funds in accordance with the School Facilities Act or any accompanying grant agreement signed by district. The district may appeal any finding in accordance with the timelines and process specified in Education Code 41344. However, certain adjustments specified in Education Code 41024 (b)(1)(C)-(G) are not appealable to the Education Audit Appeals Panel.

When the district participates in the school facilities program pursuant to Education Code 17070.10-17079.30, the Superintendent or designee shall annually report a detailed list of all expenditures of state facilities funds, including interest, and of the district's matching funds for completed projects until all such funds are expended. The report shall identify expenditures on a project-by-project basis, reflect completed projects that were reimbursed within that fiscal year, and clearly indicate the list of projects that have been completed. (Education Code 41024; 2 CCR 1859.104)

Audits of facilities projects shall be concluded within one year of project completion~~,~~ and shall be included as part of the district's audit for the fiscal year in which the project is reported as completed. A project shall be deemed completed when any of the following conditions is met: (Education Code 41024; 2 CCR 1859.104)

1. When the notice of completion for the project has been filed, all outstanding invoices, claims, and change orders have been satisfied, and the facility is currently in use by the district
2. Three years from the date of the final fund release for an elementary school project
3. Four years from the date of the final fund release for a middle or high school project

Fund Balance

CSBA NOTE: The following optional section reflects GASB Statement 54, which addresses the manner in which fund balances in the general fund must be reported in external financial reports. Pursuant to GASB 54, the Board has sole authority to specify purposes of committed funds (~~item~~Item #3 below) and also must express, or delegate the authority to express, intended purposes of resources resulting in the assigned fund balance (~~item~~Item #4 below); see BP 3100 - Budget.

In accordance with GASB Statement 54, external financial reports shall report fund balances in the general fund within the following classifications based on the relative strength of constraints placed on the purposes for which resources can be used:

1. Nonspendable fund balance, including amounts that are not expected to be converted to cash, such as resources that are not in a spendable form or are legally or contractually required to be maintained intact

2. Restricted fund balance, including amounts constrained to specific purposes by their providers or by law

3. Committed fund balance, including amounts constrained to specific purposes by the Board

4. Assigned fund balance, including amounts which the Board or its designee intends to use for a specific purpose

5. Unassigned fund balance, including amounts that are available for any purpose

Negative Balance Report

CSBA NOTE: When applicable, Education Code 42127.5 requires districts to report the reasons for a negative unrestricted fund balance or negative cash balance. "Unrestricted funds" are any funds that are not constrained by law to be spent on specific purposes and which therefore may be spent as the Board deems appropriate. Such funds may be reported in the committed fund balance, assigned fund balance, or unassigned fund balance as provided in ~~items~~Items #3-5 in the section "~~"~~Fund Balance~~"~~" above.

Whenever the district reports a negative unrestricted fund balance or a negative cash balance in its annual budget or annual audit report, it shall include in the budget a statement that identifies the reasons for the negative unrestricted fund balance or negative cash balance and the steps that have been taken to ensure that the negative balance will not occur at the end of the current fiscal year. (Education Code 42127.5)

Lease Accounting

CSBA NOTE: To increase the usefulness of government financial statements, the Governmental Accounting Standards Board has issued GASB Statement 87, which defines a lease as a "contract that conveys control of the right to use another entity's nonfinancial asset as specified in the contract for a period of time in an exchange or exchange-like transaction," and changes the rules related to the recognition, measurement, and related disclosures of leases involving governmental entities. Examples of "nonfinancial assets" include buildings, land, vehicles, and equipment. GASB 87 provisions became effective for the reporting periods beginning after June 15, 2021.

Any lease agreement involving the district, whether as lessor or lessee, shall be classified as a short-term lease, a contract that transfers ownership, or a lease other than short-term lease and contract that transfers ownership. District financial statement disclosures and schedules related to any lease shall comply with the standards specified in GASB 87.

Non-Voter-Approved Debt Report

CSBA NOTE: The following section addresses notices regarding the issuance of revenue bonds, certificates of participation, and other non-voter-approved debts. Pursuant to Education Code 17150 and 17150.1, the County Superintendent and county auditor may, within 15 days of receiving these notices from the district, comment publicly to the Board regarding the capability of the district to repay the debt obligation.

Pursuant to Education Code 42133, a district that has a qualified or negative certification in any fiscal year cannot issue non-voter-approved debt in that fiscal year or in the next fiscal year unless the County Superintendent determines that the ~~district's~~district's repayment of the debt is probable.

Upon approval by the Board to proceed with the issuance of revenue bonds or any agreement for financing school construction pursuant to Education Code 17170-17199.5, the Superintendent or designee shall notify the County Superintendent of Schools and the county auditor. The Superintendent

or designee shall provide the Board, the county auditor, the County Superintendent, and the public with related repayment schedules and evidence of the ~~district's~~district's ability to repay the obligation. (Education Code 17150)

When the Board is considering the issuance of certificates of participation and other debt instruments that are secured by real property and do not require the approval of the voters of the district, the Superintendent or designee shall provide notice to the County Superintendent and county auditor no later than 30 days before the ~~Board's~~Board's approval to proceed with issuance. -The Superintendent or designee shall provide the Board, the county auditor, the County Superintendent, and the public with information necessary to assess the anticipated effect of the debt issuance, including related repayment schedules, evidence of the ~~district's~~district's ability to repay the obligation, and the issuance costs. (Education Code 17150.1)

Other Postemployment Benefits Report

CSBA NOTE: The following section reflects GASB Statement 75, which contains reporting requirements pertaining to ~~"~~"other postemployment benefits~~"~~" (OPEBs) (i.e., medical, dental, vision, hearing, life insurance, long-term care, long-term disability, and other nonpension benefits for retired employees). Under GASB 75, districts that do not provide OPEB through a trust are required to report the total unfunded liability (i.e., OPEBs that are not prefunded), as calculated in the most recent actuary report, in the ~~district's~~district's financial statements. The decision of whether to prefund the benefits, and by how much, is at the ~~Board's~~Board's discretion; see BP 3100 ~~-~~- Budget.

The ~~SBE's~~SBE's criteria and standards for budget adoption (5 CCR 15440-15451) require districts to estimate unfunded OPEBs as well as the unfunded portion of any self-insured benefits program. Changes to the unfunded liabilities are disclosed at interim reporting periods pursuant to 5 CCR 15453 and 15464. These reports are included in the ~~state's~~state's standardized account code structure software used to develop budget and interim reports.

~~CSBA's~~CSBA's OPEB Solutions Program provides access to qualified actuaries and consultants and a GASB 75-compliant trust to prefund future obligations. See ~~CSBA's~~CSBA's web site for further information.

The following optional section may be revised to reflect district practice and should be deleted by districts that do not provide OPEBs.

In accordance with GASB Statement 75, the ~~district's~~district's financial statements shall report the expense of nonpension other postemployment benefits (OPEBs) on an accrual basis over ~~retirees'~~retirees' active working lifetime, as determined by a qualified actuary procured by the Superintendent or designee. To the extent that these OPEBs are not prefunded, the district shall report a liability on its financial statements.

The Superintendent or designee shall annually present the estimated accrued but unfunded cost of OPEBs and the actuarial report upon which those costs are based at ~~a public~~an open meeting of the Board. (Education Code 42140)

CSBA NOTE: Pursuant to GASB 75, the district must arrange for an actuary to update the valuation of its OPEB obligations every two years. However, GASB 75 includes an option for the use of a specified alternative method in lieu of an actuarial valuation for purposes of determining the total OPEB liability for benefits provided through an OPEB plan with fewer than 100 members. Such districts may modify the following paragraph to reflect district practice.

The district's financial obligation for OPEBs shall be reevaluated every two years in accordance with GASB 75.

~~Workers'~~Workers' Compensation Claims Report

CSBA NOTE: The following optional section is for use by districts that are self-insured for ~~workers'~~workers' compensation claims, either individually or as part of a joint powers agency. See BP 3100 - Budget for provisions related to funding the estimated accrued cost of ~~workers'~~workers' compensation claims.

The Superintendent or designee shall annually provide the Board, at a public meeting, information and related actuarial reports showing the estimated accrued but unfunded cost of ~~workers'~~workers' compensation claims. The estimate of costs shall be based on an actuarial report completed at least every three years by a qualified actuary. (Education Code 42141)

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Governmental Accounting Standards Board Statement	Statement 75, Accounting and Financial Reporting for Post-employment Benefits Other Than Pensions, June 2015
Governmental Accounting Standards Board Statement	Statement 87, Leases, June 2017
State Controller Publication	Standards and Procedures for Audits of California K-12 Local Educational Agencies (annual publication)
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Website	California State Controller
Website	U.S. Government Accountability Office
Website	California County Superintendents Educational Services Association
Website	California Department of Education, Finance and Grants
Website	Education Audit Appeals Panel
Website	Fiscal Crisis and Management Assistance Team
Website	CSBA
Website	California Association of School Business Officials
Website	Office of Management and Budget
Website	School Services of California, Inc.

Cross References

Code	Description
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0500	Accountability
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1340	Access To District Records
1340	Access To District Records
3000	Concepts And Roles
3100	Budget
3100	Budget
3110	Transfer Of Funds

3220.1	Lottery Funds
3230	Federal Grant Funds
3230	Federal Grant Funds
3280	Sale Or Lease Of District-Owned Real Property
3280	Sale Or Lease Of District-Owned Real Property
3290	Gifts, Grants And Bequests
3300	Expenditures And Purchases
3312	Contracts
3314	Payment For Goods And Services
3314	Payment For Goods And Services
3314.2	Revolving Funds
3400	Management Of District Assets/Accounts
3400	Management Of District Assets/Accounts
3430	Investing
3430	Investing
3451	Petty Cash Funds
3452	Student Activity Funds
3470	Debt Issuance And Management
3510	Green School Operations
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3580	District Records
3580	District Records
4143	Negotiations/Consultation
4143.1	Public Notice - Personnel Negotiations
4143.1	Public Notice - Personnel Negotiations
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4243	Negotiations/Consultation
4243.1	Public Notice - Personnel Negotiations
4243.1	Public Notice - Personnel Negotiations
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits

4312.1	Contracts
4331	Staff Development
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
5117	Interdistrict Attendance
5117	Interdistrict Attendance
5126	Awards For Achievement
5126	Awards For Achievement
6117	Year-Round Schedules
7210	Facilities Financing
7212	Mello-Roos Districts
7214	General Obligation Bonds
7214	General Obligation Bonds
9000	Role Of The Board
9130	Board Committees
9140	Board Representatives
9322	Agenda/Meeting Materials

Policy 3515: Campus Security **Status:** ADOPTED

Original Adopted Date: 03/01/2007 | **Last Revised Date:** ~~10~~12/01/~~2019~~2022

CSBA NOTE: The following optional policy should be modified to reflect district practice.

The Governing Board is committed to providing a school environment that promotes the safety of students, staff, and visitors to school grounds. The Board also recognizes the importance of protecting district property, facilities, and equipment from vandalism and theft.

The Superintendent or designee shall develop campus security procedures, which may be included in the district's comprehensive safety plan and/or site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

Additionally, the Superintendent or designee shall regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure, and the monitoring and response to suspicious and/or threatening digital media content.

Reporting Threats

CSBA NOTE: Education Code 49393, as added by SB 906 (Ch. 144, Statutes of 2022), requires the reporting of potential homicidal acts related to school or a school activity, as described below.

Any certificated or classified employee, or other school official, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle of high school, who are alerted to or observe any threat or perceived threat of a homicidal act, as defined, shall immediately report the threat or perceived threat to law enforcement in accordance with Education Code 49393. (Education Code 49390, 49393)

Threat or perceived threat means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual.

Additionally, anyone who receives or learns of a health or safety threat related to school or a school activity is encouraged to report the threat to a school or district administrator.

Surveillance Systems

CSBA NOTE: The following optional section is for use by districts that have authorized the use of surveillance systems. Generally, the use of cameras (i.e., a "search" within the meaning of the Fourth Amendment) must be reasonable and the cameras must not be used in areas where there is a "reasonable expectation of privacy" (*New Jersey v. T.L.O.*). To protect reasonable expectations of privacy, cameras should not be located in areas such as bathrooms, locker rooms, or private offices. In addition, Education Code 51512 prohibits the use of a recording device in a classroom without the prior consent of the teacher and principal. Examples of locations where cameras may generally be used include hallways, stairwells, parking lots, and cafeterias. For language about the use of cameras on school buses, see AR 5131.1 - Bus Conduct.

Penal Code 632 prohibits the recording of conversations unless the parties to the conversation may reasonably expect that the communication may be overheard or recorded. Thus, if the district's equipment has audio capability, it should be disabled so that sounds are not recorded.

In consultation with the district's school site council, safety planning committee, other relevant stakeholders, and staff, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Any audio capability on the district's surveillance equipment shall be disabled so that sounds are not recorded.

CSBA NOTE: According to the National Institute of Justice publication, "The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies," signage is an important component of a successful surveillance system and can serve as a deterrent. The Institute recommends that the signs state that the system may or may not be actively monitored. Such language is intended to deter potential perpetrators while also not building an expectation among potential victims that a person is watching events live and will be able to provide immediate assistance.

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at conspicuous and targeted locations around school buildings and grounds. These signs shall state that the facility uses video surveillance equipment for security purposes and that the equipment may or may not be actively monitored at any time. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the district's surveillance system, including the locations where surveillance may occur and that the recordings may be used in disciplinary proceedings and/or referred to local law enforcement, as appropriate.

CSBA NOTE: Pursuant to 20 USC 1232(g) (Family Educational Rights and Privacy Act), 34 CFR 99.3, and Education Code 49061, any recording or image that is directly related to a student and is maintained by the district or a person acting for the district is considered a "student record" and thus is subject to those laws regarding access, disclosure, and retention. See BP/AR 5125 - Student Records. Also see the "U.S. Department of Education's FAQs on Photos and Videos under FERPA," located on its web site.

In addition, a recording or image of a staff member that may be used in a personnel action is subject to the laws regarding personnel records, including an employee's right to comment on derogatory information placed in a personnel file. See AR 4112.6/4212.6/4312.6 - Personnel Files.

To the extent that any images from the district's surveillance system create a student or personnel record, the Superintendent or designee shall ensure that the images are accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

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Policy Reference Disclaimer:
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State	Description
24 CCR 1010.~~1.11~~2	**Door operations**
24 CCR 1010.~~1.9~~2.8.2	**Lockable doors from the inside**
CA Constitution Article 1, Section 28	Right to Safe Schools
Ed. Code 17070.10-17079.30	Leroy F. Greene School Facilities Act

Ed. Code 17583	Classroom security locks; modernization projects
Ed. Code 32020	School gates; entrances for emergency vehicles
Ed. Code 32211	Threatened disruption or interference with classes
Ed. Code 32280-32289.5	School safety plans
Ed. Code 35160	Authority of governing boards
Ed. Code 35160.1	Broad authority of school districts
Ed. Code 35266	Reporting of cyber attacks
Ed. Code 38000-38005	Security departments
Ed. Code 49050-49051	Searches by school employees
Ed. Code 49060-49079	Student records
Ed. Code 49390-49395	Homicide threats
Gov. Code 11549.3	Independent security assessment
Pen. Code 469	Unauthorized making, duplicating or possession of key to public building
Pen. Code 626-626.11	~~School~~Weapons on school grounds and other school crimes

Federal	**Description**
6 USC 665k	Federal Clearinghouse on School Safety Evidence-Based Practices
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
34 CFR 99.3	Definition of education records
US DOE Publication	FAQs on Photos and Videos under FERPA

Management Resources	**Description**
Attorney General Opinion	75 Ops.Cal.Atty.Gen. 155 (1992)
Attorney General Opinion	83 Ops.Cal.Atty.Gen. 257 (2000)
Court Decision	Brannum v. Overton County School Board (2008) 516 F. 3d 489
Court Decision	New Jersey v. T.L.O. (1985) 469 U.S. 325
~~CSBA~~California Department of Education Publication	Safe Schools: A Planning Guide for Action Workbook, 2002
National Institute of Justice Publication	The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies, ~~rev. 2005~~1999
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Education, Protecting Student Privacy
Website	U.S. Department of Homeland Security, Fusion Centers (https://www.dhs.gov/fusion-centers)
Website	National Institute of Justice
Website	National School Safety Center
Website	California Department of Education, Safe Schools

Website	California Military Department (https://calguard.ca.gov/)
Website	California State Threat Assessment System (https://calstas.org/)
Website	CSBA

Cross References

Code	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1250	Visitors/Outsiders
1250	Visitors/Outsiders
1330.1	Joint Use Agreements
3000	Concepts And Roles
3440	Inventories
3515.2	Disruptions
3515.2	Disruptions
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3515.31	School Resource Officers
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
3515.5	Sex Offender Notification
3515.5	Sex Offender Notification
3515.7	Firearms On School Grounds
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3516.2	Bomb Threats
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4112.6	Personnel Files
4119.1	Civil And Legal Rights
4131	Staff Development
4158	Employee Security
4158	Employee Security
4212.6	Personnel Files
4219.1	Civil And Legal Rights

4231	Staff Development
4258	Employee Security
4258	Employee Security
4312.6	Personnel Files
4319.1	Civil And Legal Rights
4331	Staff Development
4358	Employee Security
4358	Employee Security
5112.5	Open/Closed Campus
5116.2	Involuntary Student Transfers
5125	Student Records
5125	Student Records
5125.1	Release Of Directory Information
5125.1	Release Of Directory Information
5125.1-E (1)	Release Of Directory Information
5131.1	Bus Conduct
5131.1	Bus Conduct
5131.2	Bullying
5131.2	Bullying
5131.5	Vandalism And Graffiti
5131.7	Weapons And Dangerous Instruments
5131.7	Weapons And Dangerous Instruments
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5142	Safety
5142	Safety
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5145.12	Search And Seizure
5145.12	Search And Seizure
5145.9	Hate-Motivated Behavior

6142.4	Service Learning/Community Service Classes
6164.2	Guidance/Counseling Services
6184	Continuation Education
6184	Continuation Education
7111	Evaluating Existing Buildings
9321	Closed Session
9321-E (1)	Closed Session
9321-E (2)	Closed Session

Regulation 3515: Campus Security **Status:** ADOPTED

Original Adopted Date: 06/01/1996 | **Last Revised Date:** ~~10~~12/01/~~2019~~2022

CSBA NOTE: The following optional administrative regulation may be used as a component of a comprehensive safety plan ~~(see BP/AR 0450 - Comprehensive Safety Plan)~~ and should be modified to reflect district practice. See BP/AR 0450 – Comprehensive Safety Plan

Additionally, 6 USC 665k, as added by the Luke and Alex School Safety Act of 2022 (P.L. 117-159), requires the creation of a Federal Clearinghouse on School Safety Evidence-Based Practices to serve as a federal resource to identify and publish online evidence-based practices and recommendations to improve school safety.

The Superintendent or designee shall develop a campus security plan which contributes to a positive school climate, fosters social and emotional learning and student well-being, and includes strategies to:

1. Secure the campus perimeter and school facilities in order to prevent criminal activity

~~1.~~
These strategies include a risk management analysis of each campus' security system, lighting system, and fencing. Procedures to ensure unobstructed views and eliminate blind spots caused by doorways and landscaping shall also be considered. In addition, parking lot design may be studied, including methods to discourage through traffic.

~~2.~~ 2. Secure buildings and interior spaces from outsiders and discourage trespassing

These strategies may include installing locks, requiring visitor registration, providing staff and student identification tags, and patrolling places used for congregating and loitering.

CSBA NOTE: Government Code 11549.3, as amended by AB 1352 (Ch. 593, Statutes of 2021), authorizes districts, at district expense, to request the Military Department, in consultation with the California Cybersecurity Integration Center, to perform an independent security assessment of the district or individual district school. Districts are encouraged to consult with the California Office of Emergency Services (OES) and utilize resources such as the State Threat Assessment System and Regional Fusion Centers to help assess potential threats. For more information see OES' web site.

Pursuant to Education Code 35266, as added by AB 2355 (Ch. 498, Statutes of 2022), districts that experience a cyberattack, as defined, which impacts more than 500 students or personnel, are required to report such cyberattack to the California Cybersecurity Integration Center.

3. Secure the district's network infrastructure and web applications from cyberattacks

These strategies may include performing an independent security assessment of the district's network infrastructure and selected web applications.

~~3.~~ 4. Discourage vandalism and graffiti

These strategies may include plans to immediately cover graffiti and implement campus beautification.

~~4.~~ 5. Control access to keys and other school inventory

6. Detect and intervene with school crime

These strategies may include creating a school watch program, increasing adult presence and supervision, establishing an anonymous crime reporting system, monitoring suspicious and/or threatening digital media content, analyzing school crime incidents, and collaborating with local law enforcement agencies, including providing for law enforcement presence.

CSBA NOTE: Education Code 49390 and 49393, as added by SB 906 (Ch. 144, Statutes of 2022), require certificated and classified employees of the district, or other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, as defined, to immediately report the threat or perceived threat to law enforcement in accordance with Education Code 49393. "Threat or perceived threat" means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual.

Additionally, all staff shall be made aware of their responsibilities regarding the immediate reporting of potential homicidal acts to law enforcement, and receive training in the assessment and reporting of such threats.

All staff shall receive training in building and grounds security procedures and emergency response.

Locks

All state-funded new construction and modernization projects shall include locks that allow doors to classrooms and any room with an occupancy of five or more persons to be locked from the inside. Student restrooms and doors that lock from the outside at all times are not required to have locks that can be locked from the inside. (Education Code 17075.50, 17583; 24 CCR 1010.~~1.9~~2, 1010.~~1.11~~2.8.2)

Keys

CSBA NOTE: The following optional section should be modified to reflect district practice.

~~All~~The principal or designee shall be responsible for all keys used in a school ~~shall be the responsibility of the principal or designee.~~ . Keys shall be issued only to authorized employees who regularly need a key in order to carry out ~~their~~ job responsibilities.

The principal or designee shall create a key control system with a record of each key assigned and room(s) or building(s) which the key opens.

Keys shall never be loaned to students, parents/guardians, or volunteers, nor shall the master key ever be loaned.

CSBA NOTE: Pursuant to Penal Code 469, a person who knowingly possesses, makes, duplicates, uses, or attempts to use, make, or duplicate a key without authorization may be guilty of a misdemeanor.

Any person issued a key shall be responsible for its safekeeping. The duplication of school keys is prohibited. If a key is lost, the person responsible shall immediately report the loss to the principal or designee and shall pay for a replacement key.

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State	Description
24 CCR 1010.1.11	Lockable doors from the inside
24 CCR 1010.1.9	Door operations
CA Constitution Article 1, Section 28(c)	Right to Safe Schools
Ed. Code 17070.10-17079.30	Leroy F. Greene School Facilities Act
Ed. Code 17583	Classroom security locks; modernization projects
Ed. Code 32020	School gates; entrances for emergency vehicles
Ed. Code 32211	Threatened disruption or interference with classes
Ed. Code 32280-32289.5	School safety plans
Ed. Code 35160	Authority of governing boards
Ed. Code 35160.1	Broad authority of school districts
Ed. Code 38000-38005	Security departments
Ed. Code 49050-49051	Searches by school employees
Ed. Code 49060-49079	Student records
Pen. Code 469	Unauthorized making, duplicating or possession of key to public building
Pen. Code 626-626.11	School crimes

Federal	Description
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
34 CFR 99.3	Definition of education records

Management Resources	Description
Attorney General Opinion	75 Ops.Cal.Atty.Gen. 155 (1992)
Attorney General Opinion	83 Ops.Cal.Atty.Gen. 257 (2000)
Court Decision	Brannum v. Overton County School Board (2008) 516 F. 3d 489
Court Decision	New Jersey v. T.L.O. (1985) 469 U.S. 325

CSBA Publication	Safe Schools: A Planning Guide for Action, 2002
National Institute of Justice Publication	The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies, rev. 2005
US DOE Publication	FAQs on Photos and Videos under FERPA
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Education, Protecting Student Privacy
Website	National Institute of Justice
Website	National School Safety Center
Website	California Department of Education, Safe Schools
Website	CSBA

Cross References

Code	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1250	Visitors/Outsiders
1250	Visitors/Outsiders
1330.1	Joint Use Agreements
3000	Concepts And Roles
3440	Inventories
3515.2	Disruptions
3515.2	Disruptions
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3515.31	School Resource Officers
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
3515.5	Sex Offender Notification
3515.5	Sex Offender Notification
3515.7	Firearms On School Grounds
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3516.2	Bomb Threats

3530	Risk Management/Insurance
3530	Risk Management/Insurance
4119.1	Civil And Legal Rights
4131	Staff Development
4158	Employee Security
4158	Employee Security
4219.1	Civil And Legal Rights
4231	Staff Development
4258	Employee Security
4258	Employee Security
4319.1	Civil And Legal Rights
4331	Staff Development
4358	Employee Security
4358	Employee Security
5112.5	Open/Closed Campus
5116.2	Involuntary Student Transfers
5125	Student Records
5125	Student Records
5125.1	Release Of Directory Information
5125.1	Release Of Directory Information
5125.1-E (1)	Release Of Directory Information
5131.1	Bus Conduct
5131.1	Bus Conduct
5131.2	Bullying
5131.2	Bullying
5131.5	Vandalism And Graffiti
5131.7	Weapons And Dangerous Instruments
5131.7	Weapons And Dangerous Instruments
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5142	Safety

5142	Safety
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5145.12	Search And Seizure
5145.12	Search And Seizure
5145.9	Hate-Motivated Behavior
6142.4	Service Learning/Community Service Classes
6164.2	Guidance/Counseling Services
6184	Continuation Education
6184	Continuation Education
7111	Evaluating Existing Buildings
9321	Closed Session
9321-E (1)	Closed Session
9321-E (2)	Closed Session

Regulation 3516.2: Bomb Threats **Status:** ADOPTED

Original Adopted Date: 09/01/1991 | **Last Revised Date:** ~~07~~12/01/~~2010~~2022 | **Last Reviewed Date:** ~~07~~12/01/~~2010~~2022

CSBA NOTE: The following optional administrative regulation may be revised to reflect district practice.

6 USC 665k, as added by the Luke and Alex School Safety Act of 2022 (P.L. 117-159), requires the creation of a Federal Clearinghouse on School Safety Evidence-Based Practices to serve as a federal resource to identify and publish online evidence-based practices and recommendations to improve school safety.

To maintain a safe and secure environment for district students and staff, the Superintendent or designee shall ensure that the district's emergency and disaster preparedness plan and/or each school's comprehensive safety plan includes procedures for ~~dealing with bomb threats. He/she also shall provide training regarding the procedures to site administrators, safety personnel, and staff members who customarily handle mail, telephone calls, or email.~~managing bomb threats. Additionally, the Superintendent or designee shall regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's infrastructure, and the monitoring and response to suspicious and/or threatening digital media content.

Receiving Threats

CSBA NOTE: The U.S. Department of Homeland Security's (DHS) web site provides a , "Bomb Threat Checklist," that ~~a person who is receiving~~ can assist in preparing and reacting appropriately to a bomb threat ~~could use to gather information about the threat~~.

Any staff member receiving a ~~telephoned~~ bomb threat by telephone shall try to keep the caller on the line for as long as possible in order to gather information about the location and timing of the bomb and the person(s) responsible. To the extent possible, the staff member should also take note of the caller's gender, age, any distinctive features of voice or speech, and any background noises such as music, traffic, machinery, or voices. The staff member should not hang up, even if the caller does, and copy the number and/or letters on the telephone's display, if available.

If the bomb threat is received through ~~the~~regular mail ~~system~~ or in writing, the staff member who receives it should handle the letter, note, or package as minimally as possible. If the threat is received through electronic means, such as email ~~or~~, text messaging, or social media, the staff member should not delete the message.

Response Procedure

CSBA NOTE: The following optional section includes recommendations from DHS', "Bomb Threat Guidance," and may be deleted if such a procedure is already provided in the district's emergency and disaster preparedness plan; see BP/AR 3516 - Emergencies and Disaster Preparedness Plan.

Education Code 49390 and 49393, as added by SB 906 (Ch. 144, Statutes of 2022), require certificated and classified employees of the district, or other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or

perceived threat of a homicidal act, as defined, to immediately report the threat or perceived threat to law enforcement in accordance with Education Code 49393. "Threat or perceived threat" means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual.

Districts are encouraged to consult with the California Office of Emergency Services (OES) and utilize resources such as the State Threat Assessment System and Regional Fusion Centers to help assess potential threats. For more information see OES' web site.

The following procedure shall be followed ~~w hen~~when a bomb threat is received:

1. Any employee or other school official who receives a bomb threat shall immediately call 911 and report the threat or perceived threat to law enforcement. The employee shall also report the threat to the Superintendent or designee.

   If the threat is in writing, the employee shall rewrite the threat exactly as is on another sheet of paper, including the date, time and location the document was found, any conditions surrounding the discovery or delivery of the document, and the full names of any other employees who saw the threat. The employee shall secure the document and not alter it in any way. If the document is small and/or removable, the employee shall place it in a bag or envelope.

   ~~1.~~ If the threat is electronic, the employee shall leave the message ~~in an envelope and take~~open, and print, photograph, or copy the message and subject line, and note ~~of where~~the date and ~~by whom it was found.~~
   time of the message.

2. Any student or employee who sees a suspicious package ~~shall promptly~~ should not touch, tamper with, or move the item, and shall immediately notify law enforcement and the Superintendent or designee.

3. The Superintendent or designee shall immediately ~~use fire drill signals~~contact law enforcement if not yet done, assess the situation, ensure the area is secured, and initiate standard evacuation procedures as specified in the emergency plan.

4. The Superintendent or designee shall turn off any two-way radio equipment which is located in a threatened building.

Law enforcement and/or fire department staff shall conduct the bomb search. No school staff, students, parents/guardians, or others on campus shall search for or handle any explosive or incendiary device.

No one shall reenter the threatened building(s) until the Superintendent or designee declares that reentry is safe based on law enforcement and/or fire department clearance.

To the extent possible, the Superintendent or designee shall maintain communications with staff, parents/guardians, the Governing Board, other governmental agencies, and the media during the period of the incident.

Following the incident, the Superintendent or designee shall provide crisis counseling for students and/or staff as needed.

Any employee or student found to have made a bomb threat shall be subject to disciplinary procedures and/or criminal prosecution.

Staff Training

The Superintendent or designee shall provide training regarding the assessment and reporting of potential threats and procedures for managing bomb threats to district and site administrators, safety personnel, teachers, and other staff members, as appropriate.

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State	Description
Ed. Code 44810	Willful interference with classroom conduct
Ed. Code 48900	Grounds for suspension or expulsion
Ed. Code 49390-49395	Homicide Threats
Ed. Code 51202	Instruction in personal and public health and safety
Pen. Code 148.1	False report of explosive or facsimile bomb
Pen. Code 17	Felony; misdemeanor; classification of offenses
Pen. Code 245	Assault with deadly weapon

Federal	Description
6 USC 665k	Federal Clearinghouse on School Safety Evidence-Based Practices

Management Resources	Description
U.S. Dept. of Homeland Security Publication	Bomb Threat Checklist
U.S. Dept. of Homeland Security Publication	Bomb Threat Guidance
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education, Safe Schools
Website	California State Threat Assessment System (https://calstas.org/)
Website	U.S. Department of Homeland Security
Website	CSBA

Cross References

Code	Description

0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1112	Media Relations
1313	Civility
3515	Campus Security
3515	Campus Security
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3515.31	School Resource Officers
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3516.1	Fire Drills and Fires
3516.5	Emergency Schedules
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4131	Staff Development
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4231	Staff Development
4331	Staff Development
5131	Conduct
5131.7	Weapons And Dangerous Instruments
5131.7	Weapons And Dangerous Instruments
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
6164.2	Guidance/Counseling Services

Policy 3540: Transportation **Status:** ADOPTED

Original Adopted Date: 06/01/1992 | **Last Revised Date:** ~~05~~12/01/~~2019~~2022 | **Last Reviewed Date:** ~~05~~12/01/~~2019~~2022

CSBA NOTE: Pursuant to Education Code 39800, the Governing Board may provide transportation for students to and from school whenever such transportation is advisable and good reasons exist to provide these services. The following optional policy is for use by districts that choose to provide transportation services through their own transportation system, contracting out, or other methods, and should be revised to reflect district practice.

The Governing Board desires to provide for the safe and efficient transportation of students to and from school as necessary to ensure student access to the educational program, promote regular attendance, and reduce tardiness. In determining the extent to which the district will provide transportation services, the Board shall weigh student and community needs against the cost of providing such services.

CSBA NOTE: AB 181 (Ch. 52, Statutes of 2022) provides funding for zero-emission school buses and related infrastructure, such as charging or fueling stations, equipment, site design, and construction, with priority for such funding given to districts serving a high percentage of unduplicated students, districts operating the oldest internal combustion buses, small and rural districts, and those purchasing zero-emission buses with bidirectional charging. More information will become available through the State Air Resources Board and the Energy Commission.

A district is authorized to provide transportation services in an economical and efficient way, as long as the arrangement complies with law. For example, Education Code 39800.1, as added by AB 181, permits partnering with a municipally-owned transit system, in order to provide transportation services to middle and high school students.

The Superintendent or designee shall recommend to the Board economical, environmentally sustainable, and appropriate means of providing transportation services. The district's transportation services may be provided by means of a joint powers agreement, a cooperative student transportation program, or a consortium, as permitted by law.

No student shall be required to be transported for any reason without the written permission of the student's parent/guardian, except in emergency situations involving illness or injury to the student pursuant to Education Code 35350 or the evacuation of students as necessary for their safety.

Transportation Plan

CSBA NOTE: The following section may be revised to reflect district practice. Education Code 39800.1, as added by AB 181, requires, as a condition of apportionment, a district to adopt a transportation plan in consultation with classified staff, teachers, school administrators, and other stakeholders by April 1, 2023, and to update the plan annually, by April 1. The plan is required to include descriptions of the transportation services to be provided to certain student groups as specified below.

The Superintendent or designee shall develop a transportation plan in consultation with classified staff, teachers, school administrators, regional local transit authorities, local air pollution control districts and air quality management districts, parents/guardians, students, and other stakeholders. (Education Code 39800.1)

The transportation plan shall be presented to and adopted by the Board at an open meeting, with the opportunity for in-person and remote public comment, and shall be updated annually by April 1. (Education Code 39800.1)

The transportation plan shall include descriptions of the following: (Education Code 39800.1)

1. The transportation services offered to students
2. How transportation services will be prioritized for low-income students, students in transitional kindergarten, kindergarten, and any of grades 1 to 6, inclusive
3. The transportation services accessible to students with disabilities and homeless children and youth, as defined pursuant to the federal McKinney-Vento Homeless Assistance Act (42 USC 11301)
4. How unduplicated students, as defined in Education Code 42238.02, will be able to access available home-to-school transportation at no cost

Transportation Contracts

CSBA NOTE: The following paragraph may be revised to reflect district practice. Pursuant to Education Code 39800 and 39802, the district may use one or more means to provide transportation, as indicated below. For example, the district may use school buses for its regular home-to-school program and contract with private parties to provide transportation for field trips.

The Board may purchase, rent, or lease vehicles; contract with a common carrier or municipally owned transit system; contract with responsible private parties including the parent/guardian of the student being transported; and/or contract with the County Superintendent of Schools. (Education Code 35330, 39800, 39801)

In contracting for transportation services, the district shall comply with all applicable laws related to bids and contracts. (Education Code 39802-39803)

Expenses and Fees

CSBA NOTE: The following paragraph is optional. If a district that has been providing transportation decides instead to have alternative transportation provided through an outside

company or volunteers, this action may constitute "contracting out" and be subject to negotiation pursuant to the Educational Employment Relations Act (Government Code 3540-3549.3).

In lieu of providing transportation in whole or in part, the district may pay the student's parents/guardians either their actual and necessary expenses in transporting the student or the cost of the student's food and lodging at a place convenient to the school. In either case, the amount of the payment shall not exceed the cost that would be incurred by the district to provide for the transportation of the student to and from school. (Education Code 39806-39807)

CSBA NOTE: The following optional paragraph is for use by districts that choose to require parents/guardians of transported students to pay a portion of the cost of transportation as authorized by Education Code 39807.5. Pursuant to Education Code 39807.5, as amended by AB 181, the district must waive the fee for ~~students~~a student with ~~financial need~~a disability and ~~students with disabilities whose individualized education program~~an unduplicated student, as defined in Education Code 42238.02, which includes ~~transportation as a related service necessary~~a student who is eligible for ~~the student to receive~~ a free ~~appropriate public education.~~or reduced-price meals, who is an English learner, or who is a foster youth. See BP/AR 3250 - Transportation Fees.

The Board may charge a transportation fee to parents/guardians of transported students in accordance with Education Code 39807.5 and BP/AR 3250 - Transportation Fees.

Safety and Monitoring

The Superintendent or designee shall develop procedures to promote safety for students traveling on school buses.

CSBA NOTE: The following optional paragraph is for use by districts that maintain their own transportation system and may be revised to reflect district practice. Pursuant to Penal Code 637.7, the district is authorized, as the registered owner of the school bus, to use electronic tracking systems to determine the location or movement of the vehicle. It is recommended that school bus drivers be notified when a bus is so equipped.

In addition to using a global positioning system (GPS) to locate a bus in an emergency or to track delays, the district may choose to authorize parents/guardians to access the location data so that they may determine when their child has been picked up or dropped off at a bus stop.

The district may install a global positioning system (GPS) on school buses and/or student activity buses in order to enhance student safety and provide real-time location data to district and school administrators, and parents/guardians.

CSBA NOTE: The following optional paragraph is for use by districts that maintain their own transportation system.

The Superintendent or designee shall ensure the qualifications of bus drivers and related staff employed by the district, provide for the maintenance and operation of district-owned school buses and other equipment, and ensure adequate facilities for equipment storage and maintenance.

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Policy Reference Disclaimer:
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State	**Description**
13 CCR 2025	Retrofitting of diesel school buses
5 CCR 14100-14103	Use of school buses and school pupil activity buses
5 CCR 15240-15343	Allowances for student transportation
5 CCR 15253-15272	District records related to transportation
Ed. Code 35330	Field trips and excursions; student fees
Ed. Code 35350	Authority to transport pupils
Ed. Code 39800	Powers of governing board to provide transportation to and from school
Ed. Code 39800-39860	Transportation
Ed. Code 39801	Contract with County Superintendent of Schools to provide transportation
Ed. Code 39802-39803	Bids and contracts for transportation services
Ed. Code 39806	Payments to parents in lieu of transportation
Ed. Code 39807	Food and lodging payments in lieu of transportation
Ed. Code 39807.5	Payment of transportation costs by parents
Ed. Code 39808	Transportation for private school students
Ed. Code 42238.02	Local Control Funding Formula
Ed. Code 41850-41854	Allowances for transportation
Ed. Code 41860-41862	Supplemental allowances for transportation
Ed. Code 45125.1	Criminal records summary; employees of contracting entity
Ed. Code 52311	Regional occupational centers; transportation
Gov. Code 3540-3549.3	Educational Employment Relations Act
Pen. Code 637.7	Electronic tracking devices
Veh. Code 2807	School bus inspection

Management Resources	**Description**

Court Decision	Arcadia Unified School District et. al. v. State Department of Education, (1992) 2 Cal. 4th 251 ~~(1992)~~
Website	CSBA District and County Office of Education Legal Services
Website	California Air Resources Board
Website	California Energy Commission
Website	CSBA

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0470	COVID-19 Mitigation Plan
3000	Concepts And Roles
3100	Budget
3100	Budget
3250	Transportation Fees
3250	Transportation Fees
3311	Bids
3311	Bids
3312	Contracts
3510	Green School Operations
3511	Energy And Water Management
3511	Energy And Water Management
3512	Equipment
3512-E(1)	Equipment
3514	Environmental Safety
3514	Environmental Safety
3515.6	Criminal Background Checks For Contractors
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3541	Transportation Routes And Services
3541.1	Transportation For School-Related Trips

3541.1-E(1)	Transportation For School-Related Trips
3541.1-E(2)	Transportation For School-Related Trips
3541.2	Transportation For Students With Disabilities
3542	School Bus Drivers
3543	Transportation Safety And Emergencies
4112.4	Health Examinations
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
4212.4	Health Examinations
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers
4231	Staff Development
4312.4	Health Examinations
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
5116.1	Intradistrict Open Enrollment
5116.1	Intradistrict Open Enrollment
5117	Interdistrict Attendance
5117	Interdistrict Attendance
5131.1	Bus Conduct
5131.1	Bus Conduct
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5142.2	Safe Routes To School Program
5142.2	Safe Routes To School Program
5148	Child Care And Development
5148	Child Care And Development
5148.2	Before/After School Programs
5148.2	Before/After School Programs
6142.4	Service Learning/Community Service Classes
6173.1	Education For Foster Youth

6173.1	Education For Foster Youth
6178.2	Regional Occupational Center/Program
6181	Alternative Schools/Programs Of Choice
6181	Alternative Schools/Programs Of Choice

Policy 5131.7: Weapons And Dangerous Instruments **Status:** ADOPTED

Original Adopted Date: 03/01/2008 | **Last Revised Date:** ~~11~~12/01/~~2011~~2022 | **Last Reviewed Date:** ~~11~~12/01/~~2011~~2022

The Governing Board recognizes that students and staff have the right to a safe and secure campus free from physical and psychological harm and desires to protect them from the dangers presented by firearms and other weapons.

Possession of Weapons

The Board prohibits any student from possessing weapons, imitation firearms, or other dangerous instruments, as defined in law and administrative regulation, in school buildings, on school grounds ~~or buses~~, when using district provided transportation, at school-related or school-sponsored activities away from school, or while going to or coming from school.

CSBA NOTE: Education Code 49390 and 49393, as added by SB 906 (Ch. 144, Statutes of 2022), require certificated and classified employees of the district, or other school officials such as Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, as defined, to immediately report the threat or perceived threat to law enforcement in accordance with Education Code 49393. "Threat or perceived threat" means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual. While the law is specific to district staff, the concept also applies to students and anyone else in the school community.

Districts are encouraged to consult with the California Office of Emergency Services (OES) and utilize resources such as the State Threat Assessment System and Regional Fusion Centers to help assess potential threats. For more information see OES' web site.

If a student is in possession of a prohibited weapon, imitation firearm, or dangerous instrument which creates a threat or perceived threat of a homicidal act, any employee or other school official who is alerted to or observes such threat shall immediately report the threat to law enforcement.

Under the power granted to the Board to protect the safety of students, staff, and others on district property and to maintain order and discipline in the schools, any school employee is authorized to confiscate any prohibited weapon, imitation firearm, or dangerous instrument from any student on school grounds.

CSBA NOTE: Pursuant to 20 USC 7961, any district receiving federal funds under the Elementary and Secondary Education Act is mandated to have a policy requiring that any student who brings a firearm to school be referred to the criminal justice or juvenile delinquency system. This mandate reinforces Education Code 48902, which requires the principal or designee to notify law enforcement authorities of violations of Education Code 48900(c) and (d) and Penal Code 245, 626.9, and 626.10. In addition, Education Code 48902 requires the principal or designee to notify law enforcement authorities when a student possesses a firearm or explosive or sells or furnishes a firearm at school. For more information see AR 5144.1 - Suspension and Expulsion/Due Process.

The principal or designee shall notify law enforcement authorities when any student possesses a firearm, explosive, or other prohibited weapon or dangerous instrument without permission, sells or furnishes a firearm, or commits any act of assault with a firearm or other weapon. (Education Code 48902; Penal Code 245, 626.9, 626.10; 20 USC 7961)

CSBA NOTE: Education Code 48915 and 20 USC 7961 require the mandatory expulsion of a student who has possessed a firearm, brandished a knife, or committed any other acts listed in Education Code 48915(c). See AR 5144.1 - Suspension and Expulsion/Due Process for grounds for suspension and expulsion and expulsion procedures.

Unless ~~he/she~~a student has obtained prior written permission as specified below, a student possessing or threatening others with any weapon, dangerous instrument, or imitation firearm shall be subject to suspension and/or expulsion in accordance with law, Board policy, and administrative regulations.

~~CSBA NOTE: Pursuant to 20 USC 7961, any district receiving federal funds under the Elementary and Secondary Education Act is mandated to have a policy requiring that any student who brings a firearm to school be referred to the criminal justice or juvenile delinquency system. This mandate reinforces Education Code 48902, which requires the principal or designee to notify law enforcement authorities of violations of Penal Code 245, 626.9, and 626.10 and Education Code 48900(c) and (d). In addition, Education Code 48902 requires the principal or designee to notify law enforcement authorities when a student possesses a firearm or explosive or sells or furnishes a firearm at school. See AR 5144.1 - Suspension and Expulsion/Due Process for comparable compliance statements.~~

All staff shall be made aware of their responsibilities regarding the reporting of potential homicidal acts to law enforcement, and receive training in the assessment and reporting of such threats.

Advance Permission for Possession of a Weapon for Educational Purposes

CSBA NOTE: 20 USC 7961 allows possession of a firearm on school grounds for educational purposes when (1) the firearm is lawfully stored in a locked vehicle ~~and~~or (2) the principal authorizes possession for approved activities and the district has adopted appropriate safeguards to ensure student safety. ~~Federal law is~~Penal Code 626.10, consistent with ~~Penal Code 626.10 which~~20 USC 7961, authorizes students to possess certain weapons with written permission of ~~the principal~~certificated or classified staff when necessary for a school-sponsored activity or class.

The following optional section is for use by districts that wish to allow such possession of firearms and other weapons and should be modified to reflect specific safeguards and timelines adopted by the district.

The parent/guardian of a student who desires to possess a firearm, imitation firearm, or other prohibited weapon on school grounds for an educational purpose shall submit a written request to the principal, at least five school days in advance of the planned possession~~, submit a written request to the principal~~ which explains the planned use of the weapon and the duration~~. The student shall also submit~~, together with a written explanation from the staff person responsible for the school-sponsored activity or class.

The principal may grant permission for such possession when ~~he/she determines that it~~it is determined that possession of a firearm, imitation firearm, or other prohibited weapon on school grounds is necessary for a school-sponsored activity or class or as part of the educational program. Factors that shall be considered include, but are not limited to, the planned use of the weapon, the duration and location of the planned use, whether an audience is expected, and any perceived adverse effects to the safety and well-being of students or staff. If the principal grants such permission, ~~he/she shall provide~~ the student and staff person shall be provided with a written explanation regarding any limitations and the permissible duration of the student's possession.

When the principal or designee grants permission, ~~he/she shall take~~ all necessary precautions shall be taken to ensure the safety of all persons on school grounds and the safe keeping of the weapon,

including, but not limited to, inspecting a firearm to verify that no live ammunition is present. Any permitted weapon ~~allowed~~ shall be stored in a locked vehicle or in an appropriate, locked container before and after its authorized use.

~~A~~Any student granted permission to possess a weapon may be suspended and/or expelled if ~~he/she possesses or uses~~ the weapon is possessed or used inappropriately.

Possession of Pepper Spray

CSBA NOTE: Penal Code 22815 allows minors age 16 or older to purchase and possess tear gas or tear gas weapons for purposes of self-defense if they are accompanied by a parent/guardian or have the written consent of ~~their~~a parent/guardian. Option 1 below~~,~~ is for use by districts that allow students to bring such defensive items to school~~,~~ and reflects ~~the fact~~ that a student can be disciplined under Education Code 48900 or 48915 if such an item is used for a purpose other than self-defense. Option 2 is for use by districts that prohibit students from bringing such items to school.

~~OPTION 1:~~ ~~Students~~OPTION 1: (Districts that allow students to bring tear gas or tear gas weapons)

When accompanied by a parent/guardian or with the written consent of a parent/guardian, students age 16 or older may legally possess tear gas or tear gas weapons such as pepper spray for the purpose of self-defense. However, such students shall be subject to suspension and/or expulsion if ~~they use~~ such items are used inappropriately or for any purpose other than self-defense.

OPTION 2: (Districts that prohibit students from bringing tear gas or tear gas weapons)

To prevent potential misuse that may harm students or staff, students are prohibited from carrying tear gas or tear gas weapons such as pepper spray on campus or at school activities.

Reporting of Dangerous Objects

~~CSBA NOTE: Education Code 49335 requires the California Department of Education (CDE) to develop a system, for use by districts, to shield the identity of and provide protection to students who report the presence of "injurious objects" on school grounds.~~CSBA NOTE: The following section should be modified to reflect district practice. Pursuant to Education Code 49330, an "injurious object" is an object capable of inflicting substantial bodily damage not necessary for the academic purpose of the student and those objects listed in specified sections of the Penal Code; see the accompanying administrative regulation. These weapons include, but are not limited to, firearms, knives, metal knuckles, and explosives.

~~The system developed by the CDE pursuant to Education Code 49335 was a directive for districts to ensure that district policy has been adopted which implements the student reporting protections. The following section should be modified to reflect district practice.~~

The Board encourages students to promptly report the presence of weapons, injurious objects, or other suspicious activity to school authorities. The identity of a student who reports such activity shall remain confidential to the extent permitted by law.

The Superintendent or designee shall develop strategies designed to facilitate student reporting of the presence of injurious objects on school grounds, such as tip hotlines, electronic transmissions, or other methods that preserve the student's anonymity. Incident reports and records shall not identify the student who reported the possession. The Superintendent or designee ~~also~~ shall also inform staff, students, and parents/guardians that students who report the presence of injurious objects on school campuses are to be protected and their identity shielded.

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State	Description
Ed. Code 35291	Governing board to prescribe rules for discipline of the schools
Ed. Code 48902	~~Notification~~Mandatory notification of law enforcement authorities
Ed. Code 48915	Required recommendation for expulsions
Ed. Code 48916	Readmission
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49330-49335	Injurious objects
Ed. Code 49390-49395	Homicide threats
Pen. Code 16100-~~17350~~17360	Definitions
Pen. Code 22810-23025	Tear gas weapon (pepper spray)
Pen. Code 245	Assault with deadly weapon
Pen. Code 25200-25225	Firearms; access to children
Pen. Code 30310	Prohibition against ammunition on school grounds
Pen. Code 417.4	Imitation firearm; drawing or exhibiting
Pen. Code 626.10	Dirks, daggers, knives, razor or stun gun; bringing or possessing in school
Pen. Code 626.9	Gun-Free School Zone Act of 1995
~~Pen. Code 653k~~	~~Switchblade knife~~
Federal	**Description**
6 USC 665k	Federal Clearinghouse on School Safety Evidence-Based Practices
20 USC 6301-~~7941~~8961	~~No Child Left Behind Act~~Strengthening and Improvement of Elementary and Secondary Schools
20 USC 7961	Gun-Free Schools Act
Management Resources	**Description**
~~California Department of Education Communications~~	~~0401.01 Protecting Student Identification in Reporting Injurious Objects~~
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, Third Edition, October 2011
U.S. Department of Education Publication	Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act, ~~January 2004~~2018
Website	CSBA District and County Office of Education Legal Services
Website	National Alliance for Safe Schools
Website	National School Safety Center

Website	U.S. Department of Education, Safe Schools (https://www2.ed.gov/about/offices/list/osers/osep/gtss.html)
Website	U.S. Department of Homeland Security, Fusion Centers (https://www.dhs.gov/fusion-centers)
Website	California Department of Education, Safe Schools
Website	California State Threat Assessment System (https://calstas.org/)
Website	CSBA

Cross References

Code	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1313	Civility
3515	Campus Security
3515	Campus Security
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3515.31	School Resource Officers
3515.7	Firearms On School Grounds
3516.2	Bomb Threats
4158	Employee Security
4158	Employee Security
4258	Employee Security
4258	Employee Security
4358	Employee Security
4358	Employee Security
5116.1	Intradistrict Open Enrollment
5116.1	Intradistrict Open Enrollment
5125	Student Records
5125	Student Records
5131	Conduct
5131.41	Use Of Seclusion And Restraint
5136	Gangs
5136	Gangs
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation

5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.12	Search And Seizure
5145.12	Search And Seizure
6184	Continuation Education
6184	Continuation Education

Regulation 5131.7: Weapons And Dangerous Instruments

Status: ADOPTED

Original Adopted Date: 07/01/2001 | **Last Revised Date:** ~~11~~12/01/~~2011~~2022 | **Last Reviewed Date:** ~~11~~12/01/~~2011~~2022

Prohibited weapons and dangerous instruments include, but are not limited to: (Education Code 48915, 49330; Penal Code 626.10, 16100-~~17350~~17360, 30310)

1. Firearms: pistols, revolvers, shotguns, rifles, machineguns, "zip guns," "stun guns," tasers, cane guns, camouflaging firearms, and any other device from which is expelled through a barrel and capable of propelling a projectile by the force of an explosion or other form of combustion

2. Ammunition or reloaded ammunition

3. Knives, razor blades, and box cutters: any dirks, daggers (or concealed dirks or daggers), cane swords, ice picks, or other weapons with a fixed, sharpened blade fitted primarily for stabbing, weapons with a blade fitted primarily for stabbing, weapons with a blade longer than ~~2~~3-1/2 inches, folding knives with a blade that locks into place, switchblade knives, and razors with an unguarded blade

4. Explosive and/or incendiary devices: pipe bombs, time bombs, rockets or rocket propelled projectile launchers, cap guns, bullets containing or carrying an explosive agent, containers of inflammable fluids, and other hazardous devices or concealed explosive substances

5. Any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, carbon dioxide pressure, or spring action, or any spot marker gun

6. Any other dangerous device, instrument, or weapon, including those defined in Penal Code ~~12020~~16000-34370, including a blackjack, slingshot, billy, nunchaku, sandclub, sandbag, metal knuckles, or any metal plate with three or more radiating points with one or more sharp edges designed for use as a weapon

7. Any imitation firearm, defined as a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm

CSBA NOTE: The remainder of this administrative regulation is optional and provides a process for an employee to use when taking possession of a weapon or dangerous instrument from a student. Pursuant to Education Code 49334, a school employee who initially ~~contacts~~notifies a law enforcement agency about any person possessing an unauthorized weapon or dangerous instrument on campus ~~cannot~~may not be subject to any civil or administrative proceeding, including any disciplinary action, for doing so, notwithstanding any district policy or regulation to the contrary. The employee must follow any other requirements of district policy or regulation upon notifying the law enforcement agency. See BP 4158/4258/4358 - Employee Security for language regarding employee reports of adults possessing injurious objects.

Any employee may take any weapon or dangerous instrument from the personal possession of a student while the student is on school premises or under the authority of the district. (Education Code 49331, 49332)

In determining whether to take possession of the weapon or dangerous instrument, the employee shall use ~~his/her~~the employee's own judgment as to the dangerousness of the situation and, based upon this analysis, shall take one of the following actions:

1. Confiscate the object and deliver it to the principal immediately

2. Immediately notify the principal, who shall take appropriate action

CSBA NOTE: Education Code 49390 and 49393, as added by SB 906 (Ch. 144, Statutes of 2022), require certificated and classified employees of the district, or other school officials such Governing Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, as defined, to immediately report the threat or perceived threat to law enforcement in accordance with Education Code 49393, and as reflected in the accompanying board policy.

3. Immediately notify the local law enforcement agency and the principal

When informing the principal about the possession of a weapon or dangerous instrument, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of the possession.

The principal shall report any possession of a weapon or dangerous instrument to the student's parents/guardians by telephone or in person, and shall follow this notification with a letter.

The employee shall retain possession of the instrument until the risk of its use as a weapon has dissipated or, upon the request of the student's parent/guardian, until the parent/guardian appears and personally takes possession. (Education Code 49331, 49332)

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State	**Description**
Ed. Code 35291	Governing board to prescribe rules for discipline of the schools
Ed. Code 48902	Notification of law enforcement authorities
Ed. Code 48915	Required recommendation for expulsions
Ed. Code 48916	Readmission
Ed. Code 49330-49335	Injurious objects
Pen. Code 16100-17350	Definitions
Pen. Code 22810-23025	Tear gas weapon (pepper spray)

Pen. Code 245	Assault with deadly weapon
Pen. Code 25200-25225	Firearms; access to children
Pen. Code 30310	Prohibition against ammunition on school grounds
Pen. Code 417.4	Imitation firearm; drawing or exhibiting
Pen. Code 626.10	Dirks, daggers, knives, razor or stun gun; bringing or possessing in school
Pen. Code 626.9	Gun-Free School Zone Act of 1995
Pen. Code 653k	Switchblade knife

Federal	**Description**
20 USC 6301-7941	No Child Left Behind Act
20 USC 7961	Gun-Free Schools Act

Management Resources	**Description**
California Department of Education Communications	0401.01 Protecting Student Identification in Reporting Injurious Objects
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, Third Edition, October 2011
U.S. Department of Education Publication	Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act, January 2004
Website	CSBA District and County Office of Education Legal Services
Website	National Alliance for Safe Schools
Website	National School Safety Center
Website	U.S. Department of Education, Office of Safe and Drug Free Schools
Website	California Department of Education, Safe Schools
Website	CSBA

Cross References

Code	**Description**
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1313	Civility
3515	Campus Security
3515	Campus Security
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3515.31	School Resource Officers
3515.7	Firearms On School Grounds
3516.2	Bomb Threats

4158	Employee Security
4158	Employee Security
4258	Employee Security
4258	Employee Security
4358	Employee Security
4358	Employee Security
5116.1	Intradistrict Open Enrollment
5116.1	Intradistrict Open Enrollment
5125	Student Records
5125	Student Records
5131	Conduct
5131.41	Use Of Seclusion And Restraint
5136	Gangs
5136	Gangs
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.12	Search And Seizure
5145.12	Search And Seizure
6184	Continuation Education
6184	Continuation Education

Regulation 5141.3: Health Examinations

Status: ADOPTED

Original Adopted Date: 06/01/1996 | **Last Revised Date:** 12/01/~~2014~~2022 | **Last Reviewed Date:** 12/01/~~2014~~2022

Cautionary Notice: Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities, including scoliosis screening, when the Budget Act does not provide reimbursement during that fiscal year. As a result, districts should determine whether the Budget Act for the current fiscal year allows for the suspension of these requirements, and if so, suspend certain provisions of the following administrative regulation related to scoliosis screening. For more information, the district should consult CSBA's District and County Offices of Education Legal Services or district legal counsel.

~~CSBA NOTE: Cautionary Notice: Government 17581.5 relieves 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 administrative regulation related to scoliosis screening may be suspended.~~

CSBA NOTE: 20 USC 1232h, the Protection of Pupil Rights Amendment, mandates that any district receiving funds from a program administered by the U.S. Department of Education adopt a policy regarding physical examinations and screenings that the district may administer; see BP/AR 5022 - Student and Family Privacy Rights for language implementing this mandate. 20 USC 1232h also requires districts to notify parents/guardians, at the beginning of the school year, of the dates during the school year when physical exams or screenings are scheduled and of the process to opt their children out of participation.

The principal at each school shall notify parents/guardians of the rights of students and parents/guardians related to health examinations. (Education Code 48980; 20 USC 1232h)

A parent/guardian may annually file with the principal a written statement withholding consent to the child's physical examination ~~of his/her child~~. Any such student shall be exempt from any physical examination but shall be subject to exclusion from attendance when contagious or infectious disease is reasonably suspected. (Education Code 49451; 20 USC 1232h)

Vision Tests

CSBA NOTE: The following section is for use by districts that maintain any of grades K-8.

Education Code 49455 requires vision appraisals every three years through grade 8. ~~SB 1172 (Ch. 925, Statutes of 2014) amended Education Code 49455 to specify the grade levels at which such vision tests must be conducted.~~

Each student's vision shall be appraised, by the school nurse or other personnel authorized under Education Code 49452, during the kindergarten year or upon first enrollment or entry in a district elementary school and subsequently in grades 2, 5, and 8. However, a student who is tested upon first enrollment or entry in the district in grade 4 or 7 shall not be required to be appraised in the next immediate year. (Education Code 49455)

CSBA NOTE: ~~SB 1172 (Ch. 925, Statutes of 2014) amended~~ Education Code 49455 ~~to require that vision appraisals include near-vision screening.~~

~~Education Code 49455 also~~ requires male students to be tested for color vision in grade 1 or later. It may be most efficient to conduct the color vision screening during the regularly scheduled testing in grade 2, 5, or 8.

The vision appraisal shall include tests for visual acuity, including near vision. Male students shall also be tested once for color vision in grade 1 or later and the results of the appraisal shall be entered in the student's health record. (Education Code 49455)

Appraisal of a student's vision may be waived under either of the following conditions: (Education Code 49455)

1. The student's parent/guardian requests a waiver and presents a certificate from a physician/surgeon, physician assistant, or optometrist showing the results of an examination of the student's vision, including visual acuity and, in male students, color vision.

2. The student's parents/guardians file with the principal a written statement that they adhere to the faith or teachings of any well-recognized religious sect, denomination, or organization and, in accordance with its creed, tenets, or principles depend for healing upon prayer in the practice of their religion.

Visual defects or any other defects found as a result of the vision examination shall be reported to the parent/guardian with a request that remedial action be taken to correct or cure the defect. The report of a visual defect, if made in writing, shall be made on a form prescribed by the Superintendent of Public Instruction. The report shall not include a referral to any private practitioner. However, the student may be referred to a public clinic or diagnostic and treatment center operated by a public hospital or by the state, county, or city department of public health. (Education Code 49456)

In addition to the vision appraisals described above, the school nurse and/or classroom teacher shall continually and regularly observe students' eyes, appearance, behavior, visual performance, and perception that may indicate vision difficulties. (Education Code 49455)

Eye Examinations for the Purpose of Eyeglasses

CSBA NOTE: Education Code 49455.5, as added by AB 2329 (Ch. 911, Statutes of 2022), authorizes districts to enter into a memorandum of understanding with a nonprofit eye examination provider to provide eye examinations and eyeglasses to students at district schools. Such examinations may only be provided for the purpose of providing eyeglasses and not take the place of the general vision appraisals described above. Schools that allow these examinations on their school site must notify parents/guardians of the eye examinations and provide a form to opt out of the examination. Pursuant to Education Code 49455.5, as added by AB 2329, the California Department of Education (CDE) is required to, by March 1, 2023, develop and post on its web site a model opt out form for such purpose.

In addition to the vision appraisals described above, the district may enter into a memorandum of understanding with a nonprofit eye examination provider, including a mobile provider, to provide noninvasive eye examinations at a district school exclusively for the purpose of providing eyeglasses. (Education Code 49455.5)

Prior to any eye examination, the school shall notify parents/guardians of the upcoming eye examination and include a form that allows them to opt their child out of the examination. Parents/guardians who have submitted a general opt-out written statement in accordance with Education Code 49451 are deemed to have opted out. (Education Code 49455.5)

Parents/guardians whose child receives an eye examination shall be provided a report by the provider in accordance with Education Code 49456. (Education Code 49455.5)

Hearing Tests

CSBA NOTE: Procedures for conducting school hearing tests are contained in 17 CCR 2951 and the California Department of Health Care Services (DHCS) Manual for the School Audiometrist.

The Superintendent or designee shall provide for the administration of hearing tests to district students by personnel authorized to conduct such testing pursuant to Education Code 49452 and 49454 and in accordance with the procedures specified in 17 CCR 2951.

CSBA NOTE: Items #1-5 below may be revised to reflect district practice and the grade levels offered by the district.

Pursuant to 17 CCR 2951, the district may annually request that DHCS waive the requirement for the hearing screening test for grade 10 and/or 11. The waiver request must include the dates of the school year for which the waiver is requested and an alternative testing plan that ensures each student at risk of hearing loss (i.e., students who are exposed to loud noises, including loud music; ~~are referred for testing by a parent/guardian or teacher;~~ have a previously documented problem; have not had a hearing test for three years; or are enrolled for the first time in the district~~).~~) is referred for testing by a parent/guardian or teacher.

Each student shall be given a hearing screening test at the following times: (17 CCR 2951)

1. Kindergarten or grade 1
2. Grade 2
3. Grade 5
4. Grade 8
5. Grade 10 or 11
6. Upon first entry into the California public school system

Each student enrolled in a special education program, other than those enrolled because of a hearing problem, shall be given a hearing test when enrolled in the program and every third year thereafter. Hearing tests may be given more frequently as needed, based on the individualized education program team's evaluation of the student. (17 CCR 2951)

A follow-up hearing threshold test shall be administered to any student who fails to respond to any of the required frequencies in the screening test or is otherwise determined to need further evaluation. (17 CCR 2951)

The Superintendent or designee shall provide written notification of test results to the parents/guardians of any student who fails the hearing tests. When the test results fall within the levels specified in 17 CCR 2951 or there is evidence of pathology, such as an infection of the outer ear, chronic drainage, or a chronic earache, the notification shall include a recommendation that a further medical and audiological evaluation be obtained. (17 CCR 2951)

The dates and results of all screening tests and copies of threshold tests shall be included in the student's health records. (17 CCR 2951)

The principal or designee shall prepare an annual report of the school hearing testing program, using forms provided by the Department of Health Services, with copies to the Superintendent and the County Superintendent of Schools. (17 CCR 2951)

Scoliosis Screening

CSBA NOTE: The following optional section is for use by districts that maintain grades 7-8.

Each female student in grade 7 and each male student in grade 8 shall be screened for scoliosis. (Education Code 49452.5)

The parent/guardian of any student suspected of having scoliosis shall receive a notice which includes an explanation of scoliosis and describes the significance of treatment at an early age. This notice shall also describe the public services available for treatment and include a referral to appropriate community resources. (Education Code 49452.5)

Type 1 Diabetes Information

CSBA NOTE: The following section is for use by districts that serve elementary school students.

Education Code 49452.6, as added by SB 97 (Ch. 674, Statutes of 2021), requires districts, beginning January 1, 2023, to make type 1 diabetes informational materials developed by CDE available to parents/guardians, as described below. Pursuant to Education Code 49452.6, as added by SB 97, CDE is required to develop and post the informational materials on its web site, for use by districts.

The Superintendent or designee shall provide parents/guardians of children enrolled in elementary school for the first time, or with the annual notifications pursuant to Education Code 48980, an information sheet developed by the California Department of Education (CDE) regarding type 1 diabetes as specified in Education Code 49452.6.

Type 2 Diabetes Information

CSBA NOTE: The following optional section is for use by districts that offer grade 7 but may be used by districts that wish to increase diabetes awareness among parents/guardians and students at other grade levels. Pursuant to Education Code 49452.7, ~~the California Department of Education~~CDE has developed an information sheet for use by districts and has posted the sheet on its web site.

Because type 2 diabetes in children is a preventable and treatable disease, parents/guardians are encouraged to have their child screened by an authorized health care practitioner for risk factors of the disease, including excess weight, and to request tests of their ~~child's~~child's blood glucose to determine if ~~he/she~~the child has type 2 diabetes or pre-diabetes.

The Superintendent or designee shall provide parents/guardians of incoming students in grade 7, or with the annual notifications pursuant to Education Code 48980, an information sheet developed by ~~the~~ CDE regarding type 2 diabetes, which includes: (Education Code 49452.7)

1. A description of the disease and its risk factors and warning signs

2. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes be screened for the disease

3. A description of the different types of diabetes screening tests available

4. A description of treatments and prevention methods

~~The information sheet may be provided with the annual parental notifications required pursuant to Education Code 48980. (Education Code 49452.7)~~

CSBA NOTE: The following optional paragraph reflects legislative intent expressed in Education Code 49452.7.

The Superintendent or designee may provide information to parents/guardians regarding public or private sources from which they may receive diabetes screening and education services for free or at reduced costs.

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State	**Description**
17 CCR 2950-2951	Hearing tests
5 CCR 3027	Hearing and vision screening for special education
5 CCR 3028	Audiological screening
5 CCR 590-596	Vision screening
Ed. Code 44871-44879	Employment qualifications
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49400-49414.5	Student health; general powers of school boards
Ed. Code 49422	Supervision of health and physical development
Ed. Code 49450-49458	Physical examinations (of students)
Ed. Code 49460-49466	Development of standardized health assessments
Gov. Code 17581.5	Specific costs mandated by the state
H&S Code 120325-120380	Immunization against communicable diseases
H&S Code 121475-121520	Tuberculosis tests for students
H&S Code 124025-124110	Child Health and Disability Prevention Program
H&S Code 1685-1686	Audiometrists

Federal	**Description**
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1232h	Privacy rights

Management Resources	**Description**
CA Department of Health Care Services Publication	Manual for the School Audiometrist
California Department of Education Publication	Standards for Scoliosis Screening in California Public Schools, 2007
California Department of Education Publication	A Guide for Vision Testing in California Public Schools, 2005
CSBA Publication	Expanding Access to School Health Services: Policy Considerations for Governing Boards, November 2008
CSBA Publication	Promoting Oral Health for California's Students: New Roles, New Opportunities for Schools, November 2008

U.S. Department of Education Publication	Joint Guidance on the Application of FERPA and HIPAA to Student Health Records, November 2008
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education, Type 2 Diabetes Information
Website	California Department of Education, Health Services and School Nursing
Website	California Department of Health Care Services
Website	CSBA

Cross References

Code	Description
0470	COVID-19 Mitigation Plan
4231	Staff Development
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5030	Student Wellness
5111	Admission
5111	Admission
5112.2	Exclusions From Attendance
5125	Student Records
5125	Student Records
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.23	Asthma Management
5141.23	Asthma Management
5141.26	Tuberculosis Testing
5141.31	Immunizations
5141.31	Immunizations
5141.32	Health Screening For School Entry
5141.33	Head Lice
5141.6	School Health Services
5141.6	School Health Services
5143	Insurance
5143	Insurance

5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5148	Child Care And Development
5148	Child Care And Development
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6145.2	Athletic Competition
6145.2	Athletic Competition
6164.5	Student Success Teams
6164.5	Student Success Teams
6170.1	Transitional Kindergarten

Policy 5142: Safety

Status: ADOPTED

Original Adopted Date: 11/01/2002 | **Last Revised Date:** ~~10~~12/01/~~2019~~2022

CSBA NOTE: The following optional policy should be modified to reflect district practice.

Under the California Tort Claims Act (Government Code 810-996.6), a district may be held liable for personal injuries caused by dangerous conditions on school property and for its employees' failure to use reasonable care to prevent foreseeable injuries resulting from school activities. The court in *Dailey v. Los Angeles Unified School District* held that, within the scope of their employment, school staff must exercise the degree of care "which a person of ordinary prudence, charged with (comparable) duties, would exercise under the same circumstances." In *J.H. v. Los Angeles Unified School District*, the court held that the district had a duty to use ordinary care in supervising the after-school program.

With regard to athletic activities, the court in *Kahn v. East Side Union High School District* held that schools have no legal duty to eliminate risks inherent in the activity itself because students are deemed to assume those risks by participating in the activity. However, schools do have a duty to exercise due care not to increase the risks over and above those inherent in the sport.

The Governing Board recognizes the importance of providing a safe school environment that is conducive to learning and promotes student safety and well-being. Appropriate measures shall be implemented to minimize the risk of harm to students, including, but not limited to, protocols for maintaining safe conditions on school grounds, promoting safe use of school facilities and equipment, and guiding student participation in educational programs and school-sponsored activities.

CSBA NOTE: 6 USC 665k, as added by the Luke and Alex School Safety Act of 2022 (P.L. 117-159), requires the creation of a Federal Clearinghouse on School Safety Evidence-Based Practices to serve as a federal resource to identify and publish online evidence-based practices and recommendations to improve school safety.

Additionally, the Superintendent or designee shall regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure, and the monitoring and response to suspicious and/or threatening digital media content.

School staff shall be responsible for the proper supervision of students at all times when students are subject to district rules, including, but not limited to, during school hours, school-sponsored activities, before and after-school programs, morning drop-off and afternoon pick-up, and while students are using district provided transportation.

The Superintendent or designee shall ensure that students receive appropriate instruction on topics related to safety and emergency procedures, as well as injury and disease prevention.

Crossing Guards/Student Safety Patrol

CSBA NOTE: The following section is optional. School crossing guards may be employed by the Governing Board pursuant to Education Code 45450-45451 and by cities and counties pursuant to Vehicle Code 42200 and 42201. Education Code 49300 authorizes the Board to establish a student safety patrol at any district school for the purpose of assisting students in safely crossing streets. See the accompanying administrative regulation for requirements pertaining to safety patrols.

To assist students in safely crossing streets adjacent to or near school sites, the Board may employ crossing guards and/or establish a student safety patrol at any district school. The Superintendent or designee shall periodically examine traffic patterns within school attendance areas in order to identify locations where crossing assistance may be needed.

Student Identification Cards and Safety Information

CSBA NOTE: The following section is for use by districts that serve students in grades 7-12.

Education Code 215.5 requires districts that issue student identification cards to have printed on either side of the card the telephone number of the National Suicide Prevention Lifeline (1-800-273-8255) and the National Domestic Violence Hotline (1-800-799-7233), and allows to have printed on the card the Crisis Text Line (texting HOME to 741741) and/or a local suicide prevention hotline telephone number.

~~Effective October 1, 2020, Education Code 215.5, as amended by SB 316 (Ch. 270, Statutes of 2019), requires districts to have the telephone number of the National Domestic Violence Hotline (1-800-799-7233) on either side of student identification cards.~~

If, as of January 1, 2020, the district has a supply of unissued student identification cards that do not comply with the above requirements, the cards may be issued until the supply is depleted.

Student identification cards of students in grades 7-12 shall have printed on them safety information, including the following: (Education Code 215.5~~, 217~~)

1. The National Suicide Prevention Lifeline telephone number and, at the district's discretion, the Crisis Text Line and/or a local suicide prevention hotline telephone number
2. The National Domestic Violence Hotline

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State	Description
5 CCR 14030	Preliminary procedure~~,~~; planning and approval of school facilities
5 CCR 14103	Authority of the driver
5 CCR 202	Exclusion of students with a contagious disease
5 CCR 5531	Supervision of extracurricular activities of ~~pupils~~students
5 CCR 5552	Playground supervision
5 CCR 5570	When school shall be open and teachers present
5 CCR 570-576	School safety patrols
Ed. Code 17280-17317	Field Act; approval of plans and supervision of construction
Ed. Code 17365-17374	Field Act; fitness for occupancy; liability of board members
Ed. Code 215.5	Student identification cards; safety information

Ed. Code 32001	Fire alarms and drills
Ed. Code 32020	School gates; entrances for emergency vehicles
Ed. Code 32030-32034	Eye safety
Ed. Code 32040	Duty to equip school with first aid kit
Ed. Code 32225-32226	Communications devices in classrooms
Ed. Code 32240-32245	Lead-Safe Schools Protection Act
Ed. Code 32250-32254	CDE ~~school safety~~School Safety and ~~security resources unit~~Security Resource Unit
Ed. Code 32280-32289.5	School safety plans
Ed. Code 35179.6	School-sponsored on-campus event in or around swimming pool
Ed. Code 38134	Use of school property
Ed. Code 44807	Teachers' duty concerning conduct of students
Ed. Code 44808	Exemption from liability when students are not on school property
Ed. Code 44808.5	Permission for high school students to leave school grounds; notice ~~(high school)~~
Ed. Code 45450-45451	Crossing guards
Ed. Code 48900	Grounds for suspension or expulsion
Ed. Code 49300-49307	School safety patrols
Ed. Code 49330-49335	Injurious objects
Ed. Code 49341	Hazardous materials in school science laboratories
Ed. Code 49390-49395	Homicide threats
Ed. Code 51202	Instruction in personal and public health and safety
Ed. Code 51860	Time and facilities for bicycle and scooter safety instruction
Ed. Code 8482-8484.~~6~~65	After School Education and Safety Program
Gov. Code 810-996.6	California Tort Claims Act
H&S Code 115725-115735	Playground safety
H&S Code 115775-115800	Wooden playground equipment
H&S Code 116046	Issuance of best practices guidelines for K-12 pool safety
Pen. Code 245.6	Hazing
Pub. Res. Code 5411	Purchase of playground equipment usable by persons with disabilities
Streets and Highways Code 894	Statewide safety and training programs; electric bicycles
Veh. Code 21100	Rules and regulations; crossing guards
Veh. Code 21212	Use of helmets
Veh. Code 42200	Fines and forfeitures; disposition by cities

Veh. Code 42201	Fines and forfeitures; disposition by counties
Vehicle Code 21201	Rules for operation of bicycle on roadway
Federal	**Description**
6 USC 665k	Federal Clearinghouse on School Safety Evidence- Based Practices
Management Resources	**Description**
American Society for Testing and Materials Publication	~~F~~ASTM F1 1487-~~05~~21, Standard Consumer Safety Performance Specification for Playground Equipment for Public Use~~, 2017~~
California Department of Education Publication	Science Safety Handbook for California Public Schools, 2014
Court Decision	Knight v. Jewett~~,~~ (1992) 3 Cal.4th 296~~, 313~~
Court Decision	Lane v. City of Sacramento~~,~~ (2010) 183 Cal. App. 4th~~.~~ 1337
Court Decision	J.H. v. Los Angeles Unified School District~~,~~ (2010) 183 Cal.App.4th 123
Court Decision	Kahn v. East Side Union High School District~~,~~ (2003) 31 Cal.4th 990
Court Decision	Dailey v. Los Angeles Unified School District~~,~~ (1970) 2 Cal 3d 741
Court Decision	Hoyem v. Manhattan Beach City School District~~,~~ (1978) 22 Cal. 3d 508
Court Decision	Wiener v. Southcoast Childcare Centers~~,~~ (2004) 32 Cal.4th 1138
U.S. Consumer Product Safety Comm Publication	Public Playground Safety Handbook, 2010
Website	CSBA District and County Office of Education Legal Services
Website	National Recreation and Park Association, Certified Playground Safety Inspector Certification
Website	U.S. Department of Education, Safe Schools
Website	American Society for Testing and Materials
Website	U.S. Consumer Product Safety Commission
Website	U.S. Department of Homeland Security, Fusion Centers (https://www.dhs.gov/fusion-centers)
Website	U.S. Environmental Protection Agency
Website	California Department of Education, Safe Schools
Website	California Department of Public Health
Website	California State Threat Assessment System (https://calstas.org/)
Website	Centers for Disease Control and Prevention
Website	CSBA

Cross References

Code	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1250	Visitors/Outsiders
1250	Visitors/Outsiders
1330.1	Joint Use Agreements
3260	Fees And Charges
3260	Fees And Charges
3452	Student Activity Funds
3512	Equipment
3512-E(1)	Equipment
3514	Environmental Safety
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3515	Campus Security
3515	Campus Security
3515.21	Unmanned Aircraft Systems (Drones)
3515.5	Sex Offender Notification
3515.5	Sex Offender Notification
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3516.5	Emergency Schedules
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4119.42	Exposure Control Plan For Bloodborne Pathogens
4119.42	Exposure Control Plan For Bloodborne Pathogens
4119.42-E(1)	Exposure Control Plan For Bloodborne Pathogens
4219.42	Exposure Control Plan for Bloodborne Pathogens
4219.42	Exposure Control Plan for Bloodborne Pathogens
4219.42-E(1)	Exposure Control Plan for Bloodborne Pathogens
4319.42	Exposure Control Plan for Bloodborne Pathogens
4319.42	Exposure Control Plan for Bloodborne Pathogens
4319.42-E(1)	Exposure Control Plan for Bloodborne Pathogens
5020	Parent Rights And Responsibilities

5020	Parent Rights And Responsibilities
5021	Noncustodial Parents
5131	Conduct
5131.1	Bus Conduct
5131.1	Bus Conduct
5131.4	Student Disturbances
5131.4	Student Disturbances
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141	Health Care And Emergencies
5141	Health Care And Emergencies
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.23	Asthma Management
5141.23	Asthma Management
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5141.7	Sun Safety
5142.1	Identification And Reporting Of Missing Children
5142.2	Safe Routes To School Program
5142.2	Safe Routes To School Program
5143	Insurance
5143	Insurance
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5145.11	Questioning And Apprehension By Law Enforcement
5145.13	Response To Immigration Enforcement
5145.13	Response To Immigration Enforcement
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6142.93	Science Instruction

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

Regulation 5142: Safety

Status: ADOPTED

Original Adopted Date: 07/01/2006 | **Last Revised Date:** ~~03~~12/01/2022

CSBA NOTE: The following optional administrative regulation may be revised to reflect district practice.

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

Release of Students

CSBA NOTE: The following optional section may be revised to reflect district practice. For release of students during an emergency, see AR 3516 - Emergencies and Disaster Preparedness Plan.

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

1. The student's custodial parent/guardian

2. An adult authorized on the student's emergency card as an individual to whom the student may be released when the custodial parent/guardian cannot be reached, provided the principal or designee verifies the adult's identity

3. An authorized law enforcement officer acting in accordance with law

4. An adult taking the student to emergency medical care at the request of the principal or designee

Supervision of Students

CSBA NOTE: The following optional section may be revised to reflect district practice.

Pursuant to 5 CCR 5570, teachers are required to be present at their rooms and admit students not less than 30 minutes before school starts unless otherwise provided by rule of the Governing Board. The district's collective bargaining agreement may include supervision of students. The following paragraph may be revised to maintain consistency with the district's collective bargaining agreement and/or district practice.

Teachers shall be present at their respective rooms and shall open them to admit students not less than 30 minutes before the time that school starts. (5 CCR 5570)

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

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

and file a written report as appropriate.

CSBA NOTE: Education Code 49393, as added by SB 906 (Ch. 144, Statutes of 2022), requires the reporting of potential homicidal acts related to school or a school activity, as described below.

Districts are encouraged to consult with the California Office of Emergency Services (OES) and utilize resources such as the State Threat Assessment System and Regional Fusion Centers to help assess potential threats. For more information see OES' web site.

Any certificated or classified employee, or other school official, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle of high school, who are alerted to or observe any threat or perceived threat of a homicidal act, as defined, shall immediately report the threat or perceived threat to law enforcement in accordance with Education Code 49393. (Education Code 49390, 49393)

Threat or perceived threat means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual.

Additionally, anyone who receives or learns of a health or safety threat related to school or a school activity is encouraged to report the threat to a school or district administrator.

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

1. Clearly identify supervision zones and require all playground supervisors to remain at a location from which they can observe their entire zone of supervision and be observed by students in the supervision zone

2. Consider the size of the playground area, the number of areas that are obstructed from open view, and the age of the students to determine the ratio of playground supervisors to students

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

The Superintendent or designee shall ensure that teachers, teacher aides, playground supervisors, yard aides, and volunteers who supervise students receive training in safety practices and in supervisory techniques that will help prevent problems and resolve conflicts among students. ~~Such~~Additionally, all staff and other school officials shall be made aware of their responsibilities regarding the reporting of potential homicidal acts to law enforcement, and receive training in the assessment and reporting of such threats. The training shall be documented and kept on file.

Student Safety Patrols

CSBA NOTE: The following section is optional.

A school safety patrol shall be composed of students of the school selected by the principal or designee and shall be allowed to serve only with written consent of the students and their parents/guardians. Patrol members shall be at least 10 years old and ~~at least~~ in the fifth grade. (Education Code 49302; 5 CCR 571)

School safety patrols shall be used only at those locations where the nature of traffic will permit their safe

operation. The locations where school safety patrols are used should be determined jointly with the local law enforcement agency. (5 CCR 572)

Patrol members shall be under the supervision and control of the principal or designee and shall receive training in proper procedures, including, but not limited to, the operations specified in 5 CCR 573-574. Whenever on duty, patrol members shall wear the standard uniform required by 5 CCR 576.

Playground Safety

CSBA NOTE: Health and Safety Code 115725 defines "playground" to include fall zones, surface materials, access ramps, and all areas within and including the designated enclosure and barriers.

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

Activities with Safety Risks

CSBA NOTE: The following optional section lists activities that might be prohibited by the district because of high risk to student safety and should be revised to reflect district practice.

Pursuant to Government Code 831.7, public entities, including districts, are not liable to participants in a hazardous recreational activity, those who assist participants, or spectators for any damage to person or property arising out of the hazardous recreational activity when the person knew or reasonably should have known that the hazardous recreational activity created a substantial risk of injury and was voluntarily in the place of risk or having the ability to leave but failed to do so. Government Code 831.7 defines a "hazardous recreational activity" as a recreational activity conducted on school grounds that creates a substantial risk of injury, as distinguished from a minor, trivial, or insignificant risk of injury. The list below includes, but is not limited to, some of the hazardous recreational activities listed in Government Code 831.7. Prior to authorizing such activities, it is recommended that districts consult with their insurance carrier or joint powers authority or, for those who self-insure, with CSBA District and County Offices of Education Legal Services or district legal counsel. See BP/AR 3530 - Risk Management/Insurance.

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

1. Trampolining
2. Scuba diving
3. Skateboarding or use of scooters
4. In-line or roller skating or use of skate shoes
5. Sailing, boating, or water skiing

6. Cross-country or downhill skiing

7. Motorcycling

8. Target shooting

9. Horseback riding

10. Rodeo

11. Archery

12. Mountain bicycling

13. Rock climbing

14. Rocketeering

15. Surfing

16. Body Contact Sports

17. Other activities determined by the principal to have a high risk to student safety

CSBA NOTE: The following paragraph is optional. Vehicle Code 21201 establishes requirements for bicycles on roadways in regard to brakes, handlebars, size, and illumination when operated during darkness. Districts may want to provide such information to students and parents/guardians.

To enable the district to provide students safety instruction related to using electric, motorized, or nonmotorized bicycles and scooters, Education Code 51860, as amended by AB 2028 (Ch. 116, Statutes of 2022), authorizes the Board to assist local law enforcement, nonprofit associations or organizations specified in Education Code 38134, such as the Girls Scouts, Boys Scouts, and parent-teacher associations, and public agencies that provide such safety instruction, in providing safety instruction to district students.

Additionally, Streets and Highways Code 894, as added by AB 1946 (Ch. 147, Statutes of 2022), requires the Department of the California Highway Patrol to develop and post on its web site, by September 1, 2023, statewide safety and training programs for users of electric bicycles, including, but not limited to, general electric bicycle riding safety, emergency maneuver skills, rules of the road, and laws pertaining to electric bicycles.

~~Students who operate~~As needed, the Superintendent or ~~ride as a passenger~~designee may periodically provide training or instruction to students on a ~~bicycle,~~ the safe use of electric, motorized or nonmotorized bicycles, scooters, skateboards, and roller skates. Any student who rides any such bicycle, scooter, ~~or~~ skateboard, or ~~wear in-line or~~ roller skates~~, upon a street, bikeway, or any other public bicycle path or trail~~ at school shall wear a properly fitted and fastened bicycle helmet.

Events In or Around a Swimming Pool

CSBA NOTE: The following section is optional. Any district that chooses to sponsor or host an on-campus event that is not part of an interscholastic athletic program in or around a swimming pool is required to comply with the following paragraph, pursuant to Education Code 35179.6, as amended by SB 722 (Ch. 679, Statutes of 2021).

When any on-campus event that is not part of an interscholastic athletic program is sponsored or hosted by the district and is to be held in or around a swimming pool, at least one adult with a valid certification of cardiopulmonary resuscitation training shall be present throughout the duration of the event. (Education Code 35179.6)

Laboratory Safety

CSBA NOTE: The following optional section reflects the Legislature's intent as stated in Education Code 49341, and the California Department of Education's Science Safety Handbook for Public Schools.

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

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

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

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

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

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

Hearing Protection

CSBA NOTE: The following optional section may be revised to reflect district practice.

The Superintendent or designee shall monitor students' exposure to excessive noise in classrooms and provide protection as necessary. The Superintendent or designee may also provide hearing conservation education to teach students ways to protect their hearing.

Eye Safety Devices

CSBA NOTE: Education Code 32031 addresses circumstances under which eye protection devices must be used.

The Superintendent or designee shall provide schools with eye safety devices for use whenever students, teachers, or visitors are engaged in or observing an activity or using hazardous substances likely to cause injury to the eyes. Eye safety devices may be sold to students for an amount not to exceed the actual[49]

cost to the district. (Education Code 32030, 32031, 32033)

Protection Against Insect Bites

CSBA NOTE: The following optional section may be revised to reflect district practice.

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

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

State	Description
5 CCR 14030	Preliminary procedure, planning and approval of school facilities
5 CCR 14103	Authority of the driver
5 CCR 202	Exclusion of students with a contagious disease
5 CCR 5531	Supervision of extracurricular activities of pupils
5 CCR 5552	Playground supervision
5 CCR 5570	When school shall be open and teachers present
5 CCR 570-576	School safety patrols
Ed. Code 17280-17317	Field Act; approval of plans and supervision of construction
Ed. Code 17365-17374	Field Act; fitness for occupancy; liability of board members
Ed. Code 32001	Fire alarms and drills
Ed. Code 32020	School gates; entrances for emergency vehicles
Ed. Code 32030-32034	Eye safety
Ed. Code 32040	Duty to equip school with first aid kit
Ed. Code 32225-32226	Communications devices in classrooms
Ed. Code 32240-32245	Lead-Safe Schools Protection Act
Ed. Code 32250-32254	CDE school safety and security resources unit
Ed. Code 32280-32289.5	School safety plans
Ed. Code 35179.6	School-sponsored on-campus event in or around swimming pool
Ed. Code 44807	Teachers' duty concerning conduct of students
Ed. Code 44808	Exemption from liability when students are not on school property

Ed. Code 44808.5	Permission for students to leave school grounds; notice (high school)
Ed. Code 45450-45451	Crossing guards
Ed. Code 48900	Grounds for suspension or expulsion
Ed. Code 49300-49307	School safety patrols
Ed. Code 49330-49335	Injurious objects
Ed. Code 49341	Hazardous materials in school science laboratories
Ed. Code 49390-49395	Homicide threats
Ed. Code 51202	Instruction in personal and public health and safety
Ed. Code 8482-8484.6	After School Education and Safety Program
Gov. Code 810-996.6	California Tort Claims Act
H&S Code 115725-115735	Playground safety
H&S Code 115775-115800	Wooden playground equipment
H&S Code 116046	Issuance of best practices guidelines for K-12 pool safety
Pen. Code 245.6	Hazing
Pub. Res. Code 5411	Purchase of equipment usable by persons with disabilities
Veh. Code 21100	Rules and regulations; crossing guards
Veh. Code 21212	Use of helmets
Veh. Code 42200	Fines and forfeitures; disposition by cities
Veh. Code 42201	Fines and forfeitures; disposition by counties
Vehicle Code 21201	Rules for operation of bicycle on roadway
Management Resources	**Description**
American Society for Testing and Materials	F 1487-05, Standard Consumer Safety Performance Specification for Playground Equipment for Public Use, 2017
California Department of Education Publication	Science Safety Handbook for California Public Schools, 2014
Court Decision	Knight v. Jewett, (1992) 3 Cal.4th 296, 313
Court Decision	Lane v. City of Sacramento, (2010) 183 Cal. App. 4th. 1337
Court Decision	J.H. v. Los Angeles Unified School District, (2010) 183 Cal.App.4th 123
Court Decision	Kahn v. East Side Union High School District, (2003) 31 Cal.4th 990
Court Decision	Dailey v. Los Angeles Unified School District, (1970) 2 Cal 3d 741
Court Decision	Hoyem v. Manhattan Beach City School District, (1978) 22 Cal. 3d 508
Court Decision	Wiener v. Southcoast Childcare Centers, (2004) 32 Cal.4th 1138

U.S. Consumer Product Safety Comm Publication	Public Playground Safety Handbook, 2010
Website	CSBA District and County Office of Education Legal Services
Website	National Recreation and Park Association, Certified Playground Safety Inspector Certification
Website	U.S. Department of Education, Safe Schools
Website	American Society for Testing and Materials
Website	U.S. Consumer Product Safety Commission
Website	U.S. Environmental Protection Agency
Website	California Department of Education, Safe Schools
Website	California Department of Public Health
Website	Centers for Disease Control and Prevention
Websites	CSBA

Cross References

Code	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1250	Visitors/Outsiders
1250	Visitors/Outsiders
1330.1	Joint Use Agreements
3260	Fees And Charges
3260	Fees And Charges
3452	Student Activity Funds
3512	Equipment
3512-E(1)	Equipment
3514	Environmental Safety
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3515	Campus Security
3515	Campus Security
3515.21	Unmanned Aircraft Systems (Drones)
3515.5	Sex Offender Notification
3515.5	Sex Offender Notification
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan

3516.5	Emergency Schedules
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4119.42	Exposure Control Plan For Bloodborne Pathogens
4119.42	Exposure Control Plan For Bloodborne Pathogens
4119.42-E(1)	Exposure Control Plan For Bloodborne Pathogens
4219.42	Exposure Control Plan for Bloodborne Pathogens
4219.42	Exposure Control Plan for Bloodborne Pathogens
4219.42-E(1)	Exposure Control Plan for Bloodborne Pathogens
4319.42	Exposure Control Plan for Bloodborne Pathogens
4319.42	Exposure Control Plan for Bloodborne Pathogens
4319.42-E(1)	Exposure Control Plan for Bloodborne Pathogens
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5021	Noncustodial Parents
5131	Conduct
5131.1	Bus Conduct
5131.1	Bus Conduct
5131.4	Student Disturbances
5131.4	Student Disturbances
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141	Health Care And Emergencies
5141	Health Care And Emergencies
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.23	Asthma Management
5141.23	Asthma Management
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5141.7	Sun Safety
5142.1	Identification And Reporting Of Missing Children
5142.2	Safe Routes To School Program

5142.2	Safe Routes To School Program
5143	Insurance
5143	Insurance
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5145.11	Questioning And Apprehension By Law Enforcement
5145.13	Response To Immigration Enforcement
5145.13	Response To Immigration Enforcement
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6142.93	Science Instruction
6145.2	Athletic Competition
6145.2	Athletic Competition
6153	School-Sponsored Trips
6153	School-Sponsored Trips
6163.2	Animals At School
6163.2	Animals At School
7110	Facilities Master Plan

Regulation 5142.2: Safe Routes To School Program

Status: ADOPTED

Original Adopted Date: 07/01/2009 | **Last Revised Date:** ~~06~~12/01/~~2021~~2022 | **Last Reviewed Date:** ~~06~~12/01/~~2021~~2022

CSBA NOTE: The following optional administrative regulation should be revised to reflect district practice. The strategies listed below are organized around the "fundamental E's" recommended for inclusion in local programs by the U.S. Department of Transportation's Federal Highway Administration (NHTSA) and the National Center for Safe Routes to School's online resource guide. NHTSA's , "Advancing Pedestrian and Bicyclist Safety: A Primer for Highway Safety Professionals," states that the most often addressed E's are engineering, education, and enforcement, with encouragement and engagement, evaluation, emerging technologies, emergency response, and equity as other important E's to consider.

District strategies to improve student safety along routes to school and to promote walking, bicycling, and other forms of active transport to school by students may include:

1. Education activities that promote safety and awareness, such as:

CSBA NOTE: To enable the district to provide students safety instruction related to using electric, motorized, or nonmotorized bicycles and scooters, Education Code 51860, as amended by AB 2028 (Ch. 116, Statutes of 2022), authorizes the Governing Board to assist local law enforcement, nonprofit associations or organizations specified in Education Code 38134, such as the Girls Scouts, Boys Scouts, parent-teacher associations, and public agencies that provide such safety instruction in providing safety instruction to district students.

Additionally, Streets and Highways Code 894, as added by AB 1946 (Ch. 147, Statutes of 2022), requires the Department of the California Highway Patrol to develop and post on its website, by September 1, 2023, statewide safety and training programs for users of electric bicycles, including, but not limited to, general electric bicycle riding safety, emergency maneuver skills, rules of the road, and laws pertaining to electric bicycles.

   a. Instructing students about pedestrian~~, bicycle,~~ and personal safety related to the use of electric or motorized and nonmotorized bicycles or scooters, including by local law enforcement, organizations specified in Education Code 38134, and public agencies that provide safety instructions on such bicycles and scooters.

   b. Instructing students about the health, academic, and environmental benefits of walking, bicycling, and other forms of active transport to school

   c. Offering driver safety information to high school students, parents/guardians, and the community to promote safety around school campuses and routes

2. Encouragement strategies designed to generate interest in active transport to school, such as:

a. Organizing or facilitating "walking school buses" and/or "bicycle trains" whereby students walk or bike to school in groups escorted by parents/guardians or other volunteers as needed

b. Organizing special events and activities, such as Walk or Bike to School Day, International Walk to School Month, or year-round competitions

c. Publicizing the district's efforts in order to build support of parents/guardians and the community, including providing information about the district's safe routes to school program in parent/guardian communications and in any notifications about transportation options

3. Enforcement strategies to deter unsafe behaviors of drivers, pedestrians, and bicyclists, such as:

a. Initiating or expanding crossing guard, student safety patrol, and/or parent/guardian safety patrol programs

b. Partnering with local law enforcement to help ensure that traffic laws are obeyed in the vicinity of schools and to implement appropriate measures such as placement of speed feedback monitors, ticketing, and/or driver safety campaigns

c. Monitoring to ensure that students who bicycle to school or who use skateboards, skates, or nonmotorized scooters wear helmets in accordance with Vehicle Code 21212

4. Engineering strategies that address the design, implementation, operation, and maintenance of traffic control devices or physical measures, such as:

a. Working with local government agencies, parents/guardians, school staff, and others as appropriate to gather data about environmental conditions and hazards along routes to school

b. Working with local government agencies to make operational and physical improvements that reduce or eliminate hazards, such as reducing motor vehicle traffic speeds in the area and establishing safer and fully accessible crosswalks, walkways, trails, and bikeways

c. Assessing the adequacy, accessibility, and safety of bicycle parking at schools and making modifications as needed, such as increasing the number of or relocating bicycle racks and/or equipment storage areas

d. Considering safe routes to school when making decisions about siting and designing of new schools

CSBA NOTE: See the accompanying Board policy for additional information about program evaluation, including examples of indicators that may be used to measure program implementation and effectiveness.

5. Evaluation to assess progress toward program goals, including:

   a. Gathering and interpreting data based on indicators established by the Superintendent and the Governing Board

   b. Presenting data to the Board, program partners, and the public

   c. Recommending program modifications as needed

6. Emerging technologies that aid in the prevention and mitigation of accidents

7. Emergency response in managing injuries after an accident occurs, including, but not limited to, training staff, crossing guards, student and/or parent/guardian safety patrols, and other volunteers who assist with drop-off and pick-up in emergency procedures

8. Equity, such that resources are distributed in a manner that provides safe access and participation in an equitable manner across the community

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State	Description
Ed. Code 32282	Comprehensive safety plan
Ed. Code 38134	Use of school property
Ed. Code 44808	Liability when students are not on school property
Ed. Code 45450-45451	Crossing guards
Ed. Code 51860	Time and facilities for bicycle and scooter safety instruction
Gov. Code 65352.2	General planning; communication between cities, counties and school districts
S&H Code 2380-2385	Active Transportation Program
S&H Code 894	Statewide safety and training programs; electric bicycles

Veh. Code 312.5	Electric bicycle
Veh. Code 406	Moped or motorized bicycle
Veh. Code 407.5	Motorized scooter
Veh. Code 21200-21213	Operation of bicycles
Veh. Code 21212	Helmet required for bicycle, nonmotorized scooter, skateboard, skates
Veh. Code 21949-21971	Pedestrian rights and duties

Federal	**Description**
23 USC 133	Surface transportation block grant program
23 USC 148	Highway safety improvement program
42 USC 1758b	Local wellness policy

Management Resources	**Description**
California Dept of Transportation Publication	ATP Purpose and Goals as Defined by the State Legislature and SB 99, March 2015
California Dept of Transportation Publication	Active Transportation Program Fact Sheet, January 2020
Court Decision	Cerna v. City of Oakland (2008) 161 Cal.App.4th 1340
~~Nat'l~~Natl Center for Safe Routes to School Publication	Safe Routes to School Guide
~~National~~Natl Highway Traffic Safety Admin Publication	Advancing Pedestrian and Bicyclist Safety: A Primer for Highway Safety Professionals, April 2016
Safe Routes to School Natl Partnership Publication	Safe Routes to School by the Numbers: Using Data to Foster Walking and Biking to School, June 2016
Safe Routes to School Natl Partnership Publication	Safe Routes to School 2009 Policy Report: Moving to the Future: Building on Early Achievements, March 2009
Website	CSBA District and County Office of Education Legal Services
Website	National Center for Safe Routes to School
Website	Safe Routes Partnership
Website	U.S. Department of Transportation, Federal Highway Administration, Safe Routes to School
Website	California Department of Transportation, Safe Routes to School
Website	National Highway Traffic Safety Administration
Website	CSBA

Cross References

Code	**Description**
0415	Equity

0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0470	COVID-19 Mitigation Plan
0500	Accountability
1112	Media Relations
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1230	School-Connected Organizations
1230	School-Connected Organizations
1260	Educational Foundation
1400	Relations Between Other Governmental Agencies And The Schools
1700	Relations Between Private Industry And The Schools
3100	Budget
3100	Budget
3290	Gifts, Grants And Bequests
3470	Debt Issuance And Management
3471	Parcel Taxes
3510	Green School Operations
3514	Environmental Safety
3514	Environmental Safety
3540	Transportation
3541	Transportation Routes And Services
5030	Student Wellness
5142	Safety
5142	Safety
6020	Parent Involvement
6020	Parent Involvement
6142.7	Physical Education And Activity
6142.7	Physical Education And Activity
6142.8	Comprehensive Health Education

6142.8	Comprehensive Health Education
7110	Facilities Master Plan
7111	Evaluating Existing Buildings
7150	Site Selection And Development
7150	Site Selection And Development

Policy 5148.2: Before/After School Programs

Status: ADOPTED

Original Adopted Date: 11/01/2006 | **Last Revised Date:** 12/01/~~2021~~2022 | **Last Reviewed Date:** 12/01/~~2021~~2022

CSBA NOTE: The following optional policy is for use by districts providing expanded learning opportunities beyond the regular school day, including before-school ~~and/or~~, after-school, summer, vacation, and/or intersessional programs, and should be revised to reflect the program(s) offered by the district. For eligible programs in grades ~~K~~TK-9, the district may apply for funding from the state's After School Education and Safety Program (ASES) (Education Code 8482-8484.65) and/or the federal 21st Century Community Learning ~~Center~~Centers Program (21st CCLC) (Education Code 8484.7-8484.9; 20 USC 7171-7176). The federal 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs) (Education Code 8420-8428; 20 USC 7171-7176) provides funding for eligible programs in grades 9-12. These programs are optional and have different requirements.

Education Code 46120, as ~~added~~amended by AB ~~130~~181 (Ch. 44~~52~~, Statutes of ~~2021), establishes~~2022) and AB 185 (Ch. 571, Statutes of 2022), provides for the Expanded Learning Opportunities (ELO) Program and allocates funding to districts under a formula based on a district's average daily attendance and percentage of unduplicated students ~~and average daily attendance.~~ , defined as any student who is eligible for free or reduced-price meals, who is an English learner, or who is a foster youth. For the ~~2021-22~~2022-23 school year, districts receiving funds are required to offer access to ELO programs to all unduplicated students in grades TK-6 and to provide access to such programs to at least 50 percent of enrolled unduplicated students. Commencing ~~in~~with the ~~2022-23~~2023-24 school year, districts ~~receiving funds~~with a prior fiscal year local control funding formula (LCFF) unduplicated pupil percentage (UPP) of at least 75 percent are required to offer access to ELO programs to all classroom-based students in grades TK-6 inclusive, and to ensure that access is provided to any student whose parent/guardian requests placement in an ELO program. Commencing with the 2023-24 school year, districts with a prior fiscal year LCFF UPP of less than 75 percent are required to offer access to ELO programs to all unduplicated students in grades TK-6, inclusive, and ensure that access is provided to any unduplicated student whose parent/guardian requests placement in an ELO program. Pursuant to Education Code 46120, on school days, ELO programs must include in-person before or after school programs and, on non-school days, ~~intersession~~intersessional programs of specified lengths of time as described below and in the accompanying administrative regulation. Student participation in an ELO program is optional; however, districts may not opt out of the ELO Program.

See the accompanying administrative regulation for major requirements of each program.

The following policy is applicable to all four programs, unless otherwise noted, and may be adapted by districts that offer other programs through district funding or alternative sources. If the district does not offer ~~both a before-~~any programs beyond the regular school ~~and after-school program~~day, it may modify the following policy as appropriate.

The Governing Board desires to provide ~~before-~~learning opportunities for students beyond the regular school ~~and/or after-school enrichment programs~~day that support the regular education program in a supervised environment. In order to increase academic achievement of participating students, the content of such programs shall be coordinated with the district's vision and goals for student learning, local control and accountability plan, curriculum, and academic standards.

CSBA NOTE: The following paragraph reflects ~~a requirement for~~ requirements related to collaborative planning for ~~both~~the programs offered by the district. The ASES program (Education Code 8482.5~~) and~~), ASSETs program (Education Code 8422~~).~~), 21st CCLC ~~programs must be developed in~~program (Education Code 8484.75), and ELO program (Education Code 46120) have different collaboration ~~with the school(s) the students attend, but collaboration with other entities is at~~requirements; see the ~~discretion of the district. Districts offering only 21st CCLC programs may revise the following paragraph to reflect district practice~~accompanying administrative regulation.

~~The district's~~Each program offered by the districtshall be planned through a collaborative process ~~that includes parents/guardians, students, and representatives of participating schools, governmental agencies including city and county parks and recreation departments, local~~as required by law ~~enforcement, community organizations, and, if appropriate, the private sector.~~. (Education Code 8422, 8482.5, 8484.75, 46120)

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 46120~~, as added by AB 130~~, districts are required to prioritize ELO programs at school sites in the lowest income communities, as determined by prior year percentages of students eligible for free and reduced-price meals, while maximizing the number of schools and neighborhoods with ~~expanded learning opportunities~~ELO programs across their attendance area. In addition, pursuant to Education Code 8482.5, in awarding funding for ASES programs, the state gives priority to schools with at least 50 percent of students eligible for free or reduced-price meals. Pursuant to 20 USC 7174, funding for the 21st CCLC and ASSETs programs is restricted to schools receiving federal Title I funding. In addition, 20 USC 7174 and Education Code 8422 and 8484.8 give competitive priority for these federal programs to applications jointly submitted by school districts and community organizations for programs that (1) are located in schools that are implementing comprehensive or targeted support and improvement activities pursuant to 20 USC 6311 or other schools determined by the district to be in need of intervention and support to improve student academic achievement and other outcomes; (2) serve students at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or lacking strong positive role models; (3) provide activities not otherwise accessible to participating students or expand accessibility to high-quality services that may be available in the community; (4) continue or expand existing grants; and (5) for 21st CCLC programs, provide year-round expanded learning programming. For a further description of competitive priority for funding, see the California Department of Education's (CDE) "21st CCLC and ASSETs FAQs" and "Request for Applications for ~~Programs Proposing to Serve High School Students."~~21st CCLC & ASSETs."

To the extent feasible, the district shall give priority to establishing ~~before-~~expanded learning opportunities beyond the regular school ~~and/or after-school programs~~day in low-performing schools and/or programs that serve low-income and other at-risk students.

Any expanded learning opportunities, including but not limited to After School Education and Safety Program (ASES), 21st Century Community Learning Center Program (21st CCLC), 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs), ~~or~~Expanded Learning Opportunities Program (ELO) or any other program to be established pursuant to Education Code 8421, 8482.3 ~~or~~, 8484.75, or 46120, shall be approved by the Board ~~and the principal of each participating school~~.

CSBA NOTE: The following optional paragraph is applicable to all programs. Pursuant to Education Code 8483.4 (applicable to ~~both~~ ASES ~~and~~, 21st CCLC, and ELO programs), the program administrator is required to establish qualifications for each staff position that, at a minimum, ensure that all staff members who directly supervise students meet the minimum qualifications for an instructional aide pursuant to district policies; see the accompanying administrative regulation. A district offering an ASSETs program must establish its expectations for staff qualifications.

The Superintendent or designee shall ensure that all staff who directly supervise students in the district's ~~before-school and/or after-school program~~expanded learning opportunity programs possess appropriate knowledge and experience. As needed, staff and volunteers shall receive ongoing training related to their job responsibilities.

~~Each~~ Each before-school, after-school, summer, vacation or intersessional expanded learning opportunity program shall include academic and enrichment elements in accordance with law and administrative regulation. In addition, each program may include support services that reinforce the educational component and promote student health and well-being.

CSBA NOTE: Education Code 8482.6 (applicable to ASES, 21st CCLC, and ELO programs) and Education Code 8422 (applicable to ASSETs programs) authorize the district to charge fees to participating families with certain exceptions as described below.

Option 1 below is for use by districts that choose not to charge family fees. Option 2 is for use by districts that will charge a permissible family fee to cover unfunded costs of the program.

OPTION 1: (For districts that do not charge family fees)

No fee shall be charged for participation in the program.

OPTION 2: (For districts that charge permissible family fees)

A family fee may be charged to participating families based on the actual cost of services.

CSBA NOTE: The following paragraph is for use by districts selecting Option 2 that offer an ASSETS program, and may be modified to reflect program(s) offered by the district. Pursuant to Education Code 8422, ASSETs programs that charge fees to participating families are required to waive or reduce the fees for families with students who are eligible for free or reduced-price meals.

However, for the ASSETs program, a family fee shall be waived or reduced for families with students who are eligible for free or reduced-price meals. (Education Code 8422)

CSBA NOTE: The following paragraph is for use by districts selecting Option 2 that offer an ASES, 21st CCLC program, and/or ELO program, and may be modified to reflect program(s) offered by the district. Pursuant to Education Code 8482.6~~, as amended by AB 130~~, family fees may not be charged for these programs for a student who is eligible for free or reduced-price meals or if the district knows the participating student is a homeless youth or in foster care. In addition, a program that charges such fees is required to schedule fees on a sliding scale that considers family income and ability to pay.

For ASES, 21st CCLC, and/or ~~Expanded Learning Opportunities~~ELOs programs, no fee shall be charged for a student who is eligible for free or reduced-price meals, or a student who the district knows is a homeless youth or in foster care. In addition, family fees shall be calculated on a sliding scale that considers family income and ability to pay. (Education Code 8482.6, 46120)

CSBA NOTE: The remainder of this policy is for use by districts that selected either Option 1 or 2 above.

The following optional paragraph is for use by districts with programs serving students ages 11-12 years. Welfare and Institutions Code 10273, ~~as renumbered by AB 131 (Ch. 116, Statutes of 2021),~~ provides that the preferred placement for students ages 11-12 years is in a before-school or after-school program rather than in subsidized child care and development services. When subsidized child care services are also available, students ages 11-12 years will be eligible for subsidized child care services only for the portion of care that is not available in a before-school or after-school program. See AR 5148 - Child Care and Development.

Eligible students who are 11 or 12 years of age shall be placed in a before-school or after-school program, if and when available, rather than subsidized child -care and development services. During the time that the before-school or after-school program does not operate, such students may be provided the option of enrolling in child -care and development services in accordance with the enrollment priorities established in AR 5148 - Child Care and Development. (Welfare and Institutions Code 10273)

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

To assist in evaluations of program effectiveness, the district may refer to the ~~CDE~~ CDE's "Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality~~:~~ ." In addition, CDE's ~~publication~~ , "A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools" describes available assessment tools that are closely aligned with the program standards. ~~These publications are available on CDE's web site.~~

To the extent consistent with state and federal privacy laws, Education Code 8484.1 authorizes the district to share specified student data (i.e., school day attendance data, statewide assessment scores English language development test placement or reclassification scores, California Healthy Kids Survey results in aggregate form, student engagement and behavioral data, and other academic measures, including grades and course completion) with the operator of an after-school program with which the district has a contract that includes a confidentiality agreement. The

district should consult with CSBA District and County Office of Education Legal Services or district legal counsel if it has any questions regarding the sharing of student data.

In addition, Education Code 8427 and 8484 require the after-school program to submit data on school and program attendance and program quality to the CDE; see the section "Reports" in the accompanying administrative regulation.

The Board and the Superintendent or designee shall monitor student participation rates and shall identify multiple measures that shall be used to evaluate program effectiveness. Such measures may include, but are not limited to, student outcome data; program self-assessments; feedback from staff, participating students, and parents/guardians; and observations of program activities.

CSBA NOTE: The following paragraph is for use by districts that offer an ASES, 21st CCLC, and/or ELO program, and may be adapted by districts that offer ASSETs or other programs. Pursuant to Education Code 8482.3 and 46120, ~~as added by AB 130, require districts offering~~ a district that offers an ASES, 21st CCLC, and/or ELO program is required to review program goals, program content, and outcome measures, selected from among those listed in Education Code 8484, every three years and to retain documentation for five years.

Every three years, the Superintendent or designee shall review the after-school program plan, including, but not limited to, program goals, program content, and outcome measures. Documentation of the program plan shall be maintained for a minimum of five years.

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

State	Description
Ed. Code 17260-17268	Plans and specifications for school facilities
Ed. Code 17264	New construction; accommodation of before- and after-school programs
Ed. Code 35021.3	After-school physical recreation instructors
Ed. Code 45125	Criminal record check
Ed. Code 45330	Paraprofessionals; instructional aides
Ed. Code 45340-45349	Paraprofessionals; instructional aides
Ed. Code 46120	Expanded Learning Opportunities Program
Ed. Code 49024	Activity Supervisor Clearance Certificate
Ed. Code 49430-49434	Nutrition standards

Ed. Code 49540-49546	Child care food program
Ed. Code 49553	Free or reduced-price meals
Ed. Code 69430-69460	Cal Grant program
Ed. Code 8263	Eligibility and priorities for subsidized child development services
~~Ed. Code 8263.4~~	~~Enrollment of students ages 11-12 years~~
Ed. Code 8273.1	Family fees; exemptions
Ed. Code ~~8281.5~~8322	California Prekindergarten Planning and Implementation Grant Program
Ed. Code 8295-8305	Child development program ; personnel qualifications
Ed. Code 8350-8359.1	Programs for CalWORKS recipients
Ed. Code 8360-8370	Personnel qualifications
Ed. Code 8420-8428	21st Century High School After-School Safety and Enrichment Program for Teens
Ed. Code 8482-8484.65	After School Education and Safety Program
Ed. Code 8484.7-8484.9	21st Century Community Learning Centers
Ed. Code 8490-8490.7	Distinguished After School Health Recognition Program
W&I Code 10207-10490	Child Care and Development Services Act
W&I Code 10273	Preferred placement for otherwise eligible children ages 11 or 12

Federal	**Description**
20 USC 6311	State plan
20 USC 6314	Title I schoolwide program
20 USC 7171-7176	21st Century Community Learning Centers
42 USC 11434a	Education for homeless children and youths
42 USC 1766-1766a	Child and Adult Care Food Program
7 CFR 226.17	Child care center nutrition standards

Management Resources	**Description**
California Department of Education Publication	Quality Program Improvement Plan Instructions: Instructions for Completing a Quality Program Improvement Plan for Expanded Learning Programs in California, ~~August 2020~~January 2022
California Department of Education Publication	21st CCLC and ASSETs FAQs, ~~September 2020~~October 2022

California Department of Education Publication	Request for Applications: 21st Century ~~High School~~Community Learning Centers and After School Safety and Enrichment for Teens, September ~~2020~~2022
~~California Department of Education Publication~~	~~Request for Applications: 21st Century Community Learning Centers Elementary/Middle Schools, September 2020~~
California Department of Education Publication	Expanded Learning Opportunities Program FAQs, ~~October 2021~~July 2022
California Department of Education Publication	A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools, 2014
California Department of Education Publication	Early Release and Late Arrival Guidance, December 2021
California Department of Education Publication	California After School Physical Activity Guidelines, 2009
California Department of Education Publication	Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, 2014
U.S. Department of Education Publication	21st Century Community Learning Centers, Nonregulatory Guidance, February 2003
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education, Expanded Learning
Website	U.S. Department of Agriculture
Website	California Afterschool Network
Website	California School-Age Consortium
Website	Partnership for Children and Youth
Website	California Healthy Kids Survey
Website	Commission on Teacher Credentialing
Website	CSBA
Website	U.S. Department of Education

Cross References

Code	Description
0000	Vision
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan

0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0470	COVID-19 Mitigation Plan
0500	Accountability
1240	Volunteer Assistance
1240	Volunteer Assistance
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1330	Use Of School Facilities
1330	Use Of School Facilities
1330-E(1)	Use Of School Facilities
1330.1	Joint Use Agreements
1400	Relations Between Other Governmental Agencies And The Schools
1700	Relations Between Private Industry And The Schools
3260	Fees And Charges
3260	Fees And Charges
3280	Sale Or Lease Of District-Owned Real Property
3280	Sale Or Lease Of District-Owned Real Property
3540	Transportation
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3552	Summer Meal Program
3552	Summer Meal Program
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
3554	Other Food Sales
3554	Other Food Sales
3580	District Records

3580	District Records
4112.4	Health Examinations
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4131	Staff Development
4212.4	Health Examinations
4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4222	Teacher Aides/Paraprofessionals
4222	Teacher Aides/Paraprofessionals
4231	Staff Development
4312.4	Health Examinations
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4331	Staff Development
5030	Student Wellness
5131.6	Alcohol And Other Drugs
5131.6	Alcohol And Other Drugs
5131.62	Tobacco
5131.62	Tobacco
5137	Positive School Climate
5141.21	Administering Medication And Monitoring Health Conditions
5141.21	Administering Medication And Monitoring Health Conditions
5141.23	Asthma Management
5141.23	Asthma Management
5141.27	Food Allergies/Special Dietary Needs
5141.27	Food Allergies/Special Dietary Needs
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5144	Discipline
5144	Discipline

5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5145.9	Hate-Motivated Behavior
5147	Dropout Prevention
5148	Child Care And Development
5148	Child Care And Development
6011	Academic Standards
6020	Parent Involvement
6020	Parent Involvement
6142.4	Service Learning/Community Service Classes
6142.6	Visual And Performing Arts Education
6142.7	Physical Education And Activity
6142.7	Physical Education And Activity
6142.91	Reading/Language Arts Instruction
6142.92	Mathematics Instruction
6142.93	Science Instruction
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6154	Homework/Makeup Work
6159	Individualized Education Program
6159	Individualized Education Program
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology
6170.1	Transitional Kindergarten
6171	Title I Programs
6171	Title I Programs
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E(1)	Education For Homeless Children
6173-E(2)	Education For Homeless Children
6173.1	Education For Foster Youth

6173.1	Education For Foster Youth
6175	Migrant Education Program
6175	Migrant Education Program
6176	Weekend/Saturday Classes
6177	Summer Learning Programs
6178	Career Technical Education
6178	Career Technical Education
6179	Supplemental Instruction

Regulation 5148.2: Before/After School Programs

Status: ADOPTED

Original Adopted Date: 07/01/2015 | **Last Revised Date:** 12/01/~~2021~~2022 | **Last Reviewed Date:** 12/01/~~2021~~2022

CSBA NOTE: The district should revise the following administrative regulation to reflect the expanded learning opportunity programs, including before and/or after school program(s~~)~~), it offers and the grade levels at which the programs are offered. In addition to the program requirements described below, before-school and after-school programs may be subject to other district policies such as BP/AR 5148 - Child Care and Development, AR 3514.2 - Integrated Pest Management, and BP/AR 3550 - Food Service/Child Nutrition Program. The district should consult CSBA District and County Office of Education Legal Services or district legal counsel if it has questions regarding the applicability of other laws to the district's programs.

Definitions

Expanded learning opportunities means before school, after school, summer, ~~or intersession~~vacation, and/or intersessional learning programs that focus on developing the academic, social, emotional, and physical needs and interests of students through hands-on, engaging learning experiences. Expanded learning opportunities does not mean an extension of instructional time, but rather, opportunities to engage students in enrichment, play, nutrition, and other developmentally appropriate activities. (Education Code 8482.1, 46120)

Offer access, with regard to an Expanded Learning Opportunities (ELO) program, means to recruit, advertise, publicize, or solicit through culturally and linguistically effective and appropriate communication channels. (Education Code 46120)

Provide access, with regard to an ELO program, means to register or enroll a student in an ELO program. (Education Code 46120)

Unduplicated student means a student enrolled in a district who is either classified as an English learner, eligible for a free or reduced-price meal, or is a foster youth. (Education Code 42238.02, 46120)

Grades ~~K~~TK-9

CSBA NOTE: The following section is for use by districts providing before-school and/or after-school programs funded by the state After School Education and Safety Program (ASES) (Education Code 8482-8484.65), the federal 21st Century Community Learning Center ~~program~~Program (21st CCLC) (Education Code 8484.7-8484.9; 20 USC 7171-7176), or the Expanded Learning Opportunities Program (ELO) ~~program~~ (Education Code 46120).

ASES and 21st CCLC programs serve students who are in grades K-9 in an elementary, middle, or junior high school.

The district's After School Education and Safety (ASES) program or 21st Century Community Learning Center (21st CCLC) program shall serve students in any of grades ~~K~~TK-9 as the district may determine based on local needs. (Education Code 8482.3, 8484.7, 8484.75, 8484.8)

The district's 21st CCLC program shall primarily serve students in Title I schoolwide programs. (Education Code 8484.8; 20 USC 7173)

The district's ELO program shall serve students in grades TK-6. (Education Code 46120)

CSBA NOTE: The following paragraphs reflect the extent to which a before/after school programs, including ASES, 21st CCLC and ELO programs, require collaborative planning. Districts may revise the following paragraphs to reflect programs offered by the district.]

The district's programs shall be planned through a collaborative process that includes parents/guardians, students, and representatives of participating schools, governmental agencies, including city and county parks and recreation departments, local law enforcement, community organizations, and the private sector. As appropriate, the Superintendent or designee may include other stakeholders in such collaborative process. (Education Code 8482.5, 8484.75, 46120)

CSBA NOTE: Education Code 46120, as ~~added~~amended by AB ~~130~~181 (Ch. ~~44~~52, Statutes of ~~2021),~~ ~~establishes~~2022) and AB 185 (Ch. 571, Statutes of 2022), provides for the ~~Expanded Learning Opportunities~~ (ELO) ~~Program~~ program and allocates funding to districts under a formula based on a district's percentage of unduplicated students and average daily attendance. For the ~~2021-22~~2022-23 school year, districts receiving funds are required to offer access to ELO programs to all unduplicated students in grades TK-6 and to provide access to such programs to at least 50 percent of enrolled unduplicated students. ~~For~~Commencing with the ~~2022-23~~2023-24 school year, districts ~~receiving funds~~with a prior fiscal year local control funding formula (LCFF) unduplicated pupil percentage (UPP) of at least 75 percent are required to offer access to ELO programs to all classroom-based students in grades TK-6 ~~access to ELO programs~~, and to ensure that access is provided to any student whose parent/guardian requests placement in ~~a~~an ELO program. Commencing with the 2023-24 school year, districts with a prior fiscal year LCFF UPP of less than 75 percent are required to offer access to ELO programs to all unduplicated students in grades TK-6 and ensure that access is provided to any unduplicated student whose parent/guardian requests placement in an ELO program. Districts are required to prioritize services at school sites in the lowest income communities, as determined by prior year percentages of students eligible for free and reduced-price meals, while maximizing the number of schools and neighborhoods with ELO programs across their attendance area.

The following paragraph is for districts that receive ELO funds and should be deleted by districts that do not receive such funds. However, the California Department of Education's (CDE), "Expanded Learning Opportunities Program FAQs," clarifies that districts that receive funds for classroom-based instructional programs that serve grades TK-6 cannot opt-out of the ELO program funding.

~~The district's Expanded Learning Opportunities (ELO) program shall serve students in grades TK-6. For the 2021-22~~For the 2022-23 school year, the district shall offer access to ELO programs to all unduplicated students in grades TK-6 and provide access to such programs to at least 50 percent of enrolled unduplicated students. ~~Commencing with the 2022-23 school year, the district shall offer all students in grades TK-6 access to ELO programs, and ensure that access is provided to any student whose parent/guardian requests placement in a program.~~ (Education Code 46120)

CSBA NOTE: Beginning with the 2023-24 school year, Option 1 below is for use by districts with a prior fiscal year LCFF UPP of at least 75 percent. Option 2 is for districts with a prior fiscal year LCFF UPP of less than 75 percent.

OPTION 1: (For districts with a prior fiscal year local control funding formula unduplicated pupil percentage of at least 75 percent)

Commencing with the 2023-24 school year, the district shall offer access to the ELO program to all classroom-based students in grades TK-6. The district shall provide access to any student whose parent/guardian requests placement in an ELO program.

OPTION 2: (For districts with a prior fiscal year local control funding formula unduplicated pupil percentage of less than 75 percent)

The district shall offer access to the ELO program to all classroom-based unduplicated students in grades TK-6. The district shall provide access to any unduplicated student whose parent/guardian requests placement in an ELO program.

CSBA NOTE: ~~Education Code 8281.5, as added by AB 130 and amended by AB 167 (Ch. 252, Statutes of 2021), requires districts receiving grants through the~~The California Prekindergarten Planning and Implementation Grant Program, established pursuant to ~~develop a plan~~Education Code 8322, provides for ~~consideration by the Board at a public meeting on or before June 30, 2022 for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten that meet the needs of parents/guardians, including through partnerships with the district's ELO program, ASES Program, California~~ a state ~~preschool program, Head Start programs, and other community-based~~ early learning ~~and care programs.~~ initiative with the goal of expanding access to classroom-based prekindergarten programs. See BP 6170.1 - Transitional Kindergarten.

The Superintendent or designee shall ensure that the plan to provide access to full-day learning programs the year before kindergarten addresses the needs of children and their families as specified in BP 6170.1 - Transitional Kindergarten. (Education Code ~~8281.5~~8322)

CSBA NOTE: Pursuant to Education Code 8484.75, programs funded through the 21st CCLC program are generally subject to the same program requirements applicable to ASES programs, with the exception of specified provisions primarily related to allocation of funds~~.~~ , collaboration, and data collection. In contrast, ELO programs are explicitly subject to some but not all of the ASES requirements pursuant to Education Code 46120. However, the California Department of Education's (CDE)), "Expanded Learning Opportunities FAQs," emphasizes that districts are expected to uniformly apply the stricter ASES requirements to all programs since ASES, 21st CCLC, and ELO programs should be considered a single, comprehensive program. As such, the following section reflects the expectation that ELO programs will comply with all the requirements for ASES and 21st CCLC programs.

The following section applies to ASES, 21st CCLC, and ELO programs, except where otherwise noted, and should be revised to reflect the program(s) offered by the district.

The district's ASES, 21st CCLC, and ELO program(s) shall be operated in accordance with the following:

1. Program Elements

   a. The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (Education Code 8482.3, 8484.75, 46120)

CSBA NOTE: Education Code 8482.3 requires that the program include an educational enrichment component which may include physical fitness. Pursuant to Education Code 8483.55 and 8484.8, ~~the~~ CDE has developed voluntary California After School Physical Activity Guidelines which are available on its web site.

   b. The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (Education Code 8482.3, 8484.75, 46120)

CSBA NOTE: Pursuant to Education Code ~~8482~~8483.3, ~~after-school~~expanded learning opportunity programs ~~may~~ are required to offer a nutritional snack, meal, or both. Education Code 8482.3 requires that such snacks or meals ~~that~~ conform to applicable state or federal nutrition standards. Reimbursement for providing snacks is available through the National School Lunch Program and the Child and Adult Care Food Program (CACFP) for participating districts. Pursuant to the Healthy, Hunger-Free Kids Act of 2010 (42 USC 1766-1766a), after-school programs participating in the at-risk after-school care component of the CACFP may be reimbursed for serving full meals. Further information is available on the web sites of ~~the~~ CDE and the U.S. Department of Agriculture.

2. Nutrition

   a. ~~If snacks~~Snacks or meals ~~are~~ made available in the program~~, they~~ shall conform to nutrition standards specified in Education Code 49430-49434 or 42 USC 1766 as applicable. (Education Code 8482.3, 8484.75, 46120; 42 USC 1766-1766a; 7 CFR 226.17)

   b. The district's before-school program shall offer a breakfast meal as described in Education Code 49553 for all program participants. (Education Code 8483.1, 8484.75)

CSBA NOTE: Education Code 8482.3 provides that a program may be offered at one or multiple school sites. Program applications and U.S. Department of Education (USDOE) nonregulatory guidance, "21st Century Community Learning Centers~~,~~," state that programs may be located off campus as long as the facility is as available and accessible to students as if it were located at a school.

3. Location of Program

   a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. (Education Code 8482.3, 8484.75)

b. When there is a significant barrier to student participation in either the before-school or after-school component of a program at the school of attendance, the Superintendent or designee may, with the approval of the Superintendent of Public Instruction, provide services at another school site. Such transfer of services shall occur only if the school to which the program will be transferred agrees to receive students from the transferring school and has an existing grant of the same type as the transferring school, or does not have a 10-percent lower percentage of students eligible for free or reduced-price meals than the transferring school. A significant barrier includes any of the following: (Education Code 8482.8, 8484.75)

i. Fewer than 20 students participating in the program component

ii. Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation

iii. A reduction in the program grant of an existing school due to its merging into a new school opened by the district or the splitting of its students with a new school

In such cases, the district shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the before-school or after-school program, and parents/guardians; and ensure alignment of the educational and literacy elements with the regular school program of participating students. (Education Code 8482.8, 8484.75)

4. Staffing

a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (Education Code 8483.4, 8484.75, 45330, 45344, 45344.5)

CSBA NOTE: Pursuant to Education Code 8483.4, program staff and volunteers are required to meet health screening and fingerprint clearance requirements. Education Code 49024 provides that the requirement to obtain an Activity Supervisor Clearance Certificate prior to beginning a paid or volunteer position is satisfied by clearing a Department of Justice and Federal Bureau of Investigation criminal background check.

b. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in law and Board policy. (Education Code 8483.4, 8484.75)

c. The student-to-staff ratio shall be no more than 20 to 1, except that programs serving transitional kindergarten or kindergarten students shall maintain a student-to-staff member ratio of no more than 10 to 1 (Education Code 8483.4, 8484.75, 46120)

5. Hours of Operation

~~5.~~ CSBA NOTE: Pursuant to Education Code 46120, ELO programs must provide in-person before or after school expanded learning opportunities offered on school days that, when added to daily instructional minutes, recess, and meals, meet certain hourly requirements, as specified, Item #5(a) and 5(b) below do not apply to ELO programs offered pursuant to Education Code 46120.

a. A before-school program shall not operate for less than one and one-half hours per regular school day. (Education Code 8483.1, 8484.75)

CSBA NOTE: Pursuant to Education Code 8483, as amended by AB 2622 (Ch. 265, Statutes of 2018), ASES programs that operate at a school site located in an area that has a population density of less than 11 persons per square mile may end operating hours not earlier than 5 p.m. The following paragraph can be revised to reflect district programs.

b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day. (Education Code 8483, 8484.75)

~~CSBA NOTE: Pursuant to Education Code 46120, as added AB 130 and amended by AB 167, ELO programs must provide in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, are no less than nine hours of combined instructional time and expanded learning opportunities per instructional day.~~

c. An ELO program shall provide in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, shall not be less than nine hours of combined instructional time and expanded learning opportunities per instructional day. (Education Code 46120)

6. Admissions

a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (Education Code 8482.6, 8484.75)

b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:

i. First priority for enrollment shall be given to students who are identified as homeless youth, as defined by the McKinney-Vento Homeless Assistance Act (42 USC 11434a), at the time they apply for enrollment or at any time during the school year, to students who are identified by the program as being in foster care, and to students who are eligible for free or reduced-price meals. (Education Code 8483, 8483.1, 8484.75)

The district is not required to disenroll a current student in order to secure the enrollment of a student who has priority for enrollment. (Education Code 8483, 8483.1)

The district shall inform the parent/guardian of a homeless or foster youth, or student eligible for free or reduced price meals, of the right of the child to receive priority enrollment and how to request priority enrollment. (Education Code 8483, 8484.75)

CSBA NOTE: Item #(2) below is for use by districts that maintain middle or junior high schools.

ii. Second priority for enrollment of middle or junior high school students shall be given to students who attend daily. (Education Code 8483, 8483.1, 8484.75)

CSBA NOTE: Items #(3)-(5) are optional and may be revised or expanded to include enrollment priorities established by the district.

iii. Third priority for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulation.

iv. Any remaining capacity shall be filled by students selected at random.

v. A waiting list shall be established to accommodate additional students if space becomes available.

7. Attendance/Early Release

CSBA NOTE: Education Code 8483 and 8483.1 express legislative intent that elementary students attend the full program day of either the before-school or after-school program every day in which they participate~~.~~ , and districts are mandated to establish a policy regarding reasonable early daily release of students from the after-school program and reasonable late arrival to a before-school program. Education Code 8483 and 8483.1 allow districts to implement a flexible attendance schedule for students in middle or junior high school. Education Code 8483.1 specifies that, for before-school programs, students who attend less than one-half of the daily program hours may not be counted for attendance purposes.

~~Pursuant~~CDE's, "Early Release and Late Arrival Guidance," recommends that late arrival and early release policies be implemented by establishing codes for various reasons of early release or late arrival and includes sample codes.

In contrast, CDE's, "Expanded Learning Opportunities Program FAQ," explains that ELO Programs offered pursuant to Education Code ~~8483,~~46120 do not have an attendance requirement, but rather districts ~~offering an after-school program~~ are ~~mandated~~encouraged to ~~establish a policy regarding reasonable early daily release of students from the after-school program. Education Code 8483.1 mandates districts offering a before-school program to establish a policy regarding reasonable late daily arrival of students.~~ track student attendance for safety and continuous quality improvement purposes.

The following items should be revised to reflect district practice.

a. Each student admitted into a district program shall be expected to attend the full number of hours that the program is in operation every day that the student participates. An ELO program offered pursuant to Education Code 46120 does not

have an attendance requirement, but the district may track student attendance for safety and continuous quality improvement purposes.

b. When necessary, a student's parent/guardian may request, in writing, that the Superintendent or designee approve the reasonable late daily arrival for the before-school program or the reasonable early daily release from the after-school program. The Superintendent or designee shall not approve such a request if the student would be attending less than one-half of the daily program hours.

CSBA NOTE: Item #8 below is for use by districts that offer a program during summer, intersession, or vacation periods. Pursuant to Education Code 8483.76, a school that establishes a before-school or after-school program is eligible to receive a supplemental grant to operate the program in excess of 180 regular school days or during any combination of summer, weekends, intersession, or vacation periods for a maximum of 30 percent of the total grant amount awarded, per school year, to the school.

Pursuant to Education Code 46120, ELO programs are required to offer no less than nine hours of in-person expanded learning opportunities per day for at least 30 non-school days during intersessional periods.

8. Summer/Intersession/Vacation Programs

a. ELO programs shall offer no less than nine hours of in-person expanded learning opportunities per day for at least 30 non-school days, during intersessional periods.

b. A before-school program operating during summer, intersession, and/or vacation days shall be offered for a minimum of two hours per day. An after-school program offered during summer, intersession, and/or vacation days may be operated for either three hours or six hours per day in accordance with Education Code 8483.76. When both before-school and after-school programs are offered for the same students on such days, they shall be operated for a minimum of four and one-half hours per day. (Education Code 8483, 8483.1, 8483.2, 8483.76)

c. A program offered during summer, intersession, and/or vacation periods may open eligibility to every student attending a school in the district, with priority for enrollment given to students enrolled in the school that received the grant. (Education Code 8483.76)

d. To address the needs of students and school closures, the program may be conducted at an off-site location or an alternate school site. The program shall notify the California Department of Education (CDE) of the change of location and shall include a plan to provide safe transportation pursuant to Education Code 8484.6. (Education Code 8483.76)

e. Any program operating for six hours per day shall provide at least one nutritionally adequate free or reduced-price meal to each eligible student during each program day. (Education Code 8483.76)

CSBA NOTE: Education Code 8483.76 mandates that a district operating a six-hour program adopt an attendance and early release policy for the program that is consistent with the district's early

release policy for the regular school day; see item #7 above. This policy must be included in the program plan submitted to CDE.

f. For any program operating six hours per day, district procedures pertaining to student attendance and early release as specified in item #7 above shall apply. (Education Code 8483.76)

Grades 9-12

CSBA NOTE: The following section is for use by districts providing before-school and/or after-school programs funded through 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program (Education Code 8420-8428; 20 USC 7171-7176).

Pursuant to Education Code 46120, districts may, but are not required to, serve students in grades 7-12 in ELO programs.

The district's 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program shall serve students in any of grades 9-12 as the district may determine based on local needs. (Education Code 8421)

CSBA NOTE: The following paragraph reflects the collaborative planning requirements for the ASSETs program.

The district's ASSETs program shall be planned through a collaborative process that includes parents/guardians, students, and representatives of participating schools, governmental agencies including city and county parks and recreation departments, local law enforcement, community organizations, and, if appropriate, the private sector. (Education Code 8422)

The program shall be operated in accordance with the following guidelines:

1. Program Elements

   a. The program shall include an academic assistance element that is coordinated with the regular academic program and includes, but is not limited to, at least one of the following: (Education Code 8421)

      i. Tutoring

      ii. Career exploration, including activities that help students develop the knowledge and skills that are relevant to their career interests and reinforce academic content

      iii. Homework assistance

      iv. College preparation, including information about the Cal Grant program pursuant to Education Code 69430-69460

   b. The program shall include an enrichment element that may include, but is not limited to: (Education Code 8421)

i. Community service

ii. Career and technical education

iii. Job readiness

iv. Opportunities for mentoring and tutoring younger students

v. Service learning

vi. Arts

vii. Computer and technology training

viii. Physical fitness

ix. Recreation activities

CSBA NOTE: Education Code 8423 requires the ASSETs program to include a physical activity element. See CDE's , "California After School Physical Activity Guidelines~~, available on its web site.~~."

c. The program shall include a nutritional snack and/or meal and a physical activity element. (Education Code 8423)

d. The program shall provide for access to, and availability of, computers and technology. (Education Code 8423)

e. The Superintendent or designee shall assess students' preferences for program activities. (Education Code 8423)

2. Location of Program

a. The district's program may operate on one or multiple school sites or at another location approved by CDE. (Education Code 8421)

b. If applying for a location off school grounds, the Superintendent or designee shall ensure that safe transportation is available for students, if necessary, and the program is at least as available and accessible as similar programs conducted on school sites. (Education Code 8421)

3. Hours of Operation

a. The district's program shall operate for a minimum of 15 hours per week. (Education Code 8421)

b. The district's program may be operated either after school only or for any combination of after school, before school, weekends, summer, intersession, and vacations. (Education Code 8422)

Volunteers

CSBA NOTE: The following optional section is for use by districts that choose to create a registry of volunteer after-school physical recreation instructors or other volunteers pursuant to Education Code 35021.3, and may be used by districts that provide an ASES, 21st CCLC, ASSETs, ELO, or any other local program. When the district opts to use a registry created by a county office of education pursuant to Education Code 35021.3 rather than develop its own, the following section may be revised to inform district staff about the county registry and encourage its use.

Pursuant to Education Code 35021.3, after-school instruction in physical recreation provided by a volunteer does not count toward satisfaction of physical education requirements pertaining to the number of instructional minutes or course completion for high school graduation; see BP/AR 6142.7 - Physical Education and Activity and BP 6146.1 - High School Graduation Requirements.

The Superintendent or designee may establish a registry of volunteer after-school physical recreation instructors and other before-school and after-school program volunteers. (Education Code 35021.3)

CSBA NOTE: Education Code 35021.3 requires volunteers to submit to a criminal background check and authorizes, but does not require, the district to contribute funds to pay for all or part of the background check. Pursuant to Education Code 35021.3, the district may expand the following paragraph to impose additional requirements on volunteers (e.g., certification in cardiopulmonary resuscitation).

To be included in the registry, a volunteer shall submit to a criminal background check pursuant to Education Code 45125. The volunteer shall also submit current contact information to the district and shall update that information whenever the information changes. (Education Code 35021.3)

The Superintendent or designee may use a volunteer registered with the district or may select another person to provide physical recreation to students after school hours or to provide other services. (Education Code 35021.3)

Reports

CSBA NOTE: The following section applies to ASES, 21st CCLC, and ASSETs programs.

Pursuant to Education Code 8426 and 8484, CDE may terminate a grant if, for three consecutive years, the program fails to demonstrate measurable program outcomes or fails to attain 75 percent of its proposed attendance levels. For this purpose, CDE may consider a comparison of participating and nonparticipating students at the same school site or other factors.

The Superintendent or designee shall annually submit to CDE outcome-based data, including, but not limited to: (Education Code 8427, 8482.3, 8484)

1. For participating students, school day attendance on an annual basis and program attendance on a semi-annual basis

CSBA NOTE: Education Code 8427 requires programs to submit evidence of a program quality improvement process that is based on standards developed by CDE. ~~CDE's~~Such program quality standards~~,~~ can be found in CDE's, "Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality~~, are available on its web site.~~."

2. Evidence of a program quality improvement process that is data driven and based on CDE program quality standards

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

State	Description
Ed. Code 17260-17268	Plans and specifications for school facilities
Ed. Code 17264	New construction; accommodation of before- and after-school programs
Ed. Code 35021.3	After-school physical recreation instructors
Ed. Code 45125	Criminal record check
Ed. Code 45330	Paraprofessionals; instructional aides
Ed. Code 45340-45349	Paraprofessionals; instructional aides
Ed. Code 46120	Expanded Learning Opportunities Program
Ed. Code 49024	Activity Supervisor Clearance Certificate
Ed. Code 49430-49434	Nutrition standards
Ed. Code 49540-49546	Child care food program
Ed. Code 49553	Free or reduced-price meals
Ed. Code 69430-69460	Cal Grant program
Ed. Code 8263	Eligibility and priorities for subsidized child development services
~~Ed. Code 8263.4~~	~~Enrollment of students ages 11-12 years~~
Ed. Code 8273.1	Family fees; exemptions
Ed. Code ~~8281.5~~8322	California Prekindergarten Planning and Implementation Grant Program
Ed. Code 8295-8305	Child development program; personnel qualifications
Ed. Code 8350-8359.1	Programs for CalWORKS recipients
Ed. Code 8360-8370	Personnel qualifications
Ed. Code 8420-8428	21st Century After-School Program for Teens
Ed. Code 8482-8484.65	After School Education and Safety Program
Ed. Code 8484.7-8484.9	21st Century Community Learning Centers
Ed. Code 8490-8490.7	Distinguished After School Health Recognition Program

W&I Code 10207-10490	Child Care and Development Services Act
W&I Code 10273	Preferred placement for otherwise eligible children ages 11 or 12
Federal	**Description**
20 USC 6311	State plan
20 USC 6314	Title I schoolwide program
20 USC 7171-7176	21st Century Community Learning Centers
42 USC 11434a	Education for homeless children and youths
42 USC 1766-1766a	Child and Adult Care Food Program
7 CFR 226.17	Child care center nutrition standards
Management Resources	**Description**
California Department of Education Publication	Quality Program Improvement Plan Instructions: Instructions for Completing a Quality Program Improvement Plan for Expanded Learning Programs in California, ~~August 2020~~January 2022
California Department of Education Publication	21st CCLC and ASSETs FAQs, ~~September 2020~~October 2022
California Department of Education Publication	Request for Applications: 21st Century ~~High School~~Community Learning Centers and After School Safety and Enrichment for Teens, September ~~2020~~2022
~~California Department of Education Publication~~	~~Request for Applications: 21st Century Community Learning Centers Elementary/Middle Schools, September 2020~~
California Department of Education Publication	Expanded Learning Opportunities Program FAQs, ~~October 2021~~July 2022
California Department of Education Publication	A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools, 2014
California Department of Education Publication	California After School Physical Activity Guidelines, 2009
California Department of Education Publication	Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, 2014
U.S. Department of Education Publication	21st Century Community Learning Centers, Nonregulatory Guidance, February 2003
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education, Expanded Learning
Website	U.S. Department of Agriculture
Website	California Child and Adult Care Food Program
Website	California School-Age Consortium

Website	Partnership for Children and Youth
Website	California Afterschool Network
Website	California Healthy Kids Survey
Website	Commission on Teacher Credentialing
Website	CSBA
Website	U.S. Department of Education

Cross References

Code	Description
0000	Vision
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0470	COVID-19 Mitigation Plan
0500	Accountability
1240	Volunteer Assistance
1240	Volunteer Assistance
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1330	Use Of School Facilities
1330	Use Of School Facilities
1330-E(1)	Use Of School Facilities
1330.1	Joint Use Agreements
1400	Relations Between Other Governmental Agencies And The Schools
1700	Relations Between Private Industry And The Schools

3260	Fees And Charges
3260	Fees And Charges
3280	Sale Or Lease Of District-Owned Real Property
3280	Sale Or Lease Of District-Owned Real Property
3540	Transportation
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3552	Summer Meal Program
3552	Summer Meal Program
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
3554	Other Food Sales
3554	Other Food Sales
3580	District Records
3580	District Records
4112.4	Health Examinations
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4131	Staff Development
4212.4	Health Examinations
4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4222	Teacher Aides/Paraprofessionals
4222	Teacher Aides/Paraprofessionals
4231	Staff Development
4312.4	Health Examinations
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4331	Staff Development
5030	Student Wellness
5131.6	Alcohol And Other Drugs

5131.6	Alcohol And Other Drugs
5131.62	Tobacco
5131.62	Tobacco
5137	Positive School Climate
5141.21	Administering Medication And Monitoring Health Conditions
5141.21	Administering Medication And Monitoring Health Conditions
5141.23	Asthma Management
5141.23	Asthma Management
5141.27	Food Allergies/Special Dietary Needs
5141.27	Food Allergies/Special Dietary Needs
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5144	Discipline
5144	Discipline
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5145.9	Hate-Motivated Behavior
5147	Dropout Prevention
5148	Child Care And Development
5148	Child Care And Development
6011	Academic Standards
6020	Parent Involvement
6020	Parent Involvement
6142.4	Service Learning/Community Service Classes
6142.6	Visual And Performing Arts Education
6142.7	Physical Education And Activity
6142.7	Physical Education And Activity
6142.91	Reading/Language Arts Instruction
6142.92	Mathematics Instruction
6142.93	Science Instruction
6145	Extracurricular And Cocurricular Activities

6145	Extracurricular And Cocurricular Activities
6154	Homework/Makeup Work
6159	Individualized Education Program
6159	Individualized Education Program
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology
6170.1	Transitional Kindergarten
6171	Title I Programs
6171	Title I Programs
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E(1)	Education For Homeless Children
6173-E(2)	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6175	Migrant Education Program
6175	Migrant Education Program
6176	Weekend/Saturday Classes
6177	Summer Learning Programs
6178	Career Technical Education
6178	Career Technical Education
6179	Supplemental Instruction

Policy 5148.3: Preschool/Early Childhood Education **Status:** ADOPTED

Original Adopted Date: 11/01/2012 | **Last Revised Date:** 12/01/~~2021~~2022 | **Last Reviewed Date:** 12/01/~~2021~~2022

CSBA NOTE: The following optional policy may be used by districts that operate their own preschool/early childhood education programs and/or collaborate to provide preschool opportunities within the community. CSBA's publication , "What Boards of Education Can Do about Kindergarten Readiness," provides information about the characteristics of effective preschool programs and actions that the district and Governing Board can take to encourage and/or provide high-quality preschool education.

Pursuant to AB 131 (Ch. 116, Statutes of 2021), the statutes that govern the California State Preschool Program (CSPP) were renumbered within the Education Code. In addition, pursuant to AB 131, the statutes that govern child care programs under the Child Care and Development Services Act were repealed from the Education Code and reenacted in the Welfare and Institutions Code. Education Code 8207, as added by AB 131, clarifies that the Superintendent of Public Instruction (SPI) and the California Department of Education (CDE) retain administrative supervision of the CSPP.

~~In December 2020, the SPI initiated the rulemaking process for revised implementing regulations for the CSPP. Once final, these regulations may affect this policy and the accompanying administrative regulation.~~

~~Education Code 8281.5, as added by AB 130 (Ch. 44, Statutes of 2021~~Education Code 8320, as added by AB 210 (Ch. 62, Statutes of 2022) and amended by AB 185 (Ch. 571, Statutes of 2022), establishes the California Universal Preschool Planning Grant Program, with the goal of expanding access to preschool programs for 3-year old and 4-year-old children universally across the state, through a mixed-delivery system by a variety of providers, programs, and settings such as Head Start agencies and other public, private, or proprietary agencies. Under the program, grants are awarded per county, based on collaborative planning among the local child care and development planning council, school districts and other local educational agencies, public and private agencies, and other community members, to ensure that activities conducted under the grant meet community needs for universal preschool in a mixed-delivery system which are not already addressed.

Education Code 8322, as renumbered by SB 1380 (Ch. 28, Statutes of 2022), establishes the California Prekindergarten Planning and Implementation Grant Program as an early learning initiative with the goal of expanding access to classroom-based prekindergarten programs at districts. The program allocates funding to all districts that operate kindergarten programs through minimum base grants, enrollment grants based on a district's kindergarten enrollment, and supplemental grants based on a district's percentage of unduplicated students. Grant funds may be used for costs associated with creating or expanding CSPP programs or transitional kindergarten (TK) programs, or to establish or strengthen partnerships with other providers of prekindergarten education within the district, including Head Start programs, to ensure that high-quality options for prekindergarten education are available for four-year-old children. Allowable costs include, but are not necessarily limited to, planning costs, hiring and recruitment costs, staff training and professional development, classroom materials, and supplies.

Pursuant to ~~AB 131, the Legislature allocated additional funds to provide subsidized child care and CSPP programs with COVID-19 pandemic-related assistance.~~ Education Code 8252, as amended ~~and renumbered~~ by AB ~~131, requires~~210, districts are required to waive family fees for all families receiving

subsidized child care services from CSPP programs during the ~~2021-22~~2022-23 school year. See the accompanying administrative regulation for more information regarding waiver of fees.

The Governing Board recognizes the value of high-quality preschool experiences to enhance children's social-emotional development~~,~~ and acquisition of instructional knowledge, skills, and abilities. The Board desires to provide a supervised~~,~~ and cognitively rich learning environment designed to facilitate the transition to kindergarten for three- and four-year-old children.

CSBA NOTE: The following optional paragraphs may be used by all districts, regardless of whether they provide their own preschool programs, and may be revised to reflect district practice.

Welfare and Institutions Code 10480-10487 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, including preschool programs, and to develop policies to meet identified needs; see BP 5148 - Child Care and Development. Such councils may also develop centralized student eligibility lists; see the section ~~on~~ "Enrollment Priority" in the accompanying administrative regulation.

The Superintendent or designee shall collaborate with the local child care and development planning council, the county office of education, other public agencies, organizations, and/or private preschool providers to assess the availability of preschool programs in the community and the extent to which the community's preschool needs are being met. The Board encourages the development of a comprehensive districtwide and/or countywide plan to increase children's access to high-quality preschool programs.

The Superintendent or designee shall provide information about preschool options in the community to parents/guardians upon request.

CSBA NOTE: Pursuant to 5 CCR 17745, as adopted in Register 2022, No. 26, in addition to other eligibility requirements, a child and the child's parents/guardians must live in California while the child is receiving services.

To receive preschool services, a child and the child's parent(s)/guardian(s) shall be required to provide evidence of residency in California. However, any person identified as experiencing homelessness shall only be required to submit a declaration that the person resides in California. (5 CCR 17745)

Preschool eligibility determinations shall be made without regard to a child's immigration status or that of the child's parent(s)/guardian(s) unless the child or the child's parent(s)/guardian(s) are under a final order of deportation from the United States Department of Homeland Security. (5 CCR 17745)

District Preschool Programs

CSBA NOTE: The following optional section is for use by districts that choose to provide preschool/early childhood education programs for three-~~year-old~~ and four-year-old children and should be revised to reflect district practice.

The district may contract with CDE to offer a program through the CSPP pursuant to Education Code 8200-8340. Three-~~year-old~~ and four-year-old children from low-income or otherwise disadvantaged families may be eligible for subsidized services. See the accompanying administrative regulation for major program requirements for CSPP.

Pursuant to Education Code 8207, ~~as amended by AB 131,~~ CSPP programs may be part-day or full-day programs that are age and developmentally appropriate. See the accompanying administrative regulation for details.

Preschool programs may also receive funding through the state migrant child care and development program (Welfare and Institutions Code 10235-10238), child care and development services for children with special needs program (Welfare and Institutions Code 10260-10263), federal Head Start program (42 USC 9831-~~9852~~9852c), Title I preschool program (20 USC 6311-6322), or other funding sources available to the district.

When the Board determines that it is feasible, the district may contract with the California Department of Education (CDE) to provide preschool services in facilities at or near district schools, either directly or through a subcontract with a public or private provider.

CSBA NOTE: Pursuant to Health and Safety Code 1596.792, CSPP programs that are operated in a school building by a school district under contract with CDE are exempted from licensure and regulation requirements of Health and Safety Code 1596.70-1597.21. However, such CSPP programs are required to comply with other specified health and safety requirements, including the Field Act, California Building Standards Code, requirements for kindergarten classrooms specified in 5 CCR 14001-~~14306~~14036, and requirements for CSPP programs specified in 5 CCR ~~18000-18308.~~

~~Pursuant~~17700-17833.

Education Code 8207, as amended by SB 1047 (Ch. 923, Statutes of 2022), requires any CSPP program to provide early learning and care and comply with Health and Safety Code 1596.955 and all other applicable statutory and regulatory requirements, including, but not limited to, the requirement of Education Code 8205~~, as amended and renumbered by AB 131~~, that any child under four years of age ~~shall~~ be served only in a CSPP facility licensed in accordance with Title 22 of the California Code of Regulations.

District preschool programs shall comply with all health and safety laws and regulations, including, when applicable, licensure requirements pursuant to 22 CCR 101156.

CSBA NOTE: Pursuant to 5 CCR ~~18130 specifies the state regulations for child care and development programs that are applicable to CSPP programs, including the requirement~~17701, as adopted in ~~5 CCR 18271 that~~Register 2022, No. 26, the Board is required to approve a written philosophical statement, goals, ~~and~~ objectives, and requirements addressing each program component specified in 5 CCR ~~18272-18281.~~17701-17711, as adopted in Register 2022, No. 26. See the accompanying administrative regulation ~~and AR 5148 - Child Care and Development~~ for further information about these required program components.

The Board shall approve, for the district's preschool 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~~17701-17711 and the accompanying administrative regulation. (5 CCR ~~18271~~17701)

The Board shall set priorities for establishing or expanding services as resources become available, giving consideration to the benefits of providing early education programs for at-risk children and/or children residing in the attendance areas of the lowest performing district schools.

CSBA NOTE: Pursuant to Education Code 17375, ~~as amended by AB 130 and AB 167 (Ch. 252, Statutes of 2021),~~ districts may be awarded grants for the construction of new preschool classrooms or the modernization of existing preschool classrooms pursuant to the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program.

Preschool classroom needs shall be addressed in the district's facilities master plan, including an assessment as to whether adequate and appropriate space exists on school sites. As necessary, the Superintendent or designee shall provide information to the Board regarding facilities financing options

for preschool classrooms and/or facilities available through partnering organizations or agencies.

Because parents/guardians are essential partners in supporting the development of their children, the Superintendent or designee shall involve them in program planning.

CSBA NOTE: The following optional paragraph provides for coordination of the preschool program with the TK program and may be revised to reflect district practice. ~~Education Code 48000, as amended by AB 130 and AB 167, requires districts receiving TK apportionment to offer to any child whose fifth birthday is between September 2 and December 2 a TK program as the first year of a two-year kindergarten program and~~Education Code 48000 revises the timespans for mandatory admittance requirements to be phased in starting in the 2022-23 school year to the 2025-2026 school year; see BP 6170.1 - Transitional Kindergarten.

The Superintendent or designee shall coordinate the district's preschool program, transitional kindergarten program (TK), and elementary education program to provide a developmental continuum that builds upon children's growing skills and knowledge.

CSBA NOTE: Pursuant to Education Code 48000, ~~as amended by AB 130 and AB 167,~~ a child's eligibility for TK enrollment may not impact family eligibility for a preschool or childcare program. Education Code 8205, ~~as renumbered and amended by AB 131,~~ clarifies that four-year-old children who are eligible to participate in a CSPP program include those children whose 5th birthday occurs after September 1 of the fiscal year in which they are enrolled in a CSPP program and whose parent or guardian has opted to retain or enroll them in a CSPP program.

A child's eligibility for TK enrollment shall not impact family eligibility for a preschool or child care program. (Education Code 8205, 48000)

CSBA NOTE: CDE has developed voluntary "preschool learning foundations" which describe the knowledge, skills, and competencies that children are expected to exhibit as they complete their first or second year of preschool. These standards address essential skills in the subject areas listed below. The standards and companion preschool curriculum frameworks are available on CDE's web site.

The district's program shall be aligned with preschool learning foundations and curriculum frameworks developed by CDE which identify the knowledge, skills, and competencies that children typically attain as they complete their first or second year of preschool. The program shall be designed to facilitate children's development in essential skills in the areas of language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

~~CSBA NOTE: Education Code 8203, as amended by AB 1363 (Ch. 498, Statutes of 2021),~~CSBA NOTE: Pursuant to Education Code 8241.5, as amended by AB 210 and AB 185, preschool providers are required to identify dual language learners enrolled in specified preschool programs through a family language instrument and a family language and interest interview, and to report child and program data related to dual language learners to CDE. Education Code 8203 requires the quality indicators for CSPP programs to include activities and services that meet the needs of dual language learners for support in the development of their home language and English, and is reflected in the following paragraph.

The Superintendent or designee shall identify dual language learners in district preschool programs, and shall collect and report related data to CDE as required by Education Code 8241.5. The district's preschool program shall include activities and services that meet the needs of dual language learners for support in the development of their home language and English. (Education Code 8203)

CSBA NOTE: The following paragraph reflects Education Code 8208, as amended by AB 210 and SB 1047, which provides that, starting July 1, 2022 – June 30, 2023, at least 5 percent of enrollment into

subsidized preschool must be reserved for children with exceptional needs and increases the number to 7.5 percent on July 1, 2023 and 10 percent from July 1, 2024.

The district's preschool program shall serve children with exceptional needs as required by Education Code 8208. Children with exceptional needs attending any CSPP program shall be educated in the least restrictive environment in accordance with 20 USC 1412.

The district's preschool program shall provide appropriate services to support the needs of at-risk children.

CSBA NOTE: Pursuant to Education Code 8207~~, as amended and renumbered by AB 131~~, CSPP programs must include certain required components, as reflected in the accompanying administrative regulation.

To maximize the ability of children to succeed in the preschool program, the program shall support children's health through proper nutrition and physical activity and shall provide or make referrals to available health and social services as needed.

The district shall encourage volunteerism by families participating in the program and shall communicate frequently with parents/guardians of enrolled children regarding their child's progress.

CSBA NOTE: The Commission on Teacher Credentialing issues permits for child development program directors, site supervisors, ~~master~~and teachers~~, teachers, associate teachers, and assistants~~ pursuant to criteria established in Education Code 8205 and 8298~~, as renumbered and amended by AB 131,~~ and 5 CCR ~~80105-80125.~~ 17717-17721, as adopted in Register 2022, No. 26. The district may request from CDE a waiver of the qualification requirements for a site supervisor upon demonstration of a compelling need, in accordance with Education Code 8205 and 5 CCR ~~18295~~17719.

Health and Safety Code 1596.7995 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 requires that teachers in a day care center obtain a tuberculosis clearance. See the accompanying administrative regulation.

The Superintendent or designee shall ensure that administrators, teachers, and paraprofessionals in district preschool programs possess the appropriate permit(s) issued by the Commission on Teacher Credentialing, meet any additional qualifications established by the Board, and participate in professional development opportunities designed to continually enhance their knowledge and skills.

CSBA NOTE: ~~Pursuant to~~ 5 CCR ~~18130, CSPP programs are subject to the requirements of 5 CCR 18105. 5 CCR 18105~~17743, as adopted in Register 2022, No. 26, mandates that districts offering a CSPP program develop written admissions policies and procedures that conform to the requirements of 22 CCR 101218.1, as provided in the following paragraph. See the accompanying administrative regulation for additional language that fulfills this mandate.

Preschool 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 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 a health examination requirement. (5 CCR ~~18105~~17743; 22 CCR 101218.1)

CSBA NOTE: Education Code 8208, 8210, and 8211, as amended ~~and renumbered~~ by AB ~~131~~210 and 185, and 5 CCR ~~18106 establish~~17746-17748 revised eligibility criteria and enrollment priorities for subsidized preschool services, as provided below and in the accompanying administrative regulation.

Eligibility is generally limited to children who reside within district boundaries. However, Education Code 8267, ~~as amended and renumbered by AB 131, and 5 CCR 18107 authorize~~ authorizes 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 preschool 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 8208, 8210, and 8211 and 5 CCR ~~18106~~17746-17748.

CSBA NOTE: The following paragraph is optional. Pursuant to Education Code 8207, ~~as amended and renumbered by AB 131,~~ programs operated under the CSPP may be part-day or full-day programs.

The Superintendent or designee shall recommend strategies to link the district's preschool program with other available child care and development programs in the district or community in order to assist families whose child care needs extend beyond the length of time that the district's preschool program is offered.

~~CSBA NOTE: Education Code 8281.5, as added by AB 130 and amended by AB 167, requires districts receiving grants through the California Prekindergarten Planning and Implementation Grant Program to develop a plan for consideration by the board at a public meeting on or before June 30, 2022 for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten that meet the needs of parents/guardians, including through partnerships with the local educational agency's expanding learning offerings, the After School Education and Safety Program, the CSPP, Head Start programs, and other community-based early learning and care programs. See BP 6170.1 - Transitional Kindergarten.~~

The Superintendent or designee shall ensure that the plan to provide access to full-day learning programs the year before kindergarten addresses the needs of preschool children and their families as specified in BP 6170.1 - Transitional Kindergarten. (Education Code 8281.58322)

~~CSBA NOTE: Pursuant AB 131, the Legislature allocated additional funds to provide subsidized child care and CSPP programs with COVID-19 pandemic-related assistance. To receive the additional funding, a CSPP program that is funded to be operational, but which is physically closed by local or state public health order or guidance due to the COVID-19 pandemic, is required to provide distance learning services as specified by CDE in Management Bulletin 21-11, Reopening, Reimbursement, Distance Learning Plans, and Distance Learning Requirements for California State Preschool Program Contractors.~~CSBA NOTE: Pursuant to 5 CCR 17709-17711, as adopted in Register 2022, No. 26, the district is required to conduct an annual self-evaluation that includes, but is not limited to, an assessment of the program by staff and the Board, a parent/guardian survey, and an environment rating scale using forms identified in 5 CCR 17700, as adopted in Register 2022, No. 26. In addition, pursuant to 5 CCR 17794, as adopted in Register 2022, No. 26, CDE conducts a Federal Program Monitoring/Contract Monitoring Review (FPM/CMR) of each contract agency at least once every four years. The FPM/CMR instrument is available on CDE's web site.

Education Code 8203.1 establishes the early learning quality rating and improvement system (QRIS) block grant to support continuous local improvement efforts that increase the number of low-income children in high-quality preschool programs. Grant funds may be awarded to eligible local consortia, which then allocate funds to districts and other agencies contracting to provide CSPP programs. Pursuant to Education Code 8203.1, QRIS is based on a tiered rating structure with progressively higher quality standards for each tier. It is designed to (1) provide supports and incentives for programs, teachers, and administrators to reach higher levels of quality; (2) monitor and evaluate program impacts on child outcomes; and (3) disseminate information to parents/guardians and the public about program quality.

For further information about the QRIS block grant, see CDE's web site and its publication, "Dream Big for Our Youngest Children."

~~When a district CSPP program is physically closed by local or state public health order due to the COVID-19 pandemic, the district shall provide distance learning to preschool children when required to do so as a condition of funding or when required by law.~~

~~CSBA NOTE: 5 CCR 18279-18281 require an annual evaluation using CDE's standardized "Desired Results for Children and Families" system. The system requires a self-evaluation that includes, but is not limited to, an assessment of the program by staff and the Board, a parent/guardian survey, and an environment rating scale using forms selected by CDE. In addition, every three years, CDE conducts a Federal Program Monitoring/Contract Monitoring Review (FPM/CMR) process with each contract agency which reviews compliance with program requirements. The FPM/CMR instrument is available on CDE's web site.~~

~~Education Code 8203.1 establishes the early learning quality rating and improvement system (QRIS) block grant to support continuous local improvement efforts that increase the number of low-income children in high-quality preschool programs. Grant funds may be awarded to eligible local consortia, which then allocate funds to districts and other agencies contracting to provide CSPP programs. Pursuant to Education Code 8203.1, QRIS is based on a tiered rating structure with progressively higher quality standards for each tier. It is designed to (1) provide supports and incentives for programs, teachers, and administrators to reach higher levels of quality; (2) monitor and evaluate program impacts on child outcomes; and (3) disseminate information to parents/guardians and the public about program quality. For further information about the QRIS block grant, see CDE's web site and its publication Dream Big for Our Youngest Children.~~

The Superintendent or designee shall develop and implement an annual plan of evaluation which conforms to state requirements. (5 CCR ~~18279~~17709-17711)

CSBA NOTE: The following paragraph is for use by districts that offer a CSPP program and may be revised to reflect the type(s) of programs offered by the district. Education Code 8212~~, as renumbered by AB 131,~~ requires districts to use the uniform complaint procedures, with modifications as necessary, to investigate and resolve health and safety complaints in license-exempt CSPP programs. Pursuant to 5 CCR ~~4610 requires that such complaints be addressed through~~17781, license-exempt CSPP programs are required to comply with the procedures described in 5 CCR 4690-4694~~, as added by Register 2020, No. 21.~~ . See BP/AR 1312.3 - Uniform Complaint Procedures.

The district's uniform complaint procedures, with modifications as necessary, shall be used to investigate and resolve complaints alleging violation of applicable health or safety requirements for license-exempt programs operating under the California State Preschool Program. However, licensed programs shall refer complaints alleging health and safety violations to the California Department of Social Services. (Education Code 8212; 5 CCR 4610, 4611, 4690-4694, 17781)

The Superintendent or designee shall regularly report to the Board regarding enrollment in district preschool programs and the effectiveness of the programs in preparing preschoolers for transition into the elementary education program.

Policy Reference UPDATE Service
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Policy Reference Disclaimer:

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

State	Description
22 CCR 101151-~~101163~~101191	Licensing and application procedures
22 CCR 101151-101239.2	General requirements; licensed child care centers
22 CCR 101212-101231	Continuing requirements
22 CCR 101237-101239.2	Facilities and equipment
5 CCR ~~18000-18434~~14001-14036	~~Child care and development programs~~School housing
5 CCR ~~18130-18136~~17700-17833	California State Preschool Program
5 CCR ~~18272-18281~~17701-17711	General Program Requirements
5 CCR 17746-17748	Enrollment priorities
5 CCR 18295	Waiver of qualifications for site supervisor
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 80105-80125	Commission on Teacher Credentialing; child care and development permits
Ed. Code 17375	California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program
Ed. Code 44065	Issuance of and functions requiring credentials
Ed. Code 44256	Authorization for teaching credentials
Ed. Code 48000	Transitional kindergarten
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 8200-8340	California State Preschool Program
Ed. Code 8203.5	Contracts to provide ~~child care and development~~preschool services
Ed. Code 8205	Definitions
Ed. Code 8207	California State Preschool Program administration
Ed. Code 8208	Eligibility of three- or four-year-old child for state preschool program
Ed. Code 8209	Physical examination and immunizations
Ed. Code 8210	Priority for part-day programs
Ed. Code 8211	Priority for full-day programs
Ed. Code 8212	Complaints related to preschool health and safety issues
Ed. Code 8213	Income eligibility

Ed. Code 8214	Order of disenrollment
Ed. Code 8217	Enrollment of three- and four-year-old children in state preschool programs
Ed. Code 8220-8221	Family literacy services
Ed. Code 8241	Staffing ratios for center-based program
Ed. Code 8252-8254	Family fees
~~Ed. Code 8281.5~~	~~California Prekindergarten Planning and Implementation Grant Program~~
Ed. Code 8298	Program director qualifications
Ed. Code 8322	California Prekindergarten Planning and Implementation Grant Program
H&S Code 120325-120380	Immunization against communicable diseases
H&S Code 1596.70-1596.895	California Child Day Care Act
H&S Code 1596.90-1597.21	Day care centers
W&I Code 10207-10215	General provisions
W&I Code 10207-10490	Child Care and Development Services Act
W&I Code 10217-10224.5	Resource and referral programs
W&I Code 10225-10234	Alternative payment programs
W&I Code 10235-10238	Migrant child care and development programs
W&I Code 10240-10243	General child care and development programs
W&I Code 10250-10252	Family child care home education networks
W&I Code 10260-10263	Child care and development services for children with special needs
W&I Code 10480-10487	Local planning councils
Federal	**Description**
20 USC 1400-1482	Individuals with Disabilities Education Act
20 USC 6311-6322	Title I, relative to preschool
~~20 USC 6371-6376~~	~~Early Reading First~~
~~20 USC 6381-6381k~~	~~Even Start Family Literacy Program~~
20 USC 6391-6399	Education ~~for migrant students~~of migratory children
42 USC 9831-9852c	Head Start programs
42 USC 9857-9858r	Child Care and Development Block Grant
45 CFR 1301.1-1305.2	Head Start
Management Resources	**Description**
California Department of Education Publication	~~Management Bulletin 21-11, Reopening, Reimbursement, Distance Learning Plans, and Distance Learning~~

	~~Requirements for California State Preschool Program Contractors, September 17, 2021~~First Class: A Guide for Early Primary Education, 1999
~~California Department of Education Publication~~	~~Management Bulletin 21-12, Guidance on Family Fees for Fiscal Year (FY) 2021-22, September 17, 2021~~
~~California Department of Education Publication~~	~~Management Bulletin 21-13, Guidance on Implementation of the California State Preschool Program Quality Requirements During the COVID-19 Pandemic, September 29, 2021~~
~~California Department of Education Publication~~	~~Prekindergarten Learning Development Guidelines, 2000~~
~~California Department of Education Publication~~	~~Preschool English Learners: Principles and Practices to Promote Language, Literacy, and Learning, 2nd ed., 2009~~
California Department of Education Publication	California Preschool Learning Foundations
California Department of Education Publication	Dream Big for Our Youngest Children: Final Report of the California Early Learning Quality Improvement System Advisory Committee, 2010
California Department of Education Publication	Prekindergarten Learning Development Guidelines, 2000
California Department of Education Publication	Preschool English Learners: Principles and Practices to Promote Language, Literacy, and Learning, 2nd ed., 2009
CSBA Publication	What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016
U.S. Department of Education Publication	Good Start, Grow Smart, April 2002
U.S. Department of Education Publication	Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, 2016
Website	CSBA District and County Office of Education Legal Services
Website	National Institute for Early Education Research
Website	California Head Start Association
Website	California Preschool Instructional Network
Website	Child Development Policy Institute
Website	California Association for the Education of Young Children
Website	First 5 California
Website	California Department of Social Services
Website	California County Superintendents Educational Services Association
Website	Cities Counties and Schools Partnership
Website	CSBA
Website	U.S. Department of Education

Website	California Department of Education

Cross References

Code	Description
0415	Equity
0470	COVID-19 Mitigation Plan
0500	Accountability
1240	Volunteer Assistance
1240	Volunteer Assistance
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E (1)	Uniform Complaint Procedures
1312.3-E (2)	Uniform Complaint Procedures
1330	Use Of School Facilities
1330	Use Of School Facilities
1330-E(1)	Use Of School Facilities
1330.1	Joint Use Agreements
1340	Access To District Records
1340	Access To District Records
1400	Relations Between Other Governmental Agencies And The Schools
1700	Relations Between Private Industry And The Schools
3260	Fees And Charges
3260	Fees And Charges
3280	Sale Or Lease Of District-Owned Real Property
3280	Sale Or Lease Of District-Owned Real Property
3523	Electronic Signatures
3523	Electronic Signatures
3541	Transportation Routes And Services
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3580	District Records
3580	District Records
4112	Appointment And Conditions Of Employment

4112.4	Health Examinations
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4112.6	Personnel Files
4131	Staff Development
4212.4	Health Examinations
4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4212.6	Personnel Files
4222	Teacher Aides/Paraprofessionals
4222	Teacher Aides/Paraprofessionals
4231	Staff Development
4312.4	Health Examinations
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4312.6	Personnel Files
4331	Staff Development
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5030	Student Wellness
5111	Admission
5111	Admission
5125	Student Records
5125	Student Records
5141.23	Asthma Management
5141.23	Asthma Management
5141.26	Tuberculosis Testing
5141.31	Immunizations
5141.31	Immunizations
5141.32	Health Screening For School Entry
5141.6	School Health Services
5141.6	School Health Services
5144.1	Suspension And Expulsion/Due Process

5144.1	Suspension And Expulsion/Due Process
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5148	Child Care And Development
5148	Child Care And Development
6011	Academic Standards
6020	Parent Involvement
6020	Parent Involvement
6159	Individualized Education Program
6159	Individualized Education Program
6164.4	Identification And Evaluation Of Individuals For Special Education
6164.4	Identification And Evaluation Of Individuals For Special Education
6170.1	Transitional Kindergarten
6171	Title I Programs
6171	Title I Programs
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E (1)	Education For Homeless Children
6173-E (2)	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6173.2	Education Of Children Of Military Families
6173.2	Education Of Children Of Military Families
6174	Education For English Learners
6174	Education For English Learners
6175	Migrant Education Program
6175	Migrant Education Program
6200	Adult Education
6200	Adult Education
7110	Facilities Master Plan
7210	Facilities Financing

Regulation 5148.3: Preschool/Early Childhood Education

Status: ADOPTED

Original Adopted Date: 07/01/2015 | **Last Revised Date:** 12/01/~~2021~~2022 | **Last Reviewed Date:** 12/01/~~2021~~2022

CSBA NOTE: The following administrative regulation reflects the major requirements of the California State Preschool Program (CSPP) pursuant to Education Code 8200-8340~~, as renumbered and amended by AB 131 (Ch. 116, Statutes of 2021)~~. and 5 CCR 17700-17833, as adopted in Register 2022, No. 26.

The following administrative regulation does not reflect all requirements for other state and federally funded preschool program(s). The district may revise this administrative regulation to reflect other preschool program(s) it offers, such as the state migrant child care and development program (Welfare and Institutions Code 10235-10238~~, as renumbered and amended by AB 131~~), child care and development services for children with special needs program (Welfare and Institutions Code 10260-10263~~, as renumbered and amended by AB 131~~), federal Head Start program (42 USC 9831-~~98529~~852c), Title I preschool program (20 USC 6311-6322), or preschool program developed and funded by the district.

In addition to the program requirements described below, other district policies ~~may be applicable to preschool programs~~ as contained throughout the district's policy manual~~.~~ may be applicable to preschool programs. See BP/AR 1240 - Volunteer Assistance, AR 3514.2 - Integrated Pest Management, BP/AR 3550 - Food Service/Child Nutrition Program, and BP/AR 5148 - Child Care and Development. Districts should consult CSBA District and County Office of Education Legal Services or district legal counsel if ~~they have~~there are questions regarding the applicability of other laws to the district's preschool program.

~~Education Code 8205, as amended by AB 131, clarifies that four-year-old children who are eligible to participate in a CSPP program include those children whose fifth birthday occurs after September 1 of the fiscal year in which they are enrolled in a California State Preschool Program (CSPP) and whose parent/guardian has opted to retain or enroll such child in a CSPP program.~~

Children with exceptional needs means either of the following:

1. Children under three years of age who have been determined to be eligible for early intervention services pursuant to the California Early Intervention Services Act (Government Code 95000-95029.5) and its implementing regulations. These children include an infant or toddler with a developmental delay or established risk condition, or who is at high risk of having a substantial developmental disability, as defined in Government Code 95014. These children shall have active individualized family service plans (IFSP) and shall be receiving early intervention services.

2. Children 3 to 21 years of age, inclusive, who have been determined to be eligible for special education and related services by an individualized education program team according to the special education requirements contained in Education Code 56000-56865, and who meet eligibility criteria described in Education Code 56026 and 56333-56338 and 5 CCR 3030-3031. These children shall have an active individualized education program (IEP) and shall be receiving early intervention services or appropriate special education.

Dual language learner children means children whose first language is a language other than English or children who are developing two or more languages, one of which may be English.

Three-year-old children means children who will have their third birthday on or before December 1 of the fiscal year in which they are enrolled in a program approved by the California Department of Education (CDE) under the California State Preschool Program (CSPP). Children who have their third birthday on or after December 2 of the fiscal year, may be enrolled in a CSPP program on or after their third birthday. (Education Code 8205)

Four-year-old children means children who will have their fourth birthday on or before December 1 of the fiscal year in which they are enrolled in a CSPP program, or a child whose fifth birthday occurs after September 1 of the fiscal year in which they are enrolled in a CSPP program and whose parent or guardian has opted to retain or enroll them in a CSPP program. (Education Code 8205)

When approved by CDE under the CSPP, the district may operate one or more part-~~day~~ or full-day preschool programs in accordance with law and the terms of its contract with CDE.

CSBA NOTE: Pursuant to Education Code 8207, ~~as amended and renumbered by AB 131,~~ CSPP programs must include certain required components, as reflected in Items 1-7 below. Item 8 is a recommended practice that may be revised to reflect the district's program.

The district's CSPP program shall include all of the following: (Education Code 8207)

1. Age and developmentally appropriate activities for children
2. Supervision
3. Parenting education and parent engagement
4. Social services that include, but are not limited to, identification of child and family needs and referral to appropriate agencies
5. Health services
6. Nutrition
7. Training and career ladder opportunities, documentation of which shall be provided to CDE
8. Physical activity to support children's health

CSBA NOTE: ~~5 CCR 18130 specifies the state regulations for child care and development programs that are applicable to~~ CSPP ~~programs. These requirements include, but are not limited to, the~~ program components are listed in 5 CCR ~~18272-18281. See AR 5148 - Child Care and Development for details regarding these required program components.~~ 17701-17711, as adopted in Register 2022, No. 26.

Pursuant to Education Code 8203.5~~, as amended and renumbered by AB 131~~, contracts between the California Department of Education (CDE) and districts for CSPP programs must include a requirement that a developmental profile be maintained for each child.

The district's preschool program shall ~~include all required program components for~~satisfy all the requirements described in 5 CCR 17701-17711, including, but not limited to, those related to the program philosophy, goals, and objectives, the educational program, the creation of a developmental profile for each child, staff development, ~~parent involvement~~family engagement and ~~education~~strengthening, community involvement, health and social services, nutrition, and program evaluation~~, as described in 5 CCR 18272-18281 and AR 5148 - Child Care and Development~~.

Minimum Hours/Days of Operation

CSBA NOTE: Pursuant to Education Code 8207, ~~as amended and renumbered by AB 131,~~ CSPP programs may be part-~~day~~ or full-day. The following section may be revised to reflect district programs.

The district's part-day preschool program shall operate a minimum of three hours, and up to three hours and 59 minutes, per day, excluding time for home-to-school transportation, and for ~~a minimum of~~at least 175 days per year unless otherwise specified in the ~~program's~~ contract with CDE. (Education Code 8207; 5 CCR ~~18136)~~17727)

CSBA NOTE: The following paragraph reflects Education Code 48000, as amended by AB 185 (Ch. 571, Statutes of 2022).

However, a part-day preschool program may also offer transitional kindergarten (TK) or kindergarten children whose families meet the requirements of Education Code 8208 less than four hours of wraparound childcare services and a part-day preschool program operating on a school site may be allowed flexibility in the operational hours. (Education Code 48000)

The district's full-day program shall operate for a minimum of 246 days per year, unless the contract specifies a lower number of days of operation. ~~(Education Code 8207,~~ and for the number of operational hours reasonably necessary to meet the preschool needs of the families in the community. (Education Code 8207; 5 CCR 17728)

Staffing

CSBA NOTE: Education Code 8241, ~~as amended and renumbered by AB 131,~~ provides staffing ratios that apply until the Superintendent of Public Instruction (SPI) promulgates regulations to establish such ratios for center-based programs. Pursuant to Education Code 8241, CSPP programs must maintain a ratio of at least one adult to every eight children and at least one teacher to every 24 children.

The preschool program shall maintain an adult-child ratio of at least one adult for every eight children and a teacher-child ratio of at least one teacher for every 24 children. (Education Code 8241, 5 CCR ~~18135, 18290~~17713-17716)

CSBA NOTE: Health and Safety Code 1596.7995 requires employees and volunteers at a day care center to be immunized against influenza, pertussis, and measles, with specified exemptions. Health and Safety Code 1597.055 adds a requirement for such teachers to obtain a tuberculosis clearance. Pursuant to Health and Safety Code 1596.76, a day care center includes a preschool. See AR 5148 - Child Care and Development for further information regarding immunization requirements for staff and volunteers. Districts that have not adopted AR 5148 - Child Care and Development may revise the following paragraph accordingly and expand it to include the exemptions specified in Health and Safety Code 1596.7995.

Any person employed at a district preschool and any volunteer who provides care and supervision to children at a preschool shall, unless exempted by law, be immunized against influenza, pertussis, and measles in accordance with Health and Safety Code 1596.7995 and AR 5148 - Child Care and Development. Documentation of required immunizations, or applicable exemptions, shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

In addition, preschool teachers shall present evidence of a current tuberculosis clearance and meet other requirements as specified in Health and Safety Code 1597.055.

~~Family Literacy Services~~

CSBA NOTE: The following paragraph is optional and may be revised to reflect district practice. Education Code 49406 requires school volunteers, with certain authorized exceptions, to submit to a tuberculosis risk assessment as developed by the California Department of Public Health. If risk factors are identified, then the volunteer is required to submit to an intradermal (skin) tuberculin test or other tuberculin test recommended by the Centers for Disease Control and Prevention.

The district may require any volunteer who is to provide care and supervision to district preschool children to provide evidence that the volunteer is free of infectious tuberculosis.

Family Literacy Services

CSBA NOTE: The following section is optional. Contingent upon funding in the state Budget Act, Education Code 8220 and 8221, ~~as renumbered by AB 131,~~ provide for the SPI to distribute family literacy supplemental grant funds to qualifying CSPP contractors for the purposes described below.

When any district part-day preschool program receives funding for family literacy services pursuant to Education Code 8221, the Superintendent or designee shall coordinate the provision of: (Education Code 8220)

1. Opportunities for parents/guardians to work with their children on interactive literacy activities, including activities in which parents/guardians actively participate in facilitating their children's acquisition of prereading skills through guided activities such as shared reading, learning the alphabet, and basic vocabulary development

2. Parenting education for parents/guardians of children in participating classrooms to support their child's development of literacy skills, including, but not limited to, parent education in:

   a. Providing support for the educational growth and success of their children

   b. Improving parent-school communications and parental understanding of school structures and expectations

   c. Becoming active partners with teachers in the education of their children

   d. Improving parental knowledge of local resources for the identification of and services for developmental disabilities, including, but not limited to, contact information for the district special education referral

3. Referrals to providers of adult education and instruction in English as a second language as necessary to improve academic skills of parents/guardians

4. Staff development for teachers in participating classrooms that includes, but is not limited to:

   a. Development of a pedagogical knowledge, including, but not limited to, improved instructional and behavioral strategies

   b. Knowledge and application of developmentally appropriate assessments of the prereading skills of children in participating classrooms

c. Information on working with families, including the use of on-site coaching, for guided practice in interactive literacy activities

d. Providing targeted interventions for all young children to improve kindergarten readiness upon program completion

Eligibility ~~and Enrollment Priorities~~Criteria for Part-Day CSPP Programs

CSBA NOTE: ~~Education Code 8208, as amended and renumbered by AB 131, revises the eligibility criteria and enrollment priorities for part-day CSPP programs and adds eligibility criteria and enrollment priorities for full-day CSPP programs.~~ The following section reflects eligibility criteria ~~and enrollment priorities~~ for the part-day CSPP programs pursuant to state law and regulations. See the section ~~on~~ "Eligibility and Enrollment Priorities for Full-Day CSPP Programs" below for full-day program requirements.

5 CCR ~~18105~~17743, as adopted in Register 2022, No. 26, mandates that a district operating a CSPP program develop written admissions policies and procedures that conform to the requirements of 22 CCR 101218.1, including, but not limited to, criteria designating those children whose needs can be met by the program and services and the ages of children who will be accepted.

A three-~~year-old~~ or four-year-old child is eligible for a part-day CSPP program if the child's family is one of the following: (Education Code 8208)

1. A current aid recipient
2. Income eligible
3. Homeless
4. One whose children are recipients of child protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected or exploited

CSBA NOTE: Education Code 8208, as amended by AB 210 (Ch. 62, Statutes of 2022), has expanded eligibility for participation in CSPP to include families with a child with exceptional needs, as defined in Education Code 8205.

5. One who has children with exceptional needs, as defined in Education Code 8205

CSBA NOTE: Education Code 8208, as amended by SB 1047 (Ch. 923, Statutes of 2022), further expands eligibility for participation in CSPP to families specified in Item #6 below.

6. One with a household member who is certified to receive benefits from Medi-Cal, CalFresh, the California Food Assistance Program, the California Special Supplemental Nutrition Program for Women, Infants, and Children, the federal Food Distribution Program on Indian Reservations, Head Start, Early Head Start, or any other designated means-tested government program, as determined by CDE

After all eligible three- and four-year-old children have been enrolled as provided above, a part-day CSPP program may provide services to children in families whose income is no more than 15 percent above the income eligibility threshold, as described in Education Code 8213. No more than 10 percent of all the children enrolled in the CSPP program shall be from families above the income eligibility threshold.

(Education Code 8208)

In addition, after all otherwise eligible children have been enrolled as provided in the paragraphs above, a part-day CSPP program may provide services to three- and four-year-old children in families whose income is above the income eligibility threshold if those children are children with ~~disabilities.~~ exceptional needs. Such children with ~~disabilities enrolled in part-day CSPP program~~exceptional needs shall not count towards the 10-percent limit on enrollment of families with income above the income eligibility threshold described above. (Education Code 8208)

CSBA NOTE: Education Code 8217, as amended by AB 185, further expands eligibility to part-day CSPP to three-year old children in the circumstances specified in the following paragraph.

A CSPP program operating within the attendance boundary of a school where at least 80 percent of students are eligible for free and reduced -price lunch may enroll three- and four-year-old children after all otherwise eligible children have been enrolled as provided in the paragraphs above. (Education Code 8208 and 8217)

CSBA NOTE: Pursuant to Education Code 8208, as amended by AB 210, at certification or recertification, a child is deemed eligible for part-day CSPP for the remainder of the program year and the following program year so long as the child continues to meet the age-eligibility requirements.

The district shall certify eligibility and enroll families into ~~their~~the part-day preschool program within 120 calendar days prior to the first day of the beginning of the new preschool year. Subsequent to a child's enrollment, ~~a~~the child shall be deemed eligible for ~~a~~the part-day CSPP program for the remainder of the program year~~.~~ and for the following program year, provided applicable age-eligibility requirements are met, as specified in Education Code 8205 and 48000. (Education Code 8208)

~~The district shall give priority for part-day CSPP programs as follows: (Education Code 8210)~~

Enrollment Priorities for Part-Day CSPP Programs

CSBA NOTE: Education Code 8210, as amended by AB 210 and AB 185, revised and reordered the priority ranking for part-day CSPP, as provided in Items 1-6 below.

The district shall give priority for part-day CSPP programs as follows: (Education Code 8210)

1. The first priority for services shall be given to three-~~year-old~~ or four-year-old children who are recipients of child protective services or who are at risk of being neglected, abused, or exploited and for whom there is a written referral from a legal, medical, or social service agency. If the district is unable to enroll a child in this first priority category, the district shall refer the child's parent/guardian to local resources and referral services so that services for the child can be located.

CSBA NOTE: Education Code 8208, as amended by AB 210, requires that, starting July 1, 2022, a percentage of part-day preschool enrollment be reserved for children with exceptional needs. For the period July 1, 2022 until June 30, 2023, a minimum 5 percent is required, starting July 1, 2023, to June 30, 2024, 7.5 percent must be reserved, and from July 1, 2024, at least 10 percent must be reserved for children with exceptional needs. Education Code 8210, as amended by AB 321 (Ch. 903, Statutes of 2022), clarifies that when enrollment of children with exceptional needs has reached the number reserved, second priority must be given to three- and four-year old children with exceptional needs from families who are below the income eligibility threshold.

2. When the number of three- or four-year old children with exceptional needs required to be enrolled pursuant to Education Code 8208 have been enrolled and there are additional children with exceptional needs who are interested in enrolling, the second priority for services shall be given to ~~eligible~~all three- and four-year- old children ~~who are not enrolled~~with exceptional needs from families with incomes below the income eligibility threshold, as described in a ~~state-funded transitional kindergarten (TK) program.~~ Education Code 8213. Within this priority category, ~~eligible~~ children with exceptional needs from families with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent of Public Instruction (SPI) at the time of enrollment, shall be enrolled first.

~~If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, a child with disabilities shall be enrolled first. If there are no families with a child with disabilities, the child that has been on the waiting list for the longest time shall be admitted first.~~

3. The third priority shall be given to eligible ~~three~~four-year-old children~~.~~ who are not enrolled in a state-funded transitional kindergarten (TK) program. This priority shall not include children eligible for enrollment as children with exceptional needs pursuant to Education Code 8208 (a)(1)(E), who are from families with incomes above the income eligibility threshold, as described in Education Code 8213. Within this priority category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the ~~Superintendent~~SPI at the time of enrollment, shall be enrolled first.

CSBA NOTE: In keeping with the legislative intent of AB 321 to prioritize access to CSPP and childcare and development services for children who reside in homes in which the primary language is not English, Education Code 8210, as amended by AB 321, provides that within the third priority category, children from such families be enrolled first when there are two or more families with the same income ranking.

If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, a child from a family in which the primary home language is a language other than English shall be enrolled first. If there are no children from such a family, the child that has been on the waiting list for the longest time shall be admitted first.

4. The fourth priority shall be given to eligible three-year-old children. This priority shall not include children eligible for enrollment as children with exceptional needs pursuant to Education Code 8208 (a)(1)(E), who are from families with incomes above the income eligibility threshold, as described in Education Code 8213. Enrollment determinations within this priority category shall be made in the same way as for third priority in Item #3 above.

~~4.~~ The fifth priority, after all otherwise eligible children have been enrolled, shall be given to children from families whose income is no more than 15 percent above the eligibility income threshold, as described in Education Code 8213. Within this priority category, priority shall be given to three- and four-year-old children ~~before three-year-old children.~~

5. ~~The fifth priority, after all otherwise eligible children have been~~with exceptional needs interested in enrolling beyond those already enrolled~~, shall be a child with disabilities whose family's income is above~~ in the ~~income eligibility threshold, as described in~~ 10 percent of funded enrollment set aside pursuant to Education Code ~~8213. Within this priority category, priority shall be given~~8208, then to four-year- old children before three-year-old children without exceptional needs.

6. After all otherwise eligible children have been enrolled in the first through fifth priority categories, as described in Items #1-5 above, the district may enroll other children in the following order:

~~6.~~ a. A CSPP program site operating within the attendance boundary of a school where at least 80 percent of students are eligible for free and reduced -price ~~lunch~~meals as described in Education Code 8217 may enroll any three- or four-year-old children whose families reside within the attendance boundary of the qualified elementary school. These children shall, to the extent possible, be enrolled by lowest to highest income according to the most recent schedule of income ceiling eligibility table.

b. Children enrolling in a CSPP program that provides expanded learning and care to TK or kindergarten students, pursuant to Education Code 48000

CSBA NOTE: The following paragraph reflects Education Code 8210 as amended by AB 210.

Regardless of the priorities listed above, until the district attains the percent of funded enrollment set aside for children with exceptional needs pursuant to Education Code 8208, children with exceptional needs shall be enrolled without regard to the priorities listed above. Within this category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the SPI at the time of enrollment, shall be enrolled first. If two or more families have the same income ranking, the child that has been on the waiting list for the longest time shall be admitted first. (Education Code 8210)

Eligibility and Enrollment Priorities for Full-Day CSPP Programs

CSBA NOTE: ~~Pursuant~~The following section reflects the eligibility criteria for full-day CSPP, pursuant to Education Code 8208, as amended ~~and renumbered~~ by AB ~~131, districts may operate full-day CSPP programs.~~ 210, and the priority ranking for enrollment, pursuant to Education Code 8211, as ~~added~~amended by AB ~~131, sets eligibility criteria~~ 210 and ~~enrollment priorities for full-day CSPP programs~~AB 185.

A three-~~year-old~~ or four-year-old child is eligible for a full-day CSPP program if the family meets both of the following requirements: (Education Code 8208)

1. The child's family is one of the following:

a. A current aid recipient, income eligible, or homeless~~, or one~~

b. One whose children are recipients of child protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected, or exploited.

c. One who has children with exceptional needs, as defined in Education Code 8205

CSBA NOTE: Education Code 8208, as amended by SB 1047, further expands eligibility for participation in CSPP to families specified in the following paragraph.

~~1.~~ d. One with a household member who is certified to receive benefits from Medi-Cal, CalFresh, the California Food Assistance Program, the California Special Supplemental Nutrition Program for Women, Infants, and Children, the federal Food Distribution Program on Indian Reservations, Head Start, Early Head Start, or any other designated means-tested government program, as determined by CDE

2. The child's family needs the childcare services because of either the following:

a. 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

b. The parents/guardians 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

~~After all families meeting the criteria specified in Items #1 and 2~~

CSBA NOTE: The following paragraph reflects Education Code 8208, as amended by AB 185.

After all eligible three- and four-year-old children have been enrolled as provided above, a full-day CSPP program may provide services to children in families whose income is no more than 15 percent above the income eligibility threshold, as described in Education Code 8213. No more than 10 percent of all the children enrolled in the CSPP program shall be from families above the income eligibility threshold. (Education Code 8208)

After all families meeting the criteria specified in the paragraphs above have been enrolled, a full-day CSPP program may provide services to three- and four-year-old children in families who do not meet at least one of the criteria in Item #2 above. (Education Code 8208)

After all otherwise eligible children have been enrolled as provided above, a CSPP program operating within the attendance boundary of a school where at least 80 percent of students are eligible for free and reduced -price ~~lunch~~meals as described in Education Code 8217 may enroll any four-year-old child. (Education Code 8208)

CSBA NOTE: Education Code 8211, as amended by AB 210 and AB 185, revised and reordered the priority ranking for full-day CSPP. The priority ranking is almost identical to the ranking for part-day CSPP, as provided in "Enrollment Priorities for Part-Day CSPP Programs" section above.

For full-day CSPP programs, the district shall use the same priority ranking specified in Items #1-#4 of "Enrollment Priorities for Part-Day CSPP Programs" above, and the following: (Education Code 8211)

1. After all otherwise eligible children based on Items 1-4 of "Enrollment Priorities for Part-Day CSPP Programs" have been enrolled, fifth priority shall be given to children from families whose income is no more than 15 percent above the eligibility income threshold, as described in Education Code 8213. Within this priority category, priority shall be given to three- and four-year-old children with an IFSP or IEP, then to four-year old children before three-year-old children without IFSP or IEP.

2. After all otherwise eligible children based on Items 1-4 of "Enrollment Priorities for Part-Day CSPP Programs" and Item #1 above have been enrolled, the district may enroll other children in the following order:

   a. Three- and four-year old children from families who do not meet at least one of the need requirements in Item #2 above. Within this priority, families shall be enrolled in income ranking order, lowest to highest, and within income ranking order, four-year old children before three-year old children

b. When a CSPP program site operates within the attendance boundary of a school where at least 80 percent of students are eligible for free and reduced-price meals as described in Education Code 8217, three- or four-year-old children whose families reside within the attendance boundary of the school may be enrolled without establishing eligibility or a need for services. Such children shall, to the extent possible, be enrolled by lowest to highest income ranking order.

CSBA NOTE: The following paragraph reflects Education Code 8211 as amended by AB 210.

Regardless of the priorities listed above, until the district attains the percent of funded enrollment set aside for children with exceptional needs pursuant to Education Code 8208, children with exceptional needs shall be enrolled without regard to the priorities listed above. Within this category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the SPI at the time of enrollment, shall be enrolled first. If two or more families have the same income ranking, the child that has been on the waiting list for the longest time shall be admitted first. (Education Code 8211)

CSBA NOTE: Pursuant to Education Code 8208, as amended by AB 210, a determination of eligibility for participation in a full-day CSPP program now lasts for 24 months, as specified in the following paragraph.

Upon establishing initial eligibility or ongoing eligibility for a full-day CSPP program, a family shall be considered to meet all eligibility and need requirements for those services for not less than ~~12~~24 months~~,~~. Such families shall receive those services for not less than ~~12~~24 months before having eligibility or need recertified, and shall not be required to report changes to income or other changes for at least ~~12 months.~~ 24 months. If the eligibility period ends before the end of a program year, eligibility shall be extended until the end of the program year, provided age-eligibility requirements are met, as specified in Education Code 8205. However, a family that establishes initial eligibility or ongoing eligibility on the basis of income shall report increases in income that exceed the threshold for ongoing income eligibility, as described in Education Code 8213, and the family's ongoing eligibility for services shall at that time be recertified. In addition, a family may, at any time, voluntarily report income or other changes. This information shall be used, as applicable, to reduce the family's fees, increase the family's services, or extend the period of the family's eligibility before recertification. (Education Code 8208)

Waiting List

CSBA NOTE: The following ~~paragraph~~section may be revised to reflect district practice. ~~Unless state funding is allocated~~Pursuant to ~~support the "centralized eligibility list" established~~5 CCR 17744, as adopted in ~~each county pursuant~~Register 2022, No. 26, a district is required to ~~Welfare~~maintain a current waiting list based on enrollment priorities for part-day and ~~Institutions Code 10231, such lists will be maintained only if locally funded. In situations where there is no locally funded~~full-day preschool programs. The district may satisfy this requirement by participating in a "county child care centralized eligibility list" if one is available. When such centralized eligibility list is not available or the district elects not to participate in the local list, the district must establish its own waiting list in accordance with ~~admission~~enrollment priorities ~~pursuant to 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~~applicable enrollment priorities. As vacancies occur, ~~applicants~~applicant families shall be contacted in order of ~~their~~ priority~~.~~ on the waiting list. (5 CCR ~~18106~~) 17744)

~~**Notice of Action**~~

Combined Preschool/Transitional Kindergarten Classroom

~~CSBA NOTE: Pursuant to 5 CCR 18082-18083, the parent/guardian must submit an application for services which contains specified information and documentation.~~ CSBA NOTE: Education Code 8207 and 48000 allow districts to place 4-year-old children enrolled in a CSPP program into a TK program and to commingle children from both programs in the same classroom as long as all of the requirements of each program are met and the district adheres to the requirements listed in the following section. See BP 6170.1 - Transitional Kindergarten for eligibility requirements pertaining to the TK program pursuant to Education Code 48000. ~~The application form is available on CDE's web site. Upon receiving an application, a person designated by the district must certify the family's or child's eligibility.~~

~~CSBA NOTE: Pursuant to 5 CCR 18130, CSPP programs are subject to 5 CCR 18094 and 18118, which require the district to provide written notification to parents/guardians as to whether their 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 "Parent Hearing" below. (5 CCR 18094, 18095, 18118)~~

~~CSBA 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 "Parent Hearing" below.~~

~~Subsequently, 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) (5 CCR 18081, 18084, 18130, 18133)~~

~~CSBA NOTE: Education Code 8207, as amended and renumbered by AB 131, and 48000 allow districts to place 4-year-old children enrolled in a CSPP program into a TK program and to commingle children from both programs in the same classroom as long as all of the requirements of each program are met and the district adheres to the requirements listed in the following section. See BP 6170.1 - Transitional Kindergarten for eligibility requirements pertaining to the TK program pursuant to Education Code 48000.~~

When a child is eligible for both the preschool program and the district's TK program, the district may place the child in a classroom which is commingled with children from both programs as long as the commingled program meets all of the requirements of each program as well as the following requirements: (Education Code 8207, 48000)

1. An early childhood environment rating scale, as specified in 5 CCR 18281, shall be completed for the classroom.

2. All children enrolled for 10 or more hours per week shall be evaluated using the Desired Results Developmental Profile, as specified in 5 CCR 18272.

3. The classroom shall be taught by a teacher who holds a credential issued by the Commission on Teacher Credentialing in accordance with Education Code 44065 and 44256.

4. The classroom shall comply with the adult-child ratio specified in Education Code 8264.8.

5. Contractors of the district shall report the services, revenues, and expenditures for children in the preschool program in accordance with 5 CCR 18068.

6. The classroom shall not include children enrolled in TK for a second year or children enrolled in a regular kindergarten classroom.

Fees and Charges

Fees for participation in the district's full-day CSPP program shall be assessed and collected in accordance with the fee schedule established by the SPI in conjunction with the California Department of Social Services. (Education Code 8252~~; 5 CCR 18078~~)

CSBA NOTE: Pursuant to ~~AB 131, the Legislature allocated additional funds to provide subsidized child care to families and to provide CSPP programs with COVID-19 pandemic-related assistance.~~ Education Code 8252, as amended by AB ~~131, provides that~~210, family fees may not be collected for families receiving subsidized child care services from CSPP programs administered by CDE for the ~~2021-2022 school year.~~

~~According to CDE Management Bulletin 21-12, Guidance on Family Fees for Fiscal Year (FY) 2021-22, families must promptly receive a refund for any fees collected for the month of July 2021 and any families disenrolled due to delinquent family fees for fiscal year 2021-22 must be promptly reenrolled if the family so desires.~~2022-2023 school year.

However, for the ~~2021-~~2022-2023 school year, family fees shall not be collected as specified in Education Code 8252.

In addition, no fee shall be charged to an eligible family whose child is enrolled in a part-day preschool program or a family that is receiving CalWORKs cash aid. (Education Code 8253; 5 CCR ~~18110~~17735)

A family may be exempt from the fees for up to 12 months ~~if the~~for any child ~~qualifies for~~enrolled in full-day preschool on the basis of being the recipient of child protective services or as being, or at risk of being, abused or neglected. (Education Code 8253)

CSBA NOTE: Education Code 8254~~, as amended and renumbered by AB 131,~~ authorizes a district offering a CSPP program to charge a fee for field trips and/or to require parents/guardians to provide diapers, but mandates that the district adopt policy to include parents/guardians in the decision-making about such fees, as provided below. Pursuant to Education Code 8254, the fees cannot exceed $25 per child in the contract year. The following paragraph may be modified to delete diapers as appropriate for the age of the children served.

The Superintendent or designee shall establish a process that involves parents/guardians in determining whether to require parents/guardians to provide diapers and/or 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 8254)

Disenrollment Based on Reduced Funding

CSBA NOTE: Education Code 8214~~, as amended and renumbered by AB 131,~~ specifies the order by which families will be disenrolled from subsidized preschool services when funding levels are reduced.

When necessary to disenroll families from subsidized preschool services, families shall be disenrolled in reverse order of the priority ~~order~~ for services ~~as~~ specified in Education Code 8210 and 8211 and as described above in the sections "~~Eligibility and~~ Enrollment ~~Priority~~Priorities for Part-Day CSPP Programs" and "Eligibility and Enrollment ~~Priority~~Priorities for Full-Day CSPP Programs." (Education Code 8214; 5 CCR 17744)

Expulsion/Unenrollment and Suspension Based on Behavior

CSBA NOTE: AB 2806 (Ch. 915, Statutes of 2022), repealed Education Code 8222 and added Education Code 8489-8489.1. Education Code 8489.1, as added, recasts provisions relating to expulsion or unenrollment of children from a CSPP program and establishes new requirements for the use of suspensions in such programs.

A district preschool program shall not expel or unenroll a child or persuade or encourage a child's parents/guardians to voluntarily unenroll from the program based on the child's behavior, unless the district first takes the following actions to address the child's behavior: (Education Code ~~8222~~8489.1)

1. ~~Inform~~In writing, inform the parents/guardians of the child's persistent and serious challenging behaviors and consult with the parents/guardians and teacher in an effort to maintain the child's safe participation in the program

2. If the child has an ~~individualized family service plan~~ (IFSP) or ~~individualized education program~~ (IEP)~~,~~, contact, with written parent/guardian consent, ~~contact~~ the agency or district employee responsible for such plan or program to seek consultation in regard to serving the child

3. If ~~the child does not have an IFSP or IEP~~appropriate, consider ~~if it is appropriate to complete~~completing a ~~universal~~comprehensive screening of the child, including, but not limited to, screening the child's social and emotional development, referring the parents/guardians to community resources, and implementing behavior supports within the program~~, and considering an IEP for the child~~

If the district has taken the actions specified in ~~items~~Items #1-3 above and the ~~child's~~child's continued enrollment would present a serious safety threat to the child or other enrolled children, the district shall refer the parents/guardians to other potentially appropriate placements, the local child care resource and referral agency, or any other referral service available in the local community. The district shall, to the greatest extent possible, support direct transition to a more appropriate placement. The district may then unenroll the child. The district shall have up to 180 days to complete the actions described above. (Education Code ~~8222~~8489.1)

CSBA NOTE: Pursuant to Education Code 8489.1, as added by AB 2806, a child enrolled in a CSPP program may only be suspended as a last resort in extraordinary circumstances where there is a serious safety threat that cannot be eliminated or reduced without removal of the child. To suspend a child, the district must comply with specified requirements, including, collaborating with the child's parents/guardians before determining that suspension is necessary and using appropriate community resources to determine that no other reasonable option is appropriate.

A child shall not be suspended from a CSPP program, nor shall a child's parent/guardian be encouraged or persuaded to prematurely pick up a child before the program day ends, except as a last resort in extraordinary circumstances, when a safety threat exists that cannot be eliminated or reduced without the removal of the child.

Before determining that a suspension is necessary, the district shall collaborate with the child's parents/guardians and, as needed, shall use appropriate community resources to determine that no other reasonable option is appropriate.

When suspension is deemed necessary, the district shall help the child return to full participation in the program as soon as possible while ensuring safety, by doing the following:

1. Continuing to engage with the child's parents/guardians and continuing to use appropriate community resources

2. Developing a written plan to document the action and supports needed

3. Providing referrals to appropriate community resources

4. If the child has an IFSP or IEP, contacting, with written parent/guardian consent, the agency responsible for the child's IFSP or IEP, to seek consultation on servicing the child

Upon enrollment, the parents/guardians of each child shall be notified, in writing, of the limitations on expulsion, suspension, or any form of disenrollment and how the parents/guardians may file an appeal to CDE in the event of expulsion or suspension. If the district suspends or expels a child from any CSPP program, the district shall, at least 24 hours before the effective date of the suspension or expulsion, issue the child's parents/guardians a written "Notice of Action, Recipient of Services," as described in 5 CCR 17783, informing the parents/guardians of the right to file an appeal of the action directly with CDE no later than 14 calendar days after receiving the notice.

CSBA NOTE: A joint statement by the U.S. Department of Education and U.S. Department of Health and Human Services, "Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings," clarifies that preschool children with ~~disabilities~~exceptional needs who are eligible for services under the Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482) are entitled to the same disciplinary protections that apply to all other IDEA-eligible students with disabilities, may not be subjected to impermissible disciplinary changes of placement for misconduct that is caused by or related to their disability, and must continue to receive educational services consistent with their right to a free appropriate public education. The statement indicates the need for the child's individualized education program (IEP) team to consider the use of positive behavioral interventions and supports when developing or modifying the IEP to reduce the need for discipline of a child with disabilities and avoid suspension or expulsion from a preschool program.

Children with ~~disabilities~~exceptional needs may only be suspended or expelled in conformance with the procedures and limitations of the Individuals with Disabilities Education Act.

Notice of Action

CSBA NOTE: Pursuant to 5 CCR 17757, as adopted in Register 2022, No. 26, a parent/guardian must submit an application for services which contains specified information and documentation. The application form is available on CDE's web site. Upon receiving an application, a person designated by the district must certify the family's or child's eligibility.~~CSBA NOTE: Pursuant to 5 CCR 18130, districts are subject to the requirements of 5 CCR 18120-18122 to provide due process to parents/guardians who disagree with certain district actions, such as when services are denied, there is a change in services or fees, or their child is disenrolled.~~

Upon receiving a parent/guardian's application for services, the Superintendent or designee shall review the application and documentation and shall certify the eligibility of the family or child.

CSBA NOTE: Pursuant to 5 CCR 17782, as adopted in Register 2022, No. 26, the district is required to provide written notification to parents/guardians as to whether their 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 17784-17785, as adopted in Register 2022, No. 26; see section "Parent Hearing" below.

The district's decision to approve or deny a child's enrollment shall be communicated to the family 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 17782)

CSBA NOTE: 5 CCR 17783, as adopted in Register 2022, No. 26, requires 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 17784; see section "Parent Hearing" below.

Subsequently, 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 17783)

1. A determination during recertification or 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 parent/guardian no longer wants the service
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

For each child enrolled in the district's preschool program, the Superintendent or designee shall maintain a family data file including, but not limited to, a completed and signed application for services, documentation of income eligibility, and a copy of all Notices of Action. For each child not receiving subsidized services, the family data file shall also include records of the specific reason(s) for enrolling each child, the child's family income, and evidence that the district has made a diligent search for children eligible for subsidized services. (5 CCR 17758)

Parent Hearing

CSBA NOTE: 5 CCR 17784-17786, as adopted in Register 2022, No. 26, require districts to provide due process to parents/guardians who disagree with certain district actions, such as when services are denied, there is a change in services or fees, or their child is disenrolled.

If a parent/guardian disagrees with any district action to deny the child's eligibility for subsidized preschool 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~~17784)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR ~~18120~~17784 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 CDE. (5 CCR ~~18120-18122~~17785-17786)

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

State	Description
22 CCR 101151-101163	Licensing and application procedures
22 CCR 101151-101239.2	General requirements, licensed child care centers
22 CCR 101212-101231	Continuing requirements
22 CCR 101237-101239.2	Facilities and equipment
~~5 CCR 18000-18434~~	~~Child care and development programs~~
5 CCR ~~18130-18136~~17700-17833	California State Preschool Program
5 CCR ~~18272-18281~~17701-17711	General Program Requirements
5 CCR 17746-17748	Enrollment Priorities
5 CCR 18295	Waiver of qualifications for site supervisor
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 80105-80125	Commission on Teacher Credentialing; child care and development permits
Ed. Code 17375	California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program
Ed. Code 44065	Issuance of and functions requiring credentials
Ed. Code 44256	Authorization for teaching credentials
Ed. Code 48000	Transitional kindergarten
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 8200-8340	California State Preschool Program
Ed. Code 8203.5	Contracts to provide child care and development services

Ed. Code 8205	Definitions
Ed. Code 8207	California State Preschool Program administration
Ed. Code 8208	Eligibility of three- or four-year-old child for state preschool program
Ed. Code 8209	Physical examination and immunizations
Ed. Code 8210	Priority for part-day programs
Ed. Code 8211	Priority for full-day programs
Ed. Code 8212	Complaints related to preschool health and safety issues
Ed. Code 8213	Income eligibility
Ed. Code 8214	Order of disenrollment
Ed. Code 8217	Enrollment of four-year-old children in state preschool programs
Ed. Code 8220-8221	Family literacy services
Ed. Code 8241	Staffing ratios for center-based program
Ed. Code 8252-8254	Family fees
Ed. Code 8281.5	California Prekindergarten Planning and Implementation Grant Program
Ed. Code 8298	Program director qualifications
Ed. Code 8489-8489.1	Expulsion and Suspension Procedures
H&S Code 120325-120380	Immunization against communicable diseases
H&S Code 1596.70-1596.895	California Child Day Care Act
H&S Code 1596.90-1597.21	Day care centers
W&I Code 10207-10215	General provisions
W&I Code 10207-10490	Child Care and Development Services Act
W&I Code 10217-10224.5	Resource and referral programs
W&I Code 10225-10234	Alternative payment programs
W&I Code 10235-10238	Migrant child care and development programs
W&I Code 10240-10243	General child care and development programs
W&I Code 10250-10252	Family child care home education networks
W&I Code 10260-10263	Child care and development services for children with special needs
W&I Code 10480-10487	Local planning councils
Federal	**Description**
20 USC 1400-1482	Individuals with Disabilities Education Act
20 USC 6311-6322	Title I, relative to preschool

20 USC 6371-6376	Early Reading First
20 USC 6381-6381k	Even Start Family Literacy Program
20 USC 6391-6399	Education ~~for migrant students~~of migratory children
42 USC 9831-9852c	Head Start programs
42 USC 9857-9858r	Child Care and Development Block Grant
45 CFR 1301.1-1305.2	Head Start
Management Resources	**Description**
California Department of Education Publication	~~Management Bulletin 21-11, Reopening, Reimbursement, Distance Learning Plans, and Distance Learning Requirements for California State Preschool Program Contractors, September 17, 2021~~First Class: A Guide for Early Primary Education, 1999
~~California Department of Education Publication~~	~~Management Bulletin 21-12, Guidance on Family Fees for Fiscal Year (FY) 2021-22, September 17, 2021~~
~~California Department of Education Publication~~	~~Management Bulletin 21-13, Guidance on Implementation of the California State Preschool Program Quality Requirements During the COVID-19 Pandemic, September 29, 2021~~
~~California Department of Education Publication~~	~~Prekindergarten Learning Development Guidelines, 2000~~
~~California Department of Education Publication~~	~~Preschool English Learners: Principles and Practices to Promote Language, Literacy, and Learning, 2nd ed., 2009~~
California Department of Education Publication	California Preschool Learning Foundations
California Department of Education Publication	Dream Big for Our Youngest Children: Final Report of the California Early Learning Quality Improvement System Advisory Committee, 2010
California Department of Education Publication	~~First Class: A Guide for Early Primary Education, 1999~~Prekindergarten Learning Development Guidelines, 2000
California Department of Education Publication	Preschool English Learners: Principles and Practices to Promote Language, Literacy, and Learning, 2nd ed., 2009
CSBA Publication	What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016
U.S. Department of Education Publication	Good Start, Grow Smart, April 2002
U.S. Department of Education Publication	Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, 2016
Website	CSBA District and County Office of Education Legal Services
Website	National Institute for Early Education Research
Website	California Head Start Association
Website	California Preschool Instructional Network

Website	Child Development Policy Institute
Website	California Association for the Education of Young Children
Website	First 5 California
Website	California Department of Social Services
Website	California County Superintendents Educational Services Association
Website	Cities Counties and Schools Partnership
Website	CSBA
Website	U.S. Department of Education
Website	California Department of Education

Cross References

Code	Description
0415	Equity
0470	COVID-19 Mitigation Plan
0500	Accountability
1240	Volunteer Assistance
1240	Volunteer Assistance
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E (1)	Uniform Complaint Procedures
1312.3-E (2)	Uniform Complaint Procedures
1330	Use Of School Facilities
1330	Use Of School Facilities
1330-E(1)	Use Of School Facilities
1330.1	Joint Use Agreements
1340	Access To District Records
1340	Access To District Records
1400	Relations Between Other Governmental Agencies And The Schools
1700	Relations Between Private Industry And The Schools
3260	Fees And Charges
3260	Fees And Charges
3280	Sale Or Lease Of District-Owned Real Property

3280	Sale Or Lease Of District-Owned Real Property
3523	Electronic Signatures
3523	Electronic Signatures
3541	Transportation Routes And Services
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3580	District Records
3580	District Records
4112	Appointment And Conditions Of Employment
4112.4	Health Examinations
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4112.6	Personnel Files
4131	Staff Development
4212.4	Health Examinations
4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4212.6	Personnel Files
4222	Teacher Aides/Paraprofessionals
4222	Teacher Aides/Paraprofessionals
4231	Staff Development
4312.4	Health Examinations
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4312.6	Personnel Files
4331	Staff Development
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5030	Student Wellness
5111	Admission
5111	Admission
5125	Student Records
5125	Student Records

5141.23	Asthma Management
5141.23	Asthma Management
5141.26	Tuberculosis Testing
5141.31	Immunizations
5141.31	Immunizations
5141.32	Health Screening For School Entry
5141.6	School Health Services
5141.6	School Health Services
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5148	Child Care And Development
5148	Child Care And Development
6011	Academic Standards
6020	Parent Involvement
6020	Parent Involvement
6159	Individualized Education Program
6159	Individualized Education Program
6164.4	Identification And Evaluation Of Individuals For Special Education
6164.4	Identification And Evaluation Of Individuals For Special Education
6170.1	Transitional Kindergarten
6171	Title I Programs
6171	Title I Programs
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E (1)	Education For Homeless Children
6173-E (2)	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6173.2	Education Of Children Of Military Families
6173.2	Education Of Children Of Military Families

6174	Education For English Learners
6174	Education For English Learners
6175	Migrant Education Program
6175	Migrant Education Program
6200	Adult Education
6200	Adult Education
7110	Facilities Master Plan
7210	Facilities Financing

Regulation 6164.4: Identification And Evaluation Of Individuals For Special Education

Status: ADOPTED

Original Adopted Date: 03/01/2007 | **Last Revised Date:** ~~09~~12/01/~~2021~~2022 | **Last Reviewed Date:** ~~09~~12/01/~~2021~~2022

CSBA NOTE: Pursuant to Education Code 56303, a student should be referred for special education instruction and services only after the resources of the regular education program such as Response to Instruction and Intervention (RtI2) strategies have been considered and, where appropriate, utilized. However, the U.S. Department of Education's Office of Special Education Programs (OSEP) Memorandum 11-07 emphasizes that districts have an obligation to ensure that evaluations of children suspected of having a disability are not delayed or denied because of the implementation of response to intervention strategies.

In the , "Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act~~;~~," OSEP encourages districts to reexamine the efficacy of existing child find practices and initiate new activities in light of the educational disruptions caused by the COVID-19 pandemic, including through additional screenings; efforts to increase awareness about special education supports and the effects of the COVID-19 pandemic on students' academic performance and social-emotional, behavioral, and mental health needs; public awareness campaigns about developmental screenings in settings frequented by families such as health departments, physician's offices, public parks, amusement parks, shopping malls, and children's stores; social media campaigns on multiple online platforms; partnering with stakeholders such as parent-teacher organizations; and holding screening events in the community.

Additionally, OSEP emphasizes that students who are experiencing long-term COVID-19 effects must be referred for special education evaluation if their symptoms (such as fatigue, mood changes, or difficulty concentrating) are adversely impacting their ability to participate and learn in the general curriculum.

The obligation of a district to refer a student for special education evaluation is a fact-specific determination that must be made on a case-by-case basis.

The Superintendent or designee shall ensure that the district's child find process includes the collection of data and, at reasonable intervals, the screening of such data to determine if students are making adequate progress, as appropriate.

A student shall be referred for special education instruction and services only after the resources of the regular education program have been considered and used where appropriate. (Education Code 56303)

However, the district shall ensure that evaluations of children suspected of having a disability are not delayed or denied because of the implementation of response to intervention strategies.

CSBA NOTE: Pursuant to 34 CFR 300.301, a parent/guardian or district may request an initial evaluation to determine if a student is a student with a disability. OSEP Memorandum 11-07 emphasizes that if a parent/guardian requests an evaluation, and the district agrees with the parent/guardian that the student may be eligible for special education and related services, the district must evaluate the child. If the district does not suspect that the child has a disability and denies the

request for an initial evaluation, the district must provide written notice to the parent/guardian, pursuant to 34 CFR ~~330~~300.503, explaining the basis for such decision.

A parent/guardian or the district may initiate a request for an initial evaluation to determine if the student is a student with a disability. (34 CFR 300.301)

When a verbal referral is made, staff shall offer assistance to the individual to make the request in writing and shall assist the individual if the individual requests such assistance. (5 CCR 3021)

All referrals from school staff for an initial evaluation shall include a brief reason for the referral and description of the regular program resources that were considered and/or modified for use with the student and, when appropriate, the results of intervention. This documentation shall not delay the timelines for completing the assessment plan or assessment. (5 CCR 3021)

Initial Evaluation for Special Education Services

Before the initial provision of special education and related services to a student with a disability, the district shall conduct ~~a full and~~an individual initial evaluation of the ~~student~~student's educational needs related to all areas of suspected disability. (Education Code 56320; 34 CFR 300.301)

Upon receipt of a referral of any student for special education and related services, a proposed evaluation plan shall be developed within 15 calendar days, not counting days between the student's regular school sessions or terms or calendar days of school vacation in excess of five school days, unless the parent/guardian agrees, in writing, to an extension. If the referral is made within 10 days or less prior to the end of the student's regular school year or term, the proposed evaluation plan shall be developed within 10 days after the beginning of the next regular school year or term. (Education Code 56043, 56321)

The proposed evaluation plan shall meet all of the following requirements: (Education Code 56321)

1. Be in a language easily understood by the general public

CSBA NOTE: 34 CFR 300.29 defines "native language" as the language normally used by the individual.

2. Be provided in the native language of the parent/guardian or other mode of communication used by the parent/guardian unless it is clearly not feasible
3. Explain the types of evaluation to be conducted
4. State that no individualized education program (IEP) will result from the evaluation without parent/guardian consent

A copy of the notice of a parent/guardian's rights and procedural safeguards shall be attached to the evaluation plan. (Education Code 56321)

The proposed written evaluation plan shall include a description of recent assessments conducted, including available independent assessments and assessment information requested by the parent/guardian to be considered, as well as information indicating the student's primary language and the student's primary language proficiency as determined by Education Code section 52164.1. (5 CCR 3022)

CSBA NOTE: 34 CFR 300.504 requires the district to provide parents/guardians with written notice prior to conducting the initial evaluation. For contents of the prior written notice, see AR 6159.1 -

Procedural Safeguards and Complaints for Special Education.

Education Code 56329 clarifies the factors to consider when making a determination of eligibility (, reflected in Item #2 below) and specifies circumstances in which a parent/guardian may be entitled to an independent educational evaluation (IEE) (), reflected in Items #4 and #5 below).

Before conducting an initial evaluation, the district shall provide the parent/guardian with prior written notice in accordance with 34 CFR 300.503. In addition, as part of the evaluation plan, the parent/guardian shall receive written notice that includes all of the following information: (Education Code 56329; 34 CFR 300.304, 300.502, 300.504)

1. Upon completion of the administration of tests and other evaluation materials, an IEP team meeting that includes the parent/guardian or the parent/guardian's representative shall be scheduled pursuant to Education Code 56341. At this meeting, the team shall determine whether or not the student is a student with disabilities, as defined in Education Code 56026, and shall discuss the evaluation, the educational recommendations, and the reasons for the recommendations.

2. When making a determination of eligibility for special education, the district shall not determine that the student is disabled if the primary factor for such determination is lack of appropriate instruction in reading, including the essential components of reading instruction as defined in 20 USC 6368, lack of appropriate instruction in mathematics, or limited English proficiency, if the student does not otherwise meet the eligibility criteria under 34 CFR 300.8.

3. A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent/guardian.

4. If the parent/guardian disagrees with an evaluation obtained by the district, the parent/guardian has the right to obtain, at public expense, an independent educational evaluation (IEE) of the student from qualified specialists, in accordance with 34 CFR 300.502. The parent/guardian is entitled to only one such evaluation at public expense each time the district conducts an assessment with which the parent/guardian disagrees.

   If the district observed the student in conducting its evaluation, or if its evaluation procedures make it permissible to have in-class observation of the student, an equivalent opportunity shall apply to the IEE. This equivalent opportunity shall apply to the student's current placement and setting as well as observation of the district's proposed placement and setting, if any, regardless of whether the IEE is initiated before or after the filing of a due process hearing proceeding.

5. The district may initiate a due process hearing pursuant to Education Code 56500-56508 to show that its evaluation is appropriate. If the final decision resulting from the due process hearing is that the evaluation is appropriate, the parent/guardian maintains the right for an IEE, but not at public expense.

   If the parent/guardian obtains an IEE at private expense, the results of the IEE shall be considered by the district with respect to the provision of a free appropriate public education (FAPE) to the student, and may be presented as evidence at a due process hearing regarding the student. If the district observed the student in conducting its evaluation, or if its evaluation procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to an IEE of the student in the student's current educational placement and setting and in any educational placement and setting proposed by the district, regardless of whether the IEE is initiated before or after the filing of a due process hearing.

6. If the parent/guardian proposes a publicly financed placement of the student in a nonpublic school, the district shall have an opportunity to observe the proposed placement and, if the student has already been unilaterally placed in the nonpublic school by the student's

parent/guardian, the student in that proposed placement. Any such observation shall only be of the student who is the subject of the observation and shall not include the observation or evaluation of any other student in the proposed placement unless that other student's parent/guardian consents to the observation or evaluation. The results of any observation or evaluation of another student in violation of Education Code 56329(d) shall be inadmissible in any due process or judicial proceeding regarding FAPE of that other student.

Parent/Guardian Consent for Evaluations

CSBA NOTE: Pursuant to Education Code 56321 and 34 CFR 300.300, the district must first obtain ~~informed~~ parent/guardian consent before conducting (1) an initial evaluation to determine if the student is a student with a disability or (2) a reevaluation to determine if the student continues to be a student with a disability. See AR 6159 - Individualized Education Program for language regarding parent/guardian consent for the provision of special education services, including the right to revoke such consent.

In *M.M. v. Lafayette School District*, the Ninth Circuit Court of Appeals concluded that the district had a procedural duty to provide the parents with their child's response to instruction (RTI) data when the district sought to obtain their ~~informed~~ consent for the initial evaluation. The district's failure to provide the parents with the RTI data as part of the initial evaluation resulted not only in a procedural violation but also a substantive violation of the Individuals with Disabilities Education Act (IDEA) since the failure prevented the parents from meaningfully participating in the IEP process.

Consent~~(Education Code 56321; 34 CFR 300.300)~~

~~*Informed parental consent*~~ means that the parent/guardian: (Education Code 56021.1; 34 CFR 300.9)

1. Has been fully informed, in the parent/guardian's native language or other mode of communication, of all information relevant to the activity for which consent is sought

2. Understands and agrees, in writing, to the carrying out of the activity for which parent/guardian consent is sought and the consent describes that activity and lists the records (if any) that will be released and to whom

3. Understands that the granting of consent is voluntary on the parent/guardian's part and may be revoked at any time

4. Understands that if the parent/guardian revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked). The district is not required to amend the education records of a student to remove any reference to the student's receipt of special education and services if the student's parent/guardian submits a written revocation of consent after the initial provision of special education and related services to the student.

~~The district shall make reasonable efforts to obtain the informed~~**Upon receiving the proposed evaluation plan, the parent/guardian shall have at least 15 days to decide whether to consent to the initial** evaluation. The district shall not interpret parent/guardian consent for initial evaluation as consent for initial placement or initial provision of special education services. (Education Code 56321; 34 CFR 300.300)

The district shall make reasonable efforts to obtain the consent of the parent/guardian for an initial evaluation or reevaluation of a student. (Education Code 56321; 34 CFR 300.300, 300.322)

CSBA NOTE: It is recommended that the district maintain a record of its attempts to obtain consent, as provided in Items #1-3 below.

The district shall maintain a record of its attempts to obtain consent, ~~which may include:~~ such as: (Education Code 56341.5)

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

CSBA NOTE: Education Code 56321 and 34 CFR 300.300 provide that if a parent/guardian refuses to consent to an evaluation, the district may, but is not required to, utilize the due process procedures to pursue the evaluation. However, if the district declines to pursue the evaluation, the district does not violate its child find obligations under state and federal law.

If a parent/guardian refuses to consent to the initial evaluation or fails to respond to a request to provide consent, the district may, but is not required to, pursue an evaluation by utilizing the procedural safeguards, including the mediation and due process procedures pursuant to 20 USC 1415 and 34 CFR 300.506-300.516. (Education Code 56321; 34 CFR 300.300)

For a student who is a ward of the state and not residing with the student's parent/guardian, the district shall make reasonable efforts to obtain the ~~informed~~ consent from the parent/guardian of the student for an initial evaluation to determine whether the student is a student with a disability. The district may conduct an initial evaluation without obtaining ~~informed~~ consent if any of the following situations exists: (Education Code 56321.1; 20 USC 1414; 34 CFR 300.300)

1. Despite reasonable efforts to do so, the district cannot discover the whereabouts of the parent/guardian of the student.
2. The rights of the parent/guardian of the student have been terminated in accordance with state law.
3. The rights of the parent/guardian to make educational decisions have been subrogated by a judge in accordance with state law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the student.

The district need not obtain parent/guardian consent before reviewing existing data as part of an evaluation or reevaluation, or before administering a test or other evaluation that is administered to all students, unless consent is required from the parents/guardians of all students. (Education Code 56321; 34 CFR 300.300)

Conduct of the Evaluation

Within 60 calendar days of receiving parental consent for the initial assessment of a student, not counting days between the student's regular school sessions, terms, or days of school vacation in excess of five schooldays, a determination whether the student is eligible for special education and the educational needs of the student shall be made, an IEP team meeting shall occur, and an IEP shall be developed, unless the parent/guardian agrees in writing to an extension, pursuant to Education Code 56344. If the 60-day time is interrupted by a student school vacation, the 60-day time shall recommence on the date that student schooldays reconvene and a meeting to develop an IEP for the student shall be conducted within 30 days of a determination that the student needs special education and related

services. (Education Code 56043, 56344)

However, when a referral has been made for a student 30 days or less prior to the end of the regular school year, an IEP required as a result of an assessment of the student shall be developed within 30 days after the commencement of the subsequent regular school year. (Education Code 56043, 56344; 34 CFR 300.301, 300.323)

The evaluation shall be conducted by qualified personnel who are competent to perform the assessment as determined by the district. (Education Code ~~56320,~~ 56322)

In addition, evaluations and reevaluations shall be administered by qualified personnel who are competent in the oral or sign language skills and written skills of the student's primary language or mode of communication and have a knowledge and understanding of the cultural and ethnic background of the student. If it is clearly not feasible to do so, an interpreter shall be used, and the assessment report shall document this condition and note that the validity of the assessment may have been affected. The normal process of second-language acquisition, as well as manifestations of dialect and sociolinguistic variance shall not be diagnosed as a disabling condition. (5 CCR 3023)

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. (Education Code 56321; 20 USC 1414; 34 CFR 300.302)

In conducting the evaluation, the district shall use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student. The district shall also use any information provided by the parent/guardian that may assist the district in making the determination as to whether the student is a student with a disability and, if so, the necessary components of the student's IEP when the IEP is developed, including information related to enabling the student to be involved in and to progress in the general education curriculum. (34 CFR 300.304)

The district's evaluation shall not use any single measure or assessment as the sole criterion for determining whether a student is a student with a disability and for determining the appropriate educational program for the student. The assessment shall use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors in addition to physical or developmental factors. ~~(~~(Education Code 56320; 34 CFR 300.304)

The district shall also ensure that assessments and other evaluation materials provide relevant information that assists in determining the student's educational needs and are: (Education Code 56320; 34 CFR 300.304)

1. Selected and administered so as not to be discriminatory on a racial, cultural, or sexual basis

2. Provided and administered in the student's native language or other mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer

3. Used for the purposes for which the assessments or measures are valid and reliable

4. Administered by trained and knowledgeable personnel except that individually administered tests of intellectual or emotional functioning shall be administered by a credentialed school psychologist

5. Administered in accordance with any instructions provided by the producer of the assessments

6. Tailored to assess specific areas of educational need and not merely designed to provide a single general intelligence quotient

7. If administered to a student with impaired sensory, manual, or speaking skills, selected and administered to best ensure that the results accurately reflect the student's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).

Students shall be assessed in all areas related to the suspected disability, including, if appropriate, health and development, vision (including low vision), hearing, motor abilities, language function, general intelligence, academic performance, communicative status, self-help, orientation and mobility skills, career and vocational abilities and interests, and social and emotional status. When appropriate, a developmental history shall be obtained. For students with residual vision, a low vision assessment shall be provided in accordance with guidelines established pursuant to Education Code 56136. The district shall ensure that the evaluation is sufficiently comprehensive to identify all of the student's special education and related service needs, whether or not commonly linked to the disability category in which the student has been classified. (Education Code 56320; 34 CFR 300.304)

As part of the initial evaluation and any reevaluation, the IEP team and other qualified professionals shall, if appropriate, review existing evaluation data on the student, including evaluations and information provided by the parents/guardians, current classroom-based local or state assessments and classroom-based observations, and observations by teachers and related services providers. On the basis of that review and input from the student's parent/guardian, the team shall identify what additional data, if any, are needed to determine: (Education Code 56381; 34 CFR 300.305)

1. Whether the student is a student with a disability, or in the case of a reevaluation, whether the student continues to have a disability, and the educational needs of the student

2. The present levels of academic achievement and related developmental needs of the student

3. Whether the student needs, or continues to need, special education and related services

4. Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in the student's IEP and to participate, as appropriate, in the general education curriculum

If a student has transferred from another district in the same school year or leaves this district, the district shall coordinate with the student's prior or subsequent district as necessary and as expeditiously as possible to ensure prompt completion of full evaluations. ((Education Code 56320; 34 CFR 300.304)

Evaluation Report

The personnel who evaluate the student shall prepare a written report of the results of each evaluation. The report shall include, but not be limited to, the following: (Education Code 56327)

1. Whether the student may need special education and related services

2. The basis for making the determination

3. The relevant behavior noted during the observation of the student in an appropriate setting

4. The relationship of that behavior to the student's academic and social functioning

5. The educationally relevant health, developmental, and medical findings, if any

6. For students with learning disabilities, whether there is such a discrepancy between achievement and ability that it cannot be corrected without special education and related services

7. A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate

8. The need for specialized services, materials, and equipment for students with low incidence disabilities, consistent with Education Code 56136

Eligibility Determination

CSBA NOTE: The following section contains procedures for determining a student's eligibility for special education and related services. Education Code 56334-56338 and 34 CFR 300.307-300.311 provide additional procedures for conducting the evaluation and making the determination for eligibility of a student with specific learning disabilities.

Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parent/guardian shall determine whether the student is a student with a disability as defined in 5 CCR 3030 and 34 CFR 300.8 and, if so, the student's educational needs. In interpreting the data, the group shall draw information from a variety of sources, including aptitude and achievement tests, parent/guardian input, and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior. The group shall ensure that the information obtained from these sources is documented and carefully considered. (34 CFR 300.306)

CSBA NOTE: Education Code 56329 requires districts to provide notice about specific factors in making the determination of eligibility as part of the district's evaluation plan. See section above entitled "Initial Evaluation for Special Education Services."

When making a determination of eligibility for special education and related services, the district shall not determine that a student is disabled if the primary factor for such determination is a lack of appropriate instruction in reading, including the essential components of reading instruction pursuant to 20 USC 6368, lack of instruction in mathematics, limited English proficiency, or that the student does not otherwise meet the eligibility criteria. (Education Code 56329; 34 CFR 300.306)

The normal process of second-language acquisition, as well as manifestations of dialect and sociolinguistic variance, shall not be diagnosed as a disabling condition. (5 CCR 3023)

Independent Educational Evaluation

CSBA NOTE: 34 CFR 300.502 requires the district to provide parents/guardians, upon request for an IEE, information about where an IEE may be obtained and the district's criteria for the evaluation, including the location of the evaluation, qualifications of the examiner, and timelines for obtaining the evaluation. These criteria must be the same as the criteria that the district uses for district-initiated evaluations. In addition, Education Code 56329 requires districts to provide notice about parent/guardian rights to an IEE as part of the proposed evaluation plan; see section above entitled "Initial Evaluation for Special Education Services." Districts may wish to modify the following section to include specific criteria developed by the district or special education local plan area, as appropriate.

An *independent educational evaluation* is defined as an evaluation conducted by a qualified examiner who is not employed by the district. (34 CFR 300.502)

Public expense means that the district either pays for the full cost of the IEE or ensures that the evaluation is otherwise provided at no cost to the parent/guardian. (34 CFR 300.502)

The parents/guardians of a student with a disability have the right to obtain an IEE at public expense under the same criteria, including the location of the evaluation and the qualifications of the examiner, that the district uses for a district-initiated evaluation. (34 CFR 300.502)

The parent/guardian is entitled to only one IEE at public expense each time the district conducts an evaluation with which the parent/guardian disagrees. (Education Code 56329; 34 CFR 300.502)

If a parent/guardian has requested an IEE, the district may ask for the reason that the parent/guardian objects to the district's evaluation. However, the parent/guardian is not required to provide an explanation and the district may not unreasonably delay either providing the IEE at public expense or filing a due process complaint to request a due process hearing to defend the public evaluation. (34 CFR 300.502)

Upon receiving the request for an IEE, the district shall, without unnecessary delay, either: (34 CFR 300.502)

1. File a due process complaint to request a hearing to show that its evaluation is appropriate
2. Ensure that an IEE is provided at public expense, unless the district demonstrates at a hearing that the evaluation obtained by the parent/guardian did not satisfy the district's criteria

If a due process hearing decision determines that the district's evaluation is appropriate, then the parent/guardian may obtain an IEE but not at public expense. (Education Code 56329; 34 CFR 300.502)

In any decision made with respect to providing FAPE to a student with a disability, the result of any IEE obtained by the student's parent/guardian shall be considered by the district if it meets district criteria. Any such result also may be presented as evidence at a hearing on a due process complaint. (Education Code 56329; 34 CFR 300.502)

Coordinating Transitions

CSBA NOTE: Government Code 95008, as amended by SB 188 (Ch. 49, Statutes of 2022), requires each district to designate a main point of contact for coordinating and completing, with other agencies and persons, the transition of a child and family from infant/toddler programs to preschool (Part C to Part B of IDEA), including establishing practices to educate and support families during the transition.

The district designates the individual listed below as the main point of contact for coordinating and completing, with other agencies and persons, the transition of a child and family from infant/toddler programs to preschool (Part C to Part B of the federal Individuals with Disabilities Education Act), including establishing practices to educate and support families during the transition: (Government Code 95008)

(title or position)

(address)

(telephone number)

jdumbrigue@cvgamaunified.org
(email)

Reevaluation

A reevaluation shall be conducted when the district determines that the educational or related service needs of the student, including improved academic achievement and functional performance, warrant a reevaluation or if the student's parent/guardian or teacher requests reevaluation. Such reevaluations shall occur every three years, unless the parent/guardian and district agree in writing that a reevaluation is unnecessary. A reevaluation may not occur more than once a year, unless the parent/guardian and the district agree otherwise. (Education Code 56043, 56381; 34 CFR 300.303)

The district shall ensure that any reevaluations of the student are conducted in accordance with the evaluation procedures pursuant to 34 CFR 300.304-300.311. (34 CFR 300.303)

CSBA NOTE: The following paragraph is for use by districts that offer grades K-1.

Before entering kindergarten or first grade, as the case may be, children with disabilities who are in a preschool program shall be reevaluated to determine if they still need special education and services. IEP teams shall identify a means of monitoring the continued success of children who are determined to be eligible for less intensive special education programs. (Education Code 56445)

CSBA NOTE: The district's point of contact, identified pursuant to Government Code 95008, as amended by SB 188, for coordinating and completing the transition of a child and family from infant/toddler programs to preschool, may coordinate the reevaluation of children with disabilities who are in a preschool program and the progress of children who are determined to be eligible for less intensive special education programs, as described below.

The district's point of contact for coordinating and completing the transition of a child and family from infant/toddler programs to preschool, may coordinate the reevaluation and monitoring as described above for kindergarten or first grade.

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

State	Description
5 CCR 3021-3029	Identification, referral and assessment
5 CCR 3030-3031	Eligibility criteria
Ed. Code 44265.5	Professional preparation for teachers of impaired students
Ed. Code 56000-56885	Special education programs
Ed. Code 56043	Special education; timelines
Ed. Code 56195.8	Adoption of policies

Ed. Code 56300-56305	Identification of individuals with disabilities
Ed. Code 56320-56330	Assessment
Ed. Code 56333-56338	Eligibility for specific learning disabilities
Ed. Code 56340-56347	Individualized education program teams
Ed. Code 56381	Reassessment of students
Ed. Code 56425-56432	Early education for individuals with disabilities
Ed. Code 56441.11	Eligibility criteria; children ages 3-5
Ed. Code 56445	Transition to grade school; reassessment
Ed. Code 56500-56509	Procedural safeguards
Gov. Code 95000-95029.5	California Early Intervention Services Act
Federal	**Description**
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1400-1482	Individuals with Disabilities Education Act
20 USC 1412	State eligibility
20 USC 1415	Procedural safeguards
34 CFR 104.35	Evaluation and placement
34 CFR 104.36	Procedural safeguards
34 CFR 300.1-300.818	Individuals with Disabilities Education Act
34 CFR 300.301-300.306	Evaluations and reevaluations
34 CFR 300.323	When IEPs must be in effect
34 CFR 300.502	Independent educational evaluation of student with disability
34 CFR 303.1-303.734	Early Intervention Program for Infants and Toddlers with Disabilities
Management Resources	**Description**
California Department of Education Publication	California Practitioners' Guide for Educating English Learners with Disabilities, 2019
Court Decision	N.B. and C.B v. Hellgate Elementary School District (9th Cir. 2008) 541 F.3d 1202
Court Decision	Compton Unified School District v. Addison, (9th Cir. 2010) 598 F.3d 1181
Court Decision	Timothy O. v. Paso Robles Unified School District (9th Cir. 2016) 822 F.3d 1105
Court Decision	M.M. v. Lafayette School District (9th Cir. 2014) 767 F.3d 842
Court Decision	Hood v. Encinitas Union School District, (2007) 486 F.3d 1099

Federal Register	Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845
U.S. Department Of Education Publication	Long COVID under Section 504 and the IDEA: A Resource to Support Children, Students, Educators, Schools, Service Providers, and Families, July 2021
U.S. Department Of Education Publication	Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, August 2021
U.S. Department of Education Publication	A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA): Memorandum 11-07, January 2011
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education, Special Education
Website	U.S. Department of Education, Office of Special Education Programs
Website	CSBA

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0430	Comprehensive Local Plan For Special Education
0430	Comprehensive Local Plan For Special Education
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0470	COVID-19 Mitigation Plan
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E (1)	Uniform Complaint Procedures
1312.3-E (2)	Uniform Complaint Procedures
3541.2	Transportation For Students With Disabilities
3552	Summer Meal Program
3552	Summer Meal Program
4112.23	Special Education Staff
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications

5148	Child Care And Development
5148	Child Care And Development
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6120	Response To Instruction And Intervention
6146.4	Differential Graduation And Competency Standards For Students With Disabilities
6159	Individualized Education Program
6159	Individualized Education Program
6159.1	Procedural Safeguards And Complaints For Special Education
6159.1	Procedural Safeguards And Complaints For Special Education
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education
6159.3	Appointment Of Surrogate Parent For Special Education Students
6159.3	Appointment Of Surrogate Parent For Special Education Students
6162.5	Student Assessment
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6163.2	Animals At School
6163.2	Animals At School
6164.41	Children With Disabilities Enrolled By Their Parents In Private School
6164.41	Children With Disabilities Enrolled By Their Parents In Private School
6164.5	Student Success Teams
6164.5	Student Success Teams
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6173.2	Education Of Children Of Military Families

6173.2 Education Of Children Of Military Families

6183 Home And Hospital Instruction

Bylaw 9220: Governing Board Elections

Status: ADOPTED

Original Adopted Date: 06/01/2006 | **Last Revised Date:** ~~07~~12/01/~~2017~~2022 | **Last Reviewed Date:** ~~07~~12/01/~~2017~~2022

~~Board Member Qualifications~~

CSBA NOTE: The following bylaw is optional. The filling of elective offices involves serious issues of constitutional and statutory concerns. Any district with questions related to local elections should consult CSBA District and County Office of Education Legal Services or district legal counsel.

Board Member Qualifications

CSBA NOTE: Education Code 35107 and Elections Code 20 detail eligibility for Governing Board membership as specified below. In 81 Ops.Cal.Atty.Gen. 98 (1998), the Attorney General opined that the residency requirement in Education Code 35107 is a continuing requirement for holding the office during the entire term of the Board member.

A person ~~is~~ who is not registered to vote is ineligible to hold public office ~~if he/she is not registered to vote~~. Elections Code 2201 lists the causes for cancelling an individual's voter registration and making ~~him/her~~that person ineligible to hold public office, including, but not limited to, legally established mental incompetency, proof that the person is presently imprisoned or on parole for conviction of a felony, or official notification that the voter is registered to vote in another country or state.

Any person is eligible to be a member of the Governing Board, without further qualifications, if ~~he/she~~the person is 18 years of age or older, a citizen of California, a resident of the school district or, if applicable, the trustee area, a registered voter, and not legally disqualified from holding civil office. Any person who has been convicted of a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, is not eligible to be a candidate for office or elected as a Board member except when ~~he/she~~the person has been granted a pardon in accordance with law. (Education Code 35107; Elections Code 20)

CSBA NOTE: Pursuant to Education Code 35107, a district employee elected to serve on the district Board must resign ~~his/her~~from the employment before being sworn into office as a Board member.

Pursuant to Education Code 1006, employees of a school district are eligible to run for the county board of education seat as long as their school district employer is not within the jurisdiction of the county board.

A district employee elected to the Board shall resign ~~his/her~~from district employment before being sworn in or shall have ~~his/her~~the employment automatically terminated upon being sworn into office. (Education Code 35107)

CSBA NOTE: The following paragraph is optional. See CSBA's web site for information about school board service that may be shared with candidates.

The Board encourages all candidates to become knowledgeable about the role of board members. The Superintendent or designee shall provide all candidates with information that will enable them to understand the responsibilities and expectations of being a Board member, including information

regarding available workshops, seminars, and/or training. The Superintendent or designee shall provide all candidates with the county election official's contact information and general information about school programs, district operations, and Board responsibilities.

Recalling a Board Member

CSBA NOTE: The following section is optional. Government Code 1770 lists events that may create a vacancy in an elective office, including removal from office, while Elections Code 11000 provides for recall as the means for effecting such removal of a Board member. Pursuant to Elections Code 11006, recall proceedings may be initiated by the service, filing, and publication or posting of a notice of intention to circulate a recall petition by proponents who must be registered voters of the board member's electoral jurisdiction. Elections Code 11020, as amended by AB 2584 (Ch. 792, Statutes of 2022), specifies the number of proponents that must be listed on the notice, depending on the number of registered voters in the electoral jurisdiction involved.

A Board member may be recalled as permitted by Elections Code 11000. Proponents of a recall are required to serve, file, and publish or post a notice of intention to circulate the recall petition and to comply with other applicable law and formalities and county elections official directives. The petition, pursuant to Elections Code 11041, is required to be in the format provided by the Secretary of State and to include an estimate of the cost of conducting the special election, as determined by the county elections official, in consultation with the district.

CSBA NOTE: Pursuant to Elections Code 11242, as amended by AB 2584 (Ch. 792, Statutes of 2022), after the Board orders an election, the recall election must be held within the period specified in the following paragraph, unless an extension beyond the specified period is necessary in order to consolidate the recall election with a regularly scheduled election.

Within 14 days after the meeting at which the Board receives a certificate of sufficiency of signatures on a recall petition from the county elections official, the Board shall order an election to be held to determine whether the Board member named in the petition shall be recalled. The election shall be held not less than 88, nor more than 125, days after the date that the Board orders the election. However, the election may be conducted within 180 days after the issuance of the Board's order to consolidate the election with a regularly scheduled election.
Recall elections shall be conducted in accordance with Elections Code 11381-11386.

Consolidation of Elections

CSBA NOTE: The following optional section is for districts that currently hold their Board elections at a time that is not concurrent with municipal or statewide elections.

Education Code 5000 and Elections Code 1302 require the regular election of Board members to be held on the first Tuesday after the first Monday in November of each odd-numbered year. However, in accordance with Elections Code 1302 and 10404.5, districts are authorized to request consolidation of their Board elections with the local municipal or state primary or general election by adopting a Board resolution and submitting it to the County Board of Supervisors for approval. Within 30 days following approval by the County Board of Supervisors, the elections official will notify all registered voters in the district of the change of election date.

To reduce costs associated with conducting elections, the Board may consolidate Board elections with the local municipal or statewide primary or general election in accordance with Elections Code 1302.

CSBA NOTE: Pursuant to Elections Code 14051-14052, ~~as added by SB 415 (Ch. 235, Statutes of 2015),~~ districts are required to hold elections concurrent with statewide elections if holding nonconcurrent elections has previously resulted in a "significant decrease" in voter turnout. Pursuant to Elections Code 14051, a significant decrease has occurred when voter turnout for a regularly scheduled election held on a nonconcurrent date is at least 25 percent less than the average local turnout for the previous four statewide general elections. ~~A district that holds Board elections other than on a statewide elections date may only delay the consolidation may only delay the consolidation if, by January 1, 2018, it has adopted a plan to consolidate elections by November 8, 2022. It is recommended that districts with nonconcurrent elections review the voter turnout for their recent elections, consult with legal counsel, and, as necessary, prepare and approve a plan by January 1, 2018 to move their election to a statewide election date.~~ For a further analysis ~~of SB 415~~, see CSBA's "Legal Alert on the Impact of Senate Bill No. 415 on School Board Elections."

Districts consolidating their elections due to low voter turnout should follow the procedures specified in Elections Code 1302, including the adoption of a Board resolution.

In addition, if a regularly scheduled Board election held other than on a statewide election date results in a decrease in local voter turnout of 25 percent or more compared to the average local turnout for the previous four statewide general elections, the Board shall take action to consolidate Board elections with statewide elections. ~~The district shall move its election to the next state statewide election date, unless the Board has adopted a plan by January 1, 2018 to consolidate Board elections not later than the November 8, 2022 statewide general election.~~ (Elections Code 14051, 14052)

In order to consolidate elections based on either circumstance described above, the Board shall adopt a resolution and submit it to the County Board of Supervisors for approval not later than 240 days prior to the date of the currently scheduled district election. (Elections Code 10404.5)

Whenever a regularly scheduled Board election is changed due to consolidation of elections, the terms of office of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)

Elections Process and Procedures

CSBA NOTE: Any district that selects Option 2 or 3 should ensure that its decision is consistent with Elections Code 14025-14032 (the California Voting Rights Act (CVRA~~)~~), which prohibits the use of the "at-large" voting method for elections within jurisdictions with a history of "racially polarized voting" (i.e., difference between voters of a protected class and voters in the rest of the jurisdiction in the choice of candidates preferred). ~~Any district seeking more information about the CVRA and its possible effects should consult legal counsel.~~

OPTION 1: (Election by trustee area)

The district is divided into trustee areas and each trustee area shall be represented by a Board member who resides in and is elected by voters residing within that trustee area. Trustee areas shall be balanced by population as required by state and federal law.

Prior to March 1 following the year in which the results of each decennial federal census are released, the Board shall adjust the boundaries of the district's trustee areas based on population figures as validated by the Population Research Unit of the Department of Finance. (Education Code 5019.5)

OPTION 1 ENDS HERE

CSBA NOTE: Any district that selects Option 2 or 3 should ensure that its decision is consistent with Elections Code 14025-14032 (the California Voting Rights Act (CVRA)) which prohibits the use of the "at-large" voting method for elections within jurisdictions with a history of "racially polarized voting" (i.e., difference between voters of a protected class and voters in the rest of the jurisdiction in the choice of candidates preferred). ~~Any district seeking more information about the CVRA and its possible effects should consult legal counsel.~~

OPTION 2: (Election using "at-large" voting method)

Board members may reside anywhere within the district's boundaries and shall be elected by all voters in the district.

OPTION 2 ENDS HERE

CSBA NOTE: The extent, if any, to which a district using the "from trustee area/hybrid" method (Option 3) is required to balance its trustee areas by population is unclear; see *Dusch v.* ~~Davis. Any district using Option 3 should consult with legal counsel regarding whether to balance its trustee areas by population.~~*Davis.*

OPTION 3: (Election from trustee area/hybrid method)

Each Board member shall reside within the trustee area that ~~he/she~~the Board member represents but shall be elected by all voters in the district.

OPTIONS 3 ENDS HERE

CSBA NOTE: The ~~remainder of this section~~following paragraph is for districts using Option 2 or 3 and may be revised to reflect district practice. Such districts should periodically monitor the demographics within their geographical boundaries to ensure that no violation of the CVRA occurs. Any district found in violation of the CVRA could be held liable for attorneys' fees and legal costs. Elections Code 10010~~, as amended by AB 350 (Ch. 737, Statutes of 2016),~~ requires that a prospective plaintiff send written notice to the district prior to filing a complaint alleging that the method of election violates the CVRA so that the district will have the chance to cure any potential violations before the commencement of litigation. Even if the district cures the alleged violations, it may be required to pay reasonable costs incurred in supporting the written notice.

To ensure ongoing compliance with the California Voting Rights Acts, the Board may review the district's Board election method to determine whether any modification is necessary due to changes in the district's population or any of its racial, color, or language minority group composition. The review shall be based on the Superintendent or designee's report to the Board after the release of each decennial federal census.

CSBA NOTE: Converting from an "at-large" (Option 2) to a "by trustee area" (Option 1) voting method involves complex issues of law regarding matters such as the redrawing of maps, required approvals, and transition dates. Elections Code 10010~~, as amended by AB 350 (Ch. 737, Statutes of 2016),~~ requires the Board to hold hearings before and after drawing maps of the proposed district boundaries to allow for public input. If Board members will be elected at different times for staggered terms of office, hearings held after publishing the draft map(s) are required to include an opportunity for public input regarding the proposed sequence of elections. ~~Any district that is considering switching to a "by trustee area" election method should consult legal counsel as necessary.~~

~~If~~When the district's election method is to be changed, the Board ~~determines that a change is necessary, it~~ shall hold public hearings in accordance with Elections Code 10100 before adopting a resolution at an

open meeting specifying the change(s), and shall, in accordance with Education Code 5019, obtain approval from the county committee on school district organization having jurisdiction over the district.

CSBA NOTE: The remainder of this section is for all districts. The Attorney General opined in 105 Ops.Cal.Atty.Gen. 182 (2022) that when the boundaries of a district's trustee areas are adjusted or the district changes from "at-large elections" to "by-trustee area elections," and a vacancy then arises in a seat held by a Board member whose term of office began prior to the change in boundaries or election method, the vacancy should be filled using the boundaries or election method by which the incumbent Board member was elected. Any district that has already adopted a "by-trustee" election method should revise the following paragraph accordingly.

The election method or trustee-area boundaries in effect at the beginning of a Board member's term shall be used when any vacancy that occurs during that term is to be filled, even if, during the term, the district has adopted "by-trustee area" election method or trustee area boundaries have been adjusted.

CSBA NOTE: Pursuant to Education Code 5091, as amended by SB 1061 (Ch. 831, Statutes of 2022), any petition for a special election must contain the county elections official's estimate of the cost of conducting the special election, expressed on a per-student basis.

Any petition for a special election ordered pursuant to Education Code 5091 shall contain the county election official's estimate of the cost of conducting the special election, expressed on a per-student basis. (Education Code 5091)

Campaign Conduct

CSBA NOTE: Education Code 35177 has long authorized boards, by resolution, to limit campaign expenditures and/or contributions for candidates in board elections. However, in June 2006, the U.S. Supreme Court held in *Randall v. Sorrell* that limits on campaign expenditures are unconstitutional and violate a candidate's right to free speech. The court did hold that limits on contributions to candidates could be constitutional if such limits are not overly restrictive, allow candidates to compete in the race, and do not operate to protect incumbents. However, because Education Code 35177 provides no mechanism for the district to enforce any contribution limits set by the Board, such limits would be completely voluntary, and other candidates and/or the Board would have no recourse in the event of noncompliance by a candidate. It is strongly recommended that, before adopting voluntary contribution limits under the authority granted in Education Code 35177, the Board consult CSBA District and County Office of Education Legal Services or district legal counsel, in order to ensure that the district's limits satisfy legal restrictions.

All candidates, including current Board members running as incumbents, shall abide by local, county, state, and federal requirements regarding campaign donations, funding, and expenditures.

CSBA NOTE: The following paragraph is optional. Government Code 85300 generally prohibits the expenditure of public funds for the purpose of seeking elective office. However, ~~as amended by SB 1107 (Ch. 837, Statutes of 2016),~~ Government Code 85300 permits a candidate to expend or accept public funds for the purpose of seeking elective office if the Board establishes a dedicated fund for that purpose, provided that both (1) the public funds are available to all qualified, voluntarily participating candidates for the same office without regard to incumbency or political party preference, and (2) the Board has established criteria for determining a candidate's qualifications. For school board elections, candidate qualifications are specified in state law (see section "Board Member Qualifications" above), and districts should not establish additional qualification requirements. ~~It is recommended that the district consult legal counsel when establishing a dedicated fund for those seeking election to the Board.~~

A Board member shall not expend, and a candidate shall not accept, any public money for the purpose of seeking elective office. However, the district may establish a dedicated fund for those seeking election to the Board, provided that the funds are available to all candidates who are qualified pursuant to Education Code 35107 without regard to incumbency or political preference. (Government Code 85300)

CSBA NOTE: Pursuant to Elections Code 20440, county election officials are required to present each candidate running for public office with a voluntary Code of Fair Campaign Practices for the candidate to sign. The pledge states the candidate's intent to conduct ~~his/her~~the campaign openly and fairly and provides that the candidate may not use or permit negative prejudice based on another candidate's race, religion, physical or mental disability, sex, gender, gender identity, gender expression, sexual orientation, or any other prohibited category of discrimination listed in Government Code 12940. Although neither the district nor opposing candidates have authority to enforce the pledge if it is violated, a candidate's signature is a matter of public record. The following optional paragraph expresses the Board's desire that candidates for Board membership sign and abide by the terms of the pledge.

In order to help protect the public's trust in the electoral process as well as the public's confidence in the Board and district, the Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

Statement of Qualifications

On the 125th day prior to the day fixed for the general district election, the Board secretary or ~~his/her~~ designee shall deliver a notice, bearing the secretary's signature and district seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the district to be filled at the general election and which offices, if any, are for the balance of an unexpired term

2. Whether the district or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307

CSBA NOTE: Pursuant to Elections Code 13307, the candidate statement is limited to 200 words (Option 1 below), unless the Board has authorized an increase to a 400-word maximum (Option 2 below).

OPTION 1: (200 Words Limit)

Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 200 words. (Elections Code 13307)

OPTION 1 ENDS HERE

OPTION 2: (400 Words Limit)

Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. ~~(Elections Code 13307)~~

~~OPTION 1 ENDS HERE~~

~~OPTION 2: Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet.~~ Candidate statements shall be limited to no more than 400 words. (Elections Code 13307)

OPTION 2 ENDS HERE

CSBA NOTE: The following optional paragraph is for use by any district that authorizes electronic distribution of candidate statements in addition to or instead of the mailed voter's pamphlet. Pursuant to Elections Code 13307, a voter may receive by mail a voter's pamphlet that contains candidate statements or, when authorized by the elections official, may opt to obtain the voter's pamphlet and related materials electronically (i.e., from the elections official's web site or via email). If a candidate chooses to submit a statement for electronic distribution only, it will not appear in the mailed voter's pamphlet.

When electronic distribution is authorized by the elections official, districts may choose, pursuant to Elections Code 13307, ~~as amended by AB 2010 (Ch. 128, Statutes of 2016), whether or not~~whether to permit Board candidates to prepare a statement for electronic distribution. The following paragraph may be revised to reflect district practice.

When the elections official allows for the electronic distribution of candidate statements, a candidate for the Board may, in addition to or instead of submitting a candidate statement for inclusion in the mailed voter's pamphlet, prepare and submit a candidate statement for electronic distribution.

CSBA NOTE: Prior to the beginning of the nominating period, Elections Code 13307~~, as amended by AB 2010 (Ch. 128, Statutes of 2016),~~ requires the Board to determine whether to have the district assume the costs of producing candidate statements or to charge candidates for the costs, regardless of whether the statements are for hard copy or electronic distribution. In 85 Ops.Cal.Atty.Gen. 49 (2002), the Attorney General opined that Elections Code 13307, which authorizes the district to pay for the distribution of candidate statements for nonpartisan elective offices, does not conflict with Education Code 7054, which prohibits the use of district resources for campaign purposes. According to the Attorney General, distributing campaign statements cannot be considered campaigning for any particular candidate in a partisan manner so as to conflict with the Education Code prohibition.

Option 1 below is for districts that assume the costs associated with producing candidate statements, and Option 2 is for districts that charge candidates for the costs. The following options may be revised to reflect the method of distribution (i.e., electronic and/or hard copy) used by the district.

OPTION 1: ~~In order to help defray the costs of campaigning for the Board, the~~(Candidate Statement Paid by District)

The district shall pay the cost of printing, handling, translating, mailing, and/or electronically distributing candidate statements filed pursuant to Elections Code 13307.

OPTION 1 ENDS HERE

OPTION 2: (Candidate Statement Paid by Candidate)

The district shall assume no part of the cost of printing, handling, translating, mailing, or electronically distributing candidate statements filed pursuant to Elections Code 13307. As a condition of having candidate statements included in the hard copy and/or electronic voter's pamphlet, the district may require candidates to pay their estimated pro rata share of these costs to the district in advance pursuant to Elections Code 13307.

OPTION 2 ENDS HERE

Tie Votes in Board Member Elections

CSBA NOTE: Education Code 5016 requires the Board to decide, before conducting any election, whether a potential tie will be resolved by lot or by a runoff election. Option 1 provides for the use of lots to determine the winner in case of a tie in every election, Option 2 provides for a runoff election in every election, and Option 3 is for use by districts that will make this determination prior to each election.

Education Code 5016 requires the County Superintendent of Schools to provide certification of a tie vote in an election to the district Board.

OPTION 1: (Tie Decided by Lot)

Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall immediately notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time shall determine the winner by lot. (Education Code 5016)

OPTION 1 ENDS HERE

OPTION 2: (Tie Decided by Runoff Election)

Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall schedule a runoff election in accordance with law. (Education Code 5016)

OPTION 2 ENDS HERE

OPTION 3: (Tie Decided Based on Board Determination Prior to Each Election)

Before each election, the Board shall decide whether to resolve a potential tie by lot or by a runoff election. If the Board has decided to resolve a tie by lot, the Board shall, immediately after the election, notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time shall determine the winner by lot. If the Board has decided to resolve a tie with a runoff election, the Board shall schedule the runoff election in accordance with law. (Education Code 5016)

OPTION 3 ENDS HERE

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

State	Description
CA Constitution Article 2, Section 2	Voters; qualifications
CA Constitution Article 7, Section 7	Conflicting offices
CA Constitution Article 7, Section 8	Disqualification from office
Ed. Code 1006	Prohibition against school district employees serving on county board of education

Ed. Code 35107	School district employees
Ed. Code 35177	Campaign expenditures or contributions
Ed. Code 35239	Compensation of governing board member of districts with less than 70 ADA
Ed. Code 5000-5033	Election of school district board members
Ed. Code 5091	Vacancies; petition for special election
Ed. Code 5220-5231	Elections
Ed. Code 5300-5304	General provisions ~~(~~; conduct of elections~~)~~
Ed. Code 5320-5329	Order and call of elections
Ed. Code 5340-5345	Consolidation of elections
Ed. Code 5360-5363	Election notice
Ed. Code 5380	Compensation ~~(of;~~ election officer~~)~~
Ed. Code 5390	Qualifications of voters
Ed. Code 5420-5426	Cost of elections
Ed. Code 5440-5442	Miscellaneous provisions
Ed. Code 7054	Use of district property; campaign purposes
Elec. Code 10010	District boundaries
Elec. Code 10400-10418	Consolidation of elections
Elec. Code 10509	Notice of election by secretary
Elec. Code 10600-10604	School district elections
Elec. Code 11000	Recall of officers
Elec. Code 1302	Local elections; school district election
Elec. Code 13307	Candidate's statement
Elec. Code 13308	Candidate's statement contents
Elec. Code 13309	Candidate's statement; indigence
Elec. Code 14025-14032	California Voting Rights Act
Elec. Code 14050-14057	California Voter Participation Rights Act
Elec. Code 20	Public office eligibility
Elec. Code 20440	Code of Fair Campaign Practices
Elec. Code 2201	Grounds for cancellation
Elec. Code 4000-4008	Elections conducted wholly by mail
Gov. Code 1021	Conviction of crime
Gov. Code 1097	Illegal participation in public contract

Gov. Code 12940	Unlawful discriminatory employment practices
Gov. Code 1770	Vacancy of office
Gov. Code 81000-91014	Political Reform Act of 1974
Pen. Code 424	Embezzlement and falsification of accounts by public officers
Pen. Code 661	Removal for neglect or violation of official duty
Pen. Code 68	Bribes
Pen. Code 74	Acceptance of gratuity
Federal	**Description**
52 USC 10301-10508	Voting Rights Act
Management Resources	**Description**
Attorney General Opinion	105 Ops.Cal.Atty.Gen. 182 (2022)
Attorney General Opinion	69 Ops.Cal.Atty.Gen. 290 (1986)
Attorney General Opinion	81 Ops.Cal.Atty.Gen. 98 (1998)
Attorney General Opinion	83 Ops.Cal.Atty.Gen. 181 (2000)
Attorney General Opinion	85 Ops.Cal.Atty.Gen. 49 (2002)
CSBA Publication	Legal Alert on the Impact of Senate Bill No. 415 on School Board Elections, January 2017
Court Decision	Dusch v. Davis (1967) 387 U.S. 112
Court Decision	Randall v. Sorrell (2006) 126 S.Ct. 2479
Court Decision	Rey v. Madera Unified School District (2012) 203 Cal. App. 4th 1223
Court Decision	Sanchez v. City of Modesto (2006) 145 Cal. App. 4th 660
Website	CSBA District and County Office of Education Legal Services
Website	Institute for Local Government
Website	Fair Political Practices Commission
Website	California Secretary of State's Office
Website	CSBA

Cross References

Code	**Description**
0410	Nondiscrimination In District Programs And Activities
9005	Governance Standards
9110	Terms Of Office
9223	Filling Vacancies
9224	Oath Or Affirmation

9230	Orientation
9240	Board Training
9270	Conflict Of Interest
9270-E (1)	Conflict Of Interest
9320	Meetings And Notices

Bylaw 9223: Filling Vacancies

Status: ADOPTED

Original Adopted Date: 09/01/1989 | **Last Revised Date:** ~~08~~12/01/~~2014~~2022 | **Last Reviewed Date:** ~~08~~12/01/~~2014~~2022

Events Causing a Vacancy

A vacancy on the Governing Board may ~~occur for~~arise from any of the following events:

1. The death of an incumbent (Government Code 1770)

2. The adjudication pursuant to a quo warranto proceeding declaring that an incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of ~~his/her~~the office for the remainder of ~~his/her~~the term (Government Code 1770)

3. A Board member's resignation (Government Code 1770)

   A vacancy resulting from resignation occurs when the written resignation is filed with the County Superintendent of Schools having jurisdiction over the district, except where a deferred effective date is specified in the resignation so filed, in which case the resignation shall become operative on that date. A Board member may not defer ~~the~~an effective date of ~~his/her~~ resignation for more than 60 days after ~~he/she files~~the date the resignation is filed with the County Superintendent. Upon being filed with the County Superintendent, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (Education Code 5090, 5091)

4. A Board member's removal from office~~, including~~ by recall (Elections Code ~~11384~~11000; Government Code 1770)

5. A Board member's ceasing to be a resident of the district (Government Code 1770)

CSBA NOTE: The following paragraph is for use by districts that have established trustee areas. In 105 Ops.Cal.Atty.Gen 182 (2022), the Attorney General has opined that when the boundaries of a district's trustee areas are adjusted or the district changes from "at-large elections" to "by-trustee area elections," and a vacancy then arises in a seat held by a Board member whose term of office began prior to the change in boundaries or election method, the vacancy should be filled using the boundaries or election method by which the incumbent Board member was elected. See BB 9220 - Governing Board Elections.

6. ~~A vacancy on the Board also occurs when~~ aA Board member ceases to inhabit the trustee area ~~which he/she represents~~represented on the Board~~.~~ (58 Ops.Cal.Atty.Gen. 888 (1975))

   However, a vacancy does not arise when the district adjusts the trustee area boundaries or changes from "at-large" to "by-trustee area" election method during a Board member's term.

7. A Board member's absence from the state for more than 60 days, except in the following situations: (Government Code 1064, 1770)

   a. Upon district business with the approval of the Board

   b. With the consent of the Board for an additional period not to exceed a total absence of 90 days

~~CSBA NOTE: AB 334 (Ch. 54, Statutes of 2011) amended Government Code 1064 to authorize the Governing Board to extend an out-of-state absence for an unlimited duration when the absence is due to illness or other urgent necessity.~~

c. In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the state may be extended by the Board.

d. For federal military deployment, not to exceed an absence of a total of six months, as a member of the armed forces of the United States or the California National Guard

If the absence of the Board member for this purpose exceeds six months, the Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the Board may appoint an interim member to serve ~~in his/her~~during the absence. If two or more members of the Board are absent by reason of these circumstances, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members as necessary to enable the Board to conduct business and discharge its responsibilities. The term of an interim member appointed in these circumstances shall not extend beyond the return of the absent Board member or beyond the next regularly scheduled election for that office, whichever occurs first.

8. A Board member's ceasing to discharge the duties of ~~his/her~~the office for the period of three consecutive months, except when prevented by illness or when absent from the state with the permission required by law (Government Code 1770)

CSBA NOTE: Board members forfeit office and, in some cases, are disqualified from holding public office upon conviction of designated crimes as specified in the Constitution and various other state laws. Examples of crimes that result in forfeiture of office include, but are not limited to, convictions for felonies, offenses that involve a violation of official duties, bribery, selling appointments, intoxication in the discharge of official duties, misuse of public funds, conflict of interest violations, and a false claim of receipt of any military decoration or medal.

9. A Board member's conviction of a felony or any offense involving a violation of ~~his/her~~ official duties or conviction of a designated crime resulting in a forfeiture of office (Government Code 1770, 3000-3003)

10. A Board member's refusal or neglect to file ~~his/her~~the required oath within the time prescribed (Government Code 1770)

11. The decision of a competent tribunal declaring void a Board member's election or appointment (Government Code 1770)

12. A Board member's commitment to a hospital or sanitarium as a drug addict, dipsomaniac, inebriate, or stimulant addict by a court of competent jurisdiction, in which case the office shall not be deemed vacant until the order of commitment has become final (Government Code 1770)

CSBA NOTE: Pursuant to Education Code 5090, a vacancy is declared when there has been a "failure to elect," meaning that the County Registrar of Voters has determined that an election will not be held because either no candidate or an insufficient number of candidates have filed to run for a Board seat(s). Education Code 5328 authorizes the Board to make an appointment in such circumstances.

13. A "failure to elect" in which no candidate or an insufficient number of candidates have filed to run for a Board seat(s) (Education Code 5090, 5326, 5328)

Timelines for Filling a Vacancy

When a vacancy occurs, the Board shall take the following action, as appropriate:

1. When a vacancy occurs within four months of the end of a Board member's term, the Board shall take no action. (Education Code 5093)

CSBA NOTE: Pursuant to Education Code 5091, when a vacancy occurs or when a deferred resignation has been filed four or more months before the end of a Board member's term, the Board shall take action, as specified below. In the event that the Board fails to make a provisional appointment or order an election within 60 days, the County Superintendent of Schools must call an election to fill the vacancy.

~~3.~~2. ~~When a vacancy occurs longer than four months before the end of a Board member's term, the Board shall, within 60 days of the date of the vacancy or the filing of the member's deferred resignation, either order an election or make a provisional appointment, unless a special election is mandated as described in item #3 below~~ When a vacancy occurs from six months to 130 days before a regularly scheduled Board election at which the position is not scheduled to be filled, a special election to fill the position shall be consolidated with the regular election. The person so elected shall take office at the first regularly scheduled Board meeting following the certification of the election and shall serve only until the end of the term of the position which ~~he/she~~the person was elected to fill. (Education Code 5093)

3. When a vacancy occurs outside of the statutory time windows identified in Items #1 and #2 above, the Board shall, within 60 days of the date of the vacancy or the filing of the member's deferred resignation, either order an election or make a provisional appointment. (Education Code 5091, 5093)

Eligibility

CSBA NOTE: Persons applying or nominated for a Board position must meet the legal qualifications for Board members as detailed in Education Code 35107. Education Code 35107 also provides that a district employee appointed or elected to the Board must resign ~~his/her~~from district employment before being sworn in or ~~have his/her~~the employment will be automatically terminated upon being sworn into office. See BB 9220 - Governing Board Elections.

In order to be appointed or elected to fill a vacancy on the Board, a person must meet the eligibility requirements specified in Education Code 35107, as described in BB 9220 - Governing Board Elections.

Provisional Appointments

CSBA NOTE: The following optional paragraph should be modified to reflect district practice. The Board is authorized to make a provisional appointment to fill a vacancy pursuant to ~~item #2~~Item #3 in the section ~~above entitled~~ "Timelines for Filling a Vacancy~~."~~" above. The law does not specify procedures for making provisional appointments for vacancies caused by reasons other than a failure to elect; however, such procedures must comply with the requirements of the Brown Act (Government Code 54950-54963). Secret ballots are prohibited by Government Code 54953.

~~The following optional paragraph should~~ In addition, only an individual who meets the eligibility requirements specified in Education Code 35107 may be ~~modified~~appointed to ~~reflect district practice.~~ fill a vacancy.

See CSBA's publication , "Filling a Board Vacancy" for additional information about provisional appointments, including sample questions for interviewing and evaluating candidates.

When authorized by law to make a provisional appointment to fill a vacancy on the Board, the Board shall advertise in the local media to solicit candidate applications or nominations. A committee consisting of less than a quorum of the Board shall ensure that applicants are eligible for Board membership and announce the names of the eligible candidates. The Board shall interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote.

Within 10 days after the appointment is made, the Board shall post notices of the actual vacancy, or the filing of a deferred resignation, and the provisional appointment. The notice shall be published in the local newspaper pursuant to Government Code 6061 and posted in at least three public places within the district. (Education Code 5092)

The notice shall contain: (Education Code 5092)

1. The date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation
2. The full name of the appointee
3. The date of appointment
4. A statement notifying the voters that unless a petition calling for a special election pursuant to Education Code 5091 is filed in the office of the County Superintendent within 30 days of the provisional appointment, it shall become an effective appointment

The person appointed shall hold office until the next regularly scheduled election for district Board members and shall be afforded all the powers and duties of a Board member upon appointment. (Education Code 5091)

CSBA NOTE: Pursuant to Education Code 5091, the County Superintendent of Schools is required to terminate a provisional appointment and order a special election if, within 30 days of the appointment, a petition requesting a special election to fill the vacancy is submitted by registered voters. Pursuant to Education Code 5091, as amended by SB 1061 (Ch. 831, Statutes of 2022), any such petition for a special election must contain the county elections official's estimate of the cost of conducting the special election, expressed on a per-student basis. Education Code 5091, as amended, also requires such special election to be conducted not less than 88, nor more than 125, days following the County Superintendent's order of the election, unless the election may be consolidated with a regularly scheduled election which is to take place within 180 days after the issuance of the County Superintendent's order. For the conduct of Board elections, See BB 9220 - Governing Board Elections.

If within 30 days of the Board's appointment, registered voters of the district or, where elections are by trustee areas, of the trustee area submit a petition for special election which the County Superintendent determines to be legally sufficient, the provisional appointment is terminated, and a special election shall be held in accordance with Education Code 5091 to fill the vacancy.

Appointment Due to Failure to Elect

CSBA NOTE: The following procedure applies when an appointment is being made because of a failure to elect pursuant to Education Code 5090, 5326, and 5328 (~~item~~Item #12 in section entitled "Events Causing a Vacancy" above).

When a vacancy occurs because no candidate or an insufficient number of candidates have been nominated (i.e., a failure to elect) and a district election will not be held, the Board shall appoint a qualified person to the office. This appointment shall be made at a meeting prior to the day fixed for the election and the appointee shall be seated at the organizational meeting as if elected at the district election. (Education Code 5328)

When an appointment is being made because of a failure to elect, the district shall publish a notice once in a newspaper of general circulation published in the district, or if no such newspaper exists, in a newspaper having general circulation within the district. This notice shall state that the Board intends to make an appointment and shall inform persons of the procedure available for applying for the appointment. (Education Code 5328.5)

The procedure for selecting and interviewing candidates shall be the same as the procedures for "Provisional Appointments," as specified above.

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State	Description
Ed. Code 35107	School district employees
Ed. Code 35178	Resignation with deferred effective date
Ed. Code 5000-5033	Election of school district board members
Ed. Code 5090-5095	Vacancies on the board
Ed. Code 5200-5208	Districts governed by boards of education
Ed. Code 5300-5304	General provisions (; conduct of elections)
Ed. Code 5320-5329	Order and call of elections
Ed. Code 5340-5345	Consolidation of elections
Ed. Code 5360-5363	Election notice
Ed. Code 5420-5426	Cost of elections
Ed. Code 5440-5442	Miscellaneous provisions
Elec. Code 10600-10604	School district elections
Elec. Code ~~11381~~11000-11386	Candidates for recall
Gov. Code 1064	Absence from state
Gov. Code 1770	Vacancy on the board
Gov. Code 3000-3003	Forfeiture of office
Gov. Code 3060-3075	Removal other than by impeachment
Gov. Code 54950-54963	The Ralph M. Brown Act

Gov. Code 6061	Manner of notice as prescribed in designated section
Pen. Code 88	Bribery; forfeiture from office
Federal	**Description**
18 USC 704	Military medals or decorations
Management Resources	**Description**
Attorney General Opinion	105 Ops.Cal.Atty.Gen 182 (2022)
Attorney General Opinion	58 Ops.Cal.Atty.Gen. 888 (1975)
CSBA Publication	Filling a Board Vacancy, rev. ~~December 2010~~2022
Website	CSBA District and County Office of Education Legal Services
Website	California State Attorney General's Office, Quo Warranto Applications
Website	CSBA

Cross References

Code	Description
1340	Access To District Records
1340	Access To District Records
9100	Organization
9110	Terms Of Office
9130	Board Committees
9220	Governing Board Elections
9222	Resignation
9224	Oath Or Affirmation
9230	Orientation
9323.2	Actions By The Board
9323.2-E (1)	Actions By The Board
9323.2-E (2)	Actions By The Board

Bylaw 9323: Meeting Conduct

Status: ADOPTED

Original Adopted Date: 11/01/2006 | **Last Revised Date:** ~~10~~12/01/~~2019~~2022 | **Last Reviewed Date:** ~~10~~12/01/~~2019~~2022

CSBA NOTE: Education Code 35010 mandates the Governing Board to "prescribe and enforce" rules for its own governance. These rules must not be inconsistent with law or with regulations prescribed by the State Board of Education. The following bylaw provides suggested rules and procedures for meeting conduct and reflects provisions of law as applicable.

Meeting Procedures

All Governing Board meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

CSBA NOTE: The law does not specify that a particular set of procedures must govern Board meetings. Although Robert's Rules of Order can serve as a useful guide, the Board may adopt any procedure that allows for the efficient and consistent conduct of meetings.

The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority.

CSBA NOTE: The following optional paragraph limits the length of Board meetings and should be revised to reflect district practice.

The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board meetings shall be adjourned ~~at~~by 10:30 p.m. unless extended to a specific time determined by a majority of the Board. The meeting shall be extended no more than once and, if necessary, may subsequently ~~may~~ be adjourned to a later date.

CSBA NOTE: In *Rubin v. City of Burbank*, an appellate court held that inclusion of "sectarian prayer" at city council meetings, which communicated a preference for a particular religious faith and advanced one faith over another, was unconstitutional by directing the prayer "in the name of Jesus." The court held that it would be constitutional to require the city to advise those people conducting the prayer of this limitation. This opinion is consistent with an unpublished 9th Circuit federal court opinion which stated that an invocation "in the name of Jesus" was unconstitutional in that it displayed allegiance to a particular faith.

Some general guidelines for invocations can be found in an Attorney General's opinion (76 Ops.Cal.Atty.Gen. 281 (1993)) which stated that a county board of supervisors could open its sessions with an invocation when the invocation is (1) not required by law as a condition to the official proceedings, (2) not part of the deliberative agenda, (3) not offered, supervised, or approved as to content by a public officer, (4) not officially limited to a particular religion, (5) not

disparaging of others, and (6) not directed towards proselytizing. However, because this is an unsettled area of law that is subject to frequent litigation, it is strongly recommended that districts consult CSBA District and County Office of Education Legal Services or district legal counsel if they wish to open meetings with an invocation. Note that a different legal analysis applies to student-led or student-initiated prayer; see BP 5127 - Graduation Ceremonies and Activities.

Quorum and Abstentions

The Board shall act by majority vote of all of the membership constituting the Board. (Education Code 35164)

CSBA NOTE: ~~According to an~~The Attorney General ~~opinion (~~opined in 61 Ops.Cal.Atty.Gen. 243 (1978~~)),~~ that members of a public body have a duty to vote on issues before them so that the public is represented and receives the services which the public body was created to provide. Issues arise when a motion is tied and one Board member has abstained. The general parliamentary rule is that an abstention is counted as agreeing with the action taken by the majority of those who vote, whether affirmatively or negatively (66 Ops.Cal.Atty.Gen. 336 (1983~~).~~)). However, a stronger argument could be made that the parliamentary rule is in conflict with Education Code 35164 which requires a majority vote of all of the membership of the Board in order for the Board to act (i.e., a majority of all of the membership of the Board must vote affirmatively in order to approve any action). In 55 Ops.Cal.Atty.Gen. 26 (1972), the Attorney General opined that, when a statutory requirement exists that requires an affirmative action of at least a majority of the members of the Board, the general rule that members not voting were deemed to have agreed with the action taken by the majority of those that voted is not applicable.

The following optional paragraph is consistent with CSBA's opinion that a majority of the Board must vote affirmatively for a motion to carry, but the law is not settled and contrary legal opinions may exist. It is strongly recommended that the district consult with CSBA District and County Office of Education Legal Services or district legal counsel and modify the following paragraph to ensure consistency with district practice.

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains, the abstention shall not be counted for purposes of determining whether a majority of the membership of the Board has taken action.

CSBA NOTE: The following paragraph applies only to districts with seven member boards and should be deleted by districts with a three or five member board.

Provided the Board typically has seven members and there are no more than two vacancies on the Board, the vacant position(s) shall not be counted for purposes of determining how many members of the Board constitute a majority. In addition, whenever any provisions of the Education Code require unanimous action of all or a specific number of the members, the vacant position(s) shall not be counted for purposes of determining the total membership constituting the Board. (Education Code 35165)

Public Participation

CSBA NOTE: Pursuant to Government Code 54953.3, members of the public cannot be required to register their names, complete a questionnaire, or provide other information as a condition of attending a Board meeting~~.~~, except that if the meeting is conducted using remote public

participating or with a Board member attending remotely pursuant to Government Code 54953, a member of the public desiring to provide comment through the use of a third party internet website or online platform may be required to register as required by the third party provider. If an attendance list or similar document is posted near the entrance or circulated during the meeting, it must clearly state that signing or completing the document is voluntary.

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. So as not to inhibit public participation, persons attending Board meetings shall not be requested to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting, except that if the meeting is conducted using remote public participation or with a Board member attending remotely pursuant to Government Code 54953, a member of the public desiring to provide comment through the use of a third party internet website or online platform may be required to register as required by the third party provider.

In order to conduct district business in an orderly and efficient manner, the Board requires that public presentations to the Board comply with the following procedures:

CSBA NOTE: Education Code 35145.5 mandates the Board to adopt regulations which ensure that the public can address the Board regarding agenda items, as specified below.

District employees have the same right as members of the public to address the Board during a public Board meeting. In 90 Ops.Cal.Atty.Gen. 47 (2007), the Attorney General opined that, under the Ralph M. Brown Act, an administrative district employee cannot be prohibited from attending a Board meeting or from speaking during the public comment period, including comments on an employment-related issue.

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5; Government Code 54954.3)

2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5; Government Code 54954.2)

3. Without taking action, Board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, Board members or staff members may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. (Government Code 54954.2)

   Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)

4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the

public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard the item, the Board shall provide an opportunity for the public to speak. (Government Code 54954.3)

5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.

CSBA NOTE: Government Code 54954.3 authorizes reasonable regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. Such reasonable regulations must ensure that the intent of allowing the public an adequate opportunity to speak to the Board is carried out. The following paragraph should be revised to reflect district practice.

In general, individual speakers will be allowed three minutes to address the Board on each agenda or nonagenda item, and the Board will limit the total time for public input on each item to 20 minutes. However, in exceptional circumstances when necessary to ensure full opportunity for public input, the Board president may, with Board consent, adjust the amount of time allowed for public input and/or the time allotted for each speaker. Any such adjustment shall be done equitably so as to allow a diversity of viewpoints. The president may also ask members of the public with the same viewpoint to select a few individuals to address the Board on behalf of that viewpoint.

In order to ensure that non-English speakers receive the same opportunity to directly address the Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Board, unless simultaneous translation equipment is used to allow the Board to hear the translated public testimony simultaneously. (Government Code 54954.3)

6. The Board president may rule on the appropriateness of a topic, subject to the following conditions:

   a. If a topic would be suitably addressed at a later time, the Board president may indicate the time and place when it should be presented.

   b. The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3)

CSBA NOTE: The following optional item addresses the issue of specific charges or complaints against district employees in open Board meetings. Although the Board may inform the speaker of appropriate district complaint procedures, it cannot prohibit criticisms of the district and its employees, no matter how harsh. Board members and staff may briefly respond to the concerns raised by the complainant at the meeting.

In *Baca v. Moreno Valley Unified School District*, a federal district court issued a preliminary injunction against the district prohibiting it from enforcing its policy barring criticism of employees at public Board meetings. The court found that the district's policy violated the plaintiff's First Amendment rights by restricting the

content of her speech. The court further noted that the district could not legally prevent a person from speaking in open session, even if the speech was clearly defamatory. It is recommended that the Board consult CSBA District and County Office of Education Legal Services or district legal counsel if a question arises regarding public criticism of a district employee.

c. The Board shall not prohibit public criticism of district employees. However, whenever a member of the public initiates specific complaints or charges against an individual employee, the Board president shall inform the complainant of the appropriate complaint procedure.

CSBA NOTE: As provided in item #7 below, Government Code 54957.9 authorizes the Board to remove persons who willfully disrupt or disturb a meeting. Examples of disruptive conduct might include conduct that is extremely loud, disturbing, or creates a health or safety risk. In *McMahon v. Albany Unified School District*, the court held that a speaker's constitutional rights were not violated when he was removed from a Board meeting after dumping a substantial amount of garbage on the floor of the meeting room. Because the speaker was not removed based on the content of his speech, the court upheld his conviction for a willful disruption of a public meeting. In *City of San Jose v. Garbett*, the court held that a legislative body may exclude from a meeting a person who has expressed a credible threat of violence that would place reasonable persons in fear for their safety or the safety of their immediate family and that serves no legitimate purpose.

However, the courts have found that a person's conduct must actually disrupt the meeting in order to warrant ejection. In *Norse v. City of Santa Cruz*, the court held that the city council improperly ejected a member of the public who gave the council a silent Nazi salute, on the grounds that the action did not interfere with the proceedings of the meeting.

7. The Board president shall not permit ~~any disturbance or willful interruption~~actual disruption of Board meetings. ~~Persistent~~Actual disruption by an individual or group or any conduct or statements that threaten the safety of any person(s) at the meeting shall be grounds for the president to terminate the privilege of addressing the Board.

~~The Board may remove disruptive individuals and~~ and remove the individual from the meeting.

CSBA NOTE: Government Code 54957.95, as added by SB 1100 (Ch. 171, Statutes of 2022), authorizes the presiding member of the Board or designee to remove an individual for disrupting a Board meeting, and establishes a procedure for warning the individual prior to removal, as specified below. However, no warning is required before removing an individual if their behavior constitutes a use of force or a true threat of force.

Because of the potential impact on the public's access to open meetings, it is recommended that the Board consult CSBA District and County Office of Education Legal Services or district legal counsel if a question arises regarding the procedures for removing a disruptive individual, or if an individual's behavior warrants removal from a meeting.

The Board President or designee may remove an individual for actually disrupting the meeting. Prior to removal, the individual shall be warned that their behavior is disrupting the meeting and that failure to cease the disruptive behavior may result in removal. If, after

being warned, the individual does not promptly cease the disruptive behavior, the Board president, or designee, may then remove the individual from the meeting. (Government Code 54957.95)

When an individual's behavior constitutes the use of force or a true threat of force, the individual shall be removed from a Board meeting without a warning. (Government Code 54957.95)

Disrupting means engaging in behavior during a Board meeting that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law, or engaging in behavior that constitutes use of force or a true threat of force. (Government Code 54957.95)

~~7.~~ *True threat of force* means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat. (Government Code 54957.95)

Additionally, the Board may order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

~~When such disruptive conduct occurs, the Superintendent or designee shall contact local law enforcement as necessary.~~

When disruptive conduct occurs, the Board may decide to recess the meeting to help restore order, or if removing the disruptive individual(s) or clearing the room is infeasible, move the meeting to another location. The Board may direct the Superintendent or designee to contact local law enforcement as necessary.

Recording by the Public

CSBA NOTE: Government Code 54953.5 provides that any person attending an open meeting may record it with an audio or video recorder or a still or motion picture camera unless the Board makes a reasonable finding that the recording cannot continue without noise, illumination, or obstruction of view which would persistently disrupt the meeting. Government Code 54953.6 requires a similar finding before the Board can prohibit or restrict a broadcast of its meetings.

The following paragraph extends the right to record an open meeting to include recordings made by other devices such as a cell phone.

Members of the public may record an open Board meeting using an audio or video recorder, still or motion picture camera, cell phone, or other device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting. The Superintendent or designee may designate locations from which members of the public may make such recordings without causing a distraction.

If the Board finds that noise, illumination, or obstruction of view related to these activities would

persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board. (Government Code 54953.5, 54953.6)

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

State	Description
CCP. 527.8	Workplace violence safety
Ed. Code 32210	Willful disturbance of public school or meeting
Ed. Code 35010	Control of district; prescription and enforcement of rules
Ed. Code 35145.5	Agenda; public participation; and regulations
Ed. Code 35163	Official actions;, minutes and journal
Ed. Code 35164	Actions by majority vote
Ed. Code 35165	Effect of vacancies upon majority and unanimous votes by seven member board
Ed. Code 5095	Powers of remaining board members and new appointees
Elec. Code 18340	Prevention or hinderance of electors assembling in public meeting
Gov. Code 54953.3	~~Prohibition against conditions for attending a board meeting~~Meetings to be open and public; remote attendance
Gov. Code 54953.5	Audio or video recording of proceedings
Gov. Code 54953.6	Broadcasting of proceedings
Gov. Code 54954.2	Agenda posting requirements;, board actions
Gov. Code 54954.3	Opportunity for public to address legislative body
Gov. Code 54957	Closed session personnel matters
Gov. Code 54957.9	Disorderly conduct of general public during meeting; clearing of room
Gov. Code 54957.95	Opening meetings; orderly conduct
Pen. Code 403	Disruption of assembly or meeting

Management Resources	Description
Attorney General Opinion	55 Ops.Cal.Atty.Gen. 26 (1972)
Attorney General Opinion	61 Ops.Cal.Atty.Gen. 243, 253 (1978)

Attorney General Opinion	63 Ops.Cal.Atty.Gen. 215 (1980)
Attorney General Opinion	66 Ops.Cal.Atty.Gen. 336 (1983)
Attorney General Opinion	76 Ops.Cal.Atty.Gen. 281 (1993)
Attorney General Opinion	90 Ops.Cal.Atty.Gen. 47 (2007)
Attorney General Opinion	59 Ops.Cal.Atty.Gen. 532 (1976)
Attorney General Publication	The Brown Act: Open Meetings for Legislative Bodies, rev. 2003
Court Decision	Baca v. Moreno Valley Unified School District, (1996) 936 F. Supp. 719
Court Decision	City of San Jose v. William Garbett, (2010) 190 Cal. App. 4th 526
Court Decision	McMahon v. Albany Unified School District, (2002) 104 Cal.App.4th 1275
Court Decision	Norse v. City of Santa Cruz, (9th Cir. 2010) 629 F3d 966
Court Decision	Rubin v. City of Burbank, (2002) 101 Cal.App.4th 1194
CSBA Publication	The Brown Act: School Boards and Open Meeting Laws, rev. 2019
CSBA Publication	Call to Order: A Blueprint for Great Board Meetings, 2018
Website	CSBA District and County Office of Education Legal Services
Website	California Attorney General's Office
Website	CSBA

Cross References

Code	Description
1000	Concepts And Roles
1100	Communication With The Public
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1313	Civility
3100	Budget
3100	Budget

3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies
3312	Contracts
9005	Governance Standards
9100	Organization
9121	President
9130	Board Committees
9200	Limits Of Board Member Authority
9230	Orientation
9270	Conflict Of Interest
9270-E(1)	Conflict Of Interest
9310	Board Policies
9320	Meetings And Notices
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session
9322	Agenda/Meeting Materials
9323.2	Actions By The Board
9323.2-E(1)	Actions By The Board
9323.2-E(2)	Actions By The Board
9324	Minutes And Recordings

Cuyama Joint Unified School District

Transportation Safety Plan

Transportation Services
2300 Highway 166
New Cuyama, CA 93274
661-766-2642



The Following Cuyama Joint Unified School District Transportation Safety plane has been developed pursuant to California Education code 393831.3. This document is maintained by Maintenance and Transportation Dept.

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California Education Code 39831.3

(a) The county superintendent of schools, the superintendent of a school district, a charter school, or the owner or operator of a private school that provides transportation to or from a school or school activity shall prepare a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of pupils. The plan shall be revised as required. The plan shall address all of the following

(1) Determining if pupils require escort pursuant to paragraph (1) of subdivision (b) of Section 22112of the Vehicle Code.

(2) (A) Procedures for all pupils in prekindergarten, kindergarten, and grades 1to 8, inclusive, to follow as they board and exit the appropriate school bus at each pupil's school bus stop.

(B) Nothing in this paragraph requires a county superintendent of schools, the superintendent of a school district, a charter school, or the owner or operator of a private school that provides transportation to or from a school or school activity, to use the services of an onboard school bus monitor, in addition to the driver, to carry out the purpose of this paragraph.

(3) Boarding and exiting a school bus at a school or other trip destination.

(4) Procedures to ensure that a pupil is not left unattended on a school bus, school pupil activity bus, or youth bus.

(5) A current copy of a plan prepared pursuant to subdivision (a) shall be retained by each school subject to the plan and made available upon request to an officer of the Department of the California Highway Patrol.

(Amended by Stats. 2016, Ch. 721, Sec. 2. Effective January 1, 2017.)

California Vehicle Code 22112: School Bus Signal and School Bus Stops:

(a) On approach to a school bus stop where pupils are loading or unloading from a school bus, the school bus driver shall activate an approved amber warning light system, if the school bus is so equipped, beginning 200 feet before the school bus stop. The school bus driver shall deactivate the amber warning light system amber reaching the school bus stop. The school bus driver shall operate the flashing red light signal system and stop signal arm, as required on the school bus, at all times when the school bus is stopped for the purpose of loading or unloading pupils. The flashing red light signal system, amber waring lights system, and stop signal arm shall not be operate at any place where traffic is controlled by a traffic officer or at any location identified in subdivision (e) of this section. The school bus flashing red light signal system, amber warning lights system, and stop signal arm shall not be operated at any other time.

(b) The school bus driver shall stop to load or unload pupils only at a school bus stop designated for pupils by the school district superintendent or the head or principal of a private school, or authorized by any those individuals for school activity trips.

(c) When a school bus is stopped on a highway or private road for the purpose of loading or unloading pupils, at a location where traffic is not controlled by a traffic officer, the driver shall, before opening the door, ensure that the flashing red light signal system and stop signal arm are activated, and that it is safe to enter or exit the school bus..

(d) When a school bus is stopped on a highway or private road for the purpose of loading or unloading pupils, at a location where traffic is not controlled by a traffic officer or official traffic control signal, the school bus driver shall do all of the following:

(1) Escort all pupils in pre-kindergarten, kindergarten, or any of grades 1 to 8 inclusive, who need to cross the highway or privet road upon which the school bus is stopped. The driver shall use an approved hand-held "STOP" sign while escorting all pupils.

(2) Require all pupils who need to cross the highway or private road upon which the school bus is stopped walk in front of the bus as they cross.

(3) Ensure that all pupils who need to cross the highway or private road upon which the school bus is stopped have crossed safely, and that all other pupils and pedestrians are a safe distance from the school bus before setting the school bus in motion.

(e) Except at a location where pupil are loading or unloading from a school bus and must cross a highway or private road upon which the school bus is stopped, the school bus drive may not activate the amber warning light system, the flashing red light signal system and stop signal arm at any of the following locations:

(1) School bus loading zones on or adjacent to school grounds or during an activity trip, of the school bus is lawfully stopped or parked.

(2) Where the school bus is disabled due to mechanical breakdown. The driver of a relief bus that arrives at the scene to transport pupils from the disable school bus shall not activate the amber warning light system, the flashing red light system, and the stop signal arm.

(3) Where a pupil requires physical assistance from the driver or authorized attendant to board or leave the school bus and providing the assistance extends the length of time the school bus is stopped beyond the time required to load or unload a pupil that does not require physical assistance.

(4) Where the roadway surface on which the bus is stopped is partially or completely covered by snow or ice and requiring traffic to stop would pose a safety hazard as determined by the school bus motor carrier.

(5) On a state highway with a posted speed limit of 55 miles per hour or higher where the school bus is completely off the main traveled portion of the highway.

(6) Any location determined by a school district or a private school, with the approval of the Department of the California Highway Patrol, to present a traffic or safety hazard.

(f) Notwithstanding subdivisions (a) to (d), inclusive, the Department of the California Highway Patrol may require the activation of an approved flashing amber warning light system, if the school bus is so equipped, or the flashing red light signal system and stop signal arm, as required on a the school bus, at any location where the department determines that the activation is necessary of the safety of school pupils loading or unloading from a school bus.

(Amended by Stats. 2012, Ch. 769, Sec. 35. Effective January 1, 2013.)

TRANSPORTATION MISSION STATEMENT

The Cuyama Joint Unified School District Transportation Department is dedicated to providing safe, efficient and respectful service. Our drivers are dedicated towards creating and maintaining safe driving behaviors and positive and consistent social environments that best support our student's success. We believe the social development of our students is important. Therefore, we focus on making connections with our students, so they understand that school bus drivers are an important part of their community support system where they feel supported by a safe and predictable social environment.

The Cuyama Joint Unified School Bus Driver are safety driven. Our drivers are part of a California team that has an unparalleled safety record. Simply put the more students who ride our Cuyama Joint Unified School District buses, the safer our rural community's children will be. School Bus transportation is the safest type of transportation in the state and in the nation. Cuyama Joint Unified School District Bus Drivers take pride in providing safe transportation to our students daily.

Cuyama Joint Unified School District provides transportation for eligible Special Education students, non-Special Education students and extracurricular activities for students in transitional kinder through grade 12.

Authority of District Boards – Title 13 CCR 1202(b)

(b) Authority of District Boards. The governing board of any school district, county superintendent of schools, or equivalent private school entity or official, may adopt and enforce additional requirements governing the transportation of pupils. Such requirements shall not conflict with any law or state administrative regulation.

Snow Day

When we have days when we know there is a storm coming in, the principal will be on-site at normal school start hours.

On days where there are big storms, we may have to either delay transportation, or even close the schools on that day. The decision will be made the Superintendent/Principal. District has a Snow Day built into instructional calendar.

General Loading/Unloading Procedures of the School Bus

The School Bus Danger Zone

Each student must be aware of the area surrounding the school bus called the Danger Zone. The Danger Zone is the area extending 12 feet in all directions from the school bus in which serous student injuries and deaths occur. When the student boards and leaves the school bus they must follow the routes shown on the Danger Zone illustration. This places them within view of the school bus driver at all times.



Procedures for Boarding the Bus

- Students should learn the correct route identification for the route they are riding to school or home.
- Students shall wait at designated bus stops, and they shall arrive 5 minutes before the bus is scheduled to arrive. Students waiting for the bus shall do so in a safe location.
- Students will not run towards the bus when the bus is approaching.
- Students will wait at least twelve (12) feet back from the edge of the curb or roadway.
- Students will wait in line forming away from the edge of the curb or roadway.
- Students will wait for the bus to come to a complete stop and will not approach the bus until the front door is opened.
- Students will take a seat on their own or as directed by the driver of the bus.
- Students shall talk quietly, not stand op nor turn around in the seat, respect others and their property as well the integrity of the school bus. There is no eating, drinking or gum chewing allowed while on the bus by students.

Procedures for Unloading the Bus at School or at Bus Stop

- Students will remain seated until the bus comes to a complete stop and the bus door is opened. The bus is not considered stopped until the door opens. Students shall not stand on the bus while the bus is in motion.
- Student will exit the bus one row at a time beginning with the front of the bus in an orderly manner in compliance with the driver's instructions.
- Students will use the handrail at the door and walk down each step to the ground.
- After exiting, students should walk away from the bus and not touch or lean against the bus. They will no return to or run after the bus. There will be no horseplay at or near the bus.
- Students shall not cross the street upon which the bus is parked without assistance from the bus driver. Parents/guardians should wait on the side of the street which the designated stop is located.
- **Students' parents/guardians must be present, waiting on the same side of the street as the bus stop.** If must-be-met student's parent or guardian is not present and the transportation department is not able to make contact the student will be returned to the transportation department.

Procedures for Exiting the Bus at Escorted Stops

- Students will be given instruction to wait at an area designated by the driver.
- When escorting students, the driver shall, before opening the door, ensure that the flashing red light signal system and stop signal arm (if equipped) are activated and it is safe to exit the bus.
- The driver will exit the bus and walk approximately 10 feet in front of the bus before turning to enter the roadway and instruct the student to "wait"
- Using the handheld stop sign, the driver will walk to the center of the street and assure all traffic is topped before verbally signaling the student to walk between the bus and the driver. The driver shall escort the student across the street in front of the bus and follow the last student on the bus, making sure that all students are across the street before leaving the street.

When Crossing the Roadway

- Cuyama Joint Unified School District requires all school bus drivers to escort all students, 6th through 12th grade, who need to go across the street as they depart the bus. **Parents/guardians of Pre- Kindergarten through 5th grade need to be on the same side of the road as the bus.**
- Always let your bus driver be the first person off the bus. The driver needs to activate the bus "red lights" that flash on the outside of the bus to warn cars to stop for children crossing the street.
- Once your driver is off the bus, you can walk down the bus steps, and wait on the sidewalk or dirt shoulder next to the bus, for your driver to direct you to cross the street. Never go out into the street without the bus driver telling you to do so!
- Always walk between the bus and the bus driver, as you cross the street. Once you are on the other side of the street, stay on that side of the street. Do not play in the street. Go directly home.
- At a traffic light, all students must comply with directions of the official traffic controlled signal on the street.

Walking to and from Bus Stops

- Go directly home from the bus stop. Plan the safest route with the fewest streets to cross.
- If possible cross streets and corner. Look in all directions before crossing and when safe walk across the street. Always obey traffic signals.
- Watch for vehicles that might be making a turn.
- Do not dart from between parked cars or shrubbery.
- Never accept a ride from a stranger.
- If possible, face traffic when walking on road without sidewalks and always use caution.
- Be extra careful during time of sunrise and sunset, bad weather and during darkness (wear white clothing or something reflective).
- Leave home early enough so you do not have to run.

Rules and Regulations

5 CCR 14103

Authority of the Driver

(a) Pupils transported in a school bus or in a school pupil activity bus shall be under the authority of, and responsible directly to, the driver of the bus, and the driver shall be held responsible for the orderly conduct of the pupils while they are on the bus or being escorted across a street, highway or road. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a pupil to be denied transportation. A bus drive shall not require any pupil to leave the bus reroute between home and school or other destinations. (b) Governing boards shall adopt rules to enforce this section. Such rules shall include, but not be limited to, specific administration procedures relating to suspension of riding privileges and shall be made available to parent, pupils, teachers, and other interested parties.
Note: Authority cited: Section 39381, Education Code. Reference: Section 39830 and 39831, Education Code. Cross-reference: Section 1717(h) of Title 13, California Administrative Code.
This database is current through 7/28/17 Register 2017, No. 30
5 CCR 14103,5 CA ADC 14103

Authorized Entry

- At the driver's discretion: Staff and parents may enter the bus to assist in loading and unloading.

Unauthorized Entry

- The Superintendent or designee may place a notice at bus entrance that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization and has intent to commit a crime. (Education Code 39842; 13 CCR 1256.5)

Procedure for Warnings of Unauthorized

- By law the driver is responsible for the safety of all students while aboard his/her bus. In an effort to assist with that duty the Superintendent/principal or designee will provide information to the school bus driver, school, parent or guardian to inform of against unauthorized entry.

- The Driver will notify the Superintendent/principal or designee in writing should there be any incident that constitutes unauthorized entry.

Emergency Equipment

- Each school bus shall be equipped with a first aid kit, roadside warning devices, and at least one fire extinguisher located in the driver's compartment which meets the standards specified in law. Each driver as part of their required daily vehicle inspection (pre-trip) shall insure that the bus they are operating is properly equipped with the required emergency equipment based upon bus type / size and is in good working order. The fire extinguisher(s) are properly rated as required by law.

Procedures for School Bus Incidents/Collisions

- In the event of a bus incident/collision, the driver shall immediately secure the bus and cause the appropriate authorities to be notified of the event. CHP/CJUSD.
- Driver will contact CHP and request emergency medical services if any pupils are injured.
- Bus Driver will notify the Superintendent/principal or designee.
- Students should be released by the CHP officer investigating the scene.
- The school site and/or designee will notify parents or guardians of any injured student. In all cases, regardless of the qualifying criteria for determining a school bus collision, the driver will provide a collision report to facilitate the reporting requirements for the Lead Maintenance person and/or designee(s).

Bus evacuation & Safety Instruction

- All students who are transported in a school bus shall receive instruction in school bus emergency procedures and passenger safety. Students not present for instruction on designated date will be marked and a make-up session will be provided as all students who are transported in a school bus must receive the instruction. The district shall provide instruction during the first three months of the school year. This instruction includes passenger conduct, bus evacuation, crossing roadways, proper loading and unloading and red light escorts. As part of the instruction students will exit the bus through the emergency exit door. Prior to departure on field trips, the driver shall give safety instructions which include the location of emergency exits and the location and use of emergency equipment.

Passenger Restraint Systems

- When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall be required to properly restrain by the system while the bus is in motion. Bus drivers shall be informed of procedures to be followed to reasonably ensure that all passengers are so restrained. (Title 5 CCR Section 14105: "All passengers in a school bus or in a school pupil activity bus that is equipped with passenger restraint systems in accordance with sections 27316 and 27316.5 of the Vehicle Code, shall use the passenger restraint system.)

Procedure for Use of Passenger Restraint System

- The driver shall ensure that all students who board the bus are properly restrained. Instruction shall be given during the annual emergency evacuation drills on the proper use of the passenger restraint system while the bus is in motion. Prior to operation all drivers shall inspect as part of the pre-trip inspection the passenger restraint system currently available on each bus (bus that has a passenger restraint system) to ensure that all students are protected to the maximum extent. VC 27316 (c): "No person, school district, or organization with respect to a school bus equipped with passenger restraint systems pursuant to this section, may be charged for a violation of this code or any regulation adopted there under requiring a passenger to use a passenger restraint system, if a passenger on the school bus fails to use or improperly uses the passenger restraint system..." district or company policies and procedures should be developed to enforce disciplinary actions for non-use or improper use of the passenger restraint system. The driver, school district, or organization still may be charged civilly if reasonable care was not provided for the passenger(s).

Safety Tips

Conduct at School Bus Loading Zone & Bus Stops

- Stand in lines or a group facing traffic so you can see the bus approaching. Stand back 12 feet from where the bus will stop. Do not approach the bus until the driver opens the bus door.
- When loading at a school, follow the directions of the driver and/or teacher on bus duty. Stand back the required 12 feet until the bus driver opens the bus door. Remember, there may be several buses to watch out for, not just your own.
- Never go under any bus to retrieve something you've dropped. Ask the driver to assist.
- Never run to a bus, always walk.
- Destroying property, playing in or running across the street or any type of horseplay at a bus stop is not allowed.
- When the bus is stopped to load or unload, the students are the direct responsibility of the bus driver and the driver's directions must be followed.

- School buses can only stop at designated bus stops. If you miss the bus, have mom or dad take you to another bus stop or directly to school and remember never run after your bus once it leaves!
- When waiting for the bus in a car, be sure your car is not parked in the bus loading/unloading zone. Make sure that you are out of the car, waiting at the stop, prior to the bus arriving.

School Bus Rules

- All students (regular education and special education) are required to:
- Arrive at the bus stop five (5) minutes before the bus is scheduled to arrive.
- Use only his/her designated bus stop.
- Refrain from transporting hazardous or destructive objects of any kinds such as firearms, weapons, glass objects or containers, explosives, sharp or pointed objects, skateboards, razor scooters or ball bats.
- Respect the rights and property of others on the bus and at the bus stop.
- Avoid all fighting and rough play while at the bus stop, on the bus, or when getting on or off the bus.
- Always enter and leave the bus through the entrance door except in emergencies.
- Remain quiet at railroad crossings.
- Keep all parts of the body inside the bus.
- Keep windows closed unless otherwise instructed by the bus operator.
- Not use profane language, obscene gestures, create excessive, or unnecessary noise.
- Do not damage or deface any part of the bus, tamper with the radio, bus controls, emergency exits or other equipment, shoot at or throw away objects inside or outside of the bus, or in any way endanger the safety of others.
- Help keep the bus safe & free from litter by not eating, drinking or gum chewing on the bus.
- Be courteous and respectful to the bus driver, other students, and passersby.
- Obey the request of the bus driver, give proper identification when requested.
- Always cross in front of the bus when it is necessary to cross the street.

Mechanical Breakdown

When a school bus is disabled due to a mechanical failure and students are aboard that require transportation, the relief vehicle should drive to the front of and pull in line with and as close to the disabled vehicle as possible. Vehicle Code Section 22112(d) states that a school bus disabled due to mechanical breakdown and/or the relief bus shallnot activate the flashing red light system while loading and unloading passengers. The drivers of both vehicles should activate the hazard lights prior to the unloading and loading of passengers.

School Activity Trips

Loading School Buses at a School Site:

- If the students are not crossing the roadway the bus is on to board the bus, then the driver shall not activate the flashing amber warning light system when loading/unloading.
- Students will fill each seat on the bus as instructed by teacher and/or bus driver.
- The group or athletic team will assemble in an area away from the school bus. When the students are ready to load, the driver will commence loading.
- Upon completion of loading, the driver will proceed with the bus evacuation and safety presentation. This shall include an explanation and demonstration of all emergency exits, first aid kits, fire extinguishers, etc.
- Upon completion of the presentation, the driver will require the chaperone/coach to sign the trip sheet. The driver will then depart when safe to do so.

Loading/Unloading at the Activity Destination Site:

- Upon arrival at the destination, the driver will select an area where the bus can be lawfully parked and where students do not have to cross the street that the bus is on so loading/unloading will be easier.
- The school will provide at least 1 adult chaperone per bus to accompany students.
- The driver, as necessary, will provide instructions to the chaperone/coach(s) regarding the time and location where the group will assemble to reload the school bus.

Adult Chaperones

- Schools shall provide at least 1 adult chaperone to accompany pupils on each school pupil activity trip.

School Bus Safety Law

- School bus drivers shall ensure that students are not left unattended on a school bus, except to perform red light escorts to other students 22112(d) VC, comply with the legal requirements of collisions and mechanical breakdowns. All drivers shall remain in the immediate vicinity of the school bus.

S.B. 1072

- **The Paul Lee School Bus Safety Law**

- In accordance with Education Code § 39831.3(a)(4), the Transportation Department deploys the following departmental policy to ensure students are not left unattended on a school bus:

- After each run (this means at each school site in the morning and after the last stop for each school in the mid-day and the PM) all drivers will physically walk to the rear of the bus and check each row of seats to ensure that there are NO STUDENTS still on board. This bus check shall include looking under the bus seats.

- Upon returning to the Transportation facility drivers will once again physically walk to the rear of the bus and check each row of seats to ensure that there are NO STUDENTS still on board. This bus check shall include looking under the bus seats.

School Bus Safety Information

- Riding on a school bus is one of the safest, if not the safest form of transportation in the nation. School bus drivers carry the most precious cargo that can be carried over the roadways. Drivers are trained and continue to be trained throughout their careers. They even have to demonstrate their skills to the California Highway Patrol through periodic testing so they can continue to drive a school bus.

  Riding in a school bus is
  - 172 times safer than your family automobile
  - 8 times safer than passenger trains or commercial airlines
  - 4 times safer than transit buses or intercity buses

- Collisions are rare because school districts and the drivers themselves train and work hard at driving defensively to avoid collisions. In addition, the school buses themselves are designed to withstand all but the most serious crashes without death or serious injury. With continued training, to help children learn how to get on and off the school bus safely, parents, drivers and teachers can help prevent the remaining few collisions that now occur.

AB-361 Open meetings: state and local agencies: teleconferences. (2021-2022)

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Date Published: 09/17/2021 09:00 PM

Assembly Bill No. 361

CHAPTER 165

An act to add and repeal Section 89305.6 of the Education Code, and to amend, repeal, and add Section 54953 of, and to add and repeal Section 11133 of, the Government Code, relating to open meetings, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 16, 2021. Filed with Secretary of State September 16, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 361, Robert Rivas. Open meetings: state and local agencies: teleconferences.

(1) Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void.

Existing law, the California Emergency Services Act, authorizes the Governor, or the Director of Emergency Services when the governor is inaccessible, to proclaim a state of emergency under specified circumstances.

Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that notice and accessibility requirements are met, the public members are

allowed to observe and address the legislative body at the meeting, and that a legislative body of a local agency has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

This bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified.

This bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. The bill would prohibit the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified. When there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law prohibits a legislative body from requiring, as a condition to attend a meeting, a person to register the person's name, or to provide other information, or to fulfill any condition precedent to the person's attendance.

This bill would exclude from that prohibition, a registration requirement imposed by a third-party internet website or other online platform not under the control of the legislative body.

(2) Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor's Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the

state body. With respect to a state body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. Under the bill, a state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the state body allow members of the public to attend the meeting and offer public comment. The bill would require that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(3) Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University, and authorizes the establishment of student body organizations in connection with the operations of California State University campuses.

The Gloria Romero Open Meetings Act of 2000 generally requires a legislative body, as defined, of a student body organization to conduct its business in a meeting that is open and public. The act authorizes the legislative body to use teleconferencing, as defined, for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body. With respect to a legislative body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the legislative body at each teleconference location. Under the bill, a legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. The bill would require that each legislative body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge legislative bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(4) This bill would declare the Legislature's intent, consistent with the Governor's Executive Order No. N-29-20, to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.

(5) This bill would incorporate additional changes to Section 54953 of the Government Code proposed by AB 339 to be operative only if this bill and AB 339 are enacted and this bill is enacted last.

(6) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 89305.6 is added to the Education Code, to read:

89305.6. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.

(b) (1) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the legislative body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the legislative body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the legislative body be physically present at the location specified in the notice of the meeting.

(c) A legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. A legislative body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a legislative body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the legislative body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each legislative body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the

meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a legislative body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the legislative body's internet website.

(f) All legislative bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to legislative body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 2. Section 11133 is added to the Government Code, to read:

11133. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body.

(b) (1) For a state body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the state body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a state body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the state body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the state body be physically present at the location specified in the notice of the meeting.

(c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may

observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.

(f) All state bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to state body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 3. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference

locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise

given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 3.1. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency in person, except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference

number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 4. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any

meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 4.1. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall

be permitted to attend any meeting of the legislative body of a local agency, in person except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code,

any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 5. Sections 3.1 and 4.1 of this bill incorporate amendments to Section 54953 of the Government Code proposed by both this bill and Assembly Bill 339. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, but this bill becomes operative first, (2) each bill amends Section 54953 of the Government Code, and (3) this bill is enacted after Assembly Bill 339, in which case Section 54953 of the Government Code, as amended by Sections 3 and 4 of this bill, shall remain operative only until the operative date of Assembly Bill 339, at which time Sections 3.1 and 4.1 of this bill shall become operative.

SEC. 6. It is the intent of the Legislature in enacting this act to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options consistent with the Governor's Executive Order No. N-29-20 dated March 17, 2020, permitting expanded use of teleconferencing during the COVID-19 pandemic.

SEC. 7. The Legislature finds and declares that Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings during applicable emergencies.

SEC. 8. (a) The Legislature finds and declares that during the COVID-19 public health emergency, certain requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) were suspended by Executive Order N-29-20. Audio and video teleconference were widely used to conduct public meetings in lieu of physical location meetings, and public meetings conducted by teleconference during the COVID-19 public health emergency have been productive, have increased public participation by all members of the public regardless of their location in the state and ability to travel to physical meeting locations, have protected the health and safety of civil servants and the public, and have reduced travel costs incurred by members of state bodies and reduced work hours spent traveling to and from meetings.

(b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code, Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, all increase and potentially limit the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

(1) By removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, this act protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.

(2) By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member's private home or hotel room, this act protects the

personal, private information of public officials and their families while preserving the public's right to access information concerning the conduct of the people's business.

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that state and local agencies can continue holding public meetings while providing essential services like water, power, and fire protection to their constituents during public health, wildfire, or other states of emergencies, it is necessary that this act take effect immediately.