

Eureka City Schools Board of Education
2100 J Street, Eureka, CA 95501 (Frances H. Taplin Board Room)

Regular Meeting

6:30 PM

March 30, 2023

AGENDA

A. CALL TO ORDER OF OPEN SESSION (5:30 p.m.)

B. PUBLIC COMMENT ON CLOSED SESSION ITEMS

C. CLOSED SESSION (Room 118)

- (1) Public Employment (Gov. Code §54957) - See Personnel Action Report Consent Agenda Item No. K(15)
- (2) Public Employee Appointment (Gov. Code §54957) - See Personnel Action Report Consent Agenda Item No. K(15)
- (3) Public Employee Discipline, Dismissal, Release, Complaint, Accept the Resignation of a Public Employee (GC § 54957)
- (4) Conference with Labor Negotiator Superintendent Van Vleck Regarding Eureka Teachers Association, Classified White and Blue Collar Units, and/or Unrepresented Employees (Confidential and Classified and Certificated Management) (GC § 54957.6)
- (5) Conference with Legal Counsel – Anticipated Litigation, One Case (GC § 54956.9) - Significant Exposure to Litigation Pursuant to Gov. Code §54956.9(d) (2)
- (6) Consideration of Stipulated Student Expulsion [EC Sec 48900.4 and 48900(A)] [Student #22-23-606; Resolution#22-23-018]
- (7) Consideration of Stipulated Student Expulsion [EC Sec 48900a(1) and 48900a(2)] [Student #22-23-785; Resolution#22-23-019]
- (8) Consideration of Stipulated Student Expulsion [EC Sec 48900a.(l) and 48900a.(2)] [Student #22-23-492; Resolution #22-23-020]
- (9) Consideration of Stipulated Student Expulsion [EC Sec 48900a.(l), 48900 (c), and 48900 (h)] [Student #22-23-123; Resolution #22-23-021]

D. RECONVENING OF OPEN SESSION (Board Room)

E. REPORT OUT FROM CLOSED SESSION

F. PLEDGE OF ALLEGIANCE TO THE FLAG - Winzler Children's Center

G. PUBLIC COMMENT ON TRANSPORTATION SERVICES PLAN

- (10) Public Comment on Transportation Services Plan - Zoom Link:
<https://eurekacityschools-org.zoom.us/j/84125854269?>

H. ADJUSTMENT TO THE AGENDA

The Board of Trustees reserves the right to change the order in which agenda items are discussed and/or acted upon at this meeting. Subject to further action by the Board, this meeting will proceed as provided in this agenda. Items may be added to this agenda for discussion or action only as permitted by law.

(11) Approval of Agenda

I. INFORMATION

(12) Student Reports

(13) Superintendent's Reports

(14) Board Members' Reports

J. PUBLIC COMMENT ON NON-AGENDA ITEMS

**** IN ORDER TO ADDRESS THE BOARD, PLEASE COMPLETE THE GREEN SPEAKER'S FORM AT THE DOOR AND GIVE TO THE BOARD PRESIDENT.***

Individual speakers shall be allowed three (3) minutes to address the Board on each non-agenda or agenda item. The Board shall limit the total time for public input on each item to twenty (20) minutes (BB 9323(b)).

K. CONSENT CALENDAR

(15) Approval of Personnel Action Report No. 11

Referred to the Board by:

Renae Will, Executive Director of Personnel Services and Public Affairs

(16) Approval of Minutes from the Regular Meeting on on March 9, 2023 and Special Meeting on March 14, 2023

Referred to the Board by:

Fred Van Vleck, Ed.D., Superintendent

(17) Approval for Student Services Staff to Travel to Out of State and Attend the National Community Schools & Family Engagement Conference

Referred to the Board by:

Lisa Claussen, Director of Student Services

(18) Approval of Resolution 22-23-012 - 23-24 Child Development Contract CSPP-1106, California State Preschool Program

Referred to the Board by:

Lisa Claussen, Director of Student Services

(19) Approval of February 2023 Warrants

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services

(20) Approval of Pre-Qualified Contractors and Sub-Contractors

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services

- (21) Approval of Grant Intent to Apply: 2023-24 Local Food for Schools

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services

- (22) Approval of Change Order No. 6: EHS Science Building Project

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services

- (23) Approval of Grant Award Notification: HVIP Public School Bus Set-Aside for Small and Medium Air Districts

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services

- (24) Approval of Agreement between Matson & Vallerger Architects, Inc. and Eureka City Schools: Alice Birney 2023 Paving Work Project

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services

- (25) Approval of Agreement between Matson & Vallerger Architects, Inc. and Eureka City Schools: Alice Birney 2023 Reroofing Project

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services

- (26) Approval for Staff to Travel Out of State to Attend the The National Indian Child Welfare Association (NICWA) Conference

Referred to the Board by:

Gary Storts, Assistant Superintendent of Educational Services

- (27) Approval of Field Trip Requests

Referred to the Board by:

Renae Will, Executive Director of Personnel Services and Public Affairs

- (28) Approval of Intent to Apply for Elementary and Secondary School Emergency Relief (ESSER) III Summer Grant Program Funding

Referred to the Board by:

Gary Storts, Assistant Superintendent of Educational Services

- (29) Approval of Policy Updates from CSBA - September 2022

Referred to the Board by:

Fred Van Vleck, Ed.D., Superintendent

- (30) Approval of the Quarterly Report to the Governing Board as Mandated by the State, In Regards to the Williams Lawsuit

Referred to the Board by:

Gary Storts, Assistant Superintendent of Educational Services

- (31) Approval of 2022-23 Supporting Inclusive Practices Grant Application

Referred to the Board by:

Lisa Claussen, Director of Student Services

- (32) Approval of Second Amendment Memorandum of Understanding By And Between County of Humboldt And Eureka City Schools For Fiscal Years 2021-2022 Through 2024-2025

Referred to the Board by:

Lisa Claussen, Director of Student Services

- (33) Approval of ECS Contract with Non Public School (NPS): Change Academy of Lake of the Ozarks (Calo)

Referred to the Board by:

Lisa Claussen, Director of Student Services

L. DISCUSSION/ACTION

- (34) Consideration of Stipulated Student Expulsion [EC Sec 48900.4 and 48900(A)] [Student #22-23-606; Resolution#22-23-018]

Referred to the Board by:

Lisa Claussen, Director of Student Services

- (35) Consideration of Stipulated Student Expulsion [EC Sec 48900a(1) and 48900a(2)] [Student #22-23-785; Resolution#22-23-019]

Referred to the Board by:

Lisa Claussen, Director of Student Services

- (36) Consideration of Stipulated Student Expulsion [EC Sec 48900a.(l) and 48900a.(2)] [Student #22-23-492; Resolution #22-23-020]

Referred to the Board by:

Lisa Claussen, Director of Student Services

- (37) Consideration of Stipulated Student Expulsion [EC Sec 48900a.(l), 48900 (c), and 48900 (h)] [Student #22-23-123; Resolution #22-23-021]

Referred to the Board by:

Lisa Claussen, Director of Student Services

- (38) Receipt of the 2021-2022 Independent Audit Report

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services

- (39) Receipt of the Measure S 2021–2022 Bond Financial and Performance Audit Report

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services

- (40) Receipt of the Measure T 2021–2022 Bond Financial and Performance Audit Report

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services

- (41) Resolution #22-23-017; Adopting Level 1 Developer Fee Justification Study

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services

- (42) Adoption of the 2022-23 Transportation Services Plan

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services

M. DISCUSSION

- (43) After School Education and Safety & Expanded Learning Program Update

Referred to the Board by:

Gary Storts, Assistant Superintendent of Educational Services

- (44) Annual Indian Education Public Hearing

Referred to the Board by:

Gary Storts, Assistant Superintendent of Educational Services

- (45) Discussion of Guaranteed Maximum Price (GMP) for the EHS Albee Stadium Increment #1 Project

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services

- (46) Lincoln Campus Facility Usage

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services

- (47) Consideration of Request from Eureka High School Athletic Boosters

Referred to the Board by:

Fred Van Vleck, Ed.D., Superintendent

N. CLOSED SESSION (continued)

O. RECONVENING OF OPEN SESSION (continued)

P. REPORT OUT FROM CLOSED SESSION (continued)

Q. INFORMATIONAL ONLY ITEMS

- (48) Information Only: Review of Proposed Dates for Board Meetings - 2024

- (49) Information Only: April 2023 - Review of CDE Calendar of Events

- (50) Information Only: Meaningful Board Report (Future Annual Items)

R. ADJOURNMENT

Notice: Documents and materials relating to an open session agenda that are provided to the Board less than 72 hours prior to a regular meeting will be available for public inspection and copying at the Eureka City Schools District Office, Superintendent's Office (Room 108), 2100 J Street, Eureka, CA 95501.

Notice: Eureka City Schools adheres to the Americans with Disabilities Act. Should you require special accommodations or auxiliary aids and services in order to participate in the Board meeting, please contact the Superintendent's Office (Room 108) in writing three days prior to the meeting at

2100 J Street, Eureka, CA 95501.

Notice: Regular Board meetings may be digitally recorded. Per Board policy, recordings may be erased or destroyed 30 days after the meeting.

Notice: The Governing Board reserves the right to take action on any item listed on this agenda.

AGENDA ITEM

Agenda Title: Approval of Personnel Action Report No. 11

Meeting Date: March 30, 2023

Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve Personnel Action Report No. 11.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

N/A

STRATEGIC PLAN/PRIORITY AREA:

Priority Area 7: Human Resources

HISTORY *(list previous staff or board action(s) with dates if possible)*

N/A

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

N/A

WHO *(list the name of the contact person(s), job title, and site location)*

Renae M. Will, Executive Director of Personnel Services and Public Affairs

ATTACHMENTS:

Description

- ▣ Personnel Report No. 11

**EUREKA CITY SCHOOLS
PERSONNEL REPORT NO. 11
March 30, 2023**

The following personnel are submitted to the Board of Education of the Eureka City Schools for approval:

CERTIFICATED PERSONNEL

ASSIGNMENTS

Littlefield, Jaycie	Probationary I School Nurse, (District), eff. 3/17/2023
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DAY-TO-DAY SUBSTITUTE TEACHERS

Hilker, Colleen	Day to Day Substitute Teacher, (District), eff. 3/1/23 – 6/30/23
Kellogg, Sequoyah	Day to Day Substitute Teacher, (District), eff. 3/15/23 – 6/30/23
McDonald, Megan	Day to Day Substitute Teacher, (District), eff. 3/14/23 – 6/30/23
Rapoza, Julia	Day to Day Substitute Teacher, (District), eff. 3/1/23 – 6/30/23
Rodriguez, Sandra	Day to Day Substitute Teacher, (District), eff. 3/17/23 – 6/30/23
Root, Halle	Day to Day Substitute Teacher, (District), eff. 3/1/23 – 6/30/23
Waxler, Nathan	Day to Day Substitute Teacher, (District), eff. 3/7/23 – 6/30/23

LEAVES

Harden, Leah	From: Teacher, 1.0 FTE, (Washington) To: Parental Leave, 1.0 FTE, eff. 3/18/23 – 4/23/23
Ivanov, Lucee	From: Teacher, 1.0 FTE, (Lafayette) To: Unpaid Family and Medical Leave, 1.0 FTE, eff. 3/6/23 – 3/19/23
Klamka, Karen	From: Family and Medical Leave, 1.0 FTE To: School Nurse, 0.5 FTE, (District), and Family and Medical Leave, 0.5 FTE, eff. 3/20/23 – 3/24/23
Leclair, Mckenna	From: Probationary II Teacher, 1.0 FTE, (Lafayette) To: Pregnancy Disability Leave, 1.0 FTE, eff. 3/6/23
Matson, Carrie	From: Teacher, 1.0 FTE, (EHS) To: Family and Medical Leave, 1.0 FTE, eff. 2/27/23 – 3/30/23

COACHES

Clevenger, Jeffery	Assistant Wrestling Coach, (EHS), eff. 2022 – 2023
Zarate, Orlando	Assistant Wrestling Coach, (EHS), eff. 2022 – 2023

CLASSIFIED PERSONNEL

RESIGNATIONS

Perry, Rebekah	After-School Program Assistant (Washington), 3.15 hrs/day, eff. 3/28/23
Sparrow, Joseph	Cook Manager (Food Services), 8 hrs/day, eff. 3/16/23
Verges, Brigan	After-School Program Assistant (Lafayette), 3 hrs/day, eff. 3/11/23

ASSIGNMENTS

Ackroyd, Wayne	School Bus Driver (Corp Yard), 5.25 hrs/day, eff. 3/6/23
Cabal, Kilee	After-School Program Assistant (Alice Birney), 3 hrs/day, eff. 3/2/23
Garcia, Tassai	Instructional Assistant Special Education III (Zane), 7 hrs/day, eff. 3/6/23
Jennings-Van Immelen, Brittney	Speech & Language Pathology Assistant (District Wide), 7 hrs/day, eff. 3/17/23
Levy, Prince	Instructional Assistant Special Education III (Lafayette), 6.5 hrs/day, eff. 2/27/23

SPECIAL APPOINTMENTS

Astry, Kathleen	Custodial Substitute (District Wide), eff. 3/16/23
De Casas, Jasmine	Classroom Aide Substitute (Winzler), eff. 3/6/23
Halstead, Kristina	Clerical Substitute (District Wide), eff. 3/10/23
Rains, Paxton	Monitor Substitute (Washington), eff. 3/16/23

CHANGE OF STATUS

Beck, Mary	From: Elementary Library Technician (Alice Birney), 5 hrs/day To: Elementary Library Technician (Alice Birney), 4.2 hrs/day, eff. 1/4/23-6/15/23
Chairez, Hollie	From: After-School Program Assistant (Washington), 4.1 hrs/day To: After-School Program Assistant (Grant), 3hrs/day, eff. 3/9/23
Ethridge, Cyndal	From: Instructional Assistant Special Education III (Alice Birney), 6 hrs/day AND After-School Program Assistant (Alice Birney), 2 hrs/day To: Instructional Assistant Special Education III (Alice Birney), 6 hrs/day, eff. 3/1/23
Haynes, Carly	From: After-School Program Assistant (Lafayette), 4.1 hrs/day To: After-School Program Assistant (Lafayette), 4.1 hrs/day AND Literacy Technician (Lafayette), 3 hrs/day, eff. 3/1/23
Perry, Rebekah	From: After-School Program Assistant (Washington), 3 hrs/day To: After-School Program Assistant (Washington), 4.1 hrs/day, eff. 1/3/23 To: After-School Program Assistant (Washington), 3.15 hrs/day, eff. 3/1/23

Ramos, Gabriel From: Classroom Aide (Washington), 5 hrs/day AND
 Classroom Aide (Washington). 0.5 hrs/day
To: Classroom Aide (Washington), 4 hrs/day, eff. 3/13/23

LEAVES

Kasper, Jeffrey From: Instructional Assistant Special Education III (Grant), 6.5 hrs/day
To: Parental Leave, eff. 3/10/23-4/30/23

Lucas, Barbara From: Monitor (Grant), 4 hrs/day
To: Family and Medical Leave, eff. 3/6/23

Moak, Ashlee From: Behavior Analyst (District Office), 8 hrs/day
To: Pregnancy Disability Leave, eff. 3/20/23

Ramirez-Moctezuma, Elisaveth From: Food Service Worker (District Wide), 6.5 hrs/day
To: Pregnancy Disability Leave, eff. 3/18/23

Smit, Nicole From: Elementary Secretary (Washington), 8 hrs/day
To: Pregnancy Disability Leave, eff. 3/18/23

AGENDA ITEM

Agenda Title: Approval of Minutes from the Regular Meeting on on March 9, 2023 and Special Meeting on March 14, 2023
Meeting Date: March 30, 2023
Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the minutes from the Regular Meeting on March 9, 2023 and Special Meeting on March 14, 2023.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Not applicable.

STRATEGIC PLAN/PRIORITY AREA:

Subject does not apply to a Strategic Plan Priority Area

HISTORY *(list previous staff or board action(s) with dates if possible)*

Not applicable.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

Not applicable.

WHO *(list the name of the contact person(s), job title, and site location)*

Fred Van Vleck, Ed.D. - Superintendent

ATTACHMENTS:

Description

- ▣ Special Meeting Mins - 03.14.23
- ▣ Reg Meeting Mins - 03.09.23



Eureka City Schools | Board of Education
District Office - 2100 J Street - Eureka, CA 95501
Frances H. Taplin Board Room

Special Meeting
3:15 PM
March 14, 2023
MINUTES

A. CALL TO ORDER OF OPEN SESSION (Room 118)

President Duncan called the open session to order at 3:16 p.m.

Members Present: Duncan, Johnson, Ollivier, Pardoe*, Rebholtz

Members Absent: None

Staff Present: Van Vleck

B. PUBLIC COMMENT ON CLOSED SESSION ITEMS

No public comment on closed session items.

C. CLOSED SESSION (Closed to Public)

President Duncan moved the meeting to closed session to discuss closed session items.

- (1) Public Employee Performance Evaluation (Gov. Code §54957) Title: Superintendent

(*Trustee Pardoe arrived at 3:28 p.m.)

D. RECONVENING OF OPEN SESSION

President Duncan reconvened the meeting at 4:18 p.m.

Members Present: Duncan, Johnson, Ollivier, Pardoe, Rebholtz

Members Absent: None

Staff Present: Van Vleck, Ziegler, Storts, Will, Claussen, Harris

E. REPORT OUT FROM CLOSED SESSION

No reportable action taken.

F. STUDY SESSION

- (2) Review and Prioritize Strategic Plan Objectives
Referred to the Board by:
Fred Van Vleck, Ed.D., Superintendent

Walt Hanline, Ed.D., National Center for Executive Leadership and School Board Development, presented to the Board. Dr. Van Vleck notes his appreciation to Dr. Hanline for conducting the workshop, which he is doing as a courtesy to the District. The Board's goal is to achieve the mission (as noted in the mission statement) through the objectives. The Board discussed the strategic plan and reprioritized objectives. Discussion regarding family engagement and social emotional health, which was merged last year into one goal, i.e. "Mental Health, Social Emotional Wellness, and Family Engagement." The Board decided to separate the two priority areas this year, back to how it was prior to the most recent reprioritization. Discussion and review of each of the priority areas and the application metrics within the District. The Board prioritized the strategic plan objectives, as follows:

- Priority Area 1: English
- Priority Area 2: Math
- Priority Area 3: Mental Health, Social Emotional Wellness | Student Decision Making
- Priority Area 4: Science
- Priority Area 5: Human Resources
- Priority Area 6: Social Science
- Priority Area 7: Career and Technical Education
- Priority Area 8: Visual and Performing Arts
- Priority Area 9: Physical Education
- Priority Area 10: Modern Languages
- Priority Area 11: New and Modernized Facilities
- Priority Area 12: Clean, Safe, Functional, Attractive Classrooms, Facilities, and Grounds
- Priority Area 13: Physical Health
- Priority Area 14: Technology and Equipment
- Priority Area 15: Extracurricular Activities
- Priority Area 16: Alternative and Optional Programs
- Priority Area 17: Community Outreach
- Priority Area 18: Family Engagement
- Priority Area 19: Student Transitions

The reprioritization updates will be implemented into the metrics for the 2023-2024 Strategic Plan, which will come back to the Board for approval.

G. ADJOURNMENT

President Duncan adjourned the meeting at 7:14 p.m.

Respectfully submitted,

Fred Van Vleck, Ed.D.
Secretary of the Board of Education

Micalyn Harris, Recording Secretary



Eureka City Schools | Board of Education
District Office - 2100 J Street - Eureka, CA 95501
Frances H. Taplin Board Room

Regular Meeting
6:30 PM
March 9, 2023
MINUTES

A. CALL TO ORDER OF STUDY SESSION (Room 118)

President Duncan called the open session to order at 1:33 p.m.

Members Present: Duncan, Johnson, Ollivier, Pardoe, Rebholtz

Members Absent: None

Staff Present: Van Vleck, Ziegler, Storts, Will, Claussen, Harris

B. STUDY SESSION

- (1) Sexual Harassment Prevention Training and Brown Act Training | Presented by Thomas Gauthier, Esq. - LozanoSmith
Referred to the Board by:
Fred Van Vleck, Ed.D., Superintendent

The Board received Sexual Harassment Prevention Training and Brown Act Training presented by Thomas Gauthier, Esq. – LozanoSmith.

Management employees Storts, Ziegler, Will, and Claussen, attended the Sexual Harassment Training to fulfill the mandatory training requirement. Van Vleck and Harris attended both of the trainings.

C. PUBLIC COMMENT ON CLOSED SESSION ITEMS

Clerk Johnson reported that on Closed Session Item (7), the Board will be discussing the potential adoption of developer fees and potential litigation involving Academy of the Redwoods.

No public comment on closed session items.

D. CLOSED SESSION (Closed to Public) (Room 118)

President Duncan moved the meeting to closed session to discuss closed session items.

- (2) Public Employment (Gov. Code §54957) - See Personnel Action Report Consent Agenda Item No. K(13)
- (3) Public Employee Appointment (Gov. Code §54957) - See Personnel Action Report Consent Agenda Item No. K(13)
- (4) Public Employee Discipline, Dismissal, Release, Complaint, Accept the Resignation of a Public Employee (GC § 54957)
- (5) Conference with Labor Negotiator Superintendent Van Vleck Regarding Eureka Teachers Association, Classified White and Blue Collar Units, and/or Unrepresented Employees (Confidential and Classified and Certificated Management) (GC § 54957.6)
- (6) Public Employee Performance Evaluation (Gov. Code §54957) Title: Superintendent
- (7) Conference with Legal Counsel – Anticipated Litigation, Two Cases (GC § 54956.9) - Significant Exposure to Litigation Pursuant to Gov. Code §54956.9(d)(2)
- (8) Consideration of Student Expulsion (EC Sec 48918(c) or 760030) [Student #22-23-415; Resolution #22-23-011]

E. RECONVENING OF OPEN SESSION (Board Room)

President Duncan reconvened the meeting at 6:45 p.m.

Members Present: Duncan, Johnson, Ollivier, Pardoe, Rebholtz

Members Absent: Smith

Staff Present: Van Vleck, Ziegler, Storts, Will, Claussen, Harris

F. REPORT OUT FROM CLOSED SESSION

In closed session, the Board took action to non-reelect 2.0 FTE Teachers.

Board members Pardoe, Rebholtz, Duncan, Ollivier, and Johnson, voted yes.

No Board members voted no.

Pursuant to Education Code section 44954, subdivisions (a) and (b), during the previous closed session, the Board acted to authorize the District Superintendent, or designee, to notify 8 temporary certificated employees (Teachers), that they will not be reemployed for the 2023-2024 school year. Trustees Rebholtz, Duncan, Ollivier, Johnson, and Pardoe, voted yes. No Trustees voted no.

No other reportable action.

G. PLEDGE OF ALLEGIANCE TO THE FLAG – Lafayette Elementary School

Students from the 4th grade class at Lafayette Elementary School led the Board in the pledge of allegiance.

H. ADJUSTMENTS TO THE AGENDA

(9) Approval of the Agenda

Paul Ziegler, Assistant Superintendent of Business Services, notes Discussion/Action Items L(39), L(40), and L(41), need to be removed from the agenda. The County has not been able to reconcile past years books and until that is done the auditors are not able to finish the audit. This will come back to the Board at a future meeting.

It was M/S by Johnson/Ollivier to approve the Agenda, removing Items L(39), L(40), and L(41). Student Board Representative: yes 0, no 0, absent 1 (Smith). Governing Board: yes 5, noes 0, absent 0. Motion carried.

I. INFORMATION

(10) Student Reports

Roger Jones, a student at Zane Middle School, provided a student report to the Board. He notes recent activities in all grade levels including social events, sporting events, and future events. Students are practicing for upcoming STEAM performances. Leadership and ASB are working on a sexual assault prevention class in April. Some students participated in State History Day and behavior/bullying prevention at Zane. He notes ASB is concerned that ECS is cutting positions and believes there should be more staff on campus.

(11) Superintendent's Report – Van Vleck introduced Sierra Speer Dillon as the District's new Marketing and Communications Coordinator. She will be providing staff with updates on Board meetings and improving internal and external communications. The Equity Report will be reported out tonight, which is exciting. The Board will come together to reprioritize the strategic plan priority areas at a special board meeting next week.

(12) Board Members' Reports

Pardoe notes she attended MIG with Trustee Rebholtz. Rebholtz also attended lunch at Alice Birney and did a presentation at the hospital. Johnson read to students at Washington.

J. PUBLIC COMMENT ON NON-AGENDA ITEMS

Sonny Tripp, an Indigenous Education Advocate with the Northern California Indian Development Council, addressed the Board. His goals are to help bring positive

outcomes to students in the school districts. He has been in most schools throughout Humboldt and Del Norte and feels like ECS is the District that best represents Humboldt County as a society. There are many positive things occurring with ECS and Tripp thanked Assistant Superintendent Gary Storts for his partnership. They meet once a month to discuss issues that are affecting students and families. He is excited to see Indian issues and Indian people on the agenda. Humboldt County has a strong representation of Indian families and this is important.

Storts notes the District is considering an administrative-led immersive indigenous professional development opportunity for ECS Executive Council this summer.

Jocelyn Gibbons addressed the Board as a representative of the Grant PTA. The Grant PTA is hosting three parent events this year. The first parent event was last night and it went really well. Parents enjoyed dinner and breakout activities. There was a Spanish interpreter so all families could participate. The next family learning session is April 25th with dinner at 5:30 p.m. and presentations at 6:00 p.m. There are some great tips to maintain good mental health and tips on how to deal with issues families may be facing.

Terra Pennsy, a math teacher at Zane, addressed the Board regarding safety. It is her job to keep students safe but she does not feel safe at school. Students are assaulting teachers on a regular basis. Students are coming back to school after outbursts without the resources needed to be succeed. Violence prevention and safety are not being addressed at Zane. She provided examples of student outbursts and how cycles are repeating. She states she cannot offer the coping tools students need and has not received training to address these issues. She notes the ETA contract has sections about safety. She was recently attacked by a student and, upon notification, was told that the student had special circumstances. If students with special circumstances is allowed in the general school population, staff should be notified. She requested training for safety.

Chris Dudley addressed the Board regarding the District's priorities. He is concerned about the amount of administrative positions at the District Office. He believes talented educators are pulled out of the classroom and being replaced with new educators who need more and more support. All the new administrative positions are taking the talent within the classrooms and this impacts student learning. So much of the talent within ECS is sitting in positions that are not affecting student learning. When the Board considers funding, they need to remember those who affect student learning.

Will notes the District has hired classroom support staff around the District. There have been approximately 50 FTE in the past two years, including a few administrative positions. Both middle schools will likely get the community school grant next year, which will help.

Patricia Guerro addressed the Board regarding unsafe behaviors. This is the second time she has addressed the Board. She reviewed the classes she has taught at the middle school and high school level. Over the years, she has worked under eleven

different principals. There is an unhealthy culture and unsafe environment at Zane and low morale amongst staff and students. There have been many teachers who have left Zane in the last few years and many who wish to leave. The behavior from students is unsafe. She does not feel like teachers are listened to and it is a shame.

K. CONSENT CALENDAR

It was M/S by Ollivier/Johnson to approve the following Consent Calendar items:

- (13) Approval of Personnel Action Report No.10
Referred to the Board by:
Renaë Will, Executive Director of Personnel Services and Public Affairs
- (14) Approval of January 2023 Warrants
Referred to the Board by:
Paul Ziegler, Assistant Superintendent of Business Services
- (15) Approval of Fiscal Budget Services Agreement between School Services of California and Eureka City Schools
Referred to the Board by:
Paul Ziegler, Assistant Superintendent of Business Services
- (16) Approval of Change Order No. 4: EHS Science Building Project
Referred to the Board by:
Paul Ziegler, Assistant Superintendent of Business Services
- (17) Approval of Change Order No. 5: EHS Science Building Project
Referred to the Board by:
Paul Ziegler, Assistant Superintendent of Business Services
- (18) Approval of Declaration of Equipment as Surplus and Authorization to Sell
Referred to the Board by:
Paul Ziegler, Assistant Superintendent of Business Services
- (19) Approval and Receipt of Grant Award Notification: Education for Homeless Children and Youth
Referred to the Board by:
Paul Ziegler, Assistant Superintendent of Business Services
- (20) Approval of Minutes from the Regular Meeting on February 2, 2023
Referred to the Board by:
Fred Van Vleck, Ed.D., Superintendent
- (21) Approval of Eureka City Schools Comprehensive Site Safety Plans
Referred to the Board by:
Gary Storts, Assistant Superintendent of Educational Services

- (22) Approval of Intent to Apply for Comprehensive Support and Improvement (CSI) Funding
Referred to the Board by:
Gary Storts, Assistant Superintendent of Educational Services
- (23) Approval of Memorandum of Understanding Between Eureka City Schools And Margaret Walkley, MSW, PPSC, IFECMH
Referred to the Board by:
Lisa Claussen, Director of Student Services
- (24) Approval of the Memorandum of Understanding Between Bridgeville Community Center And Marshall Family Resource Center
Referred to the Board by:
Lisa Claussen, Director of Student Services
- (25) Approval of the First Amendment Memorandum of Understanding By And Between County of Humboldt And Eureka City Schools District For Fiscal Years 2020-2021 Through 2023-2024
Referred to the Board by:
Lisa Claussen, Director of Student Services
- (26) Approval of Adverse Childhood Experiences (ACEs) Collaborative Partnership Grant from Humboldt County Department of Health and Human Services
Referred to the Board by:
Lisa Claussen, Director of Student Services
- (27) Approval of Grant Intent to Apply for Coast Central Credit Union Community Investment Program - Start/End Date: 2/28/23 - 8/31/23.
Referred to the Board by:
Lisa Claussen, Director of Student Services
- (28) Approval of Grant Award Notification (GAN): Career Technical Education Incentive Grant (CTEIG)
Referred to the Board by:
Paul Ziegler, Assistant Superintendent of Business Services
- (29) Approval for District Instructional Staff to to Travel Out-of-State and Attend the "Plain Talk About Literacy and Learning" Conference in March 2023
Referred to the Board by:
Gary Storts, Assistant Superintendent of Educational Services
- (30) Approval of Field Trip Requests: Various Field Trips - Eureka High School
Referred to the Board by:
Rena Will, Executive Director of Personnel Services and Public Affairs
- (31) Approval of Memorandum of Understanding Between Eureka City Schools And Taffy Stockton, MBA

Referred to the Board by:
Lisa Claussen, Director of Student Services

- (32) Approval of Grant Intent to Apply: California Serves Grant Program for Eureka High School

Referred to the Board by:
Paul Ziegler, Assistant Superintendent of Business Services

- (33) Approval of Memorandum of Understanding (MOU) Between the Humboldt County Office of Education and Eureka City Schools regarding the Mental and Behavioral Health Careers Pathway Pilot Project

Referred to the Board by:
Rena Will, Executive Director of Personnel Services and Public Affairs

- (34) Agreement between Eureka City Schools (ECS) and Craven Construction Services for Inspection Services: Eureka High School Albee Stadium Project

Referred to the Board by:
Paul Ziegler, Assistant Superintendent of Business Services

Student Board Representative: yes 0, no 0, absent 1 (Smith). Governing Board: yes 5, noes 0, absent 0. Motion carried.

L. DISCUSSION/ACTION

- (35) Consideration of Student Expulsion (EC Sec 48918(c) or 760030).[Student #22-23-415; Resolution #22-23-011]

Referred to the Board by:
Lisa Claussen, Director of Student Services

It was M/S by Johnson/Ollivier to approve the Student Expulsion (EC Sec 48918(c) or 760030).[Student #22-23-415; Resolution #22-23-011]. Student Board Representative: aye 0, no 0, absent 1 (Smith). Governing Board: ayes 5, noes 0, absent 0. Motion carried.

- (36) Consideration of Resolution 22-23-014 to Eliminate/Reduce Classified Positions

Referred to the Board by:
Rena Will, Executive Director of Personnel Services and Public Affairs

Will addressed the Board regarding this item. The Board is asked to approve Resolution 22-23-014 to Eliminate/Reduce Classified positions. She consulted with CSEA in March regarding the impacted positions. These positions were initially posted as short-term positions, with an end date of June 30, 2023. The District is required to give notice to employees if they believe there will be a reduction, and this action is in compliance with that required timeline.

Jeff Bird, a PE teacher at Zane, addressed the Board. This is his first year at EHS. He knows there are reasons for the cuts and believes the District has good intentions. However, he is worried about positions that are being cut by 40%, such as a specific position at Zane. He notes the person in this position is skilled in deescalating situations, has coached multiple teams, helps other teachers, and collaborates on various events. Even during the off-season, this employee assists with events, even though he is not paid for the additional work. This person in the affected position is a big deal to students and a huge part of the Zane staff. He is concerned new positions are being created and filled at the District-level, while positions for staff who deal directly with students are being cut. He feels like the money and priority is not where it needs to be.

Julie Stewart, a teacher at Zane, urged the District not to decrease the hours of classified staff. She believes decreasing hours and position show a disconnect between the needs of the sites and the District/Board. The behaviors are a cry for help, which require more support. Retention has been a focus at ECS and if we build a District prioritizing safety and success, more families will come. If the District chips away at the foundation, the District will lose students families. Teachers are dealing with major issues due to dysregulated students. Staff are seeing an increase in dysregulated behaviors and there are issues with reentry. She notes some staff have left and she is concerned the District will lose quality staff who are supporting students.

Aaron Freeman addressed the Board regarding the District's Strategic Plan priority area regarding social emotional and mental health. He provided examples of how one of the staff who affected by the reduction is a valuable member of the Zane team and has fostered relationships with students and the school community as a whole. By cutting hours, the District is forcing employees to find other positions, which does not benefit students. He notes the District says it values the mental and social emotional health of students but talk is cheap and action is hard. Students deserve action. Teachers and staff are already stretched thin and staff are facing disruptive behaviors in the classroom.

Kayla Rodgers, a teacher at Zane, addressed the Board. This year, she notes students are actively trying to get away from other students. She is observing behaviors that she has never dealt with before. Students are negatively affecting the learning environment with their behavior. The classified staff are the first staff to deal with the difficult situations. Admin are tied-down with meetings and other staff are triaging students and providing support. The formula used to determine how many support staff are provided to each staff is inadequate. Rodgers believes the formula should take other factors into consideration. She is discouraged the District is cutting additional staff when more supervision support is needed. The loss of the counselor was felt tremendously. There is not enough support to help with the dysregulated kids.

Will notes decisions are made based on positions, not people, and the District is required to follow the legal timelines regarding notice to employees. Employees with seniority who are affected by the eliminations and reductions will have an option to bump back into a different position, and go through a specific process. The potential action tonight is based on a conservative approach and enrollment projections. The District is required to notify any employee if they will be laid off and the District can pullback a layoff notice if a projection changes.

A Trustee requested the District consider looking outside the formula for Zane, such as what was done previously when Winship faced difficult situations. Van Vleck notes this is possible but the Board will still need to take action on this item, due to the compliance timelines required by Ed Code. There are no easy solutions to the issues faced at any of the school sites and supports put in place do take time. Van Vleck reiterated this action is based on positions, not individual people. There are many tough decisions that the Board will have to make in the future, as funding is not guaranteed.

It was M/S by Johnson/Ollivier to approve Resolution 22-23-014 to Eliminate/Reduce Classified Positions. Student Board Representative: aye 0, no 0, absent 1 (Smith). Governing Board: ayes 5, noes 0, absent 0. Motion carried.

- (37) Board's Nomination for Election Ballot for the 2023 CSBA Delegate Assembly Election
Referred to the Board by:
Fred Van Vleck, Ed.D., Superintendent

It was M/S by Pardoe/Johnson to approve Lisa Ollivier as the Board's Nomination for Election Ballot for the 2023 CSBA Delegate Assembly Election Student Board Representative: aye 0, no 0, absent 1 (Smith). Governing Board: ayes 5, noes 0, absent 0. Motion carried.

- (38) Approval of 2022-2023 Second Interim Report
Referred to the Board by:
Paul Ziegler, Assistant Superintendent of Business Services

Ziegler provided a review to the Board on the 2nd Interim Report. He reviewed key considerations including revenue, reserves, economic outlook, expenditures, staffing levels, enrollment/ADA, and the 2023/2024 May Revision to the Governor's Budget. Ziegler reviewed the general fund operating assumptions, LCFF revenue projections, recap of one-time funding, etc.

It was M/S by Johnson/Pardoe to approve the 2022-2023 Second Interim Report with a positive certification. Representative: aye 0, no 0, absent 1 (Smith). Governing Board: ayes 5, noes 0, absent 0. Motion carried.

~~(39) Receipt of the 2021-2022 Independent Audit Report~~

~~Referred to the Board by:~~

~~Paul Ziegler, Assistant Superintendent of Business Services~~

~~**Note: Item removed from agenda, under "Adjustment to the Agenda."**~~

~~(40) Receipt of the Measure S 2021-2022 Bond Financial and Performance Audit Report~~

~~Referred to the Board by:~~

~~Paul Ziegler, Assistant Superintendent of Business Services~~

~~**Note: Item removed from agenda, under "Adjustment to the Agenda."**~~

~~(41) Receipt of the Measure T 2021-2022 Bond Financial and Performance Audit Report~~

~~Referred to the Board by:~~

~~Paul Ziegler, Assistant Superintendent of Business Services~~

~~**Note: Item removed from agenda, under "Adjustment to the Agenda."**~~

M. DISCUSSION

(42) Eureka City Schools Special Education Annual Report

Referred to the Board by:

Lisa Claussen, Director of Student Services

Claussen provided the Board with the annual report on special education. She reviewed the support provided at each of the sites, data on students receiving services, special education teachers, information on students receiving speech services, psychology services, compliance monitoring, and future items.

(43) Local Control Accountability Plan Update

Referred to the Board by:

Gary Storts, Assistant Superintendent of Educational Services

Storts provided an LCAP update to the Board.

(44) Eureka City Schools Instructional Coaches Annual Report and Update

Referred to the Board by:

Gary Storts, Assistant Superintendent of Educational Services

Jennifer Johnson, Director of Curriculum and Instruction, provided an update to the Board on Instructional Coaches at ECS. She reviewed the members of the elementary and secondary teams, the value of instructional coaches throughout the District, the student-centered coaching model, types of coaching being offers (i.e. coaching cycles, curriculum and strategy support,

classroom management, peer observations, data days, classified coaching), and other duties.

- (45) Presentation, Parent Institute for Quality Education (PIQE)
Referred to the Board by:
Gary Storts, Assistant Superintendent of Educational Services

Storts provided an update to the Board on the PIQE programs through ECS. This program offers families an opportunity to build community, which is exciting. The program has boosted a higher level of engagement at the sites.

- (46) Report on the Eureka City Schools Diversity, Equity and Inclusion Audit
Referred to the Board by:
Gary Storts, Assistant Superintendent of Educational Services

Storts provided the Board with a Diversity, Equity, and Inclusion audit. He provided the Board with copies of the audit and made additional copies available for members of the public. Storts reviewed the background and timelines related to the audit, the scope of work noted in the request for proposals, the Prismatic process (data analyzed, surveys, interviews), framework used to assess diversity, equity, and inclusion, etc. Prismatic provided findings which note opportunities for growth as well as areas the District is performing well in. Storts reviewed the commendations and recommendations with the Board.

Van Vleck notes this is the first time the Board has seen this report, as it was in draft form previously and not attached to the Board item. The Board would like this item be brought back after the District has put a committee together and they have had an opportunity to meet and review the audit.

- (47) Report on Technology Infrastructure
Referred to the Board by:
Paul Ziegler, Assistant Superintendent of Business Services

Marcel van Dissel, Director of Information Technology, provided the annual report to the Board. He reviewed department staff, challenges (including backorders), a summary of infrastructure, e-rate, 1:1 computer/student ratios based on the current chromebook distribution, software/platform adoptions and implementations, computers and peripherals, phone system, etc.

- (48) Policy Updates from CSBA - September 2022 (First Review)
Referred to the Board by:
Fred Van Vleck, Ed.D., Superintendent

This item will come back to the Board on Consent.

N. CLOSED SESSION

Closed session did not continue.

O. RECONVENING OF OPEN SESSION

Not applicable. Closed session did not continue.

P. REPORT OUT FROM CLOSED SESSION

Not applicable. Closed session did not continue.

Q. INFORMATIONAL ONLY ITEMS

(49) Information Only: April 2023 - Review of CDE Calendar of Events

(50) Information Only: Meaningful Board Report (Future Annual Items)

R. ADJOURNMENT

President Duncan adjourned the meeting at 9:09 p.m.

Respectfully submitted,

Fred Van Vleck, Ed.D.
Secretary of the Board of Education

Micalyn Harris, Recording Secretary

AGENDA ITEM

Agenda Title: Approval for Student Services Staff to Travel to Out of State and Attend the National Community Schools & Family Engagement Conference
Meeting Date: March 30, 2023
Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve out-of-state travel for the Director of Community Schools Ronda Evans and the Principal of Alice Birney Kristin Sobilo to attend the National Community Schools & Family Engagement Conference in Philadelphia, Pennsylvania from June 7-9, 2023.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Staff involved in the development of ECS new Community School will benefit by increasing their knowledge of family engagement and Community Schools, sharpen their skillsets to lead collaboratively and implement effective strategies.

STRATEGIC PLAN/PRIORITY AREA:

Priority Area 3: Mental Health, Social-Emotional Wellness, and Family Engagement

HISTORY *(list previous staff or board action(s) with dates if possible)*

No previous history.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

Conference Cost - \$1,060 (2)

Flight Cost - \$1,985.83 (2)

Hotel Cost - \$1,298.64 (1) - Kristin Sobilo is lodging with family (no cost)
+ Food/Misc. Travel Costs

TOTAL Estimated COST - \$5,000-\$5,500

WHO *(list the name of the contact person(s), job title, and site location)*

Lisa Claussen, Director of Student Services

ATTACHMENTS:

Description

- ▣ National Community Schools & Family Engagement Conference June 7-9, 2023



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Attend ✓
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OVERVIEW

The Institute for Educational Leadership (IEL) is proud to host the 2023 National Community Schools and Family Engagement Conference in Philadelphia! This national conference brings together people from across the country who believe all children deserve a safe place to live and opportunities to learn and thrive. Inspired by our theme: ***Spreading Love & Supporting All Children***, the conference is designed to catalyze collaboration, action, and a renewed commitment to transforming our practices, partnerships, and systems.

At this conference, over 3,000 participants will engage in an abundance of learning and networking opportunities designed to increase their knowledge of family engagement and Community Schools, sharpen their skillsets to lead collaboratively, and implement effective strategies. It takes all of us working together, at every level, to successfully engage families and strengthen family-school-community partnerships that eliminate inequities of access and opportunity and co-create a new normal. Regardless of your role in the eco-system (parent and youth leaders; school and district leaders; community organizers and union activists; elected officials; Community School coordinators and initiative leaders; education, justice and health system professionals; early childhood educators; university partners; disability advocates; researchers; and more), this conference is for you!

Stay Connected

DETAILS

WHEN

June 7, 2023 – June 9, 2023

Click [here](#) to view our Agenda-At-A-Glance.

**Add to
Calendar**

WHERE

Philadelphia Marriott
Downtown

1201 Market Street,
Philadelphia, PA 19107

Get Driving
Directions

Get
Weather

CONTACT US

Please direct any questions re: the 2023 National Community Schools and Family and Engagement Conference to the planning team at CSxFE@iel.org

Contact Us

REGISTER NOW

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AGENDA ITEM

Agenda Title: Approval of Resolution 22-23-012 - 23-24 Child Development Contract CSPP-1106, California State Preschool Program
Meeting Date: March 30, 2023
Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve Resolution 22-23-012 - 2023-2024 California Department of Education Child Development Contract CSPP-1106.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

The contract provides funding to the Winzler Children's Center preschool for the 2023-2024 fiscal year.

STRATEGIC PLAN/PRIORITY AREA:

Priority Area 12: Student Transitions

HISTORY *(list previous staff or board action(s) with dates if possible)*

The contract is approved annually by the Board.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

The Maximum Reimbursable Amount (MRA) is \$593.213.00.

WHO *(list the name of the contact person(s), job title, and site location)*

Lisa Claussen, Director of Student Services

ATTACHMENTS:

Description

- ▣ Child Development Contract CSPP-1106 for 2023-2024 (Winzler)

Fiscal Year 2023–24 Continued Funding

Early Education Division

DUE DATE: December 9, 2022

Overview

Contractors holding a current California State Preschool Program (CSPP) contract, and if applicable a Prekindergarten and Family Literacy Support (CPKS) contract, who wish to be considered for continued funding for fiscal year (FY) 2023–24 must complete this application for continued funding. The FY 2023–24 Continued Funding Application (CFA) Overview and Instructions may be accessed on the [CFA web page](#).

Upon completion of this CFA, the California Department of Education (CDE) will review the application and may contact your agency seeking additional information. CSPP contractors who apply for and are approved for continued funding do not need to sign a contract with the CDE to provide CSPP and CPKS services for FY 2023–24, as contracts will be automatically renewed in accordance with all applicable federal and state laws as well as all CSPP Contract Terms and Conditions (CT&Cs) that will be incorporated into the 2023–24 CSPP contract, and all CPKS CT&Cs, as applicable. By signing this CFA, the CSPP contractor is indicating that it wishes to automatically renew its contract for FY 2023–24 and is willing to, and does accept, all of the terms and conditions of the 2023–24 CSPP contract and, if applicable the 2023–24 CPKS contract, which will be provided to the CSPP contractor no later than June 1, 2023.

Please also note that contractors have no vested right to a subsequent contract. Completion of this CFA does not guarantee a renewal of funding. If the CDE determines your agency will not be renewed for a subsequent contract year, you will be notified in writing no later than April 7, 2023, pursuant to the *California Code of Regulations*, Title 5 (5 CCR) Section 17828. Contractors who apply for and are approved for continued funding do not need to sign a contract with the CDE to provide CSPP and, if applicable, CPKS services for FY 2023–24, as contracts will be automatically renewed in accordance with all applicable federal and state laws as well as all CSPP and CPKS CT&Cs that will be incorporated into the 2023–24 contract, as applicable.

If the CFA is returned to the CDE in a timely manner but is not fully and accurately completed, funding for FY 2023–24, if approved, may be delayed.

Contractors that wish to reject the terms of the FY 2023–24 CSPP and/or CPKS contract must provide the CDE with a written notice that the terms of the contract(s) are rejected by emailing ChildDevelopmentContracts@cde.ca.gov on or before June 30, 2023. The email should come from the Executive Director/Superintendent of the contracting entity or their authorized representative and state that the terms of the FY 2023–24 CSPP and, as applicable, the CPKS contract are rejected. Contractors providing such notice to the CDE of the rejection of the terms of the contract will not have a contract(s) in effect for FY 2023–24. Note that while contractors who currently receive CPKS funding may reject their 2023–24 CPKS contract, they cannot reject their 2023–24 CSPP contract and still receive funding under a CPKS contract since CPKS funding is tied to having a CSPP contract.

If a contractor wishes to terminate the contract for any reason during the FY 2023–24 contract term, the contractor shall notify the CDE of its intent to terminate the contract at least 90 calendar days in advance of contract termination and shall follow CCR 17795.

Instructions

All application fields are required for submission of the application unless otherwise noted as optional. The application is structured into the following sections:

Section I: Contractor Information
Section II: Contract and Program Type
Section III: Contractor's Officers and Board of Directors Information
Section IV: Program Narrative
Section V: Personnel Certification
Section VI: Subcontract Certification
Section VII: Contractor Certification
Section VIII: Certification of Contractor Information in the CDMIS
Section IX: Required Attachments
Section X: CFA Checklist

The CFA must be signed by the District Superintendent, Charter School Administrator, or authorized designee with authority to submit applications for funding on behalf of the Local Education Agency (LEA).

If you do not intend to complete the CFA in one session, you must select the **Save Responses** button located on the bottom of the screen. Once selected, you will be redirected to a new browser window to enter your email address. You will receive an email with a unique web address for entrance back into the CFA. It is recommended that you save the application web address. If you have any questions regarding the CFA, please contact CFA@cde.ca.gov.

Section I: Contractor Information

Contractor Legal Name:

Eureka City Schools

Contractor "Doing Business As" (DBA):

Eureka City Schools, Winzler Children's Center

Contact Person Email Address:

ricee@eurekacityschools.org

Section II: Contract and Program Type

Part 1: Contract and Program Type

Check all applicable boxes indicating the programs the contractor intends to continue to administer for the FY 2023–24. The contractor agrees to continue implementation of these programs with funds provided by the CDE.

Contract Type: *(select all that apply)*

☒ CSPP

☐ CPKS

Does the CSPP operate a Family Childcare Home Education Network?

☐ Yes

☒ No

ProgramType: *(select all that apply)*

☒ Full-Day/Full-Year

☒ Part-Day/Part-Year

☐ Full-Day/Part-Year

☒ Part-Day/Full-Year

Part 2: Funded Enrollment

Insert the number of children your agency expects to enroll with the CSPP contract for each county services are provided, as applicable.

How many counties does your agency operate in?

1 ▼

County 1 Information

Select the County Name:

12 Humboldt ▼

Number of Children to be
Enrolled in Part-Day CSPP in
County 1:

40

Number of Children to be
Enrolled in Full-Day CSPP in
County 1:

20

Total Number of Children to be
Enrolled in County 1:

60

Headquartered County:

12 Humboldt

**Vendor Number:**

7551

Executive Director Name:

Fred Van Vleck, Ed.D.

Executive Director Telephone Number: (999-999-9999)

707-441-2414

Executive Director Email Address:

vanVleckf@eurekacityschools.org

Legal Business Address:

2100 J. St.

City:

Eureka

Zip Code:

95503

Is Mailing Address different from Legal Business Address?☒ Yes☐ No**Mailing Address:**

719 Creighton St.

Mailing City:

Eureka

Mailing Zip Code:

95501

Name of Person Completing the CFA:

Elizabeth Rice

Title of Person Completing the CFA:

Director of Early Childhood Development and Special Education

Contact Person Telephone Number: (999-999-9999)

707-441-2498

Total Number of CSPP Children to be Enrolled: *(Add the total from each county.)*

60

To request a change to these numbers during the fiscal year, the contractor must submit a Program Narrative Change to request approval from their assigned regional consultant. The new "Number of Children" must also be reported during the Program Self Evaluation survey.

Section III: Contractor's Officers and Board of Directors Information

Does the contractor have a board of directors?

- ☒ Yes
☐ No

How many officers and board members/governing individuals does your agency have? *(If there are more than 10, please complete this section and email CFA@cde.ca.gov with any additional members and their contact information.)*

5

Officer #1:

Officer 1 First Name:

Lisa

Officer 1 Last Name:

Ollivier

Officer 1 Title:

Trustee, Area 1

Officer 1 Telephone Number:
(999-999-9999)

707-601-4989

Officer 1 Mailing Address:

824 B St. Eureka, Ca, 95501

Officer 1 Email Address:

ollivierl@eurekacityschools.org

Officer #2:

Officer 2 First Name:

Mike

Officer 2 Last Name:

Duncan

Officer 2 Title:

Trustee Area 2

Officer 2 Telephone Number
(999-999-9999):

707-499-8712

Officer 2 Mailing Address:

PO Box 5032, Eureka, Ca. 95502

Officer 2 Email Address:

duncanm@eurekacityschools.org

Officer #3:

Officer 3 First Name:

Rebecca

Officer 3 Last Name:

Pardoe

Officer 3 Title:

Trustee, Area 3

Officer 3 Telephone Number
(999-999-9999):

707-441-2400

Officer 3 Mailing Address:

1504 Buhne St. Eureka, Ca. 95501

Officer 3 Email Address:

pardoer@eurekacityschools.org

Officer #4:

Officer 4 First Name:

Susan

Officer 4 Last Name:

Johnson

Officer 4 Title:

Trustee, Area 4

Officer 4 Telephone Number
(999-999-9999):

707-845-1587

Officer 4 Mailing Address:

1308 Wood St. Eureka, Ca. 95501

Officer 4 Email Address:

johnsonsusana@eurekacityschools.org

Officer #5:

Officer 5 First Name:

Jessica

Officer 5 Last Name:

Rebholtz

Officer 5 Title:

Trustee, Area 5

Officer 5 Telephone Number
(999-999-9999):

707-572-6592

Officer 5 Mailing Address:

2434 C St. Eureka, Ca. 95501

Officer 5 Email Address:

rebholtzj@eurekacityschools.org

Have any of the listed officers, board members, owners or other governing individuals ever served as an officer, board member, owner or governing individual with an agency that received state or federal funding and which agency funding was terminated or involuntarily non-renewed, or the agency was debarred from funding for any period of time?

☐ Yes☒ No

Section IV: Program Narrative

Does the contractor have programmatic or calendar changes?

☐ Yes☒ No

Section V: Personnel Certification

The State of California requires any contractor receiving early education and care funding, disbursed by the CDE, to employ fully qualified personnel as stipulated in the California *Education Code (EC)*; and the 5 CCR; and the CT&Cs.

I certify, as the authorized agent representing this contractor, that I have read and understand the staffing requirements for Program Director, Site Supervisor, and Teacher. All staff employed by the contractor for the provision of preschool services are fully qualified for their respective positions. The exception to this certification is a person employed as Program Director or Site Supervisor who possesses a current Staffing Qualifications Waiver approved by the Early Education Division.

AGREEMENT: By signing this application electronically, I, the District Superintendent, or authorized designee, agree that my electronic signature is the legally binding equivalent to my handwritten signature.

- ☒ Yes
☐ No

Printed Name of the Contractor's Authorized Representative:

Fred Van Vleck, Ed.D.

Title of the Contractor's Authorized Representative:

Superintendent

Certification Date: (MM/DD/YYYY)

02/14/2023

Authorized Representative's Telephone Number: (999-999-9999)

707-441-2414

Authorized Representative's Email Address:

vanvleckf@eurekacityschools.org

Section VI: Subcontract Certification

Does the Contractor have subcontractors?

- ☐ Yes
☒ No

AGREEMENT: By signing this application electronically, I, the District Superintendent, or authorized designee, agree that my electronic signature is the legally binding equivalent to my handwritten signature.

- ☒ Yes
☐ No

Printed Name of the Contractor's Authorized Representative:

Fred Van Vleck, Ed.D.

Title of the Contractor's Authorized Representative:

Superintendent

Certification Date: (MM/DD/YYYY)

02/14/2023

Authorized Representative's Telephone Number: (999-999-9999)

707-441-2414

Authorized Representative's Email Address:

vanvleckf@eurekacityschools.org

Section VII: Contractor Certification

Under penalty of perjury, I certify the following: *(Each box below must be selected in order to continue with the application.)*

- ☒ I am authorized by the contractor's Board of Directors or other governing authority to execute this CFA, signifying their intent to automatically renew the current CSPP contract and CPKS contract if applicable for FY 2023–24, under new terms and conditions to be established by the CDE, unless rejected in writing prior to the effective date of the new CSPP contract on June 30, 2023.
- ☒ On behalf of the contractor and its governing authority, we understand some information requested in this CFA is intended for use by CDE auditors in connection with future audit work and performance reviews and may not be used, or even reviewed or considered by the CDE until well after the contract has expired, if ever. Therefore, we further understand that the information (and any underlying transactions) disclosed by this CFA shall not be considered properly noticed to the CDE, nor approved, accepted or authorized by the CDE, even if our request for continued funding by the CDE is subsequently approved.
- ☒ The governing board members or persons with governing authority have been trained in understanding conflict of interest requirements associated with their positions on the board and have reported all known conflicts of interest.
- ☒ I have supervisory authority over the CSPP, have actual, personal knowledge of the information provided in this CFA and certify that it is true and correct in all material respects.

I am familiar with and will ensure that the contractor complies with all applicable program statutes and regulations, including but not limited to: *(Each box below must be selected in order to continue with the application.)*

- ☒ Subcontracting requirements, including competitive bidding, CDE approval, and audit requirements in 5 CCR.
- ☒ Prohibitions on conflicts of interests, including (i) the assurances required to establish that transactions with officers, directors and other related party transactions are conducted at arm's length, and (ii) employment limitations stated in EC.
- ☒ Cost reimbursement requirements, including reimbursable and non-reimbursable costs, documentation requirements, the provisions for determining the reimbursable amount and other provisions in 5 CCR, and accounting and reporting requirements in 5 CCR.
- ☒ Operational and programmatic requirements.

By signing this CFA, the contractor is indicating that it wishes to automatically renew the current contract for FY 2023–24 and, if approved, is willing to, and does accept, all terms and conditions of the CSPP contract, which will be provided to the CSPP contractor no later than June 1, 2023. The contractor may reject the FY 2023–24 contract by providing the CDE with a written notice of rejection no later than June 30, 2023. Contractors that wish to reject the terms of the FY 2023–24 contract must provide written notice that the terms of the contract are rejected by emailing ChildDevelopmentContracts@cde.ca.gov on or before June 30, 2023. The email should come from the Executive Director/Superintendent of the contracting entity or their authorized representative and state that the terms of the FY 2023–24 CSPP and/or CPKS contract are rejected. Contractors providing such notice to the CDE of the rejection of the terms of the contract will not have a contract in effect for FY 2023–24.

AGREEMENT: By signing this application electronically, I, the District Superintendent, or authorized designee, agree that my electronic signature is the legally binding equivalent to my handwritten signature.

- ☒ Yes
☐ No

Printed Name of the Contractor's Authorized Representative:

Fred Van Vleck, Ed.D.

Title of the Contractor's Authorized Representative:

Superintendent

Certification Date: (MM/DD/YYYY)

02/14/2023

Authorized Representative's Telephone Number: (999-999-9999)

707-441-2414

Authorized Representative's Email Address:

vanvleckf@eurekacityschools.org

Section VIII: Certification of Contractor Information in the CDMIS

CSPP contractors are required to review all information in the Child Development Management Information System (CDMIS) and update any outdated or incorrect information. To review the information and submit changes, log on to the [CDMIS](#).

As the authorized representative of the CSPP contractor listed below, I certify, under penalty of perjury, that I have reviewed all of the information for Eureka City Schools and updates, additions, or deletions have been submitted as needed for information in all of the areas below: *(Each box below must be selected in order to continue with the application.)*

- ☒ Executive Director/Superintendent information
- ☒ Program Director information
- ☒ Sites and Licenses and/or Office information
- ☐ CSPP Family Child Care Home Education Network (FCCHEN) provider summary information, if applicable

To the best of my knowledge, the information on the CDMIS website reflects accurate information for Eureka City Schools as of the date this certification is signed.

AGREEMENT: By signing this application electronically, I, the District Superintendent, or authorized designee, agree that my electronic signature is the legally binding equivalent to my handwritten signature.

- ☒ Yes
- ☐ No

Printed Name of Program Director/Authorized Representative:

Elizabeth Rice

Certification Date: *(MM/DD/YYYY)*

02/14/2023

Section IX – Required Attachments

All attachments and/or documentation below must be completed and current for this CFA and attached to this application for this CFA and included when submitting the CFA. Download, complete, and save attachments A-L, as applicable, from the [CFA web page](#).

All applicants are required to upload the Program Calendar (EED 9730), California Civil Rights Laws Certification (CO-005), Contractor Certification Clauses (CCC), and Federal Certification (CO.8) into the online application system. Public agencies and non-public agencies each have their own documentation requirements, as noted below, that must be uploaded into the online application system.

These files should be saved into a single zip file for uploading into the system as only one file can be uploaded per applicant. No additional information included in the zip file will be reviewed. The zip file size limit is 20MB. To learn more about zip files and how to create them, visit [Microsoft Support](#).

Which forms will be included in the uploaded zip file? (Select all that apply; Items with an asterisk indicate a signature is required.)

- ☒ A. Fiscal Year 2023–24 Program Calendar (EED 9730)
- ☐ B. Payee Data Record (STD. 204) (Non-public agencies only) *
- ☐ C. Payee Data Record Supplement (STD. 205) (Non-public agencies only, as applicable) *
- ☐ D. Secretary of State (Non-public agencies only)
- ☒ E. Verification of School District Name and Address (Public agencies only)
- ☐ F. Program Narrative Change (EED 3704A) (as applicable)
- ☐ G. Subcontractor Certification (EED 3704B) (as applicable) *
- ☐ H. CSPP License Exemption Self-Certification (as applicable) *
- ☒ I. California Civil Rights Laws Certification (CO-005) *
- ☒ J. Contractor Certification Clauses (CCC) *
- ☒ K. Federal Certification (CO.8) *
- ☐ L. Agency's board resolution and/or minutes authorizing signature on this document, and a delegation of authority, if applicable (public agencies only) *

Upload the required attachments selected above to the application by selecting the attach icon below.

ref:0000006438:Q70

Submitting the CFA

Note: Print a copy of your completed CFA for your records before submitting it. By selecting the **Print** button below, you will be redirected to a new browser window to print the form. **You must return to the previous browser window to submit your CFA to the CDE.**

Once you select the **Submit** button below, your CFA will be sent to the CDE and you will be redirected to the CDE CFA web page. An automatically generated email will be sent to the email address(es) provided on your CFA. Please check your email account's spam folder if you do not receive a confirmation email to your inbox. There is an additional step to complete your application contained in the confirmation email you will receive.

Fiscal Year 2023-24 Program Calendar

California Department of Education

Early Education Division

10/1/2022

Instructions

Complete the Contractor Information section below.
The Subtotals section will automatically total the number of operating days entered for each month.
Each tab below represents a different month in Fiscal Year 2023-2024. For each month, put a "1" for each day of operation and a "0" for a non-operational day.
The sheet will auto-total the number of days of operation for you and add all totals from each month on this cover sheet.

Contractor Information

Name of CSPP Contractor:

Winzler Children's Center, Eureka City Schools

Vendor Number:

7551

County:

Humboldt

Contract Type:

CSPP

Subtotals

Note: The following fields are locked and are automatically calculated

First Quarter: 29

Second Quarter: 51

Third Quarter: 55

Fourth Quarter: 47

Total Days of Operation: 182

CDE Signature (CDE Use Only)

EED Consultant Initials:

[EED Consultant Initial]

Date approved by EED Consultant:

[Date approved by EED Consultant]

July 2023 Days of Operation

July 2023 Dates	Day of Operation? Enter 1 if Yes, Enter 0 if No
Saturday, July 1, 2023	0
Sunday, July 2, 2023	0
Monday, July 3, 2023	0
Tuesday, July 4, 2023	0
Wednesday, July 5, 2023	0
Thursday, July 6, 2023	0
Friday, July 7, 2023	0
Saturday, July 8, 2023	0
Sunday, July 9, 2023	0
Monday, July 10, 2023	0
Tuesday, July 11, 2023	0
Wednesday, July 12, 2023	0
Thursday, July 13, 2023	0
Friday, July 14, 2023	0
Saturday, July 15, 2023	0
Sunday, July 16, 2023	0
Monday, July 17, 2023	0
Tuesday, July 18, 2023	0
Wednesday, July 19, 2023	0
Thursday, July 20, 2023	0
Friday, July 21, 2023	0
Saturday, July 22, 2023	0
Sunday, July 23, 2023	0
Monday, July 24, 2023	0
Tuesday, July 25, 2023	0
Wednesday, July 26, 2023	0
Thursday, July 27, 2023	0
Friday, July 28, 2023	0
Saturday, July 29, 2023	0
Sunday, July 30, 2023	0
Monday, July 31, 2023	0
Total:	0

August 2023 Days of Operation

August 2023 Dates	Day of Operation? Enter 1 if Yes, Enter 0 if No
Tuesday, August 1, 2023	0
Wednesday, August 2, 2023	0
Thursday, August 3, 2023	0
Friday, August 4, 2023	0
Saturday, August 5, 2023	0
Sunday, August 6, 2023	0
Monday, August 7, 2023	0
Tuesday, August 8, 2023	0
Wednesday, August 9, 2023	0
Thursday, August 10, 2023	0
Friday, August 11, 2023	0
Saturday, August 12, 2023	0
Sunday, August 13, 2023	0
Monday, August 14, 2023	0
Tuesday, August 15, 2023	0
Wednesday, August 16, 2023	0
Thursday, August 17, 2023	0
Friday, August 18, 2023	0
Saturday, August 19, 2023	0
Sunday, August 20, 2023	0
Monday, August 21, 2023	1
Tuesday, August 22, 2023	1
Wednesday, August 23, 2023	1
Thursday, August 24, 2023	1
Friday, August 25, 2023	1
Saturday, August 26, 2023	0
Sunday, August 27, 2023	0
Monday, August 28, 2023	1
Tuesday, August 29, 2023	1
Wednesday, August 30, 2023	1
Thursday, August 31, 2023	1
Total:	9

September 2023 Days of Operation

September 2023 Dates	Day of Operation? Enter 1 if Yes, Enter 0 if No
Friday, September 1, 2023	1
Saturday, September 2, 2023	0
Sunday, September 3, 2023	0
Monday, September 4, 2023	0
Tuesday, September 5, 2023	1
Wednesday, September 6, 2023	1
Thursday, September 7, 2023	1
Friday, September 8, 2023	1
Saturday, September 9, 2023	0
Sunday, September 10, 2023	0
Monday, September 11, 2023	1
Tuesday, September 12, 2023	1
Wednesday, September 13, 2023	1
Thursday, September 14, 2023	1
Friday, September 15, 2023	1
Saturday, September 16, 2023	0
Sunday, September 17, 2023	0
Monday, September 18, 2023	1
Tuesday, September 19, 2023	1
Wednesday, September 20, 2023	1
Thursday, September 21, 2023	1
Friday, September 22, 2023	1
Saturday, September 23, 2023	0
Sunday, September 24, 2023	0
Monday, September 25, 2023	1
Tuesday, September 26, 2023	1
Wednesday, September 27, 2023	1
Thursday, September 28, 2023	1
Friday, September 29, 2023	1
Saturday, September 30, 2023	0
Total Days:	20

October 2023 Days of Operation

October 2023 Dates	Day of Operation? Enter 1 if Yes, Enter 0 if No
Sunday, October 1, 2023	0
Monday, October 2, 2023	1
Tuesday, October 3, 2023	1
Wednesday, October 4, 2023	1
Thursday, October 5, 2023	1
Friday, October 6, 2023	1
Saturday, October 7, 2023	0
Sunday, October 8, 2023	0
Monday, October 9, 2023	0
Tuesday, October 10, 2023	1
Wednesday, October 11, 2023	1
Thursday, October 12, 2023	1
Friday, October 13, 2023	1
Saturday, October 14, 2023	0
Sunday, October 15, 2023	0
Monday, October 16, 2023	1
Tuesday, October 17, 2023	1
Wednesday, October 18, 2023	1
Thursday, October 19, 2023	1
Friday, October 20, 2023	1
Saturday, October 21, 2023	0
Sunday, October 22, 2023	0
Monday, October 23, 2023	1
Tuesday, October 24, 2023	1
Wednesday, October 25, 2023	1
Thursday, October 26, 2023	1
Friday, October 27, 2023	1
Saturday, October 28, 2023	0
Sunday, October 29, 2023	0
Monday, October 30, 2023	1
Tuesday, October 31, 2023	1
Total:	21

November 2023 Days of Operation

November 2023 Dates	Day of Operation? Enter 1 if Yes, Enter 0 if No
Wednesday, November 1, 2023	0
Thursday, November 2, 2023	1
Friday, November 3, 2023	1
Saturday, November 4, 2023	0
Sunday, November 5, 2023	0
Monday, November 6, 2023	1
Tuesday, November 7, 2023	1
Wednesday, November 8, 2023	1
Thursday, November 9, 2023	1
Friday, November 10, 2023	0
Saturday, November 11, 2023	0
Sunday, November 12, 2023	0
Monday, November 13, 2023	1
Tuesday, November 14, 2023	1
Wednesday, November 15, 2023	1
Thursday, November 16, 2023	1
Friday, November 17, 2023	1
Saturday, November 18, 2023	0
Sunday, November 19, 2023	0
Monday, November 20, 2023	0
Tuesday, November 21, 2023	0
Wednesday, November 22, 2023	0
Thursday, November 23, 2023	0
Friday, November 24, 2023	0
Saturday, November 25, 2023	0
Sunday, November 26, 2023	0
Monday, November 27, 2023	1
Tuesday, November 28, 2023	1
Wednesday, November 29, 2023	1
Thursday, November 30, 2023	1
Total:	15

December 2023 Days of Operation

December 2023 Dates	Day of Operation? Enter 1 if Yes, Enter 0 if No
Friday, December 1, 2023	1
Saturday, December 2, 2023	0
Sunday, December 3, 2023	0
Monday, December 4, 2023	1
Tuesday, December 5, 2023	1
Wednesday, December 6, 2023	1
Thursday, December 7, 2023	1
Friday, December 8, 2023	1
Saturday, December 9, 2023	0
Sunday, December 10, 2023	0
Monday, December 11, 2023	1
Tuesday, December 12, 2023	1
Wednesday, December 13, 2023	1
Thursday, December 14, 2023	1
Friday, December 15, 2023	1
Saturday, December 16, 2023	0
Sunday, December 17, 2023	0
Monday, December 18, 2023	1
Tuesday, December 19, 2023	1
Wednesday, December 20, 2023	1
Thursday, December 21, 2023	1
Friday, December 22, 2023	0
Saturday, December 23, 2023	0
Sunday, December 24, 2023	0
Monday, December 25, 2023	0
Tuesday, December 26, 2023	0
Wednesday, December 27, 2023	0
Thursday, December 28, 2023	0
Friday, December 29, 2023	0
Saturday, December 30, 2023	0
Sunday, December 31, 2023	0
Total:	15

January 2024 Days of Operation

January 2024 Dates	Day of Operation? Enter 1 if Yes, Enter 0 if No
Monday, January 1, 2024	0
Tuesday, January 2, 2024	0
Wednesday, January 3, 2024	0
Thursday, January 4, 2024	0
Friday, January 5, 2024	0
Saturday, January 6, 2024	0
Sunday, January 7, 2024	0
Monday, January 8, 2024	1
Tuesday, January 9, 2024	1
Wednesday, January 10, 2024	1
Thursday, January 11, 2024	1
Friday, January 12, 2024	1
Saturday, January 13, 2024	1
Sunday, January 14, 2024	1
Monday, January 15, 2024	0
Tuesday, January 16, 2024	1
Wednesday, January 17, 2024	1
Thursday, January 18, 2024	1
Friday, January 19, 2024	1
Saturday, January 20, 2024	0
Sunday, January 21, 2024	0
Monday, January 22, 2024	1
Tuesday, January 23, 2024	1
Wednesday, January 24, 2024	1
Thursday, January 25, 2024	1
Friday, January 26, 2024	1
Saturday, January 27, 2024	0
Sunday, January 28, 2024	0
Monday, January 29, 2024	1
Tuesday, January 30, 2024	1
Wednesday, January 31, 2024	1
Total:	19

February 2024 Days of Operation

February 2024 Dates	Day of Operation? Enter 1 if Yes, Enter 0 if No
Thursday, February 1, 2024	1
Friday, February 2, 2024	1
Saturday, February 3, 2024	0
Sunday, February 4, 2024	0
Monday, February 5, 2024	1
Tuesday, February 6, 2024	1
Wednesday, February 7, 2024	1
Thursday, February 8, 2024	1
Friday, February 9, 2024	1
Saturday, February 10, 2024	0
Sunday, February 11, 2024	0
Monday, February 12, 2024	1
Tuesday, February 13, 2024	1
Wednesday, February 14, 2024	1
Thursday, February 15, 2024	1
Friday, February 16, 2024	1
Saturday, February 17, 2024	0
Sunday, February 18, 2024	0
Monday, February 19, 2024	0
Tuesday, February 20, 2024	0
Wednesday, February 21, 2024	0
Thursday, February 22, 2024	0
Friday, February 23, 2024	0
Saturday, February 24, 2024	0
Sunday, February 25, 2024	0
Monday, February 26, 2024	1
Tuesday, February 27, 2024	1
Wednesday, February 28, 2024	1
Thursday, February 29, 2024	1
Total:	16

March 2024 Days of Operation

March 2024 Dates	Day of Operation? Enter 1 if Yes, Enter 0 if No
Friday, March 1, 2024	1
Saturday, March 2, 2024	0
Sunday, March 3, 2024	0
Monday, March 4, 2024	1
Tuesday, March 5, 2024	1
Wednesday, March 6, 2024	1
Thursday, March 7, 2024	1
Friday, March 8, 2024	1
Saturday, March 9, 2024	0
Sunday, March 10, 2024	0
Monday, March 11, 2024	1
Tuesday, March 12, 2024	1
Wednesday, March 13, 2024	1
Thursday, March 14, 2024	1
Friday, March 15, 2024	0
Saturday, March 16, 2024	0
Sunday, March 17, 2024	0
Monday, March 18, 2024	1
Tuesday, March 19, 2024	1
Wednesday, March 20, 2024	1
Thursday, March 21, 2024	1
Friday, March 22, 2024	1
Saturday, March 23, 2024	0
Sunday, March 24, 2024	0
Monday, March 25, 2024	1
Tuesday, March 26, 2024	1
Wednesday, March 27, 2024	1
Thursday, March 28, 2024	1
Friday, March 29, 2024	1
Saturday, March 30, 2024	0
Sunday, March 31, 2024	0
Total:	20

April 2024 Days of Operation

April 2024 Dates	Day of Operation? Enter 1 if Yes, Enter 0 if No
Monday, April 1, 2024	1
Tuesday, April 2, 2024	1
Wednesday, April 3, 2024	1
Thursday, April 4, 2024	1
Friday, April 5, 2024	1
Saturday, April 6, 2024	0
Sunday, April 7, 2024	0
Monday, April 8, 2024	1
Tuesday, April 9, 2024	1
Wednesday, April 10, 2024	1
Thursday, April 11, 2024	1
Friday, April 12, 2024	1
Saturday, April 13, 2024	0
Sunday, April 14, 2024	0
Monday, April 15, 2024	0
Tuesday, April 16, 2024	0
Wednesday, April 17, 2024	0
Thursday, April 18, 2024	0
Friday, April 19, 2024	0
Saturday, April 20, 2024	0
Sunday, April 21, 2024	0
Monday, April 22, 2024	1
Tuesday, April 23, 2024	1
Wednesday, April 24, 2024	1
Thursday, April 25, 2024	1
Friday, April 26, 2024	1
Saturday, April 27, 2024	0
Sunday, April 28, 2024	0
Monday, April 29, 2024	1
Tuesday, April 30, 2024	1
Total:	17

May 2024 Days of Operation

May 2024 Dates	Day of Operation? Enter 1 if Yes, Enter 0 if No
Wednesday, May 1, 2024	1
Thursday, May 2, 2024	1
Friday, May 3, 2024	1
Saturday, May 4, 2024	0
Sunday, May 5, 2024	0
Monday, May 6, 2024	1
Tuesday, May 7, 2024	1
Wednesday, May 8, 2024	1
Thursday, May 9, 2024	1
Friday, May 10, 2024	1
Saturday, May 11, 2024	0
Sunday, May 12, 2024	0
Monday, May 13, 2024	1
Tuesday, May 14, 2024	1
Wednesday, May 15, 2024	1
Thursday, May 16, 2024	1
Friday, May 17, 2024	1
Saturday, May 18, 2024	0
Sunday, May 19, 2024	0
Monday, May 20, 2024	1
Tuesday, May 21, 2024	1
Wednesday, May 22, 2024	1
Thursday, May 23, 2024	1
Friday, May 24, 2024	0
Saturday, May 25, 2024	0
Sunday, May 26, 2024	0
Monday, May 27, 2024	0
Tuesday, May 28, 2024	1
Wednesday, May 29, 2024	1
Thursday, May 30, 2024	1
Friday, May 31, 2024	1
Total:	21

June 2024 Days of Operation

June 2024 Dates	Day of Operation? Enter 1 if Yes, Enter 0 if No
Saturday, June 1, 2024	0
Sunday, June 2, 2024	0
Monday, June 3, 2024	1
Tuesday, June 4, 2024	1
Wednesday, June 5, 2024	1
Thursday, June 6, 2024	1
Friday, June 7, 2024	1
Saturday, June 8, 2024	0
Sunday, June 9, 2024	0
Monday, June 10, 2024	1
Tuesday, June 11, 2024	1
Wednesday, June 12, 2024	1
Thursday, June 13, 2024	1
Friday, June 14, 2024	0
Saturday, June 15, 2024	0
Sunday, June 16, 2024	0
Monday, June 17, 2024	0
Tuesday, June 18, 2024	0
Wednesday, June 19, 2024	0
Thursday, June 20, 2024	0
Friday, June 21, 2024	0
Saturday, June 22, 2024	0
Sunday, June 23, 2024	0
Monday, June 24, 2024	0
Tuesday, June 25, 2024	0
Wednesday, June 26, 2024	0
Thursday, June 27, 2024	0
Friday, June 28, 2024	0
Saturday, June 29, 2024	0
Sunday, June 30, 2024	0
Total:	9

Child Development Division Agency Information Certification

I certify, as the authorized representative of the agency listed below, I have reviewed all the information for **Eureka City Schools (7551)** and updates, additions, or deletions have been submitted as needed for information in all of the areas below:

Executive Director/Superintendent information
Program Director information
Sites and Licenses and/or Office information
Family Child Care Home summary information

To the best of my knowledge, the information on the CDMIS Web site reflects accurate information for **Eureka City Schools (7551)** as of the date this certification was signed.



Program Director/Authorized Representative Signature 2/15/23
Date Signed

Elizabeth Rice

Printed Name of Program Director/Authorized Representative

Name of Agency User Generating Certification: Elizabeth Rice

Date Generated: 2/15/2023

Assigned CDD Consultant: Shellie MacColl

(d) Have not within a three-year period proceeding this application had one or more public transactions (federal, state, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 45 CFR Part 76, Subpart F, for grantees, as defined at 45 CFR Part 76, Sections 76.605 and 76.610-

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

(b) Establishing an on-going drug-free awareness program to inform employees about-

(1) The danger of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title,

to: Director, Grants, and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W., (Room 3124, GSA Regional Office Building No. 3), Washington, DC 20202-4571.

Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not identified here.

**DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 45 CFR Part 76, Subpart F, for grantees, as defined at 45 CFR Part 76, Sections 76.605 and 76.610-

- a. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant, and
- b. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants and contracts Service, U.S. department of Education, 400 Maryland Avenue, S.W. (Room 3124, GSA Regional Office Building No. 3) Washington, DC 20202-4571. Notice shall include the identification numbers(s) of each affected grant.

ENVIRONMENTAL TOBACCO SMOKE ACT

As required by the Pro-Children Act of 1994, (also known as Environmental Tobacco Smoke), and implemented at Public Law 103-277, Part C requires that:

The applicant certifies that smoking is not permitted in any portion of any indoor facility owned or leased or contracted and used routinely or regularly for the provision of health care services, day care, and education to children under the age of 18. Failure to comply with the provisions of this law may result in the imposition of a civil monetary penalty of up to \$1,000 per day. (The law does not apply to children's services provided in private residence, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for in-patient drug and alcohol treatment.)

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

NAME OF APPLICANT (CONTRACTOR)

Elizabeth Rice

PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

Elizabeth Rice, Director of Early Childhood Development

SIGNATURE



DATE

2/15/23

RESOLUTION

This resolution is adopted in order to certify the approval of the Governing Board to enter into this transaction with the California Department of Education for the purpose of providing early education services and to authorize the designated personnel to sign contract documents for Fiscal Year 2023-2024.

EUREKA CITY SCHOOLS RESOLUTION #22-23-012

BE IT RESOLVED that the Governing Board of Eureka City Schools authorizes entering into local agreement number CSPP-1106 and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board

NAME

TITLE

SIGNATURE

Fred Van Vleck, Ed.D

Superintendent

PASSED AND ADOPTED THIS 30th day of March 2023, by the Governing Board of EUREKA CITY SCHOOLS of HUMBOLDT County, in the State of California.

I, _____, Clerk of the Governing Board of Eureka City Schools, of Humboldt county, in the State of California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a Regular Board District Board Meeting thereof held at a regular public place of meeting and the resolution is on file in the office of said Board.

(Clerk's Signature)

(Date)

AGENDA ITEM

Agenda Title: Approval of February 2023 Warrants

Meeting Date: March 30, 2023

Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the attached list of warrants issued during the month of February 2023.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Education Code section 17605 allows the District's Board to "adopt a rule, delegating to any officer or employee...the authority to purchase supplies, materials, apparatus, equipment, and services" that do not exceed the amount specified in section 20111 of the Public Contract Code. However, Education Code 35161 requires the Board to retain "ultimate responsibility over the performance of those powers or duties so delegated". As a result, it is recommended that the Governing Board ratify or approve actions taken by the designees.

STRATEGIC PLAN/PRIORITY AREA:

Applied to the "Fiscal Integrity of the District" portion of the Strategic Plan

HISTORY *(list previous staff or board action(s) with dates if possible)*

This issue was discussed at the February 27, 2014 Board meeting. It was agreed that the Warrant listings would come to the Board for review and approval on a monthly basis.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

For February 2023, the District issued 291 warrants totaling \$4,270,120.62.

WHO *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

ATTACHMENTS:

Description

▢ February 2023 Warrants

Checks Dated 02/01/2023 through 02/28/2023

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
3000193914	02/02/2023	AMERICAN FIDELITY ADMIN. SERVICES	01-5800	Open PO for American Fidelity		769.25
3000193915	02/02/2023	BANK OF MARIN	23-6250	Open PO for EHS Gym Project/Escrow		13,749.32
3000193916	02/02/2023	CDE	13-4710	Open PO for food - USDA Commodities		333.45
3000193917	02/02/2023	CHERIE DONAHUE	01-4310	OPEN PO for Cherie Donahue		549.03
3000193918	02/02/2023	CITY OF EUREKA - ALARMS	01-5881	EHS FALSE ALARM CHG		250.00
3000193919	02/02/2023	Clower, Dana S	01-4310	CHAIR	196.64	
				TISSUES FOR CLASS	16.92	213.56
3000193920	02/02/2023	COASTAL BUSINESS SYS INC	01-5623	OPEN PO - Folding machine lease		630.50
3000193921	02/02/2023	CRYSTAL CREAMERY	13-4710	BLANKET PO: Dairy purchases		10,858.27
3000193922	02/02/2023	GOLD STAR FOODS	13-4710	BLANKET PO - Food purchases		4,760.40
3000193923	02/02/2023	HUMBOLDT COMM SERVICES DIST	01-5530	WATER - GRANT/LAF/WINSHIP		1,341.86
3000193924	02/02/2023	Industrial Electric Arcata Inc	01-4381	A.B. girsl rr repairs		18.80
3000193925	02/02/2023	INTRADO	01-4341	School messenger-Community Schools Website		1,000.00
3000193926	02/02/2023	KEENAN SUPPLY	01-4381	BLANKET PO FOR MATERIALS AND SUPPLIES.		39.63
3000193927	02/02/2023	LOZANO SMITH LLP	01-5823	INVOICE: Legal Fees	11,132.39	
			01-5824	INVOICE: Legal Fees	5,140.00	16,272.39
3000193928	02/02/2023	MAPLES SERVICE	01-4381	*INVOICE* Maples Service		780.00
3000193929	02/02/2023	MENDES SUPPLY	01-4374	4 OF 10 FLOOR MATS	1,532.17	
				ANNUAL OPEN PO FOR CUSTODIAL SUPPLIES	151.02	1,683.19
3000193930	02/02/2023	OPTIMUM BUSINESS	01-5922	Open PO for Internet		258.17
3000193931	02/02/2023	PETTY CASH	01-5950	POSTAGE - CERT. LETTER		7.85
3000193932	02/02/2023	POWERSCHOOL GROUP LLC	01-5207	PowerSchool License		20,629.56
3000193933	02/02/2023	PPG ARCHITECTURAL FINISHES, IN	01-4381	BLANKET PO for Maintenance		48.05
3000193934	02/02/2023	PRO PACIFIC FRESH	13-4710	BLANKET PO: Food purchases		4,339.74
3000193935	02/02/2023	S & L FOOD SALES CO.	13-4396	Open PO: Food & Supplies	3,069.48	
			13-4710	Open PO: Food & Supplies	5,073.69	8,143.17
3000193936	02/02/2023	SCHMIDBAUER LUMBER CO	01-4381	BLANKET PO FOR MATERIALS AND SUPPLIES		731.50
3000193937	02/02/2023	SCHOOL SPECIALTY LLC	01-9320	VFS Restock		1,287.33
3000193938	02/02/2023	Smit, Nicole L	01-4310	WALKIE TALKIE BATTERIES		177.25
3000193939	02/02/2023	Staiano, Mauro R	01-4310	ENGLISH CLASS SUPPLIES		488.71
3000193940	02/02/2023	SYSCO	13-4396	OPEN PO: Food & Supplies	1,371.02	
			13-4710	OPEN PO: Food & Supplies	10,659.63	12,030.65
3000193941	02/02/2023	T-MOBILE	01-5921	Open PO - STUDENT HOTSPOTS		16,920.00
3000193942	02/02/2023	Tetzlaff, Amy L	01-4310	PBIS AWARDS REIMB		81.90

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Checks Dated 02/01/2023 through 02/28/2023

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
3000193943	02/02/2023	The Stepping Stones Group LLC	01-5800	OPEN PO for Speech services		2,760.00
3000193944	02/02/2023	Thompson, Madelyn G	01-4310	PENCILS FOR CLASS		35.10
3000193945	02/02/2023	U.S. BANK EQUIPMENT	01-5623	BRIDGES - COPIER LEASE 500-0589727	134.24	
				CORP YARD COPIER LEASE 500-0582294	198.67	
				No WINSHIP COPIER LEASE 500-0531060	347.89	
			11-5637	CNA COPIER LEASE 500-0589729	116.75	
			12-5623	OPEN PO - WCC COPIER LEASE 500-0559297	313.16	1,110.71
3000193946	02/02/2023	VALLEY PACIFIC	01-4364	NO ACTION: FOR FUEL		17.06
3000193947	02/02/2023	VERIZON WIRELESS	01-4445	VERIZON - NEW TABLET	1,171.69	
			01-5921	Open PO: ALL VERIZON LINES	88.59	
			01-5922	Open PO: ALL VERIZON LINES	1,547.04	2,807.32
3000193948	02/02/2023	WEST SHIELD ADOLESCENT SVCS	01-5210	STUDENT TRANSPORT		10,439.63
3000194224	02/06/2023	ADVANCED SECURITY SYSTEMS	01-5800	TECH CTR ALARM SERVICE		130.00
3000194225	02/06/2023	AIRGAS	01-4310	BLANKET PO AG		290.04
3000194226	02/06/2023	AT&T	01-5909	OPEN PO for 939 - Site phone bills		6,650.37
3000194227	02/06/2023	Baugh, Rebecca E	01-4310	REIMB SCIENCE CLASS SUPPLIES		183.59
3000194228	02/06/2023	Brooks, Damon A	01-5210	FETC CONF. PER DIEM AND MILEAGE		248.10
3000194229	02/06/2023	CAMPTON ELECTRIC	01-4381	BLANKET PO FOR MATERIALS		459.07
3000194230	02/06/2023	Carroll, Gabrielle S	01-4310	class supplies		79.10
3000194231	02/06/2023	CDW-G	01-4381	nec suspended ceiling plate	402.90	
			01-4400	ORDER: Multipurpose Room Audio	213.04	
			01-6400	ORDER: EHS Auditorium Equipment	20,222.48	20,838.42
3000194232	02/06/2023	COMPLIANCE ASSOC. INC.	01-5864	A/P Open PO DOT drug and alcohol testing		325.00
3000194233	02/06/2023	CRAVEN, JOHN W D/B/A CRAVEN CONSTRUCTION	23-6210	contractor services		19,889.70
3000194234	02/06/2023	CRYSTAL CREAMERY	13-4710	BLANKET PO: Dairy purchases		2,769.71
3000194235	02/06/2023	Deandreis, Mary	01-4310	music prog. supplies		101.45
3000194236	02/06/2023	Dutra, Laurie J	13-5201	MILEAGE		99.43
3000194237	02/06/2023	ECOLAB PEST ELIMINATION DIVISN	13-5800	Pest control svcs school kitchens bimonthly		1,558.80
3000194238	02/06/2023	EDCLUB INC.	01-4310	digital licenses		2,023.90
3000194239	02/06/2023	Edwards, Joshua N	13-5201	MILEAGE		51.22
3000194240	02/06/2023	EEL RIVER SCRAP & SALVAGE	01-4381	BLANKET PO FOR SCRAP METAL REMOVAL		84.50
3000194241	02/06/2023	ENVOY PLAN SERVICES TSA CONSULTING	01-3901	Standing PO - Van Vleck Retirement Contribution		150.00
3000194242	02/06/2023	EUREKA ACE HARDWARE	01-4381	BLANKET PO: MAINT. SUPPLIES		19.38
3000194243	02/06/2023	EUREKA OXYGEN	01-4389	TRANSP BAND SAW PARTS	101.12	

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3000194243	02/06/2023	EUREKA OXYGEN	01-5800	INVOICE	310.09	411.21
3000194244	02/06/2023	FASTENAL COMPANY	01-4377	BLANKET PO FOR MATERIALS AND SUPPLIES	21.68	
			01-4381	BLANKET PO FOR MATERIALS AND SUPPLIES	130.30	151.98
3000194245	02/06/2023	FF&J ARCHITECTS INC.	23-6210	Architect Fees	43,981.20	
				INVOICES: Architect Fees	722,536.96	766,518.16
3000194246	02/06/2023	FRANZ FAMILY BAKERIES	13-4710	BLANKET PO: Bread purchases		239.40
3000194247	02/06/2023	Gaiera, Heather A	01-4310	PBIS - HOT CHOC		7.99
3000194248	02/06/2023	GOSSELIN AND SONS	01-4366	BUS 7 TIRES	314.88	
			01-4377	BUS 7 TIRES	22.60	337.48
3000194249	02/06/2023	HUMBOLDT COMM SERVICES DIST	01-5530	WATER - GRANT/LAF/WINSHIP		959.45
3000194250	02/06/2023	Kamberg, Debra M	01-5201	MILEAGE		23.58
3000194251	02/06/2023	Khounsinvong, Chellyn N	13-5201	MILEAGE		37.99
3000194252	02/06/2023	McGibbon, Melinda R	01-4310	CIS SUPPLIES		26.56
3000194253	02/06/2023	McHugh, Daniel C	13-5201	MILEAGE		24.17
3000194254	02/06/2023	Merideth-Sutke, Michelle A	01-4310	STUDENT AWARDS		34.46
3000194255	02/06/2023	MISSION LINEN	12-5800	Open PO for Mission Linen biweekly rug service		29.97
3000194256	02/06/2023	Mosher, Jeanette M	01-5201	MILEAGE		32.75
3000194257	02/06/2023	Rollings, Jacquelyn R	01-4310	PBIS - student of month awards		21.86
3000194258	02/06/2023	SISC III	01-9537	FEB 2023 MEDICAL		645,284.25
3000194259	02/06/2023	Sorden, Jeana S	13-5201	MILEAGE		25.55
3000194260	02/06/2023	Stewart, Julie M	01-4310	PBIS END SEM INCENTIVES		20.00
3000194261	02/06/2023	Telloian, Sarah S	13-5201	MILEAGE		12.45
3000194262	02/06/2023	Torres, Ben Joaquin	13-5201	MILEAGE		7.99
3000194263	02/06/2023	Twiss, Rebecca M	11-5201	MILEAGE		16.70
3000194264	02/06/2023	U.S. BANK CORPORATE PMT	01-4310	ACSA REGION	399.00	
				ADD'L OWED 12-22-22 STANDISH	.06	
				BADGE CLIPS FOR ID HOLDERS	7.64	
				BADGES AND LANYARDS	37.13	
				BINDER CLIPS	29.46	
				BOOKS	168.70	
				COFFEE MAKER	239.47	
				DMX/MIDI DIMMING CONSOLE	497.32	
				EAGLE AWARDS	219.84	
				EQUIP/SUPPL	592.48	
				FILING CABINET	131.09	

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3000194264	02/06/2023	U.S. BANK CORPORATE PMT		HARD DRIVE/FLASH DR DUPLICATOR	359.43	
				HDMI CORDS - OFFICE SUPPL	17.22	
				INDIAN ED SUPPLIES	648.50	
				LAF - ASES CARPET	799.00	
				LAF - ASES SUPPLIES	464.86	
				LAF ASES SUPPLIES	483.70	
				LUNCH ON LAWN	40.38	
				MEMORY CARD/FLASH DR	383.34	
				OFFICE CHAIR	123.44	
				OFFICE SUPPLIES	199.26	
				P.D. BOOKS	33.21	
				PBIS CK--IN CK-OUT	55.86	
				PRECISION SCREWDRIVERS	98.28	
				PRIVATE SCHOOL LETTERS MAILED	318.35	
				SAFETY SUPPLIES	122.13	
				SECURITY BADGE CLIPS	10.91	
				SECURITY BADGE SUPPL	117.96	
				STUDENT OF MONTH - PIZZA	69.83	
				WA ASES SUPPLIES	1,052.77	
				ZANE ASES COOKING CLUB	68.67	
				ZANE ASES SUPPLIES	196.19	
			01-4341	DESKTOP PUB SUBSCRIP	119.40	
				ENCRYPTOMATIC E-DISCOVERY	89.95	
				SOFTWARE		
				MICROSOFT CLOUD B/U	573.07	
				ZOOM LICENSES	59.96	
			01-4374	CUSTODIAL SUPPL	65.49	
				CUSTODIAL SUPPLIES	28.63	
			01-4391	FLOWERS	71.01	
			01-4393	CPI REFRESH	106.55	
				ED SVCS OFFICE SUPPLIES	172.21	
				EXEC COUNCIL REFRESHMENTS	52.48	
				OFFICE SUPPL FOR INDIAN ED	103.45	
				OFFICE SUPPLIES	168.09	
				OFFICE SUPPLIES FOR INDIAN ED	27.27	
				REFRESH - INDIAN ED	211.10	
			01-4400	EQUIP - WIRELESS MICROPHONES	710.93	
				LIGHTBOARD REPL	607.28	

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3000194264	02/06/2023	U.S. BANK CORPORATE PMT	01-5210	CITE/COUNTY IT LUNCH MTG	64.29	
			01-5831	COSTCO BROCHURE - ADVERTISING	109.24	
				SOCIAL MEDIA ADVERTISING	527.08	11,852.96
3000194265	02/06/2023	Ward, Nicholas M	01-5201	MILEAGE		13.10
3000194266	02/06/2023	WILDWOOD SAW	01-4377	work in grounds equipment	327.46	
				work on grounds equip	227.36	554.82
3000194267	02/06/2023	Zystro, Lisa M	01-5201	MILEAGE		79.26
3000194577	02/09/2023	ANIXTER INC	01-4381	BLANKET PO FOR MATERIALS AND SUPPLIES		621.89
3000194578	02/09/2023	BASS, GENE D/B/A PACIFIC COAST SECURITY	01-5851	OPEN P.O.		4,422.00
3000194579	02/09/2023	BLUUM USA, INC	01-4310	ORDER: Asset Tags (see notes)		795.00
3000194580	02/09/2023	CAMPTON ELECTRIC	01-4381	BLANKET PO FOR MATERIALS		80.61
3000194581	02/09/2023	CDW-G	01-4400	ORDER: Classroom Projectors	1,745.53	
				ORDER: Multipurpose Room AV	34.09	
			01-4445	ORDER: Tech and Signage Computers	7,655.46	
				ORDER: Tech Chrome Computers	372.92	9,808.00
3000194582	02/09/2023	CITY OF EUREKA	01-5530	AP OPEN PO - WA WATER (NP)	1,954.01	
				D.O. WATER	630.22	
				WATER - EHS	2,773.00	5,357.23
3000194583	02/09/2023	CRYSTAL CREAMERY	13-4710	BLANKET PO: Dairy purchases		2,704.04
3000194584	02/09/2023	EUREKA ACE HARDWARE	01-4374	Open PO for Shafer's Hardware	15.47	
			01-4377	BLANKET PO: MAINT. SUPPLIES	15.07	
			01-4381	BLANKET PO: MAINT. SUPPLIES	97.66	128.20
3000194585	02/09/2023	EUREKA NAPA AUTO	01-4362	BPO: Transportation/Motor Pool parts for vehicles		572.52
3000194586	02/09/2023	EUREKA OXYGEN	01-5623	Open PO for tank rentals		199.82
3000194587	02/09/2023	FRANZ FAMILY BAKERIES	13-4710	BLANKET PO: Bread purchases		480.74
3000194588	02/09/2023	Funk, Asher G	01-5207	NASP 2023 CONF.		289.00
3000194589	02/09/2023	GOSSELIN AND SONS	01-4366	BLANKET PO FOR MATERIALS AND SUPPLIES		292.50
3000194590	02/09/2023	HENSELL MATERIALS	01-4377	Blanket PO for parts and materials	.68	
			01-4381	Blanket PO for parts and materials	55.09	55.77
3000194591	02/09/2023	HSU SPONSORED PROGRAMS FOUND	01-5800	A/P OPEN PO MSW HSU PROGRAM		6,399.44
3000194592	02/09/2023	J.W. PEPPER & SON INC.	01-4310	BLANKET PO: EHS LOTTERY FOR SUPPLIES		11.99
3000194593	02/09/2023	JOSEPH, LAURA	01-5800	BOARD REVIEW 22-23 YR		1,400.00

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3000194594	02/09/2023	KEENAN SUPPLY	01-4381	BLANKET PO FOR MATERIALS AND SUPPLIES.		981.45
3000194595	02/09/2023	Lockard, Keri	01-5800	MILEAGE		72.19
3000194596	02/09/2023	LYNNE GERBER DBA COLOR ME RAD PRINT CO	01-4310	ORDER Attendance Incentives		646.76
3000194597	02/09/2023	MATTHEWS PAINTS INC.	01-4381	BLANKET PO FOR MATERIALS AND SUPPLIES		16.39
3000194598	02/09/2023	MENDES SUPPLY	01-4374	*INVOICE* GRANT CUSTODIAL SUPPLIES		40.24
3000194599	02/09/2023	Moak, Ashlee A	01-5201	MILEAGE		35.70
3000194600	02/09/2023	NORTHCOAST PARTNERS INC D/B/A CRYSTAL SPRINGS BOTTLED WATER	01-5800	A/P OPEN PO EHS WATER SERVICE	77.00	
				A/P OPEN PO FOR ZANE WATER SERVICE	95.00	
				AP Water DO/Tech/Elem/Winzler	363.00	535.00
3000194601	02/09/2023	PACIFIC GAS AND ELECTRIC	01-5520	OPEN PO - ELECTRICITY COSTS - ALL SITES	38,624.39	
			12-5520	OPEN PO - ELECTRICITY COSTS - ALL SITES	681.55	39,305.94
3000194602	02/09/2023	PARADIGM HEALTH CARE SERVICES	01-5800	AP - OPEN PO FOR LEA BILLING		248.52
3000194603	02/09/2023	PAYTON, BRIAN	01-4310	PIZZA FOR PARENT ENGAGEMENT		217.41
3000194604	02/09/2023	PIERSON BLDG CENTER	01-4381	Blanket PO for supplies and materials		232.98
3000194605	02/09/2023	PLATT ELEC SUPPLY INC	01-4381	BLANKET PO FOR MAINTENEANCE SUPPLIES		53.19
3000194606	02/09/2023	Polizzi, Savannah M	01-4310	REIMB BOOKS		86.64
3000194607	02/09/2023	PPG ARCHITECTURAL FINISHES, IN	01-4381	BLANKET PO for Maintenance		212.19
3000194608	02/09/2023	RIPPLE EFFECTS	01-4310	LICENSE RIPPLE EFFECT SOFTWARE		11,296.00
3000194609	02/09/2023	S & L FOOD SALES CO.	13-4396	Open PO: Food & Supplies	2,745.09	
			13-4710	Open PO: Food & Supplies	3,447.01	6,192.10
3000194610	02/09/2023	SHAFER'S HARDWARE	01-4310	BLANKET PO AG	163.49	
				Open PO for Shafer's Hardware	18.77	
			01-4381	BLANKET PO: MAINT. SUPPLIES	4.35	186.61
3000194611	02/09/2023	SLAKEY BROTHERS	01-4381	BLANKET PO FOR MAINT SUPPL		496.36
3000194612	02/09/2023	Stainbrook, Kaylyn M	01-5861	FINGERPRINTING		49.00
3000194613	02/09/2023	Storts, Gary A	01-5210	FETC CONF. JAN 22-26		331.00
3000194614	02/09/2023	The Stepping Stones Group LLC	01-5800	OPEN PO for Speech services		5,520.00
3000194615	02/09/2023	THRIFTY SUPPLY CO	01-4381	BLNKET PO FOR MAINT. SUPPLIES		1,424.45
3000194616	02/09/2023	U.S. BANK EQUIPMENT	01-5623	A.B. COPIER LEASE 500-0564851		1,175.44
3000194617	02/09/2023	WEST COAST PAPER CO.	01-9320	VFS Restock		249.09
3000194618	02/09/2023	Ziegler, Paul A	01-5210	GOV. STATE BUDGET WORKSHOP		430.59

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3000194965	02/13/2023	ADAMS COMMERCIAL GENERAL	23-6250	OPEN P.O.		1,168,850.19
3000194966	02/13/2023	ADAMS COMMERCIAL GENERAL	23-6250	OPEN P.O.		162,686.42
3000194967	02/13/2023	Allen, Katherine D	01-5201	MILEAGE		21.35
3000194968	02/13/2023	ANIXTER INC	01-4381	BLANKET PO FOR MATERIALS AND SUPPLIES		7,321.67
3000194969	02/13/2023	Behrens, Edith L	01-5201	MILEAGE		38.32
3000194970	02/13/2023	BICOASTAL MEDIA	01-5831	ADVERTISING		200.00
3000194971	02/13/2023	BLX GROUP	01-5800	INVOICES: Contracted Services		9,000.00
3000194972	02/13/2023	Boyd, Sarah J	01-5201	MILEAGE		38.51
3000194973	02/13/2023	BUSWEST	01-4362	OPEN PO: Thomas school bus replacement parts		568.66
3000194974	02/13/2023	CITY OF EUREKA	01-5800	Open PO for POLICE SERVICES		3,570.00
3000194975	02/13/2023	Doyle, Brian	01-5201	MILEAGE		14.15
3000194976	02/13/2023	E.L.ACHIEVE INC.	01-5210	EL SYMPOSIUM		1,980.00
3000194977	02/13/2023	EMPLOYEMENT DEV. DEPT DE 2176	01-5881	SEF LOCAL EXPERIENCE CHARGE		1,142.40
3000194978	02/13/2023	Grant, Janis	01-4310	LAF MEDICAL BOXES	8.20	
				WASH MEDICAL BOXES	4.09	12.29
3000194979	02/13/2023	Johnson, Jennifer L	01-5201	MILEAGE		46.70
3000194980	02/13/2023	Johnston, Jennifer J	01-4310	CULINARY SUPPLIES	188.10	
				OPEN HOUSE SUPPL	148.60	336.70
3000194981	02/13/2023	Karges, Caleb T	01-5201	MILEAGE		31.18
3000194982	02/13/2023	Karges, Valencia D	01-5861	MILEAGE		15.33
3000194983	02/13/2023	LANGUAGE LINE SERVICES INC DBA LANGUAGE LINE SOLUTIONS	01-5800	A/P Open PO for Interpreting Services		609.08
3000194984	02/13/2023	Log, Nicole J	01-4310	STU OV MONTH PIZZA		68.75
3000194985	02/13/2023	Mayo, Michelle L	01-4310	SCIENCE LAB SUPPLIES		14.93
3000194986	02/13/2023	MENDES SUPPLY	01-4374	Open PO Mendes Supply - Custodial Supplies		248.88
3000194987	02/13/2023	Miller, Heather J	01-5201	MILEAGE		70.41
3000194988	02/13/2023	OTIS ELEVATOR CO.	01-5637	EHS ELEVATOR SVC		2,368.00
3000194989	02/13/2023	PAPER WINGS CREATIVE CONSULTING, LLC	01-5800	CONSULTING 2 DAYS		7,739.28
3000194990	02/13/2023	Perez-Martinez, Luis	01-4374	CUSTODIAL SUPP REIMB		107.47
3000194991	02/13/2023	PIERSON BLDG CENTER	01-4374	BLANKET PO CUSTODIAL	48.05	
			01-4381	Blanket PO for supplies and materials	27.35	75.40
3000194992	02/13/2023	PRO PACIFIC FRESH	13-4710	BLANKET PO: Food purchases		3,433.17
3000194993	02/13/2023	Ralston, Kevin R	13-5201	MILEAGE		46.11
3000194994	02/13/2023	RAY MORGAN CO.	01-5637	105/106/107 RAY MORGAN MAINT AGR	.03	

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3000194994	02/13/2023	RAY MORGAN CO.		AP CORP YD COPIER MAINT / OVERAGES	47.29	
				BPO - WASH -RAY MORGAN MAINT AGR	899.87	
				BPO - WINSHIP RAY MORGAN MAINT	738.48	
				BPO LAF RAY MORGAN COPIER MAINT	290.96	
				BPO SUPER MAINT AGR	37.10	
				BPO ZANE - RAY MORGAN MAINT AGR	2,056.24	
				BPO:(2) ZOE AND LRNING	367.54	
				CTR//RMORGAN MAINT AGR		
				BUS SVCS COPIER AGR	281.90	
				EHS COPIER MAINT	1,569.38	
				SEE NOTES: A/P Open PO: A.B. MAINT AGR	623.90	
				SEE NOTES: A/P OPEN PO: GRANT MAINT AGR	641.48	
			11-5637	A/P BPO ADULT SCHOOL COPIER MAINT AGR	13.04	7,567.21
3000194995	02/13/2023	RECOLOGY EEL RIVER FORTUNA TRANSFER	01-5800	E-WASTE		46.00
3000194996	02/13/2023	RECOLOGY HUMBOLDT COUNTY	01-4310	RECYCLING		2,329.17
3000194997	02/13/2023	RMI OUTDOORS	01-4377	BLANKET PO FOR MATERIALS AND SUPPLIES		51.22
3000194998	02/13/2023	SCHMIDBAUER LUMBER CO	01-4381	BLANKET PO FOR MATERIALS AND SUPPLIES		608.39
3000194999	02/13/2023	SCHOOL AND COLLEGE LEGAL SERV.	01-5207	OPEN PO for training registration		225.00
3000195000	02/13/2023	SCHOOL SPECIALTY LLC	01-4421	Furniture for WA	30,014.95	
				Rug for LA 1st grade classrm.	620.60	30,635.55
3000195001	02/13/2023	SEQUOIA FLORAL INTERNATIONAL	01-4310	BLANKET PO AG		241.62
3000195002	02/13/2023	SHERIFF OF HUMBOLDT COUNTY	01-5881	FALSE ALARM #3		50.00
3000195003	02/13/2023	SHN CONSULTING ENGINEERS AND GEOLOGISTS	23-6271	INVOICE: Engineering Fees	3,044.20	
				INVOICES: Engineering Fees	560.00	
				Open PO	2,593.75	6,197.95
3000195004	02/13/2023	SHRED AWARE LLC	01-5800	Open PO		157.02
3000195005	02/13/2023	SILKE COMMUNICATIONS	01-4374	*INVOICE* radio for custodian		420.74
3000195006	02/13/2023	SPURR	01-5511	Open PO Spurr All Sites	47,862.52	
			12-5511	Open PO Spurr All Sites	597.67	48,460.19
3000195007	02/13/2023	STAPLES CREDIT	01-4310	Open PO - Staples		329.90
3000195008	02/13/2023	SYSCO	13-4396	OPEN PO: Food & Supplies	756.36	
			13-4710	OPEN PO: Food & Supplies	12,387.36	13,143.72

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3000195009	02/13/2023	Temme, Christopher J	13-5201	MILEAGE		29.87
3000195010	02/13/2023	U.S. BANK CORPORATE PMT	01-5205	ACSA TRAVEL	485.70	
				AIRFARE FAMILY YOUTH CONF	608.15	
			01-5207	FAMILY YOUTH TR	475.00	1,568.85
3000195011	02/13/2023	Van Vleck, Frederick J	01-5210	TRAVEL EXPENSE		635.45
3000195012	02/13/2023	Ward, Melinda A	01-5201	MILEAGE		13.10
3000195473	02/16/2023	ALMQUIST LUMBER CO	01-4381	Blanket PO for Parts and Supplies		378.25
3000195474	02/16/2023	AMPLIFY	01-4310	see notes		1,500.00
3000195475	02/16/2023	BALFOUR	01-4310	EHS LOTTERY OPEN PO GRADUATION		351.04
3000195476	02/16/2023	BRINK'S INCORPORATED *	01-5800	Open PO - Courier Service		169.46
3000195477	02/16/2023	BRUNELLE, ZINDAR/DBA BRUNELLE & CLARK CONS	01-4381	*INVOICE* Brunelle & Clark		512.00
3000195478	02/16/2023	CDE	13-4710	Open PO for food - USDA Commodities		393.90
3000195479	02/16/2023	Clower, Dana S	01-4310	MATH CLASS SUPPLIES		348.96
3000195480	02/16/2023	CRYSTAL CREAMERY	13-4710	BLANKET PO: Dairy purchases		10,670.10
3000195481	02/16/2023	DEPT. OF PUBLIC HEALTH DIV. OF ENVIRONMENTAL HEALTH	13-5884	Mandatory Health Dept. Inspections		466.00
3000195482	02/16/2023	DOJ OFFICE OF THE ATTORNEY GENERAL	01-5861	Open PO for Volunteer Fingerprinting		780.00
3000195483	02/16/2023	DON'S RENT ALL	01-4381	BLANKET PO - Grounds	157.41	
			01-5623	BLANKET PO - Grounds	147.36	304.77
3000195484	02/16/2023	Donahue, Cherie L	01-4310	CULINARY CLASS SUPPLIES		483.09
3000195485	02/16/2023	EUREKA ACE HARDWARE	01-4381	BLANKET PO: MAINT. SUPPLIES		9.25
3000195486	02/16/2023	EUREKA RUBBER STAMP CO	01-4381	BLANKET PO FOR MATERIALS AND SUPPLIES.		39.28
3000195487	02/16/2023	Forbes, Garrett J	01-5210	FFA 2023 ARBUCKLE CONF.		108.00
3000195488	02/16/2023	FRANZ FAMILY BAKERIES	13-4710	BLANKET PO: Bread purchases		349.48
3000195489	02/16/2023	GOLD STAR FOODS	13-4710	BLANKET PO - Food purchases		2,729.44
3000195490	02/16/2023	Hooper, Barbara	01-5210	NASP CONF. TRIP EXP		3,099.20
3000195491	02/16/2023	HSU CENTER ARTS	01-4310	Pay Invoice		1,288.00
3000195492	02/16/2023	Kiewel, Laura J	01-5210	NASP 2023 REGISTRATION		289.00
3000195493	02/16/2023	LEARNING WITHOUT TEARS	01-4310	ORDER/ note		155.02
3000195494	02/16/2023	MENDES SUPPLY	01-4374	ANNUAL OPEN PO FOR CUSTODIAL SUPPLIES		18.67
3000195495	02/16/2023	Miller, Heather J	01-5210	NASP CONF. REG.		289.00
3000195496	02/16/2023	Montana, Garrett	01-4310	TENNIS BALLS FOR PE		81.90
3000195497	02/16/2023	NILSEN FEED	01-4377	BLANKET PO - GROUNDS		488.72
3000195498	02/16/2023	PAPE MATERIAL HANDLING	01-6250	*INVOICES* Pape Machinery		395.34

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3000195499	02/16/2023	Pelren, Harmony	01-5201	MILEAGE		48.14
3000195500	02/16/2023	PIERSON BLDG CENTER	01-4310	EHS BLANKET PO WOODSHOP		11.54
3000195501	02/16/2023	PLATT ELEC SUPPLY INC	01-4381	BLANKET PO FOR MAINTENEANCE SUPPLIES		53.86
3000195502	02/16/2023	POLETSKI APPLIANCE CENTER	95-4310	NO ACTION: JEANINE TO ORDER: Refrigerator		3,582.62
3000195503	02/16/2023	POWERSCHOOL GROUP LLC	01-5210	powerschool university onsite		2,300.00
3000195504	02/16/2023	PPG ARCHITECTURAL FINISHES, IN	01-4381	BLANKET PO for Maintenance		60.81
3000195505	02/16/2023	PRESENCE LEARNING INC	01-5800	OPEN PO for Speech Services		44,136.33
3000195506	02/16/2023	PRO PACIFIC FRESH	13-4710	BLANKET PO: Food purchases		5,165.27
3000195507	02/16/2023	REMI VISTA INC	01-5852	OPEN PO for Remi Vista		4,620.00
3000195508	02/16/2023	Rice, Elizabeth N	12-4310	REFRIG / MICROWAVE		193.36
3000195509	02/16/2023	S & L FOOD SALES CO.	13-4396	Open PO: Food & Supplies	2,616.66	
			13-4710	Open PO: Food & Supplies	4,644.39	7,261.05
3000195510	02/16/2023	Sarvinski, Alissa	01-5210	FFA - 2023 ARBUCKLE FIELD DAY		108.00
3000195511	02/16/2023	SCHMIDBAUER LUMBER CO	01-4381	BLANKET PO FOR MATERIALS AND SUPPLIES		58.31
3000195512	02/16/2023	SCHOOL NURSE SUPPLY	01-9320	VFS Restock		167.05
3000195513	02/16/2023	SHAFER'S HARDWARE	01-4377	BLANKET PO: MAINT. SUPPLIES	88.49	
			01-4381	BLANKET PO: MAINT. SUPPLIES	49.11	137.60
3000195514	02/16/2023	SLAKEY BROTHERS	01-4381	BLANKET PO FOR MAINT SUPPL		2,683.63
3000195515	02/16/2023	SYSKO	13-4396	OPEN PO: Food & Supplies	584.11	
			13-4710	OPEN PO: Food & Supplies	12,000.45	12,584.56
3000195516	02/16/2023	THRIFTY SUPPLY CO	01-4381	BLNKET PO FOR MAINT. SUPPLIES		187.91
3000195517	02/16/2023	TUNHEIM, RICHARD D/B/A AARESTAD	01-5800	e-rate consulting		5,000.00
		GJERVIK CONSULTING				
3000195518	02/16/2023	VALLEY PACIFIC	01-5800	OPEN PO: Gas cards for MFRC projects		2,500.00
3000195519	02/16/2023	WESTERN CHAIN SAW	01-4377	BLANKET PO FOR MATERIALS AND SUPPLIES	3.25	
			01-4381	BLANKET PO FOR MATERIALS AND SUPPLIES	1.54	4.79
3000195520	02/16/2023	White, Julia S	01-4310	AVID SUPPLIES		270.35
3000195913	02/23/2023	ALZA STRATEGIES LLC	01-5800	STRATEGIC COMMUNICATIONS FOR ECS		5,000.00
3000195914	02/23/2023	Amazon Capital Services	01-4310	ORDER: Desk Converters	562.36	
				ORDER: Library books	1,440.14	
				ORDER: Office Supplies	166.44	
				ORDER: Super Wikki Stix (SpEd)	21.84	
				SAFETY SUPPLIES	49.99	

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3000195914	02/23/2023	Amazon Capital Services	12-4310	Emergency supplies	74.38	
				ORDER-Child materials & supplies	100.56	
				ORDER-online AMAZON	67.31	
				ORDER: Amazon class materials	102.67	
			12-4374	ORDER-Amazon custodial supplies	142.47	2,728.16
3000195915	02/23/2023	BRAVO, JENNIFER	01-5800	OPEN PO FOR INTERPRETING SERVICES		139.11
3000195916	02/23/2023	BROWN, MORGAN	01-5800	INTERPRETING		641.72
3000195917	02/23/2023	CALIF SCHOOLS DENTAL COALITION KEENAN & ASSOCIATES, ADMIN	68-9135	DENTAL INSURANCE		52,198.00
3000195918	02/23/2023	CALIF. SCHOOLS VISION COALITN KEENAN & ASSOCIATES, ADMIN	67-9135	VISION INSURANCE		10,895.00
3000195919	02/23/2023	CDW-G	01-4381	Projector Mounts CDW-G	790.47	
			01-4400	ORDER: Multipurpose Room AV	5,917.63	
			01-4445	ORDER: Tech and Signage Computers	313.00	7,021.10
3000195920	02/23/2023	Confer, Charles Mikeal	01-5800	OPEN PO for Invoicing		675.00
3000195921	02/23/2023	DON'S RENT ALL	01-5623	BLANKET PO - Grounds		180.73
3000195922	02/23/2023	EUREKA ACE HARDWARE	01-4310	BLANKET PO AG	81.85	
			01-4381	BLANKET PO: MAINT. SUPPLIES	4.29	86.14
3000195923	02/23/2023	EUREKA GLASS CO.	01-4381	BLANKET PO FOR MATERIALS AND SUPPLIES.		637.34
3000195924	02/23/2023	EUREKA NAPA AUTO	01-4362	BPO: Transportation/Motor Pool parts for vehicles		381.32
3000195925	02/23/2023	Forbes, Garrett J	01-5210	AG - CHICO FIELD DAY		126.00
3000195926	02/23/2023	Forbes, Kara T	01-5210	AG CHICO FIELD DAY	126.00	
				FFA 2023 ARBUCKLE FIELD DAY	108.00	234.00
3000195927	02/23/2023	FRANZ FAMILY BAKERIES	13-4710	BLANKET PO: Bread purchases		474.31
3000195928	02/23/2023	HERITAGE SCHOOLS, INC	01-5852	OPEN PO for invoicing		17,217.00
3000195929	02/23/2023	HUNTER COMMUNICATIONS	01-5800	OPEN PO - FIBER PROJ - EHS STADIUM		2,537.45
3000195930	02/23/2023	KEENAN SUPPLY	01-4381	BLANKET PO FOR MATERIALS AND SUPPLIES.		2,560.02
3000195931	02/23/2023	Lemley, Anita R	01-4310	FOOD FOR MCKINNY VENTO FAMILY		51.17
3000195932	02/23/2023	MENDES SUPPLY	01-4374	EHS BLANKET PO CUSTODIAL		685.84
3000195933	02/23/2023	MISSION LINEN	12-5800	Open PO for Mission Linen biweekly rug service		29.97
3000195934	02/23/2023	PACIFIC PAPER	01-4310	OFFICE CHAIR		327.74
3000195935	02/23/2023	PIERSON BLDG CENTER	01-4362	DUMP TRAILER PARTS	57.51	
			01-4381	Blanket PO for supplies and materials	58.19	115.70
3000195936	02/23/2023	PRO PACIFIC FRESH	13-4710	BLANKET PO: Food purchases		237.88

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3000195937	02/23/2023	REMI VISTA INC	01-5852	OPEN PO for Remi Vista		6,875.00
3000195938	02/23/2023	S & L FOOD SALES CO.	13-4396	Open PO: Food & Supplies	143.50	
			13-4710	Open PO: Food & Supplies	1,114.83	1,258.33
3000195939	02/23/2023	Sarvinski, Alissa	01-5210	AG CHICO FIELD DAY		126.00
3000195940	02/23/2023	SCHMIDBAUER LUMBER CO	01-4381	BLANKET PO FOR MATERIALS AND SUPPLIES		73.34
3000195941	02/23/2023	SCHOOL EXCESS LIABILITY FUND	01-5823	AB218 EXCESS LIAB PMT		136,530.38
3000195942	02/23/2023	SHAFER'S HARDWARE	01-4310	Open PO for Shafer's Hardware	16.63	
			01-4381	BLANKET PO: MAINT. SUPPLIES	6.54	23.17
3000195943	02/23/2023	U.S. BANK CORPORATE PMT	01-4310	A.B. OFFICE SUPPL	109.20	
				A.B. OFFICE SUPPLIES	150.67	
				AMAZON STU OF MONTH LANYARDS	62.25	
				ASES SUPPLIES - JT	184.66	
				ATH GEAR FOR NEEDY	267.58	
				ATH. GEAR FOR NEEDY	75.32	
				ATHLETIC GEAR FOR NEEDY	136.56	
				BASKETBALL CART	273.11	
				BOOK - WINSHIP STUDENT	35.93	
				EASEL - CLASS SUPPL	31.67	
				ELEM. ELA SUPPLIES	39.31	
				FRISK HANDBOOKS	473.04	
				HEPA FILTER REPL	1,212.30	
				MAGNETIC LETTERS	480.51	
				MASTER TEACHER AWARDS	307.92	
				MCK-VENTO FAMILY NEEDS	221.06	
				MCK-VENTO FOOD	182.99	
				MONITOR / MTG	101.02	
				OFFICE CHAIR	232.42	
				OFFICE SUPPL	14.19	
				OFFICE SUPPLIES	474.69	
				OTTER POPS - AWARDS	23.08	
				PBIS PENCILS	30.58	
				PLAY DOH - CLASS SUPPL	27.73	
				POSTAGE FOR MAILING	20.74	
				RESTORATIVE PRACTICES PLAYBOOK	34.30	
				SCHOOL SUPPLIES	351.65	
				SENSORY ITEMS	65.46	
				SPELLING BEE AWARDS	187.58	

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3000195943	02/23/2023	U.S. BANK CORPORATE PMT		STUDENT OF MONTH AWARDS	30.00	
				TEXTBOOKS GRANT	37.13	
				VENTRIS TEXTBOOKS	160.00	
				VENTRIS UFLI TEACHERS MANUALS	440.00	
			01-4351	BOARD ITEMS	102.33	
			01-4381	FREEZER DOOR - CK	198.09	
				LAF HEATER PARTS	240.24	
				PUMP	378.73	
				ROOF VENT	85.20	
			01-4393	GATE ACADEMY LUNCHES	127.37	
				LCAP WRITING TEAM MTG SUPPL	57.85	
				LUNCH - CABINET	59.71	
				LUNCH FOR AGENDA REV.	61.91	
				LUNCH FOR CABINET	135.79	
				LUNCH FOR TOSA/CARE	42.27	
				TOSA/CARE BOOKS	236.71	
			01-4400	HEATER - GRANT	2,201.40	
				TOOL BOX	710.13	
			01-5203	LUNCH J NORTHERN FESD	36.99	
				LUNCH - AGENDA REVIEW	60.92	
			01-5207	BREAKTHROUGH COACH CONF.	412.74	
				CONF TRAVEL	342.20	
				CONF. TRAVEL	342.20	
				WORKSHOP REG K. R.	215.00	
				WORKSHOP REG. P.Z.	215.00	
			01-5210	BUDGET SYMPOSIUM	370.66	
				GOV BUDGET WKSHP TRVL	370.66	
			01-5618	RENTAL CAR FOR TRAINING TRVL	354.64	
			01-5800	AIRFARE YOUTH CONF.	570.35	
				CA FOSTER YOUTH SUMMIT	475.00	
				CAASPP TESTING SUPPL	181.04	
				FLOWERS - TRUSTEE PARDOE - LOSS	72.52	
				OF MOTHER		
				PREF ZONE CHG	12.00	
				PREF. ZONE CHG	44.00	
				refund cIGAT license GATE testing	22.00-	
				TRAINING JOFFE EMERGENCY SVS	29.00	
			01-5831	ADVERTISING	20.00	

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3000195943	02/23/2023	U.S. BANK CORPORATE PMT		SOCIAL MEDIA ADV.	275.49	
			01-5864	TRANSP. COMPLIANCE FEE	1,925.00	
			01-5950	ASES GAN POSTAGE	7.85	
				POSTAGE STAMPS	60.00	
			01-8699	CHARGE BY MISTAKE REPAID	182.59	
			11-4310	ADULT ED CLASS SUPPL	61.16	
			13-4396	C.K. SUPPLIES	216.20	
				CLEARING SUPPL	4.80	
				EHS SHARE TABLE	235.95	
			13-4710	FOOD FOR BOARD DINNER	223.65	
			73-4310	LIBRARY DISPLAY RACK	253.99	
				Unpaid Tax	26.07-	18,635.91
3000195944	02/23/2023	U.S. BANK EQUIPMENT	01-5623	EHS 2 COPIER LEASES		1,911.48
3000195945	02/23/2023	VALLEY PACIFIC	01-4364	NO ACTION: FOR FUEL	3,998.86	
				Open PO for EHS Athletics Gas	3,146.26	
			01-4365	NO ACTION: FOR FUEL	6,147.64	
			01-4381	NO ACTION: FOR FUEL	68.40	13,361.16
3000196287	02/27/2023	4WALL ENTERTAINMENT INC	01-6400	Mobile light structure		9,547.53
3000196288	02/27/2023	AMERICAN FIDELITY ADMIN. SERVICES	01-5800	Open PO for American Fidelity		769.25
3000196289	02/27/2023	AT&T	01-5922	OPEN PO - 831 - DISTRICT WAN		3,695.20
3000196290	02/27/2023	BANK OF MARIN	23-6250	Open PO for EHS Gym Project/Escrow		21,311.15
3000196291	02/27/2023	Brownfield, Quincy C	01-4310	PBIS AWARDS	26.00	
				PIZZA FOR MONITOR MTG	85.44	111.44
3000196292	02/27/2023	CDE	13-4710	Open PO for food - USDA Commodities		306.15
3000196293	02/27/2023	CDW-G	01-4381	*PLEASE ORDER* CDW-G	3,064.35	
			01-4400	1st Grade Chromebook Carts	25,229.65	
				ORDER: Conference room 112	2,481.04	
				ORDER: Zane Middle School E-Rate	18,575.24	
				2022-2023		
				ORDER: Zoe Barnume High E-Rate	80.63	
				2022-2023		
				PO22-00779 PROJECTOR REC'D	17,175.90	
			01-6400	mobile light structure	10,734.91	
				ORDER: EHS Auditorium Equipment	3,851.76	81,193.48
3000196294	02/27/2023	CITY OF EUREKA	01-5530	WATER - ALICE BIRNEY	1,068.16	
				WATER - TECH CENTER	497.41	
				WATER - ZOE	286.26	
			12-5530	WATER - WINZLER CC	204.20	2,056.03

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.

ESCAPE ONLINE

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Checks Dated 02/01/2023 through 02/28/2023

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
3000196295	02/27/2023	Cornejo-Kelly, Mahreya L	01-5210	PSYCH CONF. PER DIEM		274.00
3000196296	02/27/2023	CRYSTAL CREAMERY	13-4710	BLANKET PO: Dairy purchases		5,169.65
3000196297	02/27/2023	DEMCO	01-4310	ORDER		372.62
3000196298	02/27/2023	ENGLAND, JEREMIAH	01-5861	FINGERPRINTING		30.00
3000196299	02/27/2023	EUREKA NAPA AUTO	01-4362	BPO: Transportation/Motor Pool parts for vehicles		423.43
3000196300	02/27/2023	FARWEST STEEL CORP.	01-4310	BLANKET PO AG		958.61
3000196301	02/27/2023	Funk, Asher G	01-5210	PSYCH CONF PER DIEM		274.00
3000196302	02/27/2023	Gast, Jamie K	01-5201	MILEAGE		43.89
3000196303	02/27/2023	Gonsalves, Kari A	73-4310	RECEIPT BOOK FOR YB SALES		5.01
3000196304	02/27/2023	Guerrero, Patricia D	01-4310	POINTER BATTERY		6.31
3000196305	02/27/2023	HSU SPONSORED PROGRAMS FOUND	01-5800	A/P OPEN PO MSW HSU PROGRAM		791.81
3000196306	02/27/2023	HUMBOLDT COMM SERVICES DIST	01-5530	WATER - GRANT/LAF/WINSHIP		1,394.64
3000196307	02/27/2023	Ivanov, Lucee B	01-4310	SPELLING BEE MEDAL		17.48
3000196308	02/27/2023	Lemley, Anita R	01-4310	PBIS - PIZZA AWARD		80.66
3000196309	02/27/2023	LENNOX, QUINLAN	01-5861	FINGERPRINTING		30.00
3000196310	02/27/2023	OPTIMUM BUSINESS	01-5922	Open PO for Internet		253.56
3000196311	02/27/2023	PIERSON BLDG CENTER	01-4377	Blanket PO for supplies and materials	35.47	
			01-4381	Blanket PO for supplies and materials	404.43	439.90
3000196312	02/27/2023	PLATT ELEC SUPPLY INC	01-4381	BLANKET PO FOR MAINTENEANCE SUPPLIES		99.38
3000196313	02/27/2023	Polizzi, Savannah M	01-4310	REIMB LIBRARY BOOKS		108.43
3000196314	02/27/2023	PPG ARCHITECTURAL FINISHES, IN	01-4381	BLANKET PO for Maintenance		76.57
3000196315	02/27/2023	ReputationSimple	01-5800	A/P OPEN PO		7,838.44
3000196316	02/27/2023	RMI OUTDOORS	01-4377	BLANKET PO FOR MATERIALS AND SUPPLIES		50.15
3000196317	02/27/2023	S & L FOOD SALES CO.	13-4396	Open PO: Food & Supplies	198.91	
			13-4710	Open PO: Food & Supplies	229.05	427.96
3000196318	02/27/2023	SHN CONSULTING ENGINEERS AND GEOLOGISTS	23-6271	INVOICE: Engineering Fees		3,255.20
3000196319	02/27/2023	SONOMA COUNTY OFFICE OF ED	01-5800	TEACHER INDUCTION - CTE PROGRAM		101,500.00
3000196320	02/27/2023	Steeves, Robert L	01-4374	CUSTODIAL SUPPLIES		45.70
3000196321	02/27/2023	SYSCO	13-4396	OPEN PO: Food & Supplies	864.24	
			13-4710	OPEN PO: Food & Supplies	2,855.19	3,719.43
3000196322	02/27/2023	The Stepping Stones Group LLC	01-5800	OPEN PO for Speech services		6,900.00
3000196323	02/27/2023	THOMPSON BUILDERS	23-6250	Open PO for EHS Gym Project		404,912.26
3000196324	02/27/2023	THRIFTY SUPPLY CO	01-4381	BLNKET PO FOR MAINT. SUPPLIES		112.06
3000196325	02/27/2023	TIMES PRINTING	01-4310	4 PANEL HEALTH RECORD FOLDERS		844.07

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.

ESCAPE ONLINE

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Checks Dated 02/01/2023 through 02/28/2023

Check Number	Check Date	Pay to the Order of	Fund-Object	Comment	Expensed Amount	Check Amount
3000196326	02/27/2023	VALLEY PACIFIC	01-4310	DIESEL FOR GENERATOR		420.68
3000196327	02/27/2023	WEST COAST PAPER CO.	01-9320	VFS Restock		4,186.46
Total Number of Checks					291	<u>4,270,120.62</u>

Fund Recap

Fund	Description	Check Count	Expensed Amount
01	GENERAL FUND	236	1,509,880.55
11	ADULT EDUCATION FUND	4	207.65
12	CHILD DEVELOPMENT FUND	8	2,537.27
13	CAFETERIA FUND	39	123,216.25
23	EUREKA CITY SCHOOLS ME/	9	2,567,370.35
67	SELF INSURANCE FUND-VISI	1	10,895.00
68	SELF INSURANCE FUND-DE	1	52,198.00
73	FOUNDATION TRUST FUND	2	259.00
95	STUDENT BODY FUND	1	3,582.62
Total Number of Checks		291	4,270,146.69
Less Unpaid Tax Liability			26.07
Net (Check Amount)			<u>4,270,120.62</u>

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

ESCAPE ONLINE

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AGENDA ITEM

Agenda Title: Approval of Pre-Qualified Contractors and Sub-Contractors

Meeting Date: March 30, 2023

Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the 2022-2023 3rd quarter list of pre-qualified contractors and sub-contractors.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

- Per Public Contract Code 20111.5. (a) The governing board of the district may require that each prospective bidder for a contract...complete and submit to the district a standardized questionnaire and financial statement in the form specified by the district, including a complete statement of the prospective bidder's financial ability and experience in performing public works. The questionnaire and financial statement shall be verified under oath by the bidder in the manner in which civil pleadings in civil actions are verified.
- Per Public Contract Code 20111.6. (g) The board of the district may establish a process for prequalifying prospective bidders pursuant to this section on a quarterly or annual basis and a prequalification pursuant to this process shall be valid for one calendar year following the date of initial prequalification.
- A similar process is also applicable to Non-Competitively Bid Projects (including Lease-Leaseback Projects).

STRATEGIC PLAN/PRIORITY AREA:

Subject does not apply to a Strategic Plan Priority Area

HISTORY *(list previous staff or board action(s) with dates if possible)*

At the December 11, 2014, meeting the Board of Trustees approved Resolution#14-15-020 adopting the bidder prequalification process. The first slate of pre-qualified contractors and sub-contractors were awarded at the December 19, 2014 Board meeting. Pre-qualifications are a quarterly process and are valid for one year.

HOW MUCH*(list the revenue amount \$ and/or the expense amount \$)*

Not applicable.

WHO*(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

ATTACHMENTS:

Description

- ▣ Prequalification List

3rd Quarter Pre-Qualified List
March 30 2023

Contractors

BHM Construction, Inc.

Sub-Contractors

Design Air Heating & Sheet Metal

The contractors and sub-contractors listed above are pre-qualified from the date of notification, March 31, 2023. Pre-qualification is valid for one (1) year after the notification date.

AGENDA ITEM

Agenda Title: Approval of Grant Intent to Apply: 2023-24 Local Food for Schools
Meeting Date: March 30, 2023
Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the Grant Intent to Apply for the 2023-24 Local Food for Schools.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

The grant is non-competitive funding for School Nutrition programs to offset continued increases in supply costs. The funding is specifically designated for purchases of unprocessed food items from local small businesses and producers.

STRATEGIC PLAN/PRIORITY AREA:

Subject does not apply to a Strategic Plan Priority Area

HISTORY *(list previous staff or board action(s) with dates if possible)*

Not applicable.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

The base funding amount is \$5,000 with potential additional funding determined through our October, 2021 claim numbers.

WHO *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

ATTACHMENTS:

Description

- ▢ Intent to Apply Form

GRANT INTENT TO APPLY

Grant Name: Local Food for Schools Grant – 23-24

Start/End Date: SY 23-24 – One time funding

Responsible School/Dept. Eureka City Schools – Food Service

Grant Description: Non-competitive funding for School Nutrition programs to offset continued increases in supply costs. The funding is specifically designated for local purchased of unprocessed food items from local small businesses and producers.

Funds are to be managed through the Cafeteria Fund, resource code 5466

FUNDING

Type	Source	Amount
XFederal	USDA	TBD - \$5,000 base
<input type="checkbox"/> State		
<input type="checkbox"/> Local		
<input type="checkbox"/> Match		
Other		
TOTAL		

BUDGET SUMMARY

Staffing Information:

	FTE	Classification/Position Title	Amount
<input type="checkbox"/> Existing Staff <input type="checkbox"/> New Staff	_____	_____	\$ _____
<input type="checkbox"/> Existing Staff <input type="checkbox"/> New Staff	_____	_____	\$ _____
<input type="checkbox"/> Existing Staff <input type="checkbox"/> New Staff	_____	_____	\$ _____

Grant Non-Salary Costs:

Reimbursements:

Indirect Cost: _____ % \$ _____
 Other _____ \$ _____

APPROVED: 
 ECS Administration

AGENDA ITEM

Agenda Title: Approval of Change Order No. 6: EHS Science Building Project
Meeting Date: March 30, 2023
Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is receiving notification of Change Order No. 6 for the EHS Science Building project.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

The justifications for Change Order No. 6 are delineated in the attached document.

STRATEGIC PLAN/PRIORITY AREA:

Priority Area 19: New and Modernized Facilities

HISTORY *(list previous staff or board action(s) with dates if possible)*

The Board approved the low bid awarding the Eureka High School Science Building project to Adams Commercial General Contracting, Inc. (ACGC) at the October 6, 2022, meeting and a 10% contingency fund was approved at the October 27, 2022 meeting.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

Total additive cost for Change Order No. 6 is \$36,815.68.

WHO *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

ATTACHMENTS:

Description

- ▣ Change Order No. 6

CHANGE ORDER

AIA DOCUMENT G701

OWNER	<input checked="" type="checkbox"/>
CONTRACTOR	<input checked="" type="checkbox"/>
ARCHITECT	<input checked="" type="checkbox"/>
FIELD	<input type="checkbox"/>
INSPECTOR	<input checked="" type="checkbox"/>

PROJECT:
Eureka High School
1915 J Street
Eureka, CA 95501

Change Order Number: 006

Date: March 20, 2023

Architect's Project No. EC21.01.54

TO CONTRACTOR:
Adams Commercial General Contracting, Inc.
217 E Street
Eureka, CA 95501

Contract Date: October 21, 2022

Contract For: Alterations to Science Bldg. C

6.1 SHEET A.2 (PCO 12/RFI 31)

- a. Lower the new suspended ceilings in Hallways C138 and C139 to 8'-6" above the finish floor. In rooms C122, C125, C138 and C139 install Unistrut 'C' channels supports between walls at 48-inches on center per drawing ASK-05.

Requested by: Contractor, Architect, District

Reason: The sizes of the existing ductwork in these rooms prevents the new support and bracing wires for the suspended ceilings to be installed per the layout requirements. Adding the 'C' channels allows the new support and bracing wires to be installed to the channels and below the ductwork.

Add \$13,770.89

6.2 SHEETS A.1 (PCO 14/PR 39)

- a. In Rooms C103 and C107 remove and replace additional concrete flatwork at the teachers demonstration islands.

Requested By: Contractor, District, Architect

Reason: Additional concrete must be removed and replaced to allow the below floor utility lines to be repositioned to rise up with the new chases in the cabinetry.

Add \$ 4,436.19

6.3 SHEETS DA.1, A.1 (PCO 15/RFI 42)

- a. Core slab at thirty-three (33) abandoned electrical floor outlet boxes. Fill holes with concrete.

Requested by: Contractor, Architect, District

Reason: The existing floor outlets which are being abandoned need to be removed to allow for the new concrete grinding and polishing to occur. Coring the slab at these boxes will provide the best end results for the new floor finish.

Add \$ 3,731.14

- 6.4 SHEET FA.1 (PCO 16)
a. Upgrade the steel 'C' channel frame at the glass block in each stairwell to stainless steel.

Requested by: Contractor, Architect, District

Reason: The glass block in the stairways of building F are being replaced. It is recommended the new galvanized steel channels be upgraded to stainless steel to prolong the service life of the steel.

Add \$ 6,771.14

- 6.5 SHEETS DA.1 (PCO 17/RFI 18)
a. Remove and dispose of existing fume hoods in rooms C102 and C107.

Requested By: Contractor, District, Architect

Reason: These existing fume hoods are not required in the classrooms. They need to be removed to allow for the new cabinetry casework.

Add \$ 1,774.05

- 6.6 SHEET A.1 (PCO 20/PR 8)
a. Furnish and install new R-13 thermal insulation in the existing cavities of the exterior wood stud walls of this building along the following grid lines 'A', 'F', '1', '3', '7', '10' per specification section 07213.

Requested by: Architect, District

Reason: When the existing drywall finish was removed it was discovered the exterior walls were not insulated. To meet building codes and reduce energy costs this thermal insulation needs to be installed.

Add \$ 3,312.12

- 6.7 SHEET A.2 (PCO 21/RFI 15)
a. In rooms C122 and C125, brace the top of the new wall to the side wall with unitstrut per drawings ASK-03 and AS-04.

Requested By: Contractor, District, Architect

Reason: The size of the existing ductwork in these rooms prevents the new wall to be installed to the underside of the roof deck per the original design. Adding horizontal 'C' channels below the ductwork allows the new wall to be braced by the side walls.

Add \$ 5,040.31

Change Order No. 6
Alterations to Science Building C
Eureka High School
Eureka City Schools
Project No. EC21.01.54
March 20, 2023
Page - 3

- 6.8 SHEET AS.3 (PCO 22/PR 7)
a. Delete the furnishing and installation of one 3'x 5' section of concrete flatwork and truncated domes. Delete striping and Accessible Parking symbol at 3 accessible stalls and one loading area. Modify the parking stall layout to add standard parking stalls on the east side of main classroom building D.

Requested by: Contractor, Architect, District

Reason: The parking layout was modified during the construction of the Ag Shop. There is no need for additional accessible stalls at this location.

Credit <\$ 2,020.16>

Total Add this Change Order is : \$36,815.68

NOT VALID UNTIL SIGNED BY THE OWNER, ARCHITECT AND CONTRACTOR

The original (Contract Sum) was -----	\$ 9,979,680.00
Net Change by previously authorized Change Orders -----	\$ 223,455.04
The (Contract Sum) prior to this Change Order was -----	\$ 10,203,135.04
The (Contract Sum) will be (increased) by this Change Order in the amount of -----	\$ 36,815.68
The new Contract Sum including this Change Order will be -----	\$ 10,239,950.72
The Contract Time will be (unchanged) by 0 Calendar Days (0 Working Days). -----	(0-) days.
The date of Substantial Completion as of the date of this Change Order therefore is -----	July 24, 2023

NOTE: This summary does not reflect changes in the Contract Sum, Contract Time, or Guaranteed Maximum Price which have been authorized by Construction Change Directive.

ARCHITECT

F F & J Architects, Inc.
2101 Geer Road, Suite 308
Turlock, CA 95382

CONTRACTOR

Adams Commercial General Contracting, Inc.
217 E Street
Eureka, CA 95501

OWNER

Eureka City Schools
2100 J Street
Eureka, CA 95501

By _____

Date

3/29/2023

By _____

Date 3/20/2023

By _____

Date

3/20/23

AGENDA ITEM

Agenda Title: Approval of Grant Award Notification: HVIP Public School Bus Set-Aside for Small and Medium Air Districts
Meeting Date: March 30, 2023
Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the Grant Award Notification: HVIP Public School Bus Set-Aside for Small and Medium Air Districts.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Approval of the grant award notification will allow the District to replace six of its current buses with zero-emission school buses.

STRATEGIC PLAN/PRIORITY AREA:

Priority Area 19: New and Modernized Facilities

HISTORY *(list previous staff or board action(s) with dates if possible)*

The Board approved a Grant Intent to Apply for the California HVIP Public School Bus Grant at the March 10, 2022, meeting and Resolution #22-23-002: Authorizing Participation in the HVIP Public School Bus Set-Aside for Small and Medium Air Districts at the August 25, 2022 Board meeting.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

Two (2) Blue Bird T3RE 3802 Buses: \$856,708.16

Total Grant Amount: \$750,000.00

DISTRICT RESPONSIBILITY: \$106,708.16

Four (4) Blue Bird T3RE 3904 Buses: \$1,723,809.32

Total Grant Amount: \$1,500,000.00

DISTRICT RESPONSIBILITY: \$223,809.32

TOTAL DISTRICT RESPONSIBILITY: \$330,517.48

WHO*(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

ATTACHMENTS:

Description

- ▣ A-Z Bus Sales_Blue Bird T3RE 3802 Quote
- ▣ A-Z Bus Sales_Blue Bird T3RE 3904 Quote



3418 52nd Ave
Sacramento, CA, 95823
(800) 458-6363
<https://a-zbus.com>

Fahad Omer
(951) 675-6230
fomer@a-zbus.com

Quote #SAC1568
March 6, 2023

2023 (or) Newer Blue Bird T3RE 3802

Customer:	Eureka City Schools	Attn:	Tiffany James
Mailing Address:	642 W 14Th Street Eureka, CA, 95501	Phone:	(707) 441-2504
		Email:	jamest@eurekacityschools.org

Quantity:	2	Wheelbase:	245"
GVWR:	36,200	Transmission:	N/A
Engine:	Cummins EV 315HP	Suspension:	Spring / Spring
Fuel Type:	Electric	Brakes:	Air Drum
Fuel Port:	Right Rear	Upholstery:	Brown
Capacity:	66 Amb	WC Lift:	N/A
AC:	N/A		

Body Content

- 'STOP WHEN RED LIGHTS FLASH'
- 3" REFLECT,FRONT,INT & REAR,3M DIA GRADE
- ARMREST,RH,DRIVER,SEAT,NATIONAL
- BARRIER, 39 INCH HIGH BACK
- BUZZER,L/H SIDE EMERG DOOR
- BUZZER,MID SEC,P/O WINDOW
- BUZZER,REAR EMERG WINDOW
- CIRCUIT PROTECTION,BREAKERS,MANUAL RESET
- CIRCUITS,SPARE,BODY HARN,TWO,14 GA
- CONTROL,STROBE,S/CONT,W/PILOT
- CONTROLS,CONFIG,W/L,OPT #4,8-LGT,RH
- COVERING,FLOOR,RUBBER
- CUSHION,SEAT,STANDARD,REBOND FOAM
- DAYTIME RUN LGTS,W/ P/BRAKE DEACTIVATE
- DELETE,ROOF HATCH BUZZER
- DOME,2 ROW/2 SWITCHES,F & R,CONFIG
- DOOR CONTROL,AIR PWR,MOM SW,2-POS
- DOOR SWITCH,STEPWELL LIGHT
- DOOR,ENGINE CMPT,SOLID
- EMERGENCY DOOR ARROWS

- END CAP,RUB RAIL,STAMPED STEEL
- FE 5 LB DRY W/HOSE (DRIVERS CPT)
- FENDERS REAR RUBBER
- GALVALUME I/S PNL,FULL HEM,TEXTURIZED
- GLASS,ENT DR,UPPER,TINT,LAM
- HANDRAIL,ENT DR,BARRIER 3.25 - 5.25
- HORN,BACKING SAFETY,112 DB
- INDICATOR,W/L SYSTEM,AMBER/RED
- LATCH,LOCKING,DOOR BATTERY CMPT
- LIGHT,STEPWELL,LED,ADA
- LIGHTS,DIR,FRONT AMBER LED
- LIGHTS,MKR,LED,INTERMEDIATE
- LOCATION,STOP ARM,REAR
- MARKER LGT CONTROL,STEPWELL LGT
- MODULE,SEAT,COLOR,BROWN
- PANEL,MODESTY,BARRIER,DRIVER,LH
- PILOT,STROBE LIGHT,ADDITIONAL INDICATION
- POWER,BAT CONTROL,DOME LIGHTS
- POWER,BAT CONTROL,WARNING LIGHTS
- RETAINER SIDE EMERG DOOR LH
- SEAT,39, 3-PT BELT, DAVENPORT
- SEQUENCE,W/L SYSTEM,NON-SEQUENTIAL
- SPRING,GAS,NON-LOCKING
- STEPTREAD,VINYL,RIBBED
- STEPWELL PROTECTION
- SWITCH,EMERGENCY OVERRIDE
- SWITCH,W/L MASTER,LOC,RH
- FAK,CALIFORNIA,METAL CASE
- FENDERS FRONT RUBBER
- FORWARD GRABRAIL
- GLASS,ENT DR,LOWER,TINT,LAM
- GLASS,SIDE EMER DR,DK TINT,TEMP
- HOODS,WARNING LIGHTS,INDIVIDUAL
- HOSE,HTR,EPDM,W/CT CLAMPS
- LAMPS,HAZARD,2-AMBER,4IN,ENG CMPT
- LIGHT,PILOT,EXIT
- LIGHTS,CL/MK,LED,2 AMBER,2 RED
- LIGHTS,DIRECTIONALS,RR,AMBER LED
- LIGHTS,PILOT,W/L SYSTEM,LOC,RH
- LOCK,SECURITY,ENT DOOR
- MODULE,CUSHION,ASSY,TILT W/FLEX MAT,SEAT
- PAINT,RUBRAILS ONLY,FULL WIDTH BLACK
- PANEL,MODESTY,BARRIER,ENT DOOR
- POWER,BAT CONTROL,CLER/CSTR/ID LGTS
- POWER,BAT CONTROL,ENTRANCE DOOR
- RADIO,AM,FM,MP3,USB,SD,MMC,BT WITH PA
- S/BELT,DRV,3PT,SGL RET,BUZ/WRN LT,ORANGE
- SEAT,39, CONVERT, 3-PT BELT
- SLIDING BOLT VANDAL LOCK - SED
- STEEL FLOOR TRIM
- STEPTREAD,VINYL,TAN
- SWITCH,DOOR CONTROL,LOC,RH
- SWITCH,NOISE SUPPRESSION,LATCHING
- SWITCH,W/L START,LOC,RH

- SWITCH,W/L START,MANUAL
- SWITCH,W/L,MASTER,GREEN PILOT
- TRIM,AISLE,ALUMINUM
- VANDAL LOCK - REAR EMERGENCY WINDOW
- VINYL,REFL,P/O WINDOW YELLOW,3M
- VINYL,REFL,RR EMER WDW YELLOW,3M
- VISOR,ACRYLIC,LEFT SIDE,ADJUST,OPAQUE
- WDO ASSY,DRVR,GREEN TINT,LAM,BLK
- WINDOW,REAR EMERGENCY
- BATTERY COMPARTMENT,ROLLER TRAY,CHAS MTD
- BODY CONSTRUCTION FM/CMVSS 221
- INSULATION,BODY,FIBERGLASS,ADDITIONAL
- INSULATION,BOW CAVITY,FIBERGLASS
- INSULATION,STEPWELL,NR 3
- PANEL,SIDE,16 GA,25 3/4 SKIRT
- ACCESSORY POWER SOCKET W/CAP,BATTERY
- CONSOLE MOUNT,ARM REST
- FAN,AUXILIARY,UPPER LEFT,6"
- DOOR,ENT,OUTWARD OPENING W/AIR ACTUATOR
- HEATED MIRROR,EXT,15 MIN TIMER
- MIRROR,EXT,OPEN VIEW,ES SPLIT SYSTEM
- PLYWOOD FLOOR 1/2IN THICK
- HEATER,50K,LH,REAR,F/M
- LIGHT,4" LED,STOP/TAIL,VANDAL RESIST
- LIGHTS,WARN,LED,8-LGT,AMB/RED
- LIGHT,STROBE,SELF-CONT,LED,CLEAR
- SWITCH,W/L,EM OVERRIDE,LOC,RH
- SYSTEM,WARN,8-LGT,N/SEQ
- UPH,FIRE BLOCK,BROWN,BARRIER
- VENT,SPHEROS,STANDARD
- VINYL,REFL,ROOF HATCH,WHITE,3M
- VINYL,REFL,SD EMER DR YELLOW,3M
- WARRANTY, GOLD 5/10
- WINDOW,REAR EMERG,DK TINT,TEMP
- YELLOW ENTRANCE DOOR
- ACOUSTIC HEADLINING FULL LENGTH
- INSULATED DRIVERS AREA
- INSULATION,BODY,POLYESTER/FIBERGLASS
- INSULATION,ENTRANCE DOOR HEADER
- LATCHES,LOCKABLE,ACCESS DOORS
- LETTERING,EMERGENCY EXIT,ABOVE EXIT
- AIR HORN,MOUNTED UNDER FLOOR
- FAN,AUXILIARY,UPPER CENTER,6"
- HOLDER,CUP
- STEPWELL, GALVANIZED
- MIRROR,CROSSVIEW,EYE-MAX LP
- COVERING,FLOOR,RUBBER,TAN
- HEATER,12K,DRIVERS
- LIGHT,4" BACKUP,LED,VANDAL RESIST
- LIGHT,7" STOP/TAIL,LED
- LIGHT,2 DOME,DRIVERS,LED,SEPARATE SW
- LIGHTS,DOME,120 LUMENS,LED

- LOCATION,STROBE,4 FEET FROM REAR OF ROOF
- EXTERIOR SOLID NSBY
- PAINT DESIGN,BRIGHT WHITE ROOF,12.5 IN
- ALERT,PEDESTRIAN,FWD DIR,NOISE GENERATOR
- EMERGENCY DOOR LS 28IN
- STOP ARM,ELEC,LED,HI-IN,CLUSTER
- COMPARTMENT,STORAGE,OVERHEAD,LOCKNG
- FLAPS,FRONT OF REAR WHEELS
- WINDOW,S/S,12",TEMP,TINT,BLK
- MIRROR,REARVIEW,REMOTE CONTROL
- LOGO,BIRD,ELECTRIC BUS,VINYL,GREEN
- PAINT, INTERIOR, ASTRO WHITE
- CAMERA,SYSTEM,BACK UP VIEW
- MIRROR,REARVIEW,INT 6X30,W/MONITOR
- D/SEAT,NATIONAL,PREM,AIR,MORD,CHAR
- FLAPS FRONT, FULL LENGTH
- WHEELS,STEEL,8.25X22.5,YEL,5HH
- WINDOW,S/S,P/O,12",TEMP,TINT,BLK

Chassis Content

- AC/DC CHARGING,CCS1
- BRAKES,ANTI-LOCK(ABS),AIR
- BUMPER,REAR,STEEL
- DECAL,BATTERY DISCONNECT SWITCH,RED
- FUEL TANK DOOR,SPRING LOADED
- GOVERNOR,ROAD SPEED,65 MPH
- PUMP,HEATER WATER
- SPACER,SPRNG,2IN,FRONT SUSP
- UNDERCOAT,MODIFIED WAX,PREMIUM
- BATTERY SYSTEM,HIGH VOLTAGE,155kW
- BRAKES,AIR,MERITOR,6"FRT/8.62"RR
- PEDALS,ADJUSTABLE
- REPORT,TELEMATICS,HVIP
- ELECTRONIC STABILITY CONTROL
- TOW HOOKS, REAR
- BALANCE FRONT WHEELS
- BUMPER,FRONT,STEEL 12IN
- CHARGE PORT,REAR LOCATION,RH
- DRYER,AIR,BENDIX AD-IP
- GAUGE,SPEEDOMETER, MILES
- LUBRICATION,OIL,PETROLEUM,AXLE
- RESERVOIR,ADDITIONAL WET TANK
- SWITCH,BATTERY DISCONNECT
- VALVE,DRAIN,MANUAL,AIR TANK
- BATTERY,AUXILIARY,GROUP 31,ONE,700 CCA
- TOW HOOKS, FRONT
- EV POWERDRIVE SYSTEM
- SWITCH,IGNITION,KEYED ALIKE
- TIRE,KUMHO,12R22.5,LRH,KRS02

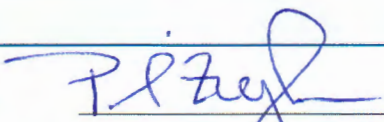
Dealer Added Content

- 24/7 Standard 4HD Camera System
- EP1 Child Check safety system - Wired to CA Specs
- Fog lights in front bumper area
- Lettering - Beltline/CA #/Unit #'s
- Electric air drain valves with controls in Dr's compt.
- FE/FAK/Reflectors/Decals - CA Spec
- Hand held stop sign & Holder

Pricing

Unit Price before Sales Tax:	\$ 392,086.11
Taxable Amount:	\$ 392,086.11
Non-Taxable Amount:	\$ 0.00
9.250% Sales Tax Total:	\$ 36,267.97
Total Per Unit w/Sales Tax Included:	\$ 428,354.08
Grant per bus	-\$375,000.00
Total Grant Amount	-\$750,000.00
Grand Total For 2 Unit(s):	\$106,708.16

Acceptance

Signature: <u></u>	Title: <u>ASSISTANT SUPERINTENDENT</u>
Name: <u>PAUL ZIEGLER</u>	Date: <u>3.7.23</u>

***Notice of Intent to Purchase:**

By signing this vehicle quotation above, it signifies the intent of Eureka City Schools to purchase the vehicle(s) as listed on this document, from A-Z Bus Sales, Inc. This purchase is based on this Vehicle quotation and is subject to approval by our School Board at their 3/30/23 (date) Board meeting.  (Initial Here)

*All pricing is based upon the Waterford Unified School District piggyback bid awarded to A-Z Bus Sales. A copy of all piggyback bid documents is available from A-Z Bus Sales, Incorporated.

All pricing valid for 30 days, or availability of stock units at time of purchase order. Prices quoted herein are based upon Federal, State, and Local Laws and Regulations governing truck equipment and performance levels in effect as of the date hereof. Buyer will pay for any equipment or performance changes, modifications, or additions required by any changes in such laws or regulations subsequent to the date hereof at the increased cost to Seller.

Required Information

Delivery Address:

Initial here:

DMV Information:

Please confirm DMV registration name and address by signing below. Fill other sections as applicable.

Register To Name:

Register To Address:

Signature Confirming DMV Address:

Signature, Name & Title

☐ Exempt

☐ Private

☐ Out of State | Customer Demand

Lettering Information:

Initial Here:

Beltline Lettering:

CA #:

Unit #s:

Lienholder Information: (if none, write "none")

Lienholder Name:

Contact Person:

Contact Number:

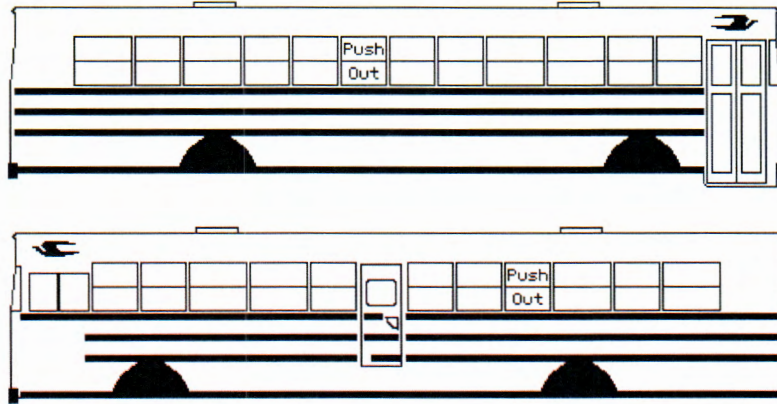
Grant Information: (if applicable)

Agency Name:

Grant Deadline:

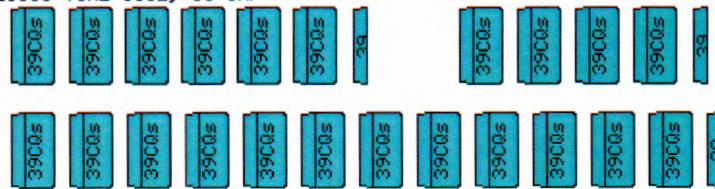
Quote Id: 205992	Body Plan / Seat Plan Information
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Body Plan: 5015551



Seat Plan: 25188

SP: 25188 T3RE 3802, 66 CAP



Quote Id: 205992	Seat Plan Spacing Chart
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3418 52nd Ave
Sacramento, CA, 95823
(800) 458-6363
<https://a-zbus.com>

Fahad Omer
(951) 675-6230
fomer@a-zbus.com

Quote #SAC1566
March 6, 2023

2023 (or) Newer Blue Bird T3RE 3904

Customer:	Eureka City Schools	Attn:	Tiffany James
Mailing Address:	642 W 14Th Street Eureka, CA, 95501	Phone:	(707) 441-2504
		Email:	jamest@eurekacityschools.org

Quantity:	4	Wheelbase:	259"
GVWR:	36,200	Transmission:	N/A
Engine:	Cummins EV 315HP	Suspension:	Spring / Air
Fuel Type:	Electric	Brakes:	Air Drum
Fuel Port:	Right Rear	Upholstery:	Brown
Capacity:	78 Amb	WC Lift:	N/A
AC:	N/A		

Body Content

- 'STOP WHEN RED LIGHTS FLASH'
- 3" REFLECT,FRONT,INT & REAR,3M DIA GRADE
- BARRIER, 39 INCH HIGH BACK
- BUZZER,R/H SIDE EMERG DOOR
- CIRCUIT PROTECTION,BREAKERS,MANUAL RESET
- CONTROL,STROBE,S/CONT,W/PILOT
- COVERING,FLOOR,RUBBER
- DAYTIME RUN LGTS,W/ P/BRAKE DEACTIVATE
- DOME,2 ROW/2 SWITCHES,F & R,CONFIG
- DOOR SWITCH,STEPWELL LIGHT
- 2 PC CURVED TINTED W/S
- ARMREST,RH,DRIVER,SEAT,NATIONAL
- BUZZER,L/H SIDE EMERG DOOR
- BUZZER,REAR EMERG WINDOW
- CIRCUITS,SPARE,BODY HARN,TWO,14 GA
- CONTROLS,CONFIG,W/L,OPT #4,8-LGT,RH
- CUSHION,SEAT,STANDARD,REBOND FOAM
- DELETE,ROOF HATCH BUZZER
- DOOR CONTROL,AIR PWR,MOM SW,2-POS
- DOOR,ENGINE CMPT,SOLID

- EMERGENCY DOOR ARROWS
- FE 5 LB DRY W/HOSE (DRIVERS CPT)
- FENDERS REAR RUBBER
- GALVALUME I/S PNL,FULL HEM, TEXTURIZED
- GLASS,ENT DR,UPPER,TINT,LAM
- HANDRAIL,ENT DR,BARRIER 3.25 - 5.25
- HORN,BACKING SAFETY,112 DB
- INDICATOR,W/L SYSTEM,AMBER/RED
- LATCH,LOCKING,DOOR BATTERY CMPT
- LIGHT,STEPWELL,LED,ADA
- LIGHTS,DIR,FRONT AMBER LED
- LIGHTS,MKR,LED,INTERMEDIATE
- LOCATION,STOP ARM,REAR
- MARKER LGT CONTROL,STEPWELL LGT
- MODULE,CUSHION,ASSY,TILT W/FLEX MAT,SEAT
- PAINT,HEADLIGHT BEZELS,NSBY
- PANEL,MODESTY,BARRIER,DRIVER,LH
- PILOT,STROBE LIGHT,ADDITIONAL INDICATION
- POWER,BAT CONTROL,DOME LIGHTS
- POWER,BAT CONTROL,WARNING LIGHTS
- RETAINER SIDE EMERG DOOR LH
- S/BELT,DRV,3PT,SGL RET,BUZ/WRN LT,ORANGE
- SEAT,39,CONVERT, 3-PT BELT
- SEAT,39,CONVERT,FLIP,3-PT BELT
- SLIDING BOLT VANDAL LOCK - SED
- STEEL FLOOR TRIM
- STEPTREAD,VINYL,TAN
- END CAP,RUB RAIL,STAMPED STEEL
- FENDERS FRONT RUBBER
- FORWARD GRABRAIL
- GLASS,ENT DR,LOWER,TINT,LAM
- GLASS,SIDE EMER DR,DK TINT,TEMP
- HOODS,WARNING LIGHTS,INDIVIDUAL
- HOSE,HTR,EPDM,W/CT CLAMPS
- LAMPS,HAZARD,2-AMBER,4IN,ENG CMPT
- LIGHT,PILOT,EXIT
- LIGHTS,CL/MK,LED,2 AMBER,2 RED
- LIGHTS,DIRECTIONALS,RR,AMBER LED
- LIGHTS,PILOT,W/L SYSTEM,LOC,RH
- LOCK,SECURITY,ENT DOOR
- MIRROR,REARVIEW,INT,6 X 30,NONGLARE
- MODULE,SEAT,COLOR,BROWN
- PAINT,RUBRAILS ONLY,FULL WIDTH BLACK
- PANEL,MODESTY,BARRIER,ENT DOOR
- POWER,BAT CONTROL,CLER/CSTR/ID LGTS
- POWER,BAT CONTROL,ENTRANCE DOOR
- RADIO,AM,FM,MP3,USB,SD,MMC,BT WITH PA
- RETAINER SIDE EMERG DOOR RH
- SEAT,39, 3-PT BELT, DAVENPORT
- SEAT,39,CONVERT,3-PT BELT, FULLY FM
- SEQUENCE,W/L SYSTEM,NON-SEQUENTIAL
- SPRING,GAS,NON-LOCKING
- STEPTREAD,VINYL,RIBBED
- STEPWELL PROTECTION

- SWITCH,DOOR CONTROL,LOC,RH
- SWITCH,NOISE SUPPRESSION,LATCHING
- SWITCH,W/L START,LOC,RH
- SWITCH,W/L,EM OVERRIDE,LOC,RH
- SYSTEM,WARN,8-LGT,N/SEQ
- TRIM,AISLE,ALUMINUM
- VANDAL LOCK - REAR EMERGENCY WINDOW
- VINYL,REFL,ROOF HATCH,WHITE,3M
- VINYL,REFL,SD EMER DR YELLOW,3M
- WARRANTY, GOLD 5/10
- WINDOW,REAR EMERG,DK TINT,TEMP
- WIRING,W/L SYSTEM,14 GA
- BATTERY COMPARTMENT,ROLLER TRAY,CHAS MTD
- ADJ,SLK,AUTO,MERITOR
- INSULATED DRIVERS AREA
- INSULATION,BODY,POLYESTER/FIBERGLASS
- INSULATION,ENTRANCE DOOR HEADER
- LATCHES,LOCKABLE,ACCESS DOORS
- LETTERING,EMERGENCY EXIT,ABOVE EXIT
- AIR HORN,MOUNTED UNDER FLOOR
- FAN,AUXILIARY,UPPER CENTER,6"
- HOLDER,CUP
- STEPWELL, GALVANIZED
- MIRROR,CROSSVIEW,EYE-MAX LP
- COVERING,FLOOR,RUBBER,TAN
- HEATER,12K,DRIVERS
- SWITCH,EMERGENCY OVERRIDE
- SWITCH,W/L MASTER,LOC,RH
- SWITCH,W/L START,MANUAL
- SWITCH,W/L,MASTER,GREEN PILOT
- TOW HOOKS, REAR
- UPH,FIRE BLOCK,BROWN,BARRIER
- VENT,ADVANTAGE,STANDARD
- VINYL,REFL,RR EMER WDW YELLOW,3M
- VISOR,ACRYLIC,LEFT SIDE,ADJUST,OPAQUE
- WDO ASSY,DRVR,GREEN TINT,LAM,BLK
- WINDOW,REAR EMERGENCY
- YELLOW ENTRANCE DOOR
- ACOUSTIC HEADLINING FULL LENGTH
- BODY CONSTRUCTION FM/CMVSS 221
- INSULATION,BODY,FIBERGLASS,ADDITIONAL
- INSULATION,BOW CAVITY,FIBERGLASS
- INSULATION,STEPWELL,NR 3
- PANEL,SIDE,16 GA,25 3/4 SKIRT
- ACCESSORY POWER SOCKET W/CAP,BATTERY
- CONSOLE MOUNT,ARM REST
- FAN,AUXILIARY,UPPER LEFT,6"
- DOOR,ENT,OUTWARD OPENING W/AIR ACTUATOR
- HEATED MIRROR,EXT,15 MIN TIMER
- MIRROR,EXT,OPEN VIEW,ES SPLIT SYSTEM
- PLYWOOD FLOOR 1/2IN THICK
- HEATER,50K,LH,REAR,F/M

- LIGHT,4" BACKUP,LED,VANDAL RESIST
- LIGHT,7" STOP/TAIL,LED
- LIGHT,1 DOME,DRIVERS,LED,SEPARATE SW
- LIGHTS,DOME,120 LUMENS,LED
- MIRROR,REARVIEW,REMOTE CONTROL
- LOGO,BIRD,ELECTRIC BUS,VINYL,GREEN
- PAINT, INTERIOR, ASTRO WHITE
- CAMERA,SYSTEM,BACK UP VIEW
- EMERGENCY DOOR RS 28IN
- D/SEAT,NATIONAL,PREM,AIR,MORD,CHAR
- FLAPS FRONT, FULL LENGTH
- WHEELS,STEEL,8.25X22.5,YEL,5HH
- LIGHT,4" LED,STOP/TAIL,VANDAL RESIST
- LIGHTS,WARN,LED,8-LGT,AMB/RED
- LIGHT,STROBE,SELF-CONT,LED,CLEAR
- LOCATION,STROBE,4 FEET FROM REAR OF ROOF
- EXTERIOR SOLID NSBY
- PAINT DESIGN,BRIGHT WHITE ROOF,12.5 IN
- ALERT,PEDESTRIAN,FWD DIR,NOISE GENERATOR
- EMERGENCY DOOR LS 28IN
- STOP ARM,ELEC,LED,HI-IN,CLUSTER
- COMPARTMENT,STORAGE,OVERHEAD,LOCKNG
- FLAPS,FRONT OF REAR WHEELS
- WINDOW,S/S,12",TEMP,TINT,BLK

Chassis Content

- AC/DC CHARGING,CCS1
- BRAKES,ANTI-LOCK(ABS),AIR
- BUMPER,REAR,STEEL
- DECAL,BATTERY DISCONNECT SWITCH,RED
- DRYER,AIR,BENDIX AD-IP
- GAUGE,SPEEDOMETER, MILES
- HOSE,COOLANT,RUB,PREM,W/CONST TRQ CLAMP
- RESERVOIR,ADDITIONAL WET TANK
- UNDERCOAT,MODIFIED WAX,PREMIUM
- SUSPENSION,AIR,REAR,HENDRICKSON,23.5K
- BATTERY,AUXILIARY,GROUP 31,ONE,700 CCA
- TOW HOOKS, FRONT
- REPORT,TELEMATICS,HVIP
- TIRE,KUMHO,12R22.5,LRH,KRS02
- BALANCE FRONT WHEELS
- BUMPER,FRONT,STEEL 12IN
- CHARGE PORT,REAR LOCATION,RH
- DELETE CRUISE CONTROL
- FUEL TANK DOOR,SPRING LOADED
- GOVERNOR,ROAD SPEED,65 MPH
- PUMP,HEATER WATER
- SWITCH,BATTERY DISCONNECT
- VALVE,DRAIN,MANUAL,AIR TANK
- BATTERY SYSTEM,HIGH VOLTAGE,155kW
- BRAKES,AIR,MERITOR,6"FRT/8.62"RR
- EV POWERDRIVE SYSTEM
- ELECTRONIC STABILITY CONTROL

Dealer Added Content

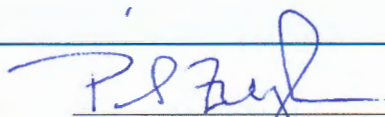
- 24/7 Standard 4HD Camera System
- EP1 Child Check safety system - Wired to CA Specs
- Fog lights in front bumper area
- Lettering - Beltline/CA #/Unit #'s
- Electric air drain valves with controls in Dr's compt.
- FE/FAK/Reflectors/Decals - CA Spec
- Hand held stop sign & Holder

Pricing

Unit Price before Sales Tax:	\$ 394,464.38
Taxable Amount:	\$ 394,464.38
Non-Taxable Amount:	\$ 0.00
9.250% Sales Tax Total:	\$ 36,487.95
Total Per Unit w/Sales Tax Included:	\$ 430,952.33
Grant per bus	-\$375,000.00
Total Grant Amount	-\$1,500,000.00
Grand Total For 4 Unit(s):	\$223,809.32

Acceptance

Signature: _____



Title: _____

ASSISTANT SUPERINTENDENT

Name: _____

PAUL ZIEGLER

Date: _____

3.7.23

***Notice of Intent to Purchase:**

By signing this vehicle quotation above, it signifies the intent of Eureka City Schools to purchase the vehicle(s) as listed on this document, from A-Z Bus Sales, Inc. This purchase is based on this Vehicle quotation and is subject to approval by our School Board at their 3/30/23 (date) Board meeting.  (Initial Here)

*All pricing is based upon the Waterford Unified School District piggyback bid awarded to A-Z Bus Sales. A copy of all piggyback bid documents is available from A-Z Bus Sales, Incorporated.

All pricing valid for 30 days, or availability of stock units at time of purchase order. Prices quoted herein are based upon Federal, State, and Local Laws and Regulations governing truck equipment and performance levels in effect as of the date hereof. Buyer will pay for any equipment or performance changes, modifications, or additions required by any changes in such laws or regulations subsequent to the date hereof at the increased cost to Seller.

Required Information

Delivery Address:

Initial here: _____

DMV Information:

Please confirm DMV registration name and address by signing below. Fill other sections as applicable.

Register To Name: _____

Register To Address: _____

Signature Confirming DMV Address: _____

Signature, Name & Title

☐ Exempt

☐ Private

☐ Out of State | Customer Demand

Lettering Information:

Initial Here: _____

Beltline Lettering: _____

CA #: _____ Unit #s: _____

Lienholder Information: (if none, write "none")

Lienholder Name: _____

Contact Person: _____

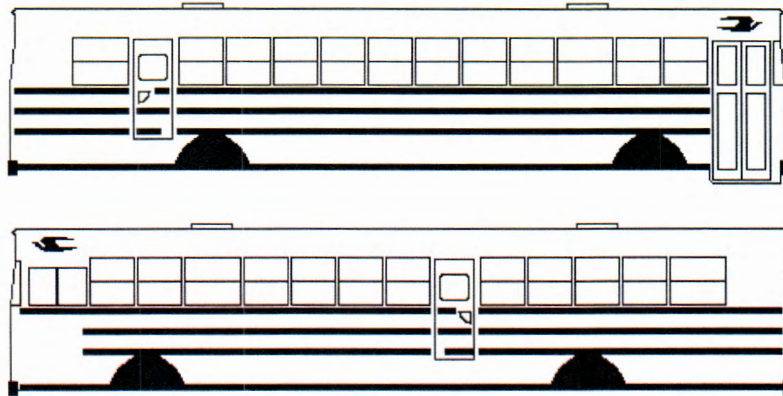
Contact Number: _____

Grant Information: (if applicable)

Agency Name: _____ Grant Deadline: _____

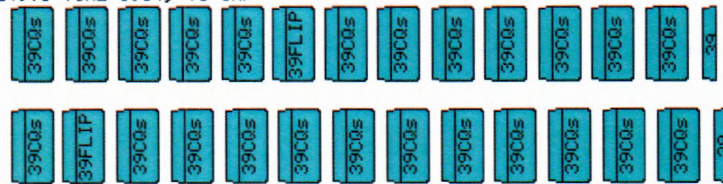
Quote Id: 215977	Body Plan / Seat Plan Information
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Body Plan: 5015572



Seat Plan: 24971

SP: 24971 T3RE 3904, 78 CAP



Quote Id: 215977	Seat Plan Spacing Chart
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AGENDA ITEM

Agenda Title: Approval of Agreement between Matson & Vallerger Architects, Inc. and Eureka City Schools: Alice Birney 2023 Paving Work Project

Meeting Date: March 30, 2023

Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the agreement between Matson & Vallerger Architects, Inc. and Eureka City Schools for the bidding and installation of new asphalt overlay and paving for the playground area at Alice Birney.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Matson & Vallerger will prepare bid documents for the project.

STRATEGIC PLAN/PRIORITY AREA:

Priority Area 14: Clean, safe, functional, attractive classrooms, facilities and grounds.

HISTORY *(list previous staff or board action(s) with dates if possible)*

Not applicable.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

See attached hourly rates.

WHO *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

ATTACHMENTS:

Description

- Agreement



3234 T Street
Eureka, CA 95503
(707) 443-1669
Fax: 443-4792

March 16, 2023

Charley Batini
Eureka City Schools
2100 J Street
Eureka, CA 95501

Subject: 2023 Paving Work
Alice Birney School

Dear Charley,

Thank you for your continued working relationship with Matson & Vallerge Architects.

This letter is intended to document our understanding of the nature and scope of the architectural services required in connection with the above referenced project. When executed, this letter will serve as the Contract between us for the provision of these services.

The scope of our work at this time is described as follows:

- Develop documents suitable for bidding and installation of new asphalt overlay and paving for playground area at Alice Birney school site.

For the above described work, our billings to you will be per our attached current hourly rates. We will bill you monthly. Payment is due and payable upon receipt of our invoice. Billings unpaid thirty (30) days from the date of the invoice will incur a service charge of 1-1/2% per month.

This Agreement may be amended with additional provisions by mutual written agreement upon such time that a more specific scope of services and/or fee estimate are determined for the project.

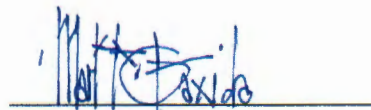
This Agreement shall be considered terminated upon 48 hours advance written notice by either party. All costs accrued prior to the termination date shall be due at the time of termination.

Client agrees that all billing from Architect to Client are correct and binding on Client unless Client, within ten (10) days from the date of receipt of such billing, notifies Architect in writing of alleged inaccuracies, discrepancies or errors in billing.

If you are in agreement with the contents of this letter and the scope of work described, please sign in the space provided below and return one copy to our office.

Please call if you have any questions.

Sincerely,

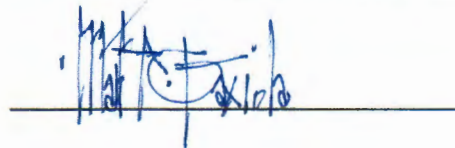


Mark A. Gaxiola, AIA
California Architect
License #C23899

Accepted for:

Matson & Vallerger Architects, Inc.

Mark A. Gaxiola, AIA
Principal

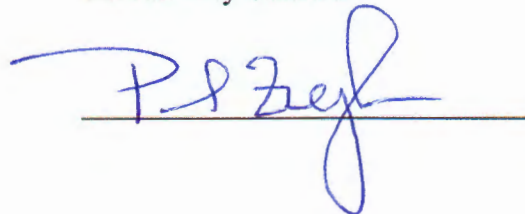


Date: 03-16-23

Accepted for:

Eureka City Schools

Signature:



Date: 3/20/23



3234 T Street

Eureka, CA 95503

(707) 443-1669

Fax: 443-4792

MAY 1, 2019

MATSON & VALLERGA HOURLY RATES:

Principal Architect	\$130.00/Hour
Architect/Project Manager	\$115.00/Hour
Designer/Intern	\$100.00/Hour
Administrative Assistant	\$ 70.00/Hour

Reimbursables:

Mileage	\$0.60/Mile
24x36 Photocopies/Plots	\$3.00/Each
11X17 Photocopies	\$0.25/Each
8-1/2X11 Photocopies	\$0.10/Each
Shipping	Actual Cost
Consultants	Actual Cost
Archive Research	\$80.00/Hour (2 Hour Minimum)

AGENDA ITEM

Agenda Title: Approval of Agreement between Matson & Vallerger Architects, Inc. and Eureka City Schools: Alice Birney 2023 Reroofing Project
Meeting Date: March 30, 2023
Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the agreement between Matson & Vallerger Architects, Inc. and Eureka City Schools for the bidding and installation of the reroofing project at Alice Birney.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Matson & Vallerger will prepare bid documents for the project.

STRATEGIC PLAN/PRIORITY AREA:

Priority Area 19: New and Modernized Facilities

HISTORY *(list previous staff or board action(s) with dates if possible)*

Not applicable.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

See attached hourly rates.

WHO *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

ATTACHMENTS:

Description

- ▢ Agreement



3234 T Street
Eureka, CA 95503
(707) 443-1669
Fax: 443-4792

March 16, 2023

Charley Batini
Eureka City Schools
2100 J Street
Eureka, CA 95501

Subject: 2023 Reroofing Work
Alice Birney School

Dear Charley,

Thank you for your continued working relationship with Matson & Vallerger Architects.

This letter is intended to document our understanding of the nature and scope of the architectural services required in connection with the above referenced project. When executed, this letter will serve as the Contract between us for the provision of these services.

The scope of our work at this time is described as follows:

- Develop documents suitable for bidding and installation of new roof for Building Wing 2, including covered walk and adjacent restroom buildings including covered walk, south to Wing 3 at Alice Birney school site.

For the above described work, our billings to you will be per our attached current hourly rates. We will bill you monthly. Payment is due and payable upon receipt of our invoice. Billings unpaid thirty (30) days from the date of the invoice will incur a service charge of 1-1/2% per month.

This Agreement may be amended with additional provisions by mutual written agreement upon such time that a more specific scope of services and/or fee estimate are determined for the project.

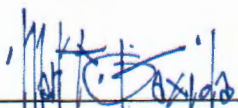
This Agreement shall be considered terminated upon 48 hours advance written notice by either party. All costs accrued prior to the termination date shall be due at the time of termination.

Client agrees that all billing from Architect to Client are correct and binding on Client unless Client, within ten (10) days from the date of receipt of such billing, notifies Architect in writing of alleged inaccuracies, discrepancies or errors in billing.

If you are in agreement with the contents of this letter and the scope of work described, please sign in the space provided below and return one copy to our office.

Please call if you have any questions.

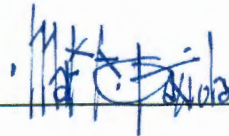
Sincerely,



Mark A. Gaxiola, AIA
California Architect
License #C23899

Accepted for: Matson & Vallerger Architects, Inc.

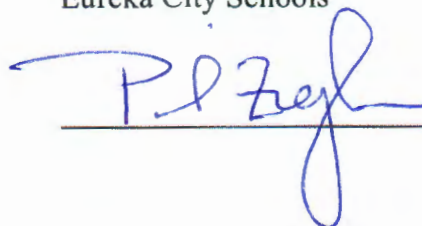
Mark A. Gaxiola, AIA
Principal



Date: 03-16-23

Accepted for: Eureka City Schools

Signature:



Date: 3/20/23



3234 T Street

Eureka, CA 95503

(707) 443-1669

Fax: 443-4792

MAY 1, 2019

MATSON & VALLERGA HOURLY RATES:

Principal Architect	\$130.00/Hour
Architect/Project Manager	\$115.00/Hour
Designer/Intern	\$100.00/Hour
Administrative Assistant	\$ 70.00/Hour

Reimbursables:

Mileage	\$0.60/Mile
24x36 Photocopies/Plots	\$3.00/Each
11X17 Photocopies	\$0.25/Each
8-1/2X11 Photocopies	\$0.10/Each
Shipping	Actual Cost
Consultants	Actual Cost
Archive Research	\$80.00/Hour (2 Hour Minimum)

AGENDA ITEM

Agenda Title: Approval for Staff to Travel Out of State to Attend the The National Indian Child Welfare Association (NICWA) Conference
 Meeting Date: March 30, 2023
 Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve out-of-state travel for Indian Education Site Lead, Rachel Bass to attend the The National Indian Child Welfare Association (NICWA) Conference - April 2, 2023 through April 5, 2023 in Reno, Nevada.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

NICWA provides meaningful programming to conference attendees, creating a space where participants can learn about the latest developments and best practices from experts in the field and from one another. The NICWA conference is the largest national gathering on American Indian and Alaska Native (AI/AN) child advocacy issues. Participants represent a cross-section of fields and interests including child welfare, mental health, and juvenile justice service providers; legal professionals; students; advocates for children; and tribal, state, and federal leaders.

STRATEGIC PLAN/PRIORITY AREA:

This item does not apply to a strategic plan/priority area.

HISTORY *(list previous staff or board action(s) with dates if possible)*

First time attending.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

Registration Fees - \$625.00
 Hotel - \$200/night + taxes/fees - 3 nights
 RT Airfare - Approx. \$650
 + Food/Misc. Travel Costs

Total Est. Cost: \$2,000- \$2,500

WHO *(list the name of the contact person(s), job title, and site location)*

Assistant Superintendent, Gary Storts, Educational Services

AGENDA ITEM

Agenda Title: Approval of Field Trip Requests

Meeting Date: March 30, 2023

Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the following field trip requests:

1. Indian Education Sponsored College Tour - Visiting Chico, Sacramento, Santa Rosa - April 11-14, 2023
2. Wolf Creek Camp Field Trip - 03/29/23-03/31/23 (requesting approval in arrears)

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

See attached Field Trip Request Form.

STRATEGIC PLAN/PRIORITY AREA:

HISTORY *(list previous staff or board action(s) with dates if possible)*

See attached Field Trip Request Forms.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

See attached Field Trip Request Forms.

WHO *(list the name of the contact person(s), job title, and site location)*

Renae Will, Director of Personnel and Public Affairs

ATTACHMENTS:

Description

- ▣ Field Trip Request - Indian Education-Sponsored College Trip
- ▣ Field Trip Request Form - Wolf Creek

Field Trip Request Form

(Overnight / Out-of-Town or State)

CONSENT ITEM

WHAT:

The Governing Board is asked to approve the following Field Trip:

Title VI, Indian Education sponsored college tour. Visiting multiple college sites around California by car.

WHY (briefly explain why approval is important; and, if applicable, how it is connected to the Site, District or Strategic Plan):

This college trip is a special event that has been made possible by carry over grant funds with an expiration date before next school year. The Native Parent Advisory Committee has made a commitment toward using the funds to propel Native students forward to access an otherwise inaccessible experience.

HISTORY:

☐

Annual Trip

☐

First Year Attending

☒

Other: First time event

HOW MUCH:

California College Tour (Spring Break 2023- 4 days, 3 nights) - COST TOTAL:
Rental Cars (3 - large Van/SUV) - 4 days @ \$400.00/day = \$4,800.00
Hotel (6 x 3 nights) - \$250.00/night x 6 rooms x 3 nights = \$4,500.00
Additional Activities (19 ppl) - \$157.00/per person x 19 = \$3,000.00
Meals (\$180 per student, 4 days) - \$3,420.00
Approved TOTAL: \$15,720.00

Name: Rachel Bass

Dates of Trip: April 11th- April 14th 2023

Club/Organization: Indian Education

What means of transportation: Rental (3) SUV

Number of students participating: 14

Destination: Multiple

Multiple: Chico,
Sacramento, Santa Rosa-
California

Briefly describe the details of the trip (chaperone, lodging, etc.): This is a 4 day and 3 night trip around California.

14 students are invited to participate. 2 students will stay in each room with a chaperone.
There will be 4-5 chaperones in addition to 2 program staff.

Eureka City Schools
School-Sponsored Student/s Overnight Trip Checklist

Date Completed (dd/mm/yy)	Requests for Out-of-State, Out-of-Country or Overnight Travel Must Be Board Approved Prior to Travel	Teacher/ Staff (initial)	Site Principal (initial)
3/10	Principal establishes a process for approving a staff member's request to conduct a school-sponsored trip.	RB	RB
3/10	Staff shall consider: <ul style="list-style-type: none"> • Student safety; • Objectives of instruction; • Most effective use of instructional time; • Distance from school; • District and student expense; • Transportation requirements; • Supervision requirements. 	RB	RB
3/10	Staff affirm that no student will be excluded from participation because of lack of sufficient funds (total cost per student and funding sources must be included).	RB	RB
3/17	Staff notified parents and students that students are under jurisdiction of the district and subject to district and school rules and regulations.	RB	RB
3/27	Staff hold parent information meeting for staff, chaperones, parents/guardians and students to discuss safety and importance of safety-related rules.	RB	RB
3/17	Staff ensures adequate supervision reviewed by site administrator (adults/students ratio). List of chaperones must be provided to District Office, including designating if employee or parent/guardian. If a non-staff chaperone, chaperone must have been cleared through the District's volunteer process.	RB	RB
3/17	During travel, staff will have school's first aid kit in his/her possession or immediately available.	RB	RB

Date Completed (dd/mm/yy)	Requests for Out-of-State, Out-of-Country or Overnight Travel Must Be Board Approved Prior to Travel	Teacher/ Staff (initial)	Site Principal (initial)
3/27	Staff obtains parent permission. If trip also involves water activities, specific permission for water activities must be obtained. If students will be in water, including motel pools, there must be a lifeguard at all times the students are in the water. Lifeguard can be a chaperone if they have the certification or one obtained through a local agency and the person has passed the agency requirements. Trip must not include activities identified as "hazardous" by our local JPA which includes but is not limited to rock climbing (walls) and/or zip lines.	RB	h
3/10	Transportation information must include how and who is transporting students. If by chartered bus, Director of Transportation must be notified.	RP	h
N/A	Parent permission letter for travel out-of-country obtained for each student (District Letter form letter).	RB	h
N/A	Forms JPA 1 signed and on file at the school prior to departing on out-of-country school sponsored activity.	RB	h
3/17	Staff complete checklist form including requested information, and Board "Field Trip Request Form" and submit to Superintendent's Assistant a minimum of 10 days prior to the Board meeting in which approval is being requested. (Board meeting dates can be obtained by calling the Superintendent's Assistant or looking on the ECS website.)	RB	h
3/17	District shall provide or make available medical and/or hospital insurance for students injured while participating in any excursion.	RB	h
N/A	Students must have travel insurance for travel out of lower 48 states.	RB	h
3/27	Staff, students and parents have been notified that the District may cancel or postpone student travel at any time if the State Department/Homeland Security or Federal Government indicates such travel presents unreasonable risk.	RB	h

APPROVED:

Site Principal:

Teacher/Staff:

Director of Personnel:

Date:

Date:

Date:

3/20/22

3/17/23

Field Trip Request Form

(Overnight / Out-of-Town or State)

CONSENT ITEM

WHAT:

The Governing Board is asked to approve the following Field Trip:

Wolf Creek Camp 3/29 - 3/31/23

WHY (briefly explain why approval is important; and, if applicable, how it is connected to the Site, District or Strategic Plan):

Environmental Education opportunity to provide hands on learning about our local habitats. Instruction facilitated by Park Rangers and Classroom teachers.

HISTORY:



Annual Trip



First Year Attending



Other: _____

HOW MUCH:

5th Grade, 26 students.

Free Event.

Name: Lucee Ivanov, Jason Abaya, Quincy Brownfield

Dates of Trip: 3/29 Departure - 3/31/23 Return Date: Destination: Wolf Creek Education Center

Club/Organization: 5th Grade

What means of transportation: Bus

Number of students participating: 26

Briefly describe the details of the trip (chaperone, lodging, etc.): Cabins on site, 7

Overnight Chaperones approved and cleared to attend. Fundraisers have occurred throughout past years to afford food and gear for this trip.

There is electricity, drinkable water, restrooms, Education room, cabins with beds and rangers on site at Wolf Creek. As well as a Full Kitchen.

Chaperones:

1. Jason Abaya, teacher
2. Grant Barrera, BSA ECS
3. Gillian Valladares, sub ECS
4. Lucy Smith, parent/class aide ECS
5. Megan Tegarden, parent/secretary ECS
6. Jeremiah England, parent
7. Samuel Salas Munguia, parent

Eureka City Schools
School-Sponsored Student/s Overnight Trip Checklist

Date Completed (dd/mm/yy)	Requests for Out-of-State, Out-of-Country or Overnight Travel Must Be Board Approved Prior to Travel	Teacher/ Staff (initial)	Site Principal (initial)
03/23/23	Principal establishes a process for approving a staff member's request to conduct a school-sponsored trip.	Yd JR	QEB
03/23/23	Staff shall consider: <ul style="list-style-type: none"> • Student safety; ✓ • Objectives of instruction; ✓ • Most effective use of instructional time; ✓ • Distance from school; ✓ • District and student expense; ✓ • Transportation requirements; ✓ • Supervision requirements. ✓ 	Yd JR	QEB
03/23/23	Staff affirm that no student will be excluded from participation because of lack of sufficient funds (total cost per student and funding sources must be included). ✓	Yd JR	QEB
03/23/23	Staff notified parents and students that students are under jurisdiction of the district and subject to district and school rules and regulations. ✓	Yd JR	QEB
03/23/23	Staff hold parent information meeting for staff, chaperones, parents/guardians and students to discuss safety and importance of safety-related rules. ✓	Yd JR	QEB
03/23/23	Staff ensures adequate supervision reviewed by site administrator (adults/students ratio). List of chaperones must be provided to District Office, including designating if employee or parent/guardian. If a non-staff chaperone, chaperone must have been cleared through the District's volunteer process. ✓	Yd JR	QEB
03/23/23	During travel, staff will have school's first aid kit in his/her possession or immediately available. ✓	Yd JR	QEB

Date Completed (dd/mm/yy)	Requests for Out-of-State, Out-of-Country or Overnight Travel Must Be Board Approved Prior to Travel	Teacher/ Staff (initial)	Site Principal (initial)
03/23/23	Staff obtains parent permission. If trip also involves water activities, specific permission for water activities must be obtained. If students will be in water, including motel pools, there must be a lifeguard at all times the students are in the water. ✓ Lifeguard can be a chaperone if they have the certification or one obtained through a local agency and the person has passed the agency requirements. Trip must not include activities identified as "hazardous" by our local JPA which includes but is not limited to rock climbing (walls) and/or zip lines. ✓	Ydl or	QEB
03/23/23	Transportation information must include how and who is transporting students. If by chartered bus, Director of Transportation must be notified. ECS BUS	Ydl or	QEB
03/23/23	Parent permission letter for travel out-of-country obtained for each student (District Letter form letter). ✓ NA	Ydl or	N/A QEB
03/23/23	Forms JPA 1 signed and on file at the school prior to departing on out-of-country school sponsored activity. ✓ NA	Ydl or	QEB
03/23/23	Staff complete checklist form including requested information, and Board "Field Trip Request Form" and submit to Superintendent's Assistant a minimum of 10 days prior to the Board meeting in which approval is being requested. (Board meeting dates can be obtained by calling the Superintendent's Assistant or looking on the ECS website.) ✓	Ydl or	QEB
03/23/23	District shall provide or make available medical and/or hospital insurance for students injured while participating in any excursion. ✓	Ydl or	QEB
03/23/23	Students must have travel insurance for travel out of lower 48 states. ✓	Ydl or	QEB
03/23/23	Staff, students and parents have been notified that the District may cancel or postpone student travel at any time if the State Department/Homeland Security or Federal Government indicates such travel presents unreasonable risk.	Ydl or	QEB

APPROVED:

Site Principal:

Teacher/Staff:

Director of Personnel:

Date:

Date:

Date:

AGENDA ITEM

Agenda Title: Approval of Intent to Apply for Elementary and Secondary School
Emergency Relief (ESSER) III Summer Grant Program Funding
Meeting Date: March 30, 2023
Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Board is asked to receive an intent to apply for Elementary and Secondary School Emergency Relief (ESSER) III Summer Grant Program funding.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

This funding will allow additional staff support for the summer program, as well as increased food provisions and supplies.

STRATEGIC PLAN/PRIORITY AREA:

HISTORY *(list previous staff or board action(s) with dates if possible)*

This is the first time the District is applying for this grant.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

The District is eligible for a preliminary FY 2023 allocation of \$60,000.00 for Washington Elementary and \$60,000.00 for Catherine L. Zane Middle School.

WHO *(list the name of the contact person(s), job title, and site location)*

Assistant Superintendent, Gary Storts, Educational Services

ATTACHMENTS:

Description

- ▣ Elementary and Secondary School Emergency Relief (ESSER) III Summer Grant Application

**Elementary and Secondary School Emergency Relief III Summer
Grant Program Application**

Application ID: 22-01-12-01-ESSER-318

Cover Page

Mail completed applications to:

ESSER III Summer RFA

California Department of Education Expanded
Learning Division
1430 N Street, Suite 3400
Sacramento, CA 95814-5901

Agency Name	Eureka City Schools
County-District Code/Federal Employer Identification Number	12755150000000
County Name	Humboldt
Agency Type	LEA
Superintendent Name	Fred Van Vleck, Ed.D.
Superintendent Professional Title	Superintendent
Superintendent Address	2100 J Street
Superintendent City, State, Zip Code	Eureka, CA, 95501-3055
Superintendent Telephone Number	(707) 441-2414 Ext.
Superintendent Email Address	vanvleckf@eurekacityschools.org
Program Contact Name	Gary Starks Jr.
Program Contact Professional Title	Assistant Superintendent
Program Contact Address	2100 J street
Program Contact City, State, Zip Code	Eureka, CA 95501
Program Contact Telephone Number	707-441-3363
Program Contact Email Address	starks.g@eurekacityschools.org

Summer Supplemental Amount Requested	\$120,000.00
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I hereby certify that I have read, acknowledge, and agree to the terms as stated on the Certified Assurances, as well as on all forms contained herein not requiring individual signature. **Original "wet" signatures must be made using blue ink.**

Superintendent Signature: 	Date: 3/20/2023
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California Department of Education
Created 5-2-2022

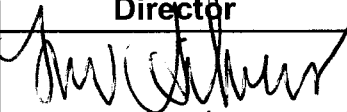
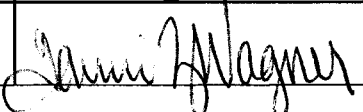
**Elementary and Secondary School Emergency
Relief III Summer Grant Program Application**

Application ID: 22-01-12-01-ESSER-318

Signatures and Approvals Form

School Principal or Executive Director Approval

The school principal or executive director of a direct-funded charter school of each school to be served by the proposed program must approve this program application.


County-District-School Code	School Name	Name of School Principal or Executive Director	Signature of School Principal or Executive Director
12755156007827	Washington Elementary	Teri Silvers, Principal	
12755156057376	Catherine L. Zane Middle	Tammi Wagner, Principal	

School District Approval

The local educational agency (LEA) superintendent must agree with the intent of this application. The LEA superintendent assures that all schools in this application meet eligibility requirements for funding pursuant to the terms and conditions described on page five in the request for applications.

If the LEA superintendent is already a signatory on this application, then signature below is not required.

Direct funded charter schools applying for grant funding are not required to obtain the superintendent's signature for approval.

County-District Code	School District Name	Name of Superintendent	Signature of Superintendent
12755150000000	Eureka City Schools	Dr. Fred Van Vleck, Ed.D., Superintendent	

**Elementary and Secondary School
Emergency Relief III Summer Grant Program Application**

Application ID: 22-01-12-01-ESSER-318

Authorized Designee Form

An Authorized Signature refers to a signature from a person who is eligible to authorize and sign on behalf of an agency or organization in recognition that a grant application has been submitted. In the absence of the authorized signature, a designee is able to sign the Elementary and Secondary School Emergency Relief III Summer Grant Program Application. Signatures from designees will only be accepted with a copy of a recent governing board resolution or minutes specifically authorizing the designee to accept and sign as a proxy for financial statements and legally binding documents.

Signature authority is the permission to execute transactions up to limits established by relevant applicant agency's policies and permission to approve transactions for execution. This approval attests to the appropriateness of the transaction within the applicant's program objectives and budgetary authorizations.

Individuals who receive delegated authority shall have active involvement with the activity being conducted; and have sufficient knowledge of the applicant agency's policies, rules, laws, regulations, and procedures to ensure compliance.

Will an authorized designee sign this application? *If yes, a copy of a recent governing board resolution or minutes specifically authorizing the designee to accept and sign as a proxy for financial statements and legally binding documents must be included with the application materials.*

Yes

☐

No

☒

Agency Name:	
Designee Name:	
Designee Title:	
Designee Signature:	
Signature Date:	

Elementary and Secondary School Emergency
Relief III Summer Grant Program Application

Application ID: 22-01-12-01-ESSER-318

Award Calculator

- Funding Categories:
- Up to 600 students—\$60,000
 - 601–899 students—\$75,000
 - 900 or more students—\$100,000

County-District-School Code	School Name	School Type	Total School Enrollment	Students Served	Amount Requested
12755156007827	Washington Elementary	E	490	494	\$60,000.00
12755156057376	Catherine L. Zane Middle	M	467	435	\$60,000.00
Total					\$120,000.00

**Elementary and Secondary School Emergency
Relief III Summer Grant Program Application**

Application ID: 22-01-12-01-ESSER-318

Will the Elementary and Secondary School Emergency Relief III funding be used to provide New or Expand Existing Summer Supplemental Programming?

☐ New Programming

☒ Expand Existing Summer Supplemental Programming

Are the site(s) you are applying for currently an ASES or 21st Century funded site(s)?

ASES



21st Century



**Elementary and Secondary School Emergency Relief III
Summer Grant Program Application**

Application ID: 22-01-12-01-ESSER-318

**Certified Assurances
Page 1**

These Certified Assurances, per California Education Code (EC), are required as part of the Elementary and Secondary School Emergency Relief III Summer Grant Program.

Note: All grantees are required to retain on file a copy of the General Assurances for their records and for audit purposes. Please download the latest General Assurances on the California Department of Education (CDE) Funding Forms web page at <https://www.cde.ca.gov/fg/fo/fm/ff.asp>. Grantees should not submit General Assurances to the CDE.

On behalf of the applicant agency, the authorized signature or designee hereby agree to, and certify the following:

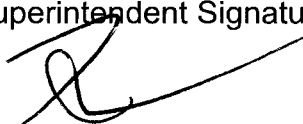
1. The program agrees to follow all fiscal reporting and auditing standards required by the CDE (*EC* Section 8482.3[f][5]).
2. As required by the CDE, programs will submit program attendance on a semiannual basis (*EC* sections 8482.3[f][10][B] and 8484[a][1][B]).
3. Every pupil attending a school operating a program is eligible to participate in the program, subject to program capacity (*EC* Section 8482.6).
4. Offsite programs will ensure communication among teachers in the regular school program, after school staff, and parents of students. (*EC* Section 8482.8[a][2]).
5. The program will assume fiscal accountability (*EC* Section 8483.3[c][9]).
6. The program will ensure that the program maintains a pupil-to-staff member ratio of no more than twenty-to-one (*EC* Section 8483.4). The funding for this program cannot be used as part of the After School Education and Safety core program twenty-to-one pupil-to-staff ratio.
7. All program staff and volunteers will be subject to the health screening and fingerprint clearance requirements in current law and district policy for school personnel and volunteers in the school district (*EC* Section 8483.4).

**Elementary and Secondary School Emergency Relief III
Summer Grant Program Application**

Application ID: 22-01-12-01-ESSER-318

**Certified Assurances
Page 2**

8. All funds expended will supplement, but not supplant, existing funding for after school programs. State categorical funds for remedial education activities shall not be used to make the required contribution of local funds for those after school programs (*EC* sections 8483.5[e] and 8483.7[b]).
9. A program may expend on indirect cost up to five percent of the award amount or lesser based on the CDE approved cost rate for the appropriate fiscal year (*EC* Section 8483.9[a]).
10. An offsite program shall comply with all statutory and regulatory requirements that are applicable to similar programs conducted on the school site (*EC* Section 8484.6[b]).

I acknowledge understanding an agreement with California <i>EC</i> Certified Assurances 1—10.	
Superintendent Signature: 	Date: 3-20-23

**Elementary and Secondary School Emergency Relief III
Summer Grant Program Application**

Application ID: 22-01-12-01-ESSER-318

Disqualification Form

The following conditions must be met for an application to be considered for Elementary and Secondary School Emergency Relief III Summer Grant Program funding. If an applicant does not comply with all of the following items, either individual schools or the entire application will be disqualified from funding consideration.

Application Disqualifications

1. Application forms (see Application Checklist) that are submitted to the California Department of Education after April 3, 2023 at 5:00 p.m., will be disqualified. **Postmarks will be honored.** Applications that are sent by guaranteed, overnight, priority mail, or other means must include verifiable documentation from the delivery service assuring delivery date by the due date and time.
2. A Cover Page without an original authorized signature, or without a designee signature submitted with a copy of a recent governing board resolution or minutes clearly authorizing the designee to accept and sign as a proxy for financial statements and legally binding documents, will be disqualified.
3. Applicants **must apply** through the ASSIST data base and Download the application from ASSIST for submission.
4. An individual school not in Good Standing, as defined in the Request for Applications, **will** be disqualified.

Individual School Site Disqualifications

5. A Signature and Approvals Form without an original signature from the school site principal or executive director from a direct-funded charter school will be disqualified.
6. The school must have an active County-District-School (CDS) code at the time the application is submitted or the site will be disqualified.

Authorized Agent Signature: 	Date: 
--	--

California Department of Education
Created 5-2-2022

**Elementary and Secondary School Emergency Relief III
Summer Grant Program Application**

Application ID: 22-01-12-01-ESSER-318

Checklist

The original application packet must be postmarked on, or before April 3, 2023 at 5:00 p.m., and mailed to the EXLD. In-person delivery of applications to the CDE is not allowed, all applications must be mailed to the address below. Postmarks will be honored.

ESSER III Summer RFA

California Department of Education
Expanded Learning Division
1430 N Street, Suite 3400
Sacramento, CA 95814-5901

Please submit these forms in the following order:

- ☒ Cover Page
- ☒ Signatures and Approvals
- ☐ Designee Form (if applicable)
- ☒ Grant Requests/Award Calculator
- ☒ ESSER III Questions
- ☒ Assurances 1—10 signed and returned (also keep a copy for your records)
- ☒ Disqualification Form
- ☒ Checklist

California Department of Education
Created 5-2-2022

AGENDA ITEM

Agenda Title: Approval of Policy Updates from CSBA - September 2022

Meeting Date: March 30, 2023

Item: Discussion

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is being asked to approve the policy updates from CSBA - September 2022.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

From time to time, relatively minor changes occur that affect the text of CSBA sample board policies, administrative regulations, and board bylaws but do not warrant reissuing the entire sample because the changes are limited. It is recommended that districts review the revisions and incorporate them in district materials as appropriate. Although the revisions are minor, the district should still use its normal adoption process to adopt the board policies, administrative regulations, and/or board bylaws affected by these revisions. The following Board Policies, Administrative Regulations and Board Bylaws have various changes due to changes in laws, new laws, court decisions, and clarification.

STRATEGIC PLAN/PRIORITY AREA:

Governance and Policy updating is not reflected in the Strategic Plan Priority Area

HISTORY *(list previous staff or board action(s) with dates if possible)*

This is the second reading of these policies. The first reading occurred on March 9, 2023.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

There is no revenue or expense related to this agenda item.

WHO *(list the name of the contact person(s), job title, and site location)*

Fred Van Vleck, Ed.D., Superintendent

ATTACHMENTS:

Description

▢ Policies - Final Action

CSBA UPDATE CHECKLIST – September 2022

Final Review: March 30, 2023

POLICY	TITLE	ADOPT DATE or ACTION TAKEN
BP 3515.3 No Current	District Police/Security Department	Do Not Adopt
AR 3515.3 No Current	District Police/Security Department	Do Not Adopt
BP 4118	Dismissal/Suspension/Disciplinary Action	03/30/23
AR 4118	Dismissal/Suspension/Disciplinary Action	03/30/23
BP 4119.1	Civil and Legal Rights	03/30/23
BP 4219.1	Civil and Legal Rights	03/30/23
BP 4319.1	Civil and Legal Rights	03/30/23
BP 4140	Bargaining Units	03/30/23
BP 4240	Bargaining Units	03/30/23
BP 4340	Bargaining Units	03/30/23
AR 4161.2 No Current	Personal Leaves	03/30/23
AR 4261.2 No Current	Personal Leaves	03/30/23
AR 4361.2 No Current	Personal Leaves	03/30/23
AR 4161.5	Military Leave	03/30/23
AR 4261.5	Military Leave	03/30/23
AR 4361.5	Military Leave	03/30/23

BP 4216	Probationary/Permanent Status	03/30/23
BP 4218	Dismissal/Suspension/Disciplinary Action	03/30/23
AR 4218	Dismissal/Suspension/Disciplinary Action	03/30/23
BP 4218.1 No Current	Dismissal/Suspension/Disciplinary Action (Merit System)	Do Not Adopt
BP 6146.1	High School Graduation Requirements	03/30/23
AR 6146.1	High School Graduation Requirements	Delete
BP 6158	Independent Study	03/30/23
AR 6158	Independent Study	03/30/23
BP 6164.2	Guidance/Counseling Services	03/30/23
BP 6178	Career Technical Education	03/30/23
AR 6178	Career Technical Education	03/30/23
BP 6200	Adult Education	03/30/23
AR 6200	Adult Education	03/30/23
BP 7110	Facilities Master Plan	Do Not Adopt
BP 7150	Site Selection and Development	03/30/23
AR 7150	Site Selection and Development	03/30/23
BB 9100	Organization	03/30/23

Policy 4118: Dismissal/Suspension/Disciplinary Action

Status: ADOPTED

Original Adopted Date: 07/01/2000 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

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

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

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

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

Suspension/Dismissal Procedures

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

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

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

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

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

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

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

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

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

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

State References	Description
5 CCR 80303	Reports of change in employment status; alleged misconduct
5 CCR 80304	Notice of sexual misconduct
CA Constitution Article 1, Section 1	Inalienable rights
Ed. Code 44008	Effect of termination of probation
Ed. Code 44009	Conviction of specified crimes
Ed. Code 44010	Sex offense; definitions
Ed. Code 44011	Controlled substance offense
Ed. Code 44242.5	Reports and review of alleged misconduct
Ed. Code 44425	Conviction of a sex or narcotic offense
Ed. Code 44660-44665	Evaluation and assessment of performance of certificated employees
Ed. Code 44830.1	Criminal record summary certificated employees
Ed. Code 44929.21	Notice of reelection decision; districts with 250 ADA or more
Ed. Code 44929.23	Districts with less than 250 ADA
Ed. Code 44930-44988	Resignations, dismissals and leaves of absence
Ed. Code 45055	Drawing of warrants for teachers
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 51530	Advocacy or teaching of communism
Gov. Code 1028	Advocacy of communism

Gov. Code 11505-11506	Hearing
Gov. Code 3543.2	Scope of representation
H&S Code 11054	Schedule I; substances included
H&S Code 11055	Schedule II; substances included
H&S Code 11056	Schedule III; substances included
H&S Code 11357-11361	Marijuana
H&S Code 11363	Peyote
H&S Code 11364	Opium
H&S Code 11370.1	Possession of controlled substances with a firearm
Pen. Code 11165.2-11165.6	Child abuse or neglect; definitions
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 187	Murder
Pen. Code 291	School employees arrest for sex offense
Pen. Code 667.5	Prior prison terms; enhancement of prison terms
Federal References	Description
U.S. Constitution	Amendment 1, Free exercise, free speech, and establishment clauses
Management Resources References	Description
Commission on Teacher Credentialing Publication	California's Laws and Rules Pertaining to the Discipline of Professional Certificated Personnel, 2007
Court Decision	Kennedy v. Bremerton (2022) 142 S.Ct. 2407
Court Decision	Crowl v. Commission on Professional Competence, (1990) 225 Cal. App. 3d 334
Court Decision	Morrison v. State Board of Education (1969) 1 Cal.3d 214
Website	Office of the Attorney General - https://simbli.eboardsolutions.com/SU/kYMplusPKVwKTngiVfOT4AD8Q==
Website	Office of Administrative Hearings - https://simbli.eboardsolutions.com/SU/hkXUvTmkSbRSTlh3V79tXg==
Website	Department of General Services, About Teacher Dismissal Case Type - https://simbli.eboardsolutions.com/SU/9nslshuTpTNHO70H14ljlLeA==
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==
Website	Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNiqRUulsaq7efc7aH4Q==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Cross References	Description
1114	District-Sponsored Social Media - https://simbli.eboardsolutions.com/SU/GPX87YasvLlgrwrAjTkQSg==
1114	District-Sponsored Social Media - https://simbli.eboardsolutions.com/SU/yjVorBCGm2rPCjkelGVV5A==
1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/dIGslshefvOqyWh8DLTuprGWw==
1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/ZCplusrqf8OJfVdSVEedfwjAA==

1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qvzpYbttZOPNWrpR2Lc9VQ==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/U5PKMAkslsh8XdmxbODX9gY2A==
1312.3-E PDF(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/YsqKpKY3LEBnr4vNoyMVGa==
1312.3-E PDF(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/sDRNJKOFJdr6rBfMAplusbMplusg==
3230	Federal Grant Funds - https://simbli.eboardsolutions.com/SU/OVH379RjC0a1aO7l1TFHYg==
3230	Federal Grant Funds - https://simbli.eboardsolutions.com/SU/pHfysr2KHcXTIDFyCkoN8w==
3512	Equipment - https://simbli.eboardsolutions.com/SU/ezslshZHMnYpluscHnfpO2vztUslshg==
3512-E(1)	Equipment - https://simbli.eboardsolutions.com/SU/htmlpluswvNopsrGRvHnZmL57Q==
3513.3	Tobacco-Free Schools - https://simbli.eboardsolutions.com/SU/YcXDckQsxpWnclpvl3ATIA==
3513.3	Tobacco-Free Schools - https://simbli.eboardsolutions.com/SU/PD0MCVslshDCYPHDWjcAvbVoQ==
3513.4	Drug And Alcohol Free Schools - https://simbli.eboardsolutions.com/SU/ryiOKslshMplusW4HslshslshWMh5sSZ1w==
3515.2	Disruptions - https://simbli.eboardsolutions.com/SU/CwDXzUwOzlplusMOBg2FjxUVQ==
3515.2	Disruptions - https://simbli.eboardsolutions.com/SU/plusM9xri3ZWfyas59c77cpluscg==
3515.21	Unmanned Aircraft Systems (Drones) - https://simbli.eboardsolutions.com/SU/2hYMI2YDYwUvplusQyNqN64RQ==
3516.2	Bomb Threats - https://simbli.eboardsolutions.com/SU/IVIK9slshAIIKtBcZcf8v5agg==
4000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/3mx5slshSslshVUX9evNt7pb637w==
4020	Drug And Alcohol-Free Workplace - https://simbli.eboardsolutions.com/SU/gq3plusa7wsEW6oMTnThmqKpg==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/Xb5ZIMMO0i2aRzB52IGiCg==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/vx943OTXDnJq9P0DHTilzg==
4040	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/3Md2dslshuyFrpXYhjStkTrQw==
4040-E(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/Fe6BHPH6DOzDpVRGUqP8hQ==
4040-E PDF(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/josKeRFFqslshEcP1vE5cw0Gg==
4112	Appointment And Conditions Of Employment - https://simbli.eboardsolutions.com/SU/MPR97KriNiwH94qpgg6SRw==
4112.1	Contracts - https://simbli.eboardsolutions.com/SU/livPTslsh1UwK7EcyshYkmCBZA==
4112.4	Health Examinations - https://simbli.eboardsolutions.com/SU/sILMlslshxLI2YOPYoMMU2U7w==

4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/slshnzMWdvaZpZNpZplusoEf8ILQ==
4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/plusx1slshGxTJQKJXLOkrYP8gplusg==
4112.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/XxVcsvXeI4TKDtGnWVslshaAA==
4112.5-E(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/iMqubXqetDmZQ7GVyqkl7w==
4112.5-E PDF(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/UxsEts3DeYslshRZpXyPvEL7w==
4112.6	Personnel Files - https://simbli.eboardsolutions.com/SU/slshc7i5jiVl8pLyA79vr9rhw==
4112.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/lzOl6slshnrcwplusn8LplusKslshvswf==
4112.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/nxsNzGlnhGviEz28zpluwjzg==
4112.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/BjEd40hv6bJfirolKsHpQQ==
4113.5	Working Remotely - https://simbli.eboardsolutions.com/SU/lplusUYB21IDXQLwzl2vjW3Eg==
4114	Transfers - https://simbli.eboardsolutions.com/SU/mFpPJXC1QmDMIC74Qj4ETg==
4115	Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/0LslshHZpTrWZBP3dcuo7QfxQ==
4115	Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/YXWh5JlIsC6OnRyofY3IEw==
4117.7	Employment Status Reports - https://simbli.eboardsolutions.com/SU/vrsIOSKabKdr9XdJcOBqDw==
4119.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/BQiemT6yH0cplusdbQ4LuGjZA==
4119.11	Sexual Harassment - https://simbli.eboardsolutions.com/SU/8tRAPBREHq5fjpslshz0HVtfw==
4119.11	Sexual Harassment - https://simbli.eboardsolutions.com/SU/QRcWQUtgJeCDcHbkv2IRQ==
4119.12	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/cwaQhFQnPhGFvkogTSslshvoA==
4119.12-E(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/rOB42ElpiyuEXBil5SctVQ==
4119.12-E PDF(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/fslshcrFHUsDwOYFjvy2R0xQg==
4119.21	Professional Standards - https://simbli.eboardsolutions.com/SU/RUG2Aozy5plusrWMBTJVdlsyg==
4119.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/YZXplusYQTz0U6OMJGsFSgPwQ==
4119.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/vF87GYLXytUMmUN2SXjO0g==
4119.22	Dress And Grooming - https://simbli.eboardsolutions.com/SU/JEV8w6UMpXbhNFrslshMaMYLw==
4119.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/2wFCPnGtM48I3kplusPslshl0slshSw==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/FkeMlvswqn3LcJdgUB9slshA==

4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/dvZ7mfqfvA0YM7xyypEMfw==
4127	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/rdpZrJrsafxuBrElcbGnA==
4127	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/QZOYyuTYMNL2Ja28meyerFQ==
4131.1	Teacher Support And Guidance - https://simbli.eboardsolutions.com/SU/o63bybiWnOwM5kCYo8bBLg==
4131.1	Teacher Support And Guidance - https://simbli.eboardsolutions.com/SU/zlGKbGQaVplusdRicemB3xUUw==
4136	Nonschool Employment - https://simbli.eboardsolutions.com/SU/kG34JHzl7hlemKdooJNm9g==
4141	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/wSbplusNslshzmwtp8Du1J7fxoGg==
4141.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/TtH8mfb4Zwc222YN76OTdg==
4141.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/nCKbnl3vsF4vwC2CzN850A==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/8w7jXCSa7Dmj2OhsA1O4mg==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/bUKajshf9NH4tnZl9utk7g==
4157	Employee Safety - https://simbli.eboardsolutions.com/SU/URy09LOe63e3eiYa2WLVTQ==
4157	Employee Safety - https://simbli.eboardsolutions.com/SU/pCyFLiyDAXQFxbhUbSHFA==
4158	Employee Security - https://simbli.eboardsolutions.com/SU/FNXlvGTuDgTclGIWKDo75Q==
4158	Employee Security - https://simbli.eboardsolutions.com/SU/Lldu39d9d8NTNOW1shZPzA==
4159	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/HoMI4ixzNoFrMhcAKsYU5Q==
4161	Leaves - https://simbli.eboardsolutions.com/SU/EEXMgObslshqslshiKqtJJUX7vSg==
4161	Leaves - https://simbli.eboardsolutions.com/SU/1j87G85jaeaw3FbkyNX3fw==
4212.4	Health Examinations - https://simbli.eboardsolutions.com/SU/RQiw5kZIComkqEEHCuVAlA==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/QgjTxWzNHPacaieY2R44UQ==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/vRslshvw9XAfld9jXuR4KOLkg==
4212.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/zlCQLKslshYYocj135d8hWslshpQ==
4212.5-E(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/LslshSXSeZT2aDisDUZFolGOQ==
4212.5-E PDF(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/sDVasU4nkvGVxDODtvXKgg==
4212.6	Personnel Files - https://simbli.eboardsolutions.com/SU/Kp3DemXWMRr4slshb8EnhyJPw==
4212.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/mHaW9EbnocL5Pl6rr10dMw==

4212.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/dRLduplushlLitByDflajDntw==
4212.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/U68jKBBwiztUHegLtPjM0w==
4213.5	Working Remotely - https://simbli.eboardsolutions.com/SU/SPfSMb6tOUSdTISM41uslshvw==
4219.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/qInWNgn2LFslshDzTCLslsh592A==
4219.11	Sexual Harassment - https://simbli.eboardsolutions.com/SU/ThsBkTwebyi3QrSE9lpm2w==
4219.11	Sexual Harassment - https://simbli.eboardsolutions.com/SU/f0lz7oK8fOTNnMJg3w7aWA==
4219.12	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/OBcyzA9IS2uF2sCkACIVsw==
4219.12-E(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/D3sslshZJNNbv4WlamsEWM4pQ==
4219.12-E PDF(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/VEmAxf6VtwEh7mmLHH7xg==
4219.21	Professional Standards - https://simbli.eboardsolutions.com/SU/577ui4NZDgpHKG5NJplussQbA==
4219.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/SZslshTkenVfGb5PHogpS5WHg==
4219.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/52slshZb5LuY0skwfJSoBbV0Q==
4219.22	Dress And Grooming - https://simbli.eboardsolutions.com/SU/73WaAoB7xVTiIWdyg8jPUA==
4219.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/DzT84jciN31dA5odXslshEoA==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/EpuQDzLygwplusseQSqTDILbw==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/7hEQzi8hdkRLUYbn3mcUYw==
4227	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/3ofwf9BJayE72I4RVoDplussQ==
4227	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/gh6il9tkxViyly74pfsyvg==
4236	Nonschool Employment - https://simbli.eboardsolutions.com/SU/2EYq4TWTxHfIKGniO4gkGA==
4241	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/HilDt0mq6toKw0vAGRcktA==
4241.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/8ghHTIoULRupEkUU4HVtdg==
4241.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/W5ExJpluss6yHnOMElqyCk9IQ==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/A1ITc070plusq5qXGSvtT8tew==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/4MRmnj4J0iqDWVDL3OkrzA==
4257	Employee Safety - https://simbli.eboardsolutions.com/SU/NXiCt6XfmCK7qCqQ6765sQ==

4257	Employee Safety - https://simbli.eboardsolutions.com/SU/hlcSn6uv0mPslshljslshio2S8eQ==
4258	Employee Security - https://simbli.eboardsolutions.com/SU/xTiwiJO7zP5pnvrwnkPcdw==
4258	Employee Security - https://simbli.eboardsolutions.com/SU/HzleDphm05nyuDFSTUwAmg==
4259	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/fRGxOc7Yplus8ZsrZ44lplusJCUQ==
4261	Leaves - https://simbli.eboardsolutions.com/SU/NEon3h0paWxSWoNITTqbmA==
4261	Leaves - https://simbli.eboardsolutions.com/SU/cns2ox14MXb4vgIRlm84fA==
4312.4	Health Examinations - https://simbli.eboardsolutions.com/SU/obiSk8rTaSgKJ7TuV2j8Xw==
4312.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/CgnDx1BlZbUtFWHVgyEOgA==
4312.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/GVplusn4gQA3IKplus4knVTn0OUw==
4312.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/87h9kHh1nis8QFmawLNjVQ==
4312.5-E(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/IDd97ZTIGWbSslshXQAq9Hd3w==
4312.5-E PDF(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/4ekuY8plusKlIYnslshRBAHkptw==
4312.6	Personnel Files - https://simbli.eboardsolutions.com/SU/fiFVux1oWapNdGxQ1UZ7Fg==
4312.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/CqOQlb4XnDnSONdYu7jm2Q==
4312.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/2aBW0q0A11slsh9KahGJYr69A==
4312.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/LslshgslshO92fRVoPUpuUergz7w==
4313.5	Working Remotely - https://simbli.eboardsolutions.com/SU/ktlIO4qOhdFvliFg1dcww==
4317.7	Employment Status Reports - https://simbli.eboardsolutions.com/SU/ecU45JtmfvVslshTkkdepBplusjg==
4319.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/XWa15T9slshJVGmRW95yTHU1Q==
4319.11	Sexual Harassment - https://simbli.eboardsolutions.com/SU/4Vv7i0i6uHdgsIsheZNHpgVg==
4319.11	Sexual Harassment - https://simbli.eboardsolutions.com/SU/GoK7chDslshO0cPN2xYIVjhslshg==
4319.12	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/XI9iCOEKKDimRslshJXsBtkkg==
4319.12-E(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/aomDgMkPUyslshbOT5oDJMKwQ==
4319.12-E PDF(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/eaHkgoUI5B0rKy6VfGrbnQ==
4319.21	Professional Standards - https://simbli.eboardsolutions.com/SU/53YbPV2hoKqYj7h7jg34plusA==
4319.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/KC2bJWRJcvPY6NBslshOucarQ==

4319.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/u6TpxPrplusLKIUDjY7bpOkaw==
4319.22	Dress And Grooming - https://simbli.eboardsolutions.com/SU/tclULDJ5tC01jFjvleggoA==
4319.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/X3ta8p18splcxmJVplusXplusnZQ==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/Qqh1ZB30DJcLxmSo6Ca3A==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/yapplusFLKGYeK7yfxXubPVLrQ==
4327	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/wF87ll1DiM4BuNlpmMp4jw==
4327	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/GfWrHbKXXiMo6D9sEVMuoQ==
4336	Nonschool Employment - https://simbli.eboardsolutions.com/SU/qK9cCPXhorJH0YcplusuQVXhQ==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/6BM2yTUYAw67FplusFDpsplusINA==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/rplusmwwksFJslufmMFbAX0vQ==
4357	Employee Safety - https://simbli.eboardsolutions.com/SU/D6S5MNvzJ7r40aZtHitwjw==
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4358	Employee Security - https://simbli.eboardsolutions.com/SU/C6fpUPMjplus2yAmh3nNvvObg==
4359	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/TKcq760n9RZapplusNRYWW1VUQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgUwUOQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/m93RQnCPLYUeeeBo4hULBQ==
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities) - https://simbli.eboardsolutions.com/SU/VfqT4dag9OryfRHQPXk58A==
5145.2	Freedom Of Speech/Expression - https://simbli.eboardsolutions.com/SU/Ibu6OGOoNPkptcFYicbKYg==
5145.2	Freedom Of Speech/Expression - https://simbli.eboardsolutions.com/SU/ZGwh6CltgMZOn0Pvmdnzng==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/m3D8kgCbYf75xXSrW6Y27Q==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/be0JrP9vB8YKcEI8kaV3gg==
5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/MfAhaHLgZdYUYNaeSYslsh2ow==
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5145.71	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/rZPreTur6slsh2lqWSGKKtgXw==
5145.71-E PDF(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/qSbCRxeqGOsBuNxpZPtPGQ==

5145.9	Hate-Motivated Behavior - https://simbli.eboardsolutions.com/SU/zXaTq9y3Bf8f0rt8zzpcyw==
6145.2	Athletic Competition - https://simbli.eboardsolutions.com/SU/WjFHslshd0qO8WHJq9f7Kfh5Q==
6145.2	Athletic Competition - https://simbli.eboardsolutions.com/SU/3b046reWKA4At9vT9uKSHg==
6162.54	Test Integrity/Test Preparation - https://simbli.eboardsolutions.com/SU/1uChFzb4I7hEf7qS6MfqAw==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOFduR9FE4g==
9321	Closed Session - https://simbli.eboardsolutions.com/SU/6Okac2n002IH7QiOyqvirA==
9321-E PDF(1)	Closed Session - https://simbli.eboardsolutions.com/SU/vBUvmtCplus4dg0F3rabOZPNg==
9321-E PDF(2)	Closed Session - https://simbli.eboardsolutions.com/SU/Z3jPyRYtdSQqCXwy23swSg==

Regulation 4118: Dismissal/Suspension/Disciplinary Action

Status: ADOPTED

Original Adopted Date: 07/01/2000 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

Causes for Suspension or Dismissal

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

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

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

Suspension/Dismissal of Permanent Employees

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

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

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

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

Suspension/Dismissal of Probationary Employees

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

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

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

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

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

Compulsory Leave of Absence

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

1. Any sex offense as defined in Education Code 44010

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

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

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

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

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

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

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

State References	Description
5 CCR 80303	Reports of change in employment status; alleged misconduct
5 CCR 80304	Notice of sexual misconduct
CA Constitution Article 1, Section 1	Inalienable rights
Ed. Code 44008	Effect of termination of probation
Ed. Code 44009	Conviction of specified crimes
Ed. Code 44010	Sex offense; definitions
Ed. Code 44011	Controlled substance offense
Ed. Code 44242.5	Reports and review of alleged misconduct
Ed. Code 44425	Conviction of a sex or narcotic offense
Ed. Code 44660-44665	Evaluation and assessment of performance of certificated employees
Ed. Code 44830.1	Criminal record summary certificated employees
Ed. Code 44929.21	Notice of reelection decision; districts with 250 ADA or more
Ed. Code 44929.23	Districts with less than 250 ADA
Ed. Code 44930-44988	Resignations, dismissals and leaves of absence
Ed. Code 45055	Drawing of warrants for teachers
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 51530	Advocacy or teaching of communism

Gov. Code 1028	Advocacy of communism
Gov. Code 11505-11506	Hearing
Gov. Code 3543.2	Scope of representation
H&S Code 11054	Schedule I; substances included
H&S Code 11055	Schedule II; substances included
H&S Code 11056	Schedule III; substances included
H&S Code 11357-11361	Marijuana
H&S Code 11363	Peyote
H&S Code 11364	Opium
H&S Code 11370.1	Possession of controlled substances with a firearm
Pen. Code 11165.2-11165.6	Child abuse or neglect; definitions
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 187	Murder
Pen. Code 291	School employees arrest for sex offense
Pen. Code 667.5	Prior prison terms; enhancement of prison terms
Federal References	Description
U.S. Constitution	Amendment 1, Free exercise, free speech, and establishment clauses
Management Resources References	Description
Commission on Teacher Credentialing Publication	California's Laws and Rules Pertaining to the Discipline of Professional Certificated Personnel, 2007
Court Decision	Kennedy v. Bremerton (2022) 142 S.Ct. 2407
Court Decision	Crowl v. Commission on Professional Competence, (1990) 225 Cal. App. 3d 334
Court Decision	Morrison v. State Board of Education (1969) 1 Cal.3d 214
Website	Office of the Attorney General - https://simbli.eboardsolutions.com/SU/kYMplusPKVwKTngiVfOT4AD8Q==
Website	Office of Administrative Hearings - https://simbli.eboardsolutions.com/SU/hkXUvTmkSbRSTlh3V79tXg==
Website	Department of General Services, About Teacher Dismissal Case Type - https://simbli.eboardsolutions.com/SU/9nslshuTpTNHO70H14ljlrLeA==
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==
Website	Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNiqRUulsag7efc7aH4Q==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Cross References	Description
1114	District-Sponsored Social Media - https://simbli.eboardsolutions.com/SU/GPX87YasvLlgrwrAjTkQSG==
1114	District-Sponsored Social Media - https://simbli.eboardsolutions.com/SU/yjVorBCGm2rPCjkELGVV5A==
1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/dlGslshefvOqyWh8DLTuprGWw==

1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/ZCplusrqf8OJfVdSVEdfwjAA==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qvzpYbttZOPNWrpR2Lc9VQ==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/U5PKMAkslsh8XdmxbODX9gY2A==
1312.3-E PDF(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/YsqKpKY3LEBnr4vNoyMVGA==
1312.3-E PDF(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/sDRNJKOFJdr6rBfMAplusbMplusg==
3230	Federal Grant Funds - https://simbli.eboardsolutions.com/SU/OVH379RjC0a1aO7I1TFHYg==
3230	Federal Grant Funds - https://simbli.eboardsolutions.com/SU/pHfysr2KHcXTIDFyCkoN8w==
3512	Equipment - https://simbli.eboardsolutions.com/SU/ezslshZHMnYpluscHnfpO2vztUslshg==
3512-E(1)	Equipment - https://simbli.eboardsolutions.com/SU/htpluswvNopsrGRvHnZmL57Q==
3513.3	Tobacco-Free Schools - https://simbli.eboardsolutions.com/SU/YcXDckQsxpNcLpvl3ATIA==
3513.3	Tobacco-Free Schools - https://simbli.eboardsolutions.com/SU/PD0MCVslshDCYPHDWjcAvbVoQ==
3513.4	Drug And Alcohol Free Schools - https://simbli.eboardsolutions.com/SU/ryiOKslshMplusW4HslshslshWMh5sSZ1w==
3515.2	Disruptions - https://simbli.eboardsolutions.com/SU/CwDXzUwOzplusMOBG2FjxUVQ==
3515.2	Disruptions - https://simbli.eboardsolutions.com/SU/plusM9xri3ZWfyas59c77cpluscg==
3515.21	Unmanned Aircraft Systems (Drones) - https://simbli.eboardsolutions.com/SU/2hYMI2YDYwUvplusQyNqN64RQ==
3516.2	Bomb Threats - https://simbli.eboardsolutions.com/SU/IVIK9slshAIktBcZcF8v5agg==
4000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/3mx5slshSslshVUX9evNt7pb637w==
4020	Drug And Alcohol-Free Workplace - https://simbli.eboardsolutions.com/SU/gq3plusa7wsEW6oMTnThmqKpg==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/Xb5ZIMMO0i2aRzB52IGiCg==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/vx943OTXDnJq9P0DHTilzg==
4040	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/3Md2dsishuyFrpXYhiStkTrQw==
4040-E(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/Fe6BHPH6DOzDpVRGUqP8hQ==
4040-E PDF(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/josKeRFFqslshEcP1vE5cw0Gg==
4112	Appointment And Conditions Of Employment - https://simbli.eboardsolutions.com/SU/MPR97KriNiwH94qpqg6SRw==
4112.1	Contracts - https://simbli.eboardsolutions.com/SU/livPTslsh1Uwk7EcyslshYkmCBZA==

4112.4	Health Examinations - https://simbli.eboardsolutions.com/SU/sILMIsIshxLI2YOPYoMMU2U7w==
4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/slshnzMWdvaZpZNpZplusoEf8ILQ==
4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/plusx1slshGxTJQKJXLOKRYP8gpluag==
4112.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/XxVcsvXeI4TKDtGnWVslshaAA==
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4112.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/lzOl6slshnwrcwplusn8LplusKslshvswfw==
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4113.5	Working Remotely - https://simbli.eboardsolutions.com/SU/lplusUYB21IDXQLwzl2vjW3Eg==
4114	Transfers - https://simbli.eboardsolutions.com/SU/mFpPJXC1QmDMIC74Qi4ETg==
4115	Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/0LslshHZpTrWZBP3dcuo7QfxQ==
4115	Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/YXWh5JjlsC6OnRyofY3IEw==
4117.7	Employment Status Reports - https://simbli.eboardsolutions.com/SU/vrsIOSKabKdr9XdJcOBqDw==
4119.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/BQiemT6yH0cplusdbQ4LuGjZA==
4119.11	Sexual Harassment - https://simbli.eboardsolutions.com/SU/8tRAPBREHq5fJpslshz0HVtfw==
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4119.12	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/cwaQhFQnPhGFvkogTSslshvoA==
4119.12-E(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/rOB42ElpiyuEXBiI5SctVQ==
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4119.22	Dress And Grooming - https://simbli.eboardsolutions.com/SU/JEV8w6UMpXbhNFrsIshMaMYLw==

4119.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/2wFCpNgtM48l3kplusPslshl0slshSw==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/FkeMlvswqn3LcJldgUB9slshA==
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4131.1	Teacher Support And Guidance - https://simbli.eboardsolutions.com/SU/o63bybiWnOwM5kCYo8bBLg==
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4136	Nonschool Employment - https://simbli.eboardsolutions.com/SU/kg34JHzl7hlemKdooJNm9g==
4141	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/wSbplusNslshzmwtp8Du1J7fxoGg==
4141.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/TtH8mfb4Zwc222YN76OTdg==
4141.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/nCKbnl3vsF4vwC2CzN850A==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/8w7jXCSa7Dmj2OhsA104mg==
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4157	Employee Safety - https://simbli.eboardsolutions.com/SU/URy09LOe63e3eiYa2WLVTQ==
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4158	Employee Security - https://simbli.eboardsolutions.com/SU/FNXlvGTuDgTclGIWKDo75Q==
4158	Employee Security - https://simbli.eboardsolutions.com/SU/Lldu39d9d8NTNOW1shZPzA==
4159	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/HoMI4ixzNoFrMhcAKsYU5Q==
4161	Leaves - https://simbli.eboardsolutions.com/SU/EEXMgObslshqslshiKqtJJUX7vSg==
4161	Leaves - https://simbli.eboardsolutions.com/SU/1j87G85jaeaw3FbkyNX3fw==
4212.4	Health Examinations - https://simbli.eboardsolutions.com/SU/RQiw5kZIComkqEEHCuVAlA==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/QgjTxWzNHPacaieY2R44UQ==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/vRslshvw9XAfld9jXuR4KOLkg==
4212.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/zlCQLKslshYYocj135d8hWslshpQ==
4212.5-E(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/LslshSXSeZT2aDisDUZFolGOQ==
4212.5-E PDF(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/sDVasU4nkvGVxDODtvXKqg==

4212.6	Personnel Files - https://simbli.eboardsolutions.com/SU/Kp3DemXWMRr4slshb8EnhyJPw==
4212.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/mHaW9EbnocL5Pl6rr10dMw==
4212.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/dRLduplushlLitByDflajDntw==
4212.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/U68jKBBwiztUHegLtpjM0w==
4213.5	Working Remotely - https://simbli.eboardsolutions.com/SU/SPfSMb6tOUSdTISM41uslshvw==
4219.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/qInWNgn2LFslshDzTCLslsh592A==
4219.11	Sexual Harassment - https://simbli.eboardsolutions.com/SU/ThsBkTwebyi3QrSE9lpm2w==
4219.11	Sexual Harassment - https://simbli.eboardsolutions.com/SU/f0lz7oK8fOTNnMJg3w7aWA==
4219.12	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/OBcyzA9IS2uF2sCkACIVsw==
4219.12-E(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/D3sslshZJNNbv4WlamsEWM4pQ==
4219.12-E PDF(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/VEmAxwF6VTwEh7mmLHH7xg==
4219.21	Professional Standards - https://simbli.eboardsolutions.com/SU/577ui4NZDgpHKG5NJplussQbA==
4219.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/SZslshTkenVfGb5PHogpS5WHg==
4219.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/52slshZb5LuY0skwfJSoBbV0Q==
4219.22	Dress And Grooming - https://simbli.eboardsolutions.com/SU/73WaAoB7xVTiIWdyg8jPUA==
4219.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/DzT84jcjiN31dA5odXslshEoA==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/EpuQDzLygwplusseQSqTDILbw==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/7hEQzj8hdkRLUYbn3mcUYw==
4227	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/3ofwf9BJayE72l4RVoDplusplusQ==
4227	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/gh6iL9tkxViyly74pfsyvg==
4236	Nonschool Employment - https://simbli.eboardsolutions.com/SU/2EYq4TWTxHflKgniO4gkGA==
4241	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/HilDt0mq6toKw0vAGRcktA==
4241.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/8ghHTIoULRupEkUU4HVtdg==
4241.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/W5ExJpluss6yHnOMElqyCk9IQ==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/A1ITc070plusq5qXGSvtT8tew==

4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/4MRmnj4J0iqDWVDL3OkzA==
4257	Employee Safety - https://simbli.eboardsolutions.com/SU/NXiCt6XfmCK7qCqQ6765sQ==
4257	Employee Safety - https://simbli.eboardsolutions.com/SU/hlcSn6uv0mPslshljslshio2S8eQ==
4258	Employee Security - https://simbli.eboardsolutions.com/SU/xTiwiJO7zP5pnvrwnkPcdw==
4258	Employee Security - https://simbli.eboardsolutions.com/SU/HzleDphm05nyuDFSTUwAmg==
4259	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/fRGxOc7Yplus8ZsrZ44lplusJCUQ==
4261	Leaves - https://simbli.eboardsolutions.com/SU/NEon3h0paWxSWoNITTqbmA==
4261	Leaves - https://simbli.eboardsolutions.com/SU/cns2ox14MXb4vgIRlm84fA==
4312.4	Health Examinations - https://simbli.eboardsolutions.com/SU/obiSk8rTaSgKJ7TuV2j8Xw==
4312.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/CgnDx1BLZbUtFWHVgyEOgA==
4312.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/GVplusn4gQA3IKplus4knVTn0OUw==
4312.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/87h9kHh1nis8QFmawLNjVQ==
4312.5-E(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/IDd97ZTIGWbSslshXQAq9Hd3w==
4312.5-E PDF(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/4ekuJY8plusKllynsishRBAHkptw==
4312.6	Personnel Files - https://simbli.eboardsolutions.com/SU/fiFVux1oWapNdGxQ1UZ7Fg==
4312.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/CqOQlb4XnDnSONdYu7jm2Q==
4312.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/2aBW0q0A11slsh9KahGJYr69A==
4312.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/LslshgslshO92fRVoPUuUergz7w==
4313.5	Working Remotely - https://simbli.eboardsolutions.com/SU/ktlIO4qOhdfVilFg1dcww==
4317.7	Employment Status Reports - https://simbli.eboardsolutions.com/SU/ecU45JtmfvVslshKkdepBplusjg==
4319.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/XWa15T9slshJVgmRW95yTHU1Q==
4319.11	Sexual Harassment - https://simbli.eboardsolutions.com/SU/4Vvv7i0i6uHdgsIsheZNHpgVg==
4319.11	Sexual Harassment - https://simbli.eboardsolutions.com/SU/GoK7chDslshO0cPN2xYIVjhsishg==
4319.12	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/XI9iCOEKKDimRslshJXsBtkkg==
4319.12-E(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/aomDgMkPUyslshbOT5oDJMKwQ==
4319.12-E PDF(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/eaHkgoUI5B0rKy6VfGrbnQ==

4319.21	Professional Standards - https://simbli.eboardsolutions.com/SU/53YbPV2hoKqYj7h7jg34plusA==
4319.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/KC2bJWRJcvPY6NBslshOucarQ==
4319.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/u6TpxPrplusLKIUDjY7bpOkaw==
4319.22	Dress And Grooming - https://simbli.eboardsolutions.com/SU/tclULDJ5tC01jFJvlegqoA==
4319.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/X3ta8p18splcxmJVplusXplusnZQ==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/Qqh1ZB30DJcLxmSo6Ca3A==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/yapulusFLKGYeK7yfxXubPVLrQ==
4327	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/wF87ll1DiM4BuNlpmMp4jw==
4327	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/GfWrHbKXXiMo6D9sEVMuoQ==
4336	Nonschool Employment - https://simbli.eboardsolutions.com/SU/qK9cCPXhorJH0YcplusuQVXhQ==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/6BM2yTUYAw67FplusFDpsplusINA==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/rplusmwwksFJslufmMFbAX0vQ==
4357	Employee Safety - https://simbli.eboardsolutions.com/SU/D6S5MNvzJ7r40aZtHitwjw==
4357	Employee Safety - https://simbli.eboardsolutions.com/SU/N63EdiisS5zWvqunjVeTrw==
4358	Employee Security - https://simbli.eboardsolutions.com/SU/E2T0LpogkDECpTZGfTslshdMQ==
4358	Employee Security - https://simbli.eboardsolutions.com/SU/C6fpUPMjplus2yAmh3nNvvObg==
4359	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/TKcq760n9RZapulusNRYWW1VUQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgLwUOQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/m93RQnCPLYUeeeBo4hULBQ==
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities) - https://simbli.eboardsolutions.com/SU/VfqT4dag9OryfRHQPXk58A==
5145.2	Freedom Of Speech/Expression - https://simbli.eboardsolutions.com/SU/Ibu6OGOoNPkptcFYicbKYg==
5145.2	Freedom Of Speech/Expression - https://simbli.eboardsolutions.com/SU/ZGwh6CltgMZOn0Pvmdnzng==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/m3D8kgCbYf75xXSrW6Y27Q==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/be0JrP9vB8YKcEI8kaV3gg==
5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/MfAhaHLgZdYUYNaeSYslsh2ow==
5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/F81vgNUe2qhM9N9pNBTQtA==

5145.71	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/rZPreTur6slsh2lqWSGKKtgXw==
5145.71-E PDF(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/qSbCRxeqGOsBuNxpZPtPGQ==
5145.9	Hate-Motivated Behavior - https://simbli.eboardsolutions.com/SU/zXaTq9y3Bf8f0rt8zzpcyw==
6145.2	Athletic Competition - https://simbli.eboardsolutions.com/SU/WjFHslshd0qO8WHJq9f7Kfh5Q==
6145.2	Athletic Competition - https://simbli.eboardsolutions.com/SU/3b046reWKA4At9vT9uKSHg==
6162.54	Test Integrity/Test Preparation - https://simbli.eboardsolutions.com/SU/1uChFzb4l7hEf7qS6MfqAw==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOFFduR9FE4g==
9321	Closed Session - https://simbli.eboardsolutions.com/SU/6Okac2n002IH7QiOyqvirA==
9321-E PDF(1)	Closed Session - https://simbli.eboardsolutions.com/SU/vBUvmtCplus4dg0F3rabOZPNg==
9321-E PDF(2)	Closed Session - https://simbli.eboardsolutions.com/SU/Z3jPyRYtdSQqCXwy23swSg==

Policy 4119.1: Civil And Legal Rights

Status: ADOPTED

Original Adopted Date: 03/01/2004 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

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

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

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

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

Whistleblower Protection

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

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

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

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

Protection Against Liability

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

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

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

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

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

State References

CA Constitution Article 1, Section 1

Ed. Code 200-262.4

Ed. Code 44040

Ed. Code 44110-44114

Ed. Code 48907

Ed. Code 48950

Ed. Code 49091.24

Ed. Code 7050-7058

Gov. Code 12650-12656

Gov. Code 12940-12953

Gov. Code 3540.1

Gov. Code 3543.5

Gov. Code 815.3

Gov. Code 820-823

Gov. Code 825.6

Lab. Code 1102.5-1106

Description

Inalienable rights

Prohibition of discrimination -
<https://simbli.eboardsolutions.com/SU/ytLslshoozWGUAAbNL6kKkgxQ==>

Discrimination based on employee's appearance before certain boards or committees

Reporting by school employees of improper governmental activity

Exercise of free expression; time, place and manner rules and regulations

Speech and other communication

Teacher rights to refuse evaluation/survey of personal life

Political activities of school officers and employees

False claims actions

Discrimination prohibited; unlawful practices

Public employment; definitions

Interference with employee's rights prohibited

Intentional torts

Tort claims act

Indemnification of public entity

Whistleblower protections

Federal References

18 USC 16

20 USC 1681-1688

20 USC 7941-7948

Description

Crime of violence; definition

Title IX of the Education Amendments of 1972; discrimination based on sex

Teacher liability protection

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

Management Resources References

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

Cross References

1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/dIGslshfvOqyWh8DLTuprGWw==
1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/ZCplusrqf8OJfVdSVeEdfwjAA==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qvzpYbttZOPNWrpR2Lc9VQ==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/U5PKMAkslsh8XdmxbODX9gY2A==
1312.3-E PDF(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/YsqKpKY3LEBnr4vNoyMVGA==
1312.3-E PDF(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/sDRNJKOFJdr6rBfMAplusbMplusg==
3320	Claims And Actions Against The District - https://simbli.eboardsolutions.com/SU/ucnDWx6hGHEFroNGOKmFg==
3320	Claims And Actions Against The District - https://simbli.eboardsolutions.com/SU/c91k4TaIBYjVbGbM2oPzSw==
3400	Management Of District Assets/Accounts - https://simbli.eboardsolutions.com/SU/qQg2Qs0VtgXvS1coVhS0Pg==
3400	Management Of District Assets/Accounts - https://simbli.eboardsolutions.com/SU/EEPE8KLEmi83u81NRq4qNw==
3515	Campus Security - https://simbli.eboardsolutions.com/SU/cslshKzg34plus8Yflugiz2YLUrw==
3515	Campus Security - https://simbli.eboardsolutions.com/SU/ROslshkemJzfdllrBjXYxC1w==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/Xb5ZIMMO0i2aRzB52IGiCg==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/vx943OTXDnJq9P0DHTilzg==
4040	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/3Md2dslshuyFrpXYhjStKTrQw==

4040-E(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/Fe6BHPH6DOzDpVRGUqP8hQ==
4040-E PDF(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/josKeRFFqslshEcP1vE5cw0Gg==
4118	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/1feQnJxnTqXT1BhlvWdeWA==
4118	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/L6i9RwB51Lbplusbnl35tH3Bg==
4119.21	Professional Standards - https://simbli.eboardsolutions.com/SU/RUG2Aozy5plusrWMBTJVdlsyg==
4119.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/YZXplusYQTz0U6OMJGsFSgPwQ==
4119.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/vF87GYLXytUMmUN2SXjO0g==
4119.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/2wFCpNgtM48l3kplusPslshl0slshSw==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/FkeMlvswqn3LcJldgUB9slshA==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/dvZ7mfqfvA0YM7xyypEMfw==
4132	Publication Or Creation Of Materials - https://simbli.eboardsolutions.com/SU/A6lhj3LSheVqArWU9OaXjA==
4136	Nonschool Employment - https://simbli.eboardsolutions.com/SU/kg34JHzi7hlemKdooJNm9g==
4140	Bargaining Units - https://simbli.eboardsolutions.com/SU/ZdmcuZUIYv3uD1O7CuaxXA==
4144	Complaints - https://simbli.eboardsolutions.com/SU/gUFnuw70jWGezEp60OAE0w==
4144	Complaints - https://simbli.eboardsolutions.com/SU/slshuuXuplus3vKAplusjaXKpilZpQQ==
4218	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/53ook6mub4JLplus3BKAI0eLA==
4218	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/Exyplus8bf8wU5QNILUDbuCig==
4218.1	Dismissal/Suspension/Disciplinary Action (Merit System) - https://simbli.eboardsolutions.com/SU/Gs8gwy3Wx2plusPXU7EUkFEWg==
4219.21	Professional Standards - https://simbli.eboardsolutions.com/SU/577ui4NZDgphKGS5NJplussQbA==
4219.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/SZslshTkenVfGb5PHogpS5WHg==
4219.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/52slshZb5LuY0skwfJS0BbV0Q==
4219.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/DzT84jcjiN31dA5odXslshEoA==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/EpuQDzLygwplussQSQTDILbw==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/7hEQzj8hdkRLUYbn3mcUYw==
4232	Publication or Creation of Materials - https://simbli.eboardsolutions.com/SU/sOOi3RNQ8O2UrE6Qdbsubg==

4236	Nonschool Employment - https://simbli.eboardsolutions.com/SU/2EYq4TWTxHfIKGniO4gkGA==
4240	Bargaining Units - https://simbli.eboardsolutions.com/SU/ItAmE15lyRuHVP4lWhd7tg==
4244	Complaints - https://simbli.eboardsolutions.com/SU/dpWU08slsh6hjddsVYvxoilag==
4244	Complaints - https://simbli.eboardsolutions.com/SU/T94gjCe5she2llWxwooVA==
4319.21	Professional Standards - https://simbli.eboardsolutions.com/SU/53YbPV2hoKqYj7h7jg34plusA==
4319.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/KC2bJWRJcvPY6NBslshOucarQ==
4319.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/u6TpxPrplusLKIUDjY7bpOkaw==
4319.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/X3ta8p18splcxmJVplusXplusnZQ==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/Qqh1ZB30DjclxmSo6Ca3A==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/yapplusFLKGYeK7yfxXubPVLrQ==
4332	Publication or Creation of Materials - https://simbli.eboardsolutions.com/SU/GlslshGwQt15nlsUrEfg1bgaA==
4336	Nonschool Employment - https://simbli.eboardsolutions.com/SU/qK9cCPXhorJH0YcplusuQVXhQ==
4340	Bargaining Units - https://simbli.eboardsolutions.com/SU/mzWyX5FBWwfpZYYNlaK0RA==
4344	Complaints - https://simbli.eboardsolutions.com/SU/0m0xiT7oKn9m9TLZpluszeRyA==
4344	Complaints - https://simbli.eboardsolutions.com/SU/35PWlyWDSczCYbz2slshslshaWog==
9260	Legal Protection - https://simbli.eboardsolutions.com/SU/TdGgHj7XaYoQFbgsm2aaplusg==

Policy 4140: Bargaining Units

Status: ADOPTED

Original Adopted Date: 11/01/2011 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

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

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

Formation of Bargaining Units

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

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

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

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

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

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

Membership

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

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

However, before disseminating to multiple employees any mass communication concerning employees' right to join or support an employee organization or to refrain from joining or supporting an employee organization, such as a written document or script for oral or recorded presentation or message, the Superintendent or designee shall meet and confer with the employees' exclusive representative regarding the content of the communication. If the district and exclusive representative do not come to agreement on the content of the mass communication, the Superintendent or designee may disseminate the district's mass communication, provided that at the same time, copies of the exclusive representative's communication, which shall be of reasonable length, are also distributed. (Government Code 3553)

Access to New Employee Orientations

The district shall permit employee organizations access to new employee orientation or onboarding process where newly hired employees are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters. The district shall provide employee organizations at least 10 days' notice in advance of an orientation, except that a shorter notice may be provided if an unforeseeable, urgent need critical to the district's operation prevents the required 10 days' notice. (Government Code 3555.5, 3556)

Following a request to negotiate by either party, the structure, time, and manner of access to new employee orientations shall be determined by mutual agreement of the district and the exclusive representative. If the district and exclusive representative fail to reach an agreement, matters related to access to the new employee orientation shall be subject to compulsory interest arbitration. The district and employee organization may mutually agree to submit any dispute to compulsory interest arbitration at any time. In addition, if any dispute arises during negotiations and is not resolved within 45 days after the first meeting or within 60 days after the initial request to negotiate, whichever is earlier, either party may make a demand for compulsory interest arbitration. When any such dispute arises during the summer when the district's administrative office is closed, the timeline shall commence on the first day the administrative office reopens. The decision of the arbitrator shall be final and binding on the parties. (Government Code 3556, 3557)

The date, time, and place of a new employee orientation shall not be disclosed to anyone other than employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation. (Government Code 3556)

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

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

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

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

Access to Employee Contact Information

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

or detailed lists are required by agreement with the exclusive representative. (Government Code 3558, 6254.3)

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

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

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

Communications with Employees

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

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

Membership Dues or Other Payments to an Employee Organization

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

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

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

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

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority

for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

8 CCR 33015-33490
 8 CCR 33700-33710
 8 CCR 34020
 8 CCR 34055
 Ed. Code 45060-45061.5
 Ed. Code 45100.5
 Ed. Code 45104.5
 Ed. Code 45108.5
 Ed. Code 45108.7
 Ed. Code 45168
 Ed. Code 45220-45320
 Gov. Code 3540-3549.3
 Gov. Code 3540.1
 Gov. Code 3543.4
 Gov. Code 3545
 Gov. Code 3550-3552
 Gov. Code 3555-3559
 Gov. Code 53260-53264
 Gov. Code 6205-6210
 Gov. Code 6254.3
 Gov. Code 6503.5

Description

Recognition of exclusive representative; proceedings
 Severance of established unit
 Petition to rescind organizational security arrangement
 Reinstatement of organizational security arrangement
 Deduction of fees from salary or wage payment; certificated employees
 Senior classified management positions
 Abolishment of senior classified management positions
 Definition of senior classified management employees
 Waiver of provisions of 45108.5
 Deduction of fees from salary or wage payment; classified employees
 Merit system; classified employees
 Educational Employment Relations Act
 Public employment; definitions
 Management position; representation
 Appropriateness of unit; basis
 Prohibition on public employers deterring or discouraging union membership
 Public employee communication, information and orientation
 Employment contracts
 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking
 Disclosure of employee contact information to employee organization
 Joint powers agencies

Federal References

8 CFR 33015-33490
 8 CFR 33700-33710
 8 CFR 34020
 8 CFR 34055

Description

Recognition of exclusive representative; proceedings
 Severance of established unit
 Petition to rescind organizational security arrangement
 Reinstatement of organizational security arrangement

Management Resources References

Court Decision
 Court Decision
 Court Decision
 Public Employment Relations Board Ruling
 Public Employment Relations Board Ruling
 Website
 Website

Description

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

Website	California Public Employment Relations Board - https://simbli.eboardsolutions.com/SU/7Fndg3k626KwCb511Tslsh2ew==
Website	California School Employees Association - https://simbli.eboardsolutions.com/SU/NOB1plusNOcLNRMHnggHE1slshjg==
Website	California Teachers Association - https://simbli.eboardsolutions.com/SU/w58tUBBtGnaF0rMUPlwN0g==
Website	Association of California School Administrators - https://simbli.eboardsolutions.com/SU/DMWjqGR6N1ooUHxYbDPXeA==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==

Cross References

0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/FQOZDcYoBERqzRucs3xsMA==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/BxazplusxgNXNREplusOnkNIFqtQ==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/N8bGSx8fxalLgcLPJYKR9w==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/VQd4HhnlB5p7OgDHHuo3HA==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/fhcZPsXmszl9QLwLKW0rSw==
1431	Waivers - https://simbli.eboardsolutions.com/SU/9BuYxxz0B211rRqC5ldthA==
4113	Assignment - https://simbli.eboardsolutions.com/SU/BhXFYknfTIZslshK6TX1rcPNw==
4113	Assignment - https://simbli.eboardsolutions.com/SU/BHJLvt0UWpluspJ20aXCvNAPQ==
4115	Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/0LslshHZpTrWZBP3dcuo7QfxQ==
4115	Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/YXWh5Jlsc6OnRyofY3IEw==
4119.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/BQiemT6yH0cplusdbQ4LuGjZA==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/FkeMlvswqn3LcJldgUB9slshA==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/dvZ7mfqfvA0YM7xyypEMfw==
4121	Temporary/Substitute Personnel - https://simbli.eboardsolutions.com/SU/UQVHOa8Qzs52Adry5FhGeA==
4121	Temporary/Substitute Personnel - https://simbli.eboardsolutions.com/SU/Eytslsh362LVdh2oTivuLm8gA==
4141	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/wSbplusNslshzmwtp8Du1J7fxoGg==
4143	Negotiations/Consultation - https://simbli.eboardsolutions.com/SU/plusQw524YQnq7oFZ8zRrV6Pg==
4151	Employee Compensation - https://simbli.eboardsolutions.com/SU/slshEmu3YLeYOPsKNjIKLuChQ==

4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/8w7jXCSa7Dmj2OhsA1O4mg==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/bUKajshf9NH4tnZl9utk7g==
4161.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/v9O8SWMTRbBXq5cOByblqw==
4219.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/qInWNgn2LFslshDzTCLslsh592A==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/EpuQDzLygwplusseQSqTDILbw==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/7hEQzj8hdkRLUYbn3mcUYw==
4241	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/HilDt0mq6toKw0vAGRcktA==
4243	Negotiations/Consultation - https://simbli.eboardsolutions.com/SU/rymBvD6zXpDjldwBE51jfg==
4251	Employee Compensation - https://simbli.eboardsolutions.com/SU/XwmaYplusCUz0TmQhxrplusgRgxQ==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/A1ITc070plusq5qXGSvtT8tew==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/4MRmnj4J0iqDWVDL3OkrzA==
4261.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/uEkwbwYVw5nplus48h2ZcgRMw==
4300	Administrative And Supervisory Personnel - https://simbli.eboardsolutions.com/SU/LFXzXmpvUJIVfhoVlrAWtQ==
4300	Administrative And Supervisory Personnel - https://simbli.eboardsolutions.com/SU/gTre2dsFDBdtNTDqslshUjsow==
4301	Administrative Staff Organization - https://simbli.eboardsolutions.com/SU/alrszldT1JFDiYicZH1EPg==
4312.1	Contracts - https://simbli.eboardsolutions.com/SU/u22KslshC8a3wG7fRWzzQXdjA==
4315	Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/t2D4Ufe1Gcn103DgcL8Dpw==
4319.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/XWa15T9slshJVGmRW95yTHU1Q==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/Qqh1ZB30DjCJlxmSo6Ca3A==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/yapplusFLKGYeK7yfxXubPVLrQ==
4351	Employee Compensation - https://simbli.eboardsolutions.com/SU/SdFbv9zvpQGp42fubiKLVw==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/6BM2yTUYAw67FplusFDpsplusINA==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/rplusmwwksFJslufmMFbAX0vQ==
4361.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/T2aqRlucvjms46uHEktDnQ==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOFFduR9FE4g==

9321

Closed Session -

<https://simbli.eboardsolutions.com/SU/6Okac2n002IH7QiOyqvirA==>

9321-E PDF(1)

Closed Session -

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9321-E PDF(2)

Closed Session -

<https://simbli.eboardsolutions.com/SU/Z3jPyRYtdSQqCXwy23swSg==>

Regulation 4161.2: Personal Leaves

Status: ADOPTED

Original Adopted Date: 11/01/2012 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

Certificated Management follows the personal leave provisions in the Eureka Teachers Association (ETA) Collective Bargaining Agreement with the exception of Personal Necessity/No-tell Leave in which case Certificated Management follows Personal Necessity as outlined in the CSEA Collective Bargaining Agreement.

Regulation 4161.5: Military Leave

Status: ADOPTED

Original Adopted Date: 03/01/2004 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

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

Salary/Compensation

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

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

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

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

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

Benefits

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

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

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

Vacation and Sick Leave Accrual

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

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

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

Pension Plan Service Credit

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

Employment Status

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

Reinstatement Rights

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

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

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

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

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

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

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

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

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

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

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

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

Notices

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

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

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

State References

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

Description

Federal References

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

Description

Management Resources References

Attorney General Opinion	18 Ops.Cal.Atty.Gen. 178 (1951)
Attorney General Opinion	63 Ops.Cal.Atty.Gen. 924 (1978)
Attorney General Opinion	69 Ops.Cal.Atty.Gen. 290 (1986)
Attorney General Opinion	77 Ops.Cal.Atty.Gen. 56 (1994)
Court Decision	Bowers v. San Buenaventura (1977) 75 Cal. App.3d 65
Court Decision	Wright v. City of Santa Clara (1989) 213 Cal. App.3d 1503
U.S. Department of Labor Publication	A Non-Technical Resource Guide to the Uniformed Services Employment and Reemployment Rights Act (USERRA), rev. April 2005
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==
Website	National Committee for Employer Support of the Guard and Reserve - https://simbli.eboardsolutions.com/SU/YYN378LPYzj3jvdJKbsIshUUQ==
Website	U.S. Department of Labor, USERRA - https://simbli.eboardsolutions.com/SU/PNGGXVyMj8Zx0NMplus6qWUVA==
Website	National School Boards Association - https://simbli.eboardsolutions.com/SU/PGLybcP29yufJSot5FEGJg==

Description

Cross References**Description**

2121	Superintendent's Contract - https://simbli.eboardsolutions.com/SU/fcslsh1ixO2EdCt2pz2NabYqA==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/Xb5ZIMMO0i2aRzB52IGiCg==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/vx943OTXDnJq9P0DHTilzg==
4032	Reasonable Accommodation - https://simbli.eboardsolutions.com/SU/DZueYkplusHoNslsh53DXislshi6mLw==
4112.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/lzOl6slshnwrwplusn8LplusKslshvswfw==
4112.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/nxsNzGlnhGviEz28zpluswjzg==
4112.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/BjEd40hv6bJfiroIKsHpQQ==
4116	Probationary/Permanent Status - https://simbli.eboardsolutions.com/SU/Gy4GUysBDt2XEfyrzyQxvw==
4116	Probationary/Permanent Status - https://simbli.eboardsolutions.com/SU/5Oi4FjGaDLWBXlrAxpA2fq==
4161	Leaves - https://simbli.eboardsolutions.com/SU/EEXMgObslshqslshiKqtJJUX7vSg==
4161	Leaves - https://simbli.eboardsolutions.com/SU/1j87G85jaeaw3FbkyNX3fw==
4161.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/wmtZ2H4oDc4HcrB9slshN1zcw==
4212.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/mHaW9EbnocL5Pl6rr10dMw==
4212.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/dRLduplushlLitByDflajDntw==
4212.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/U68jKBBwiztUHegLtpjM0w==
4217.3	Layoff/Rehire - https://simbli.eboardsolutions.com/SU/gaL5XRA3u5fXOTn9bigHuA==
4261	Leaves - https://simbli.eboardsolutions.com/SU/NEon3h0paWxSWoNITTqbmA==
4261	Leaves - https://simbli.eboardsolutions.com/SU/cns2ox14MXb4vglRlm84fA==
4261.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/7IGWMkFdeFkQBbHk7qxzig==
4312.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/CqOQlb4XnDnSONdYu7jm2Q==
4312.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/2aBW0q0A11slsh9KahGJYr69A==
4312.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/LslshgslshO92fRVOPUpUergz7w==
4361	Leaves - https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgLUJOQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/m93RQnCPlyUeeeb04hULBQ==
4361.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/VCSQ7zJplus5y1nFHLGslshrI5oA==

Policy 4216: Probationary/Permanent Status

Status: ADOPTED

Original Adopted Date: 06/01/1996 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

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

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

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

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

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

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

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

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

State References

Ed. Code 45113

Description

Notification of charges; classified employees

Ed. Code 45240-45320

Merit system

Management Resources References

Website

Description

CSBA District and County Office of Education Legal Services -
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsishXk6R5akQ==>

Website

California School Employees Association -
<https://simbli.eboardsolutions.com/SU/NOB1plusNOcLNRMHnggHE1slshjg==>

Cross References

3515.3

Description

District Police/Security Department -
<https://simbli.eboardsolutions.com/SU/xzE1kDD6MeebnuiCYEM5mw==>

3515.3

District Police/Security Department -
<https://simbli.eboardsolutions.com/SU/l1J1QKjZow3q8v7pZhTCDQ==>

4112.9

Employee Notifications -
<https://simbli.eboardsolutions.com/SU/lzOl6slshnwrwplusn8LplusKslshvswf==>

4112.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/nxsNzGlnhGviEz28zpluswjzg==
4112.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/BjEd40hv6bJfirolKsHpQQ==
4161.11	Industrial Accident/Illness Leave - https://simbli.eboardsolutions.com/SU/HD5z3OhqJS1829uMir9NEw==
4212.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/mHaW9EbnocL5Pl6rr10dMw==
4212.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/dRLduplushILitByDflajDntw==
4212.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/U68jKBBwiztUHegLtpjM0w==
4215	Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/KVo7Z1slshuyf6nLyC0YsslshzAQ==
4218	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/53ook6mub4Jlplus3BKAI0eLA==
4218	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/Exyplus8bf8wU5QNILUDbuCig==
4218.1	Dismissal/Suspension/Disciplinary Action (Merit System) - https://simbli.eboardsolutions.com/SU/Gs8gwy3Wx2plusPXU7EUKFEWg==
4261.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/7IGWMkFdeFkQBbHk7qxzig==
4261.11	Industrial Accident/Illness Leave - https://simbli.eboardsolutions.com/SU/4NdayG8LNjplusn9rWReq8arA==
4312.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/CqOQlb4XnDnSONdYu7jm2Q==
4312.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/2aBW0q0A11slsh9KahGJYr69A==
4312.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/LslshgslshO92fRVopUpuUergz7w==
4361.11	Industrial Accident/Illness Leave - https://simbli.eboardsolutions.com/SU/SsWihs2DRXblzgW5Aplus4xw==

Policy 4218: Dismissal/Suspension/Disciplinary Action

Status: ADOPTED

Original Adopted Date: 07/01/2019 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

The following policy is subject to the collective bargaining agreement.

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

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

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

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

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

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

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

Procedures for Serious Disciplinary Proceedings

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

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

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

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

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

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

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

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

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

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

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

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

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

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

State References

Description

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

Veh. Code 1808.8

School bus drivers; dismissal for safety-related cause

Federal References

42 USC 12101-12213

U.S. Constitution

Description

Americans with Disabilities Act

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

Management Resources References

Court Decision

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

Court Decision

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

Court Decision

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

Court Decision

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

Website

Office of the Attorney General -

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

Website

Office of Administrative Hearings -

<https://simbli.eboardsolutions.com/SU/hkXUvTmkSbRSTlh3V79tXg==>

Website

Department of General Services, About Teacher Dismissal Case Type -

<https://simbli.eboardsolutions.com/SU/9nslshuTpTNHO70H14ljlrLeA==>

Website

CSBA District and County Office of Education Legal Services -

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

Cross References

Description

1114

District-Sponsored Social Media -

<https://simbli.eboardsolutions.com/SU/GPX87YasvLlgrwAjTkQSG==>

1114

District-Sponsored Social Media -

<https://simbli.eboardsolutions.com/SU/yjVorBCGm2rPCjkELGVV5A==>

1312.1

Complaints Concerning District Employees -

<https://simbli.eboardsolutions.com/SU/dlGslshfvOqyWh8DLTuprGWw==>

1312.1

Complaints Concerning District Employees -

<https://simbli.eboardsolutions.com/SU/ZCplusrqf8OJfVdSVEedfwjAA==>

1312.3

Uniform Complaint Procedures -

<https://simbli.eboardsolutions.com/SU/qvzpYbttZOPNWrpR2Lc9VQ==>

1312.3

Uniform Complaint Procedures -

<https://simbli.eboardsolutions.com/SU/U5PKMAkslsh8XdmxbODX9gY2A==>

1312.3-E PDF(1)

Uniform Complaint Procedures -

<https://simbli.eboardsolutions.com/SU/YsqKpKY3LEBnr4vNoyMVGA==>

1312.3-E PDF(2)

Uniform Complaint Procedures -

<https://simbli.eboardsolutions.com/SU/sDRNJKOFJdr6rBfMAplusbMplusg==>

3230

Federal Grant Funds -

<https://simbli.eboardsolutions.com/SU/OVH379RjC0a1aO7I1TFHYg==>

3230

Federal Grant Funds -

<https://simbli.eboardsolutions.com/SU/pHfysr2KHcXTIDFyCkoN8w==>

3512

Equipment -

<https://simbli.eboardsolutions.com/SU/ezslshZHMnYpluscHnfpO2vztUslshg==>

3512-E(1)

Equipment -

<https://simbli.eboardsolutions.com/SU/htmlpluswvNopsrGRvHnZmL57Q==>

3513.3

Tobacco-Free Schools -

<https://simbli.eboardsolutions.com/SU/YcXDckQsxpNcLpvl3ATIA==>

3513.3

Tobacco-Free Schools -

<https://simbli.eboardsolutions.com/SU/PD0MCVslshDCYPHDWjcAvbVoQ==>

3513.4	Drug And Alcohol Free Schools - https://simbli.eboardsolutions.com/SU/ryiOKslshMplusW4HslshslshWMh5sSZ1w==
3515.2	Disruptions - https://simbli.eboardsolutions.com/SU/CwDXzUwOzIplusMOBg2FjxUVQ==
3515.2	Disruptions - https://simbli.eboardsolutions.com/SU/plusM9xri3ZWfyas59c77cpluscg==
3515.21	Unmanned Aircraft Systems (Drones) - https://simbli.eboardsolutions.com/SU/2hYMI2YDYwUvplusQyNqN64RQ==
3515.3	District Police/Security Department - https://simbli.eboardsolutions.com/SU/xzE1kDD6MeebnuiCYEM5mw==
3515.3	District Police/Security Department - https://simbli.eboardsolutions.com/SU/l1J1QKjZow3q8v7pZhTCDQ==
3516.2	Bomb Threats - https://simbli.eboardsolutions.com/SU/IVIK9slshAlIKtBcZcF8v5agg==
3542	School Bus Drivers - https://simbli.eboardsolutions.com/SU/4QWcENQXnTQFBLEpluszfCyvw==
4000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/3mx5slshSslshVUX9evNt7pb637w==
4020	Drug And Alcohol-Free Workplace - https://simbli.eboardsolutions.com/SU/gq3plusa7wsEW6oMTnThmqKpg==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/Xb5ZIMMO0i2aRzB52IGiCg==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/vx943OTXDnJq9P0DHTilzg==
4040	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/3Md2dslshuyFrpXYhjStkTrQw==
4040-E(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/Fe6BHPH6DOzDpVRGUqP8hQ==
4040-E PDF(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/josKeRFFqslshEcP1vE5cw0Gg==
4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/slshnzMWdvaZpZNPzplusoEf8ILQ==
4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/plusx1slshGxTJQKJXLOkrYP8gplusg==
4112.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/XxVcsvXeI4TKDtGnWVslshaAA==
4112.5-E(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/iMqubXqetDmZQ7GVyqgl7w==
4112.5-E PDF(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/UxsEts3DeYslshRZpXyPvEL7w==
4112.6	Personnel Files - https://simbli.eboardsolutions.com/SU/slshc7i5jiVI8pLyA79vr9rhw==
4113.5	Working Remotely - https://simbli.eboardsolutions.com/SU/lplusUYB21IDXQLwzl2vjW3Eg==
4119.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/BQiemT6yH0cplusdbQ4LuGjZA==
4119.12	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/cwaQhFQnPhGfVkogTSslshvoA==
4119.12-E(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/rOB42ElpiyuEXBiI5SctVQ==

4119.12-E PDF(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/fslshcrFHUsDwOYFjvy2R0xQg==
4119.21	Professional Standards - https://simbli.eboardsolutions.com/SU/RUg2Aozy5plusrWMBTJVdlsyg==
4119.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/YZXplusYQTz0U6OMJGsFSgPwQ==
4119.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/vF87GYLXytUMmUN2SXjO0g==
4119.22	Dress And Grooming - https://simbli.eboardsolutions.com/SU/JEV8w6UMpXbhNFrslshMaMYLw==
4119.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/2wFCPnGtM48l3kplusPslshl0slshSw==
4119.24	Maintaining Appropriate Adult-Student Interactions - https://simbli.eboardsolutions.com/SU/xhAslsh4UhGwmbKwkbLSslf4Q==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/FkeMlvswqn3LcJldgUB9slshA==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/dvZ7mfqfvA0YM7xyypEMfw==
4127	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/rdpizrJrsafxuBrElcbGnA==
4127	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/QZOYyuTYMNL2Ja28meyerFQ==
4136	Nonschool Employment - https://simbli.eboardsolutions.com/SU/kG34JHzl7hlemKdooJNm9g==
4141.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/TtH8mfb4Zwc222YN76OTdg==
4141.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/nCKbnl3vsF4vwC2CzN850A==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/8w7jXCSa7Dmj2OhsA104mg==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/bUKajshf9NH4tnZl9utk7g==
4157	Employee Safety - https://simbli.eboardsolutions.com/SU/URy09LOe63e3ejYa2WLVTQ==
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4158	Employee Security - https://simbli.eboardsolutions.com/SU/Lldu39d9d8NTNOW1shZPzA==
4159	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/HoMI4ixzNoFrMhcAKsYU5Q==
4161	Leaves - https://simbli.eboardsolutions.com/SU/EEXMgObslshqslshiKqtJJUX7vSg==
4161	Leaves - https://simbli.eboardsolutions.com/SU/1j87G85jaeaw3FbkynX3fw==
4161.11	Industrial Accident/Illness Leave - https://simbli.eboardsolutions.com/SU/HD5z3OhqJS1829uMir9NEw==
4200	Classified Personnel - https://simbli.eboardsolutions.com/SU/slshltwGTKOogyT4GXakWHcMg==
4200	Classified Personnel - https://simbli.eboardsolutions.com/SU/KJOYndqnU7HBTrG0G6lY9g==

4212	Appointment And Conditions Of Employment - https://simbli.eboardsolutions.com/SU/lxFxNaSMhpQ8wsNQbau8LA==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/QgiTxWzNHPacaiEY2R44UQ==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/vRslshvw9XAfld9jXuR4KOLkg==
4212.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/zlCQLKslshYYocj135d8hWslshpQ==
4212.5-E(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/LslshSXSeZT2aDisDUZFolGOQ==
4212.5-E PDF(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/sDVasU4nkVGVxDODtvXKqg==
4212.6	Personnel Files - https://simbli.eboardsolutions.com/SU/Kp3DemXWMRr4slshb8EnhyJPw==
4213.5	Working Remotely - https://simbli.eboardsolutions.com/SU/SPfSMb6tOUSdTISM41uslshvw==
4216	Probationary/Permanent Status - https://simbli.eboardsolutions.com/SU/y3QVGjp7mUPym2Tw8APopluA==
4219.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/qInWNgn2LFslshDzTCLslsh592A==
4219.12	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/OBcyzA9IS2uF2sCkACIVsw==
4219.12-E(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/D3sslshZJNNbv4WlamsEWM4pQ==
4219.12-E PDF(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/VEmAxwF6VTwEh7mmLHH7xg==
4219.21	Professional Standards - https://simbli.eboardsolutions.com/SU/577ui4NZDgpHKG5NJplussQbA==
4219.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/SZslshTkenVfGb5PHogpS5WHg==
4219.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/52slshZb5LuY0skwfJSoBbV0Q==
4219.22	Dress And Grooming - https://simbli.eboardsolutions.com/SU/73WaAoB7xVTiIWdyg8jPUA==
4219.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/DzT84jcjiN31dA5odXslshEoA==
4219.24	Maintaining Appropriate Adult-Student Interactions - https://simbli.eboardsolutions.com/SU/5jMxddslshCGQnzsslshENYSWHwA==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/EpuQDzLygwplusseQSqTDILbw==
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4227	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/3ofwf9BJayE72l4RVoDplusplusQ==
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4236	Nonschool Employment - https://simbli.eboardsolutions.com/SU/2EYq4TWTxHfIKGniO4gkGA==
4241.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/8ghHTloULRupEkUU4HVtdg==

4241.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/W5ExJpluss6yHnOMElqyCk9IQ==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/A1ITc070plusq5qXGSvtT8tew==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/4MRmnj4J0iqDWVVL3OkzA==
4257	Employee Safety - https://simbli.eboardsolutions.com/SU/NXiCt6XfmCK7qCqQ6765sQ==
4257	Employee Safety - https://simbli.eboardsolutions.com/SU/hlcSn6uv0mPslshljslshio2S8eQ==
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4258	Employee Security - https://simbli.eboardsolutions.com/SU/HzleDphm05nyuDFSTUwAmg==
4259	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/fRGxOc7Yplus8ZsrZ44lpluJCUQ==
4261	Leaves - https://simbli.eboardsolutions.com/SU/NEon3h0paWxSWoNITTqbmA==
4261	Leaves - https://simbli.eboardsolutions.com/SU/cns2ox14MXb4vgIRlm84fA==
4261.11	Industrial Accident/Illness Leave - https://simbli.eboardsolutions.com/SU/4NdayG8LNJplusn9rWReq8arA==
4312.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/CgnDx1BlZbUtFWHVgyEOgA==
4312.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/GVplusn4gQA3IKplus4knVTn0OUw==
4312.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/87h9kHh1nis8QFmawLNjVQ==
4312.5-E(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/IDd97ZTIGWbSslshXQAq9Hd3w==
4312.5-E PDF(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/4ekuy8plusKlIYnslshRBAHkptw==
4312.6	Personnel Files - https://simbli.eboardsolutions.com/SU/fiFVux1oWapNdGxQ1UZ7Fg==
4313.5	Working Remotely - https://simbli.eboardsolutions.com/SU/ktlIO4qOhdFVlilFg1dcww==
4319.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/XWa15T9slshJVGmRW95yTHU1Q==
4319.12	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/XI9iCOEKKDimRslshJXsBtkkg==
4319.12-E(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/aomDgMkPUyslshbOT5oDJMKwQ==
4319.12-E PDF(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/eaHkgoUI5B0rKy6VfGrbnQ==
4319.21	Professional Standards - https://simbli.eboardsolutions.com/SU/53YbPV2hoKqYj7h7jg34plusA==
4319.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/KC2bJWRJcvPY6NBslshOucarQ==
4319.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/u6TpxPrplusLKIUDjY7bpOkaw==
4319.22	Dress And Grooming - https://simbli.eboardsolutions.com/SU/tclULDJ5tC01jFJvlegqoA==

4319.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/X3ta8p18spicxmJVplusXplusnZQ==
4319.24	Maintaining Appropriate Adult-Student Interactions - https://simbli.eboardsolutions.com/SU/TfmyZrlu6Sbfbf82Jo04jQ==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/Qqh1ZB30DJcLxmSo6Ca3A==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/yapluFLKGYeK7yfxXubPVLrQ==
4327	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/wF87ll1DiM4BuNlpmMp4jw==
4327	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/GfWrHbKXXiMo6D9sEVMuoQ==
4336	Nonschool Employment - https://simbli.eboardsolutions.com/SU/qK9cCPXhorJH0YcpluQVXhQ==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/6BM2yTUYAw67FplusFDpsplusINA==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/rpluSmwwksFJslufmMFbAX0vQ==
4357	Employee Safety - https://simbli.eboardsolutions.com/SU/D6S5MNvzJ7r40aZtHitwjw==
4357	Employee Safety - https://simbli.eboardsolutions.com/SU/N63EdiisS5zWvqunjVeTrw==
4358	Employee Security - https://simbli.eboardsolutions.com/SU/E2T0LpogkDECpTZGfTslshdMQ==
4358	Employee Security - https://simbli.eboardsolutions.com/SU/C6fpUPMjplus2yAmh3nNvvObg==
4359	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/TKcq760n9RZapluNRYWW1VUQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgLwUOQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/m93RQnCpLyUeeeBo4hULBQ==
4361.11	Industrial Accident/Illness Leave - https://simbli.eboardsolutions.com/SU/SsWihs2DRXblzgW5Aplus4xw==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/m3D8kgCbYf75xXSrW6Y27Q==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/be0JrP9vB8YKcEI8kaV3gg==
5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/MfAhaHLgZdYUYNaeSYslsh2ow==
5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/F81vgNUe2qhM9N9pNBTQtA==
5145.71	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/rZPreTur6slsh2lqWSGKKtgXw==
5145.71-E PDF(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/qSbCRxeqGOSBuNxpZPtPGQ==
5145.9	Hate-Motivated Behavior - https://simbli.eboardsolutions.com/SU/zXaTq9y3Bf8f0rt8zzpcyw==
6145.2	Athletic Competition - https://simbli.eboardsolutions.com/SU/WjFHslshd0qQ8WHJq9f7Kfh5Q==
6145.2	Athletic Competition - https://simbli.eboardsolutions.com/SU/3b046reWKA4At9vT9uKSHg==

6162.54	Test Integrity/Test Preparation - https://simbli.eboardsolutions.com/SU/1uChFzb4I7hEf7qS6MfqAw==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOFduR9FE4g==
9321	Closed Session - https://simbli.eboardsolutions.com/SU/6Okac2n002IH7QiOyqvirA==
9321-E PDF(1)	Closed Session - https://simbli.eboardsolutions.com/SU/vBUvmtCplus4dg0F3rabOZPNg==
9321-E PDF(2)	Closed Session - https://simbli.eboardsolutions.com/SU/Z3jPyRYtdSQqCXwy23swSg==

Regulation 4218: Dismissal/Suspension/Disciplinary Action

Status: ADOPTED

Original Adopted Date: 06/01/1994 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

Causes for Disciplinary Action

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

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

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

Initiation and Notification of Charges

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

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

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

Request for Board Hearing

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

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

Employment Status Pending a Hearing

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

Compulsory Leave of Absence

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

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

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

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

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

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

State References

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

Federal References

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

Management Resources References

Management Resources References	Description
Court Decision	Kennedy v. Bremerton (2022) 142 S.Ct. 2407
Court Decision	California School Employees v. Livingston Union School District (2007) 149 Cal. App. 4th 391
Court Decision	CSEA v. Foothill Community College District (1975) 52 Cal. App. 3rd 150
Court Decision	Skelly v. California Personnel Board (1975) 15 Cal.3d 194
Website	Office of the Attorney General - https://simbli.eboardsolutions.com/SU/kYMplusPKVwKTngiVfOT4AD8Q==
Website	Office of Administrative Hearings - https://simbli.eboardsolutions.com/SU/hkXUvTmkSbRSTlh3V79tXg==
Website	Department of General Services, About Teacher Dismissal Case Type - https://simbli.eboardsolutions.com/SU/9nslshuTpTNHO70H14ljrlLeA==
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsishXk6R5akQ==

Cross References	Description
1114	District-Sponsored Social Media - https://simbli.eboardsolutions.com/SU/GPX87YasvLlgrwrAjTkQsg==
1114	District-Sponsored Social Media - https://simbli.eboardsolutions.com/SU/yjVorBCGm2rPCjkELGVV5A==
1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/dIGslshefvOqyWh8DLTuprGWw==
1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/ZCplusrqf8OJfVdSVEdfwjAA==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qvzpYbttZOPNWrpR2Lc9VQ==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/U5PKMAkslsh8XdmxbODX9gY2A==
1312.3-E PDF(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/YsqKpKY3LEBnr4vNoyMVGA==
1312.3-E PDF(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/sDRNJKOFJdr6rBfMAplusbMplusg==
3230	Federal Grant Funds - https://simbli.eboardsolutions.com/SU/OVH379RjC0a1aO7l1TFHYg==
3230	Federal Grant Funds - https://simbli.eboardsolutions.com/SU/pHfysr2KHcXTIDFyCkoN8w==
3512	Equipment - https://simbli.eboardsolutions.com/SU/eZslshZHMnYpluscHnfpO2vztUslshg==
3512-E(1)	Equipment - https://simbli.eboardsolutions.com/SU/htmlpluswvNopsrGRvHnZmL57Q==
3513.3	Tobacco-Free Schools - https://simbli.eboardsolutions.com/SU/YcXDckQsxpNcLpvl3ATIA==
3513.3	Tobacco-Free Schools - https://simbli.eboardsolutions.com/SU/PD0MCVslshDCYPHDWjcAvbVoQ==
3513.4	Drug And Alcohol Free Schools - https://simbli.eboardsolutions.com/SU/ryiOKslshMplusW4HslshslshWMh5sSZ1w==
3515.2	Disruptions - https://simbli.eboardsolutions.com/SU/CwDXzUwOzlplusMOBG2FjxUVQ==
3515.2	Disruptions - https://simbli.eboardsolutions.com/SU/plusM9xri3ZWfyas59c77cpluscg==
3515.21	Unmanned Aircraft Systems (Drones) - https://simbli.eboardsolutions.com/SU/2hYMI2YDYwUvplusQyNqN64RQ==
3515.3	District Police/Security Department - https://simbli.eboardsolutions.com/SU/xzE1kDD6MeebnuiCYEM5mw==
3515.3	District Police/Security Department - https://simbli.eboardsolutions.com/SU/l1J1QKjZow3q8v7pZhTCDQ==
3516.2	Bomb Threats - https://simbli.eboardsolutions.com/SU/IVIK9slshAlIKtBcZcF8v5agg==
3542	School Bus Drivers - https://simbli.eboardsolutions.com/SU/4QWcENQXnTQFBLEpluszfCyvw==
4000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/3mx5slshSslshVUX9evNt7pb637w==
4020	Drug And Alcohol-Free Workplace - https://simbli.eboardsolutions.com/SU/gq3plusa7wsEW6oMTnThmqKpg==

4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/Xb5ZIMMO0i2aRzB52IGiCg==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/vx943OTXDnJq9P0DHTilzg==
4040	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/3Md2dslshuyFrpXYhjStkTrQw==
4040-E(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/Fe6BHPH6DOzDpVRGUqP8hQ==
4040-E PDF(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/josKeRFFqslshEcP1vE5cw0Gg==
4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/slshnzMWdvaZpZNpZplusoEf8ILQ==
4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/plusx1slshGxTJQKJXL0KrYP8gpluag==
4112.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/XxVcsvXeI4TKDtGnWVslshaAA==
4112.5-E(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/iMqubXqetDmZQ7GVykgI7w==
4112.5-E PDF(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/UxsEts3DeYslshRZpXyPvEL7w==
4112.6	Personnel Files - https://simbli.eboardsolutions.com/SU/slshc7i5jiVI8pLyA79vr9rhw==
4113.5	Working Remotely - https://simbli.eboardsolutions.com/SU/lplusUYB21IDXQLwzl2vjW3Eg==
4119.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/BQiemT6yH0cplusbQ4LuGjZA==
4119.12	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/cwaQhFQnPhGFvkogTSslshvoA==
4119.12-E(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/rOB42ElpiyuEXBiI5SctVQ==
4119.12-E PDF(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/fslshcrFHUsDw0YFjvy2R0xQg==
4119.21	Professional Standards - https://simbli.eboardsolutions.com/SU/RUg2Aozy5plusrWMBTJVdlsyg==
4119.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/YZXplusYQTz0U6OMJGsFSgPwQ==
4119.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/vf87GYLXytUMmUN2SXjO0g==
4119.22	Dress And Grooming - https://simbli.eboardsolutions.com/SU/JEV8w6UMpXbhNFrsIshMaMYLw==
4119.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/2wFCpNgtM48I3kplusPslshl0slshSw==
4119.24	Maintaining Appropriate Adult-Student Interactions - https://simbli.eboardsolutions.com/SU/xhAsIsh4UhGwmbKwkbLSslf4Q==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/FkeMlvswqn3LcJdJgUB9slshA==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/dvZ7mfqfvA0YM7xyypEMfw==
4127	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/rdpzrJrsafrxuBrElcbGnA==

4127	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/QZOYyuTYMNL2Ja28meyerFQ==
4136	Nonschool Employment - https://simbli.eboardsolutions.com/SU/kG34JHzihlemKdooJNm9g==
4141.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/TtH8mfb4Zwc222YN76OTdg==
4141.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/nCKbnl3vsF4vwC2CzN850A==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/8w7jXCSa7Dmj2OhsA104mg==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/bUKajshf9NH4tnZl9utk7g==
4157	Employee Safety - https://simbli.eboardsolutions.com/SU/URy09LOe63e3ejYa2WLVTQ==
4157	Employee Safety - https://simbli.eboardsolutions.com/SU/pCyFLiyDAxQFxbHUbSHFA==
4158	Employee Security - https://simbli.eboardsolutions.com/SU/FNXlvGTuDgTclGIWKDo75Q==
4158	Employee Security - https://simbli.eboardsolutions.com/SU/Lldu39d9d8NTNOW1shZPzA==
4159	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/HoMI4ixzNoFrMhcAKsYU5Q==
4161	Leaves - https://simbli.eboardsolutions.com/SU/EEXMgObslshqslshiKqtJJUX7vSg==
4161	Leaves - https://simbli.eboardsolutions.com/SU/1j87G85jaeaw3FbkyNX3fw==
4161.11	Industrial Accident/Illness Leave - https://simbli.eboardsolutions.com/SU/HD5z3OhqJ51829uMir9NEw==
4200	Classified Personnel - https://simbli.eboardsolutions.com/SU/slshltwGTKOogyT4GXakWHcMg==
4200	Classified Personnel - https://simbli.eboardsolutions.com/SU/KJOYndqnU7HBTrG0G6lY9g==
4212	Appointment And Conditions Of Employment - https://simbli.eboardsolutions.com/SU/lxFxNaSMhpQ8wsNQbau8LA==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/QgjTxWzNHPaiaeY2R44UQ==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/vRslshvw9XAfld9jXuR4KOLkg==
4212.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/zlCQLKslshYYocj135d8hWslshpQ==
4212.5-E(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/LslshSXSeZT2aDisDUZFolGOQ==
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4212.6	Personnel Files - https://simbli.eboardsolutions.com/SU/Kp3DemXWMRr4slshb8EnhyJPw==
4213.5	Working Remotely - https://simbli.eboardsolutions.com/SU/SPfSMb6tOUSdTISM41uslshvw==
4216	Probationary/Permanent Status - https://simbli.eboardsolutions.com/SU/y3QVGjp7mUPym2Tw8APoplusA==
4219.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/qInWNgn2LFslshTdzTCLslsh592A==

4219.12	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/OBcyzA9IS2uF2sCkACIVsw==
4219.12-E(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/D3sslshZJNNbv4WlamsEWM4pQ==
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4219.21	Professional Standards - https://simbli.eboardsolutions.com/SU/577ui4NZDgpHKG5NJplussQbA==
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4219.22	Dress And Grooming - https://simbli.eboardsolutions.com/SU/73WaAoB7xVTiIWdyg8jPUA==
4219.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/DzT84jciN31dA5odXslshEoA==
4219.24	Maintaining Appropriate Adult-Student Interactions - https://simbli.eboardsolutions.com/SU/5jMxddslshCGQnzslshENYSWHwA==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/EpuQDzLygwplusseQSqTDILbw==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/7hEQzj8hdkRLUYbn3mcUYw==
4227	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/3ofwf9BJayE72I4RVODplusplusQ==
4227	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/gh6iL9tkxViyl74pfsyvg==
4236	Nonschool Employment - https://simbli.eboardsolutions.com/SU/2EYq4TWTxHfIKGniO4gkGA==
4241.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/8ghHTIoULRupEkUU4HVtdg==
4241.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/W5ExJpluss6yHnOMElqyCk9IQ==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/A1ITc070plusq5qXGSvtT8tew==
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4257	Employee Safety - https://simbli.eboardsolutions.com/SU/NXiCt6XfmCK7qCqQ6765sQ==
4257	Employee Safety - https://simbli.eboardsolutions.com/SU/hlcSn6uv0mPslshljslshio2S8eQ==
4258	Employee Security - https://simbli.eboardsolutions.com/SU/xTiwijO7zP5pnvrwnkPcdw==
4258	Employee Security - https://simbli.eboardsolutions.com/SU/HzleDphm05nyuDFSTUwAmg==
4259	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/fRGxOc7Yplus8ZsrZ44lplusJCUQ==
4261	Leaves - https://simbli.eboardsolutions.com/SU/NEon3h0paWxSWoNITTqbmA==
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4312.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/CgnDx1BlZbUtFWHVgyEOgA==
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4312.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/87h9kHh1nis8QFmawLNjVQ==
4312.5-E(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/IDd97ZTIGWbSslshXQAq9Hd3w==
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4319.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/XWa15T9slshJVGMRW95yTHU1Q==
4319.12	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/XI9iCOEKkDimRslshXsBtkkg==
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4319.22	Dress And Grooming - https://simbli.eboardsolutions.com/SU/tclULDJ5tC01jFjvlegqoA==
4319.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/X3ta8p18splcxmJVplusXplusZQ==
4319.24	Maintaining Appropriate Adult-Student Interactions - https://simbli.eboardsolutions.com/SU/TfmyZrlu6Sbfbf82Jo04jQ==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/Qqh1ZB30DJcLxmSo6Ca3A==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/yapplusFLKGYeK7yfxXubPVLrQ==
4327	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/wF87lI1DiM4BuNlpmMp4jw==
4327	Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/GfWrHbKXXiMo6D9sEVMuoQ==
4336	Nonschool Employment - https://simbli.eboardsolutions.com/SU/qK9cCPXhorJH0YcplusuQVXhQ==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/6BM2yTUYAw67FplusFDpsplusNA==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/rplumwwksFJslufmMFbAX0vQ==
4357	Employee Safety - https://simbli.eboardsolutions.com/SU/D6S5MNvzJ7r40aZtHitwjw==

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4359	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/TKcq760n9RZaplusNRYWW1VUQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgLwUOQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/m93RQnCPLYUeeeBo4hULBQ==
4361.11	Industrial Accident/Illness Leave - https://simbli.eboardsolutions.com/SU/SsWihs2DRXblzgW5Aplus4xw==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/m3D8kgCbYf75xXSrW6Y27Q==
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5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/MfAhaHlgZdYUYNaeSYslsh2ow==
5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/F81vgNUe2qhM9N9pNBTQtA==
5145.71	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/rZPreTur6slsh2lqWSGKKtgXw==
5145.71-E PDF(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/qSbCRxeqGOSBuNxpZPtPGQ==
5145.9	Hate-Motivated Behavior - https://simbli.eboardsolutions.com/SU/zXaTq9y3Bf8f0rt8zzpcyw==
6145.2	Athletic Competition - https://simbli.eboardsolutions.com/SU/WjFHslshd0qO8WHJq9f7Kfh5Q==
6145.2	Athletic Competition - https://simbli.eboardsolutions.com/SU/3b046reWKA4At9vT9uKSHg==
6162.54	Test Integrity/Test Preparation - https://simbli.eboardsolutions.com/SU/1uChFzb4l7hEf7qS6MfqAw==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/8aBsIsShkYpCeLkOFFduR9FE4g==
9321	Closed Session - https://simbli.eboardsolutions.com/SU/6Okac2n002IH7QiOyqvirA==
9321-E PDF(1)	Closed Session - https://simbli.eboardsolutions.com/SU/vBUvmtCplus4dg0F3rabOZPNg==
9321-E PDF(2)	Closed Session - https://simbli.eboardsolutions.com/SU/Z3jPyRYtdSQqCXwy23swSg==

Policy 4219.1: Civil And Legal Rights

Status: ADOPTED

Original Adopted Date: 03/01/2004 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

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

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

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

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

Whistleblower Protection

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

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

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

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

Protection Against Liability

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

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

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

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

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

State References

CA Constitution Article 1, Section 1

Ed. Code 200-262.4

Ed. Code 44040

Ed. Code 44110-44114

Ed. Code 48907

Ed. Code 48950

Ed. Code 49091.24

Ed. Code 7050-7058

Gov. Code 12650-12656

Gov. Code 12940-12953

Gov. Code 3540.1

Gov. Code 3543.5

Gov. Code 815.3

Gov. Code 820-823

Gov. Code 825.6

Lab. Code 1102.5-1106

Description

Inalienable rights

Prohibition of discrimination -
<https://simbli.eboardsolutions.com/SU/ytLslshoozWGUAAbNL6kKkgxQ==>

Discrimination based on employee's appearance before certain boards or committees

Reporting by school employees of improper governmental activity

Exercise of free expression; time, place and manner rules and regulations

Speech and other communication

Teacher rights to refuse evaluation/survey of personal life

Political activities of school officers and employees

False claims actions

Discrimination prohibited; unlawful practices

Public employment; definitions

Interference with employee's rights prohibited

Intentional torts

Tort claims act

Indemnification of public entity

Whistleblower protections

Federal References

18 USC 16

20 USC 1681-1688

20 USC 7941-7948

Description

Crime of violence; definition

Title IX of the Education Amendments of 1972; discrimination based on sex

Teacher liability protection

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

Management Resources References

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

Cross References

1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/dIGslshfvOqyWh8DLTuprGWw==
1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/ZCplusrqf8OJfVdSVEdfwjAA==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qvzpYbttZOPNWrpR2Lc9VQ==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/U5PKMAkslsh8XdmxbODX9gY2A==
1312.3-E PDF(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/YsqKpKY3LEBnr4vNoyMVGA==
1312.3-E PDF(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/sDRNJkOFJdr6rBfMAplusbMplusg==
3320	Claims And Actions Against The District - https://simbli.eboardsolutions.com/SU/ucnDWx6hGHEFroNGOKmFg==
3320	Claims And Actions Against The District - https://simbli.eboardsolutions.com/SU/c91k4TaBYjVbGbM2oPzSw==
3400	Management Of District Assets/Accounts - https://simbli.eboardsolutions.com/SU/qQg2Qs0VtgXvS1coVhS0Pg==
3400	Management Of District Assets/Accounts - https://simbli.eboardsolutions.com/SU/EEPE8KLEmi83u81NRq4qNw==
3515	Campus Security - https://simbli.eboardsolutions.com/SU/cslshKzg34plus8Yflugiz2YLUrw==
3515	Campus Security - https://simbli.eboardsolutions.com/SU/ROslshkemJzfdllrBjXYxC1w==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/Xb5ZIMMO0i2aRzB52IGiCg==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/vx943OTXDnJq9P0DHTilzg==
4040	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/3Md2dslshuyFrpXYhjStKTrQw==

4040-E(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/Fe6BHPH6DOzDpVRGUqP8hQ==
4040-E PDF(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/josKeRFFqslshEcP1vE5cw0Gg==
4118	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/1feQnJxnTqXT1BhlvWdeWA==
4118	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/L6i9RwB51Lbplusbnl35tH3Bg==
4119.21	Professional Standards - https://simbli.eboardsolutions.com/SU/RUG2Aozy5plusrWMBTJVdlsyg==
4119.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/YZXplusYQTz0U6OMJGsFSgPwQ==
4119.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/vF87GYLXytUMmUN2SXjO0g==
4119.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/2wFCpnGtM48l3kplusPslshl0slshSw==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/FkeMlvswqn3LcJldgUB9slshA==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/dvZ7mfqfvA0YM7xyypEMfw==
4132	Publication Or Creation Of Materials - https://simbli.eboardsolutions.com/SU/A6lhj3LSheVqArWU9OaXjA==
4136	Nonschool Employment - https://simbli.eboardsolutions.com/SU/kg34JHzi7hlemKdooJNm9g==
4140	Bargaining Units - https://simbli.eboardsolutions.com/SU/ZdmcuZUIYv3uD1O7CuaxXA==
4144	Complaints - https://simbli.eboardsolutions.com/SU/gUFnuw70jWGezEp60OAE0w==
4144	Complaints - https://simbli.eboardsolutions.com/SU/slshuuXuplus3vKAplusjaXKpilZpQQ==
4218	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/53ook6mub4JLplus3BKAI0eLA==
4218	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/Exyplus8bf8wU5QNILUDbuCig==
4218.1	Dismissal/Suspension/Disciplinary Action (Merit System) - https://simbli.eboardsolutions.com/SU/Gs8gwy3Wx2plusPXU7EUkFEWg==
4219.21	Professional Standards - https://simbli.eboardsolutions.com/SU/577ui4NZDgphKGS5NJplussQbA==
4219.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/SZslshTkenVfGb5PHogpS5WHg==
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4219.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/DzT84jcjiN31dA5odXslshEoA==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/EpuQDzLygwplussQSQTDILbw==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/7hEQzj8hdkRLUYbn3mcUYw==
4232	Publication or Creation of Materials - https://simbli.eboardsolutions.com/SU/sOOi3RNQ8O2UrE6Qdbsubg==

4236	Nonschool Employment - https://simbli.eboardsolutions.com/SU/2EYq4TWTxHfIKGniO4gkGA==
4240	Bargaining Units - https://simbli.eboardsolutions.com/SU/ItAmE15lyRuHVP4lWhd7tg==
4244	Complaints - https://simbli.eboardsolutions.com/SU/dpWU08slsh6hjddsVYvxoilag==
4244	Complaints - https://simbli.eboardsolutions.com/SU/T94gjCe5she2llWxwooVA==
4319.21	Professional Standards - https://simbli.eboardsolutions.com/SU/53YbPV2hoKqYj7h7jg34plusA==
4319.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/KC2bJWRJcvPY6NBslshOucarQ==
4319.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/u6TpxPrplusLKIUDjY7bpOkaw==
4319.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/X3ta8p18splcxmJVplusXplusnZQ==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/Qqh1ZB30DjclxmSo6Ca3A==
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4332	Publication or Creation of Materials - https://simbli.eboardsolutions.com/SU/GlslshGwQt15nlsUrEfg1bgaA==
4336	Nonschool Employment - https://simbli.eboardsolutions.com/SU/qK9cCPXhorJH0YcplusuQVXhQ==
4340	Bargaining Units - https://simbli.eboardsolutions.com/SU/mzWyX5FBWwfpZYYNlaK0RA==
4344	Complaints - https://simbli.eboardsolutions.com/SU/0m0xiT7oKn9m9TLZpluszeRyA==
4344	Complaints - https://simbli.eboardsolutions.com/SU/35PWlyWDSczCYbz2slshslshaWog==
9260	Legal Protection - https://simbli.eboardsolutions.com/SU/TdGgHj7XaYoQFbgsm2aaplug==

Policy 4240: Bargaining Units

Status: ADOPTED

Original Adopted Date: 11/01/2011 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

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

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

Formation of Bargaining Units

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

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

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

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

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

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

Membership

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

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

However, before disseminating to multiple employees any mass communication concerning employees' right to join or support an employee organization or to refrain from joining or supporting an employee organization, such as a written document or script for oral or recorded presentation or message, the Superintendent or designee shall meet and confer with the employees' exclusive representative regarding the content of the communication. If the district and exclusive representative do not come to agreement on the content of the mass communication, the Superintendent or designee may disseminate the district's mass communication, provided that at the same time, copies of the exclusive representative's communication, which shall be of reasonable length, are also distributed. (Government Code 3553)

Access to New Employee Orientations

The district shall permit employee organizations access to new employee orientation or onboarding process where newly hired employees are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters. The district shall provide employee organizations at least 10 days' notice in advance of an orientation, except that a shorter notice may be provided if an unforeseeable, urgent need critical to the district's operation prevents the required 10 days' notice. (Government Code 3555.5, 3556)

Following a request to negotiate by either party, the structure, time, and manner of access to new employee orientations shall be determined by mutual agreement of the district and the exclusive representative. If the district and exclusive representative fail to reach an agreement, matters related to access to the new employee orientation shall be subject to compulsory interest arbitration. The district and employee organization may mutually agree to submit any dispute to compulsory interest arbitration at any time. In addition, if any dispute arises during negotiations and is not resolved within 45 days after the first meeting or within 60 days after the initial request to negotiate, whichever is earlier, either party may make a demand for compulsory interest arbitration. When any such dispute arises during the summer when the district's administrative office is closed, the timeline shall commence on the first day the administrative office reopens. The decision of the arbitrator shall be final and binding on the parties. (Government Code 3556, 3557)

The date, time, and place of a new employee orientation shall not be disclosed to anyone other than employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation. (Government Code 3556)

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

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

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

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

Access to Employee Contact Information

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

or detailed lists are required by agreement with the exclusive representative. (Government Code 3558, 6254.3)

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

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

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

Communications with Employees

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

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

Membership Dues or Other Payments to an Employee Organization

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

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

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

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

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority

for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

8 CCR 33015-33490
 8 CCR 33700-33710
 8 CCR 34020
 8 CCR 34055
 Ed. Code 45060-45061.5
 Ed. Code 45100.5
 Ed. Code 45104.5
 Ed. Code 45108.5
 Ed. Code 45108.7
 Ed. Code 45168
 Ed. Code 45220-45320
 Gov. Code 3540-3549.3
 Gov. Code 3540.1
 Gov. Code 3543.4
 Gov. Code 3545
 Gov. Code 3550-3552
 Gov. Code 3555-3559
 Gov. Code 53260-53264
 Gov. Code 6205-6210
 Gov. Code 6254.3
 Gov. Code 6503.5

Description

Recognition of exclusive representative; proceedings
 Severance of established unit
 Petition to rescind organizational security arrangement
 Reinstatement of organizational security arrangement
 Deduction of fees from salary or wage payment; certificated employees
 Senior classified management positions
 Abolishment of senior classified management positions
 Definition of senior classified management employees
 Waiver of provisions of 45108.5
 Deduction of fees from salary or wage payment; classified employees
 Merit system; classified employees
 Educational Employment Relations Act
 Public employment; definitions
 Management position; representation
 Appropriateness of unit; basis
 Prohibition on public employers deterring or discouraging union membership
 Public employee communication, information and orientation
 Employment contracts
 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking
 Disclosure of employee contact information to employee organization
 Joint powers agencies

Federal References

8 CFR 33015-33490
 8 CFR 33700-33710
 8 CFR 34020
 8 CFR 34055

Description

Recognition of exclusive representative; proceedings
 Severance of established unit
 Petition to rescind organizational security arrangement
 Reinstatement of organizational security arrangement

Management Resources References

Court Decision
 Court Decision
 Court Decision
 Public Employment Relations Board Ruling
 Public Employment Relations Board Ruling
 Website
 Website

Description

County of Los Angeles v. Service Employees International Union, Local 721, (2013) 56 Cal. 4th 905
 Friedrichs v. California Teachers Association, et al., (2016) 136 S.Ct. 1083
 Janus v. American Federation of State, County and Municipal Employees, Council 31, (2018) 138 S.Ct. 2448
 East Whittier School District, (2004) PERB Dec. No. 1727
 City of Sacramento, (2019) PERB Dec. No. 2702m
 CSBA District and County Office of Education Legal Services - <https://simbli.eboardsolutions.com/SU/UdykszdmpETuDsIshXk6R5akQ==>
 California Federation of Teachers - <https://simbli.eboardsolutions.com/SU/6TJlnbikoQhGwsWiH4ztXQ==>

Website	California Public Employment Relations Board - https://simbli.eboardsolutions.com/SU/7Fndg3k626KwCb511Tslsh2ew==
Website	California School Employees Association - https://simbli.eboardsolutions.com/SU/NOB1plusNOcLNRMHnggHE1slshjg==
Website	California Teachers Association - https://simbli.eboardsolutions.com/SU/w58tUBBtGnaF0rMUPlwN0g==
Website	Association of California School Administrators - https://simbli.eboardsolutions.com/SU/DMWjqGR6N1ooUHxYbDPXeA==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==

Cross References

0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/FQOZDcYoBERqzRucs3xsMA==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/BxazplusxgNXNREplusOnkNIFqtQ==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/N8bGSx8fxAlLgcLPJYKR9w==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/VQd4HhnIB5p7OgDHHuo3HA==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/fhcZPsXmszl9QLwLKW0rSw==
1431	Waivers - https://simbli.eboardsolutions.com/SU/9BuYxzx0B211rRqC5ldthA==
4113	Assignment - https://simbli.eboardsolutions.com/SU/BhXFYknfTIZslshK6TX1rcPNw==
4113	Assignment - https://simbli.eboardsolutions.com/SU/BHJLvt0UWpluspJ20aXCvNAPQ==
4115	Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/0LslshHZpTrWZBP3dcuo7QfxQ==
4115	Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/YXWh5JjlsC6OnRyofY3IEw==
4119.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/BQiemT6yH0cplusdbQ4LuGjZA==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/FkeMlvswqn3LcJldgUB9slshA==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/dvZ7mfqfvA0YM7xyypEMfw==
4121	Temporary/Substitute Personnel - https://simbli.eboardsolutions.com/SU/UQVHOa8Qzs52Adry5FhGeA==
4121	Temporary/Substitute Personnel - https://simbli.eboardsolutions.com/SU/Eytslsh362LVDh2oTivuLm8gA==
4141	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/wSbplusNslshzmwtp8Du1J7fxoGg==
4143	Negotiations/Consultation - https://simbli.eboardsolutions.com/SU/plusQw524YQnq7oFZ8zRrV6Pg==
4151	Employee Compensation - https://simbli.eboardsolutions.com/SU/slshEmu3YLeYOPsKNjIKLuChQ==

4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/8w7jXCSa7Dmj2OhsA1O4mg==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/bUKajshf9NH4tnZl9utk7g==
4161.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/v9O8SWMTRbBXq5cOByblqw==
4219.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/qInWNgn2LFslshDzTCLslsh592A==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/EpuQDzLygwplussQSQTDILbw==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/7hEQzj8hdkRLUYbn3mcUYw==
4241	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/HilDt0mq6toKw0vAGRcktA==
4243	Negotiations/Consultation - https://simbli.eboardsolutions.com/SU/rymBvD6zXpDjldwBE51jfg==
4251	Employee Compensation - https://simbli.eboardsolutions.com/SU/XwmaYplusCUz0TmQhxrplusgRgxQ==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/A1ITc070plusq5qXGSvtT8tew==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/4MRmnj4J0iqDWVDL3OkrzA==
4261.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/uEkwbwYVw5nplus48h2ZcgRMw==
4300	Administrative And Supervisory Personnel - https://simbli.eboardsolutions.com/SU/LFXzXmpvUJIVfhoVlrAWtQ==
4300	Administrative And Supervisory Personnel - https://simbli.eboardsolutions.com/SU/gTre2dsFDBdtNTDqslshUjsow==
4301	Administrative Staff Organization - https://simbli.eboardsolutions.com/SU/alrszldT1JFDiYicZH1EPg==
4312.1	Contracts - https://simbli.eboardsolutions.com/SU/u22KslshC8a3wG7fRWzzQXdjA==
4315	Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/t2D4Ufe1Gcn103DgcL8Dpw==
4319.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/XWa15T9slshJVGmRW95yTHU1Q==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/Qqh1ZB30DJcLxmSo6Ca3A==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/yapplusFLKGYeK7yfxXubPVLrQ==
4351	Employee Compensation - https://simbli.eboardsolutions.com/SU/SdFbv9zvpQGp42fubiKLVw==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/6BM2yTUYAw67FplusFDpsplusINA==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/rplusmwwksFJslufmMFbAX0vQ==
4361.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/T2aqRlucvjms46uHEktDnQ==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOFFduR9FE4g==

9321

Closed Session -

<https://simbli.eboardsolutions.com/SU/6Okac2n002IH7QiOyqvirA==>

9321-E PDF(1)

Closed Session -

<https://simbli.eboardsolutions.com/SU/vBUvmtCplus4dg0F3rabOZPNg==>

9321-E PDF(2)

Closed Session -

<https://simbli.eboardsolutions.com/SU/Z3jPyRYtdSQqCXwy23swSg==>

Regulation 4261.2: Personal Leaves

Status: ADOPTED

Original Adopted Date: 11/01/2012 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

Classified employees follow the personal leave provisions in the California School Employees Association (CSEA) Collective Bargaining Agreement.

Regulation 4261.5: Military Leave

Status: ADOPTED

Original Adopted Date: 03/01/2004 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

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

Salary/Compensation

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

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

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

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

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

Benefits

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

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

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

Vacation and Sick Leave Accrual

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

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

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

Pension Plan Service Credit

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

Employment Status

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

Reinstatement Rights

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

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

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

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

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

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

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

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

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

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

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

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

Notices

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

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

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

State References

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

Description

Federal References

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

Description

Management Resources References

Attorney General Opinion	18 Ops.Cal.Atty.Gen. 178 (1951)
Attorney General Opinion	63 Ops.Cal.Atty.Gen. 924 (1978)
Attorney General Opinion	69 Ops.Cal.Atty.Gen. 290 (1986)
Attorney General Opinion	77 Ops.Cal.Atty.Gen. 56 (1994)
Court Decision	Bowers v. San Buenaventura (1977) 75 Cal. App.3d 65
Court Decision	Wright v. City of Santa Clara (1989) 213 Cal. App.3d 1503
U.S. Department of Labor Publication	A Non-Technical Resource Guide to the Uniformed Services Employment and Reemployment Rights Act (USERRA), rev. April 2005
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==
Website	National Committee for Employer Support of the Guard and Reserve - https://simbli.eboardsolutions.com/SU/YYN378LPYzj3jvdJKbsIshUUQ==
Website	U.S. Department of Labor, USERRA - https://simbli.eboardsolutions.com/SU/PNGGXVYmJ8Zx0NMplus6qWUVA==
Website	National School Boards Association - https://simbli.eboardsolutions.com/SU/PGLybcP29yufJSot5FEGJg==

Description

Cross References	Description
2121	Superintendent's Contract - https://simbli.eboardsolutions.com/SU/fcslsh1ixO2EdCt2pz2NabYqA==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/Xb5ZIMMO0i2aRzB52IGiCg==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/vx943OTXDnJq9P0DHTilzg==
4032	Reasonable Accommodation - https://simbli.eboardsolutions.com/SU/DZueYkplusHoNslsh53DXisshi6mLw==
4112.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/lzOI6slshnwrwplusn8LplusKslshvswfw==
4112.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/nxsNzGlnhGviEz28zpluswjzg==
4112.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/BjEd40hv6bJfiroIKsHpQQ==
4116	Probationary/Permanent Status - https://simbli.eboardsolutions.com/SU/Gy4GUysBDt2XEfyrzyQxvw==
4116	Probationary/Permanent Status - https://simbli.eboardsolutions.com/SU/5Oi4FjGaDLWBXlrAxpA2fq==
4161	Leaves - https://simbli.eboardsolutions.com/SU/EEXMgObslshqslshiKqtJJUX7vSg==
4161	Leaves - https://simbli.eboardsolutions.com/SU/1j87G85jaeaw3FbkyNX3fw==
4161.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/wmtZ2H4oDc4HcrB9slshN1zcw==
4212.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/mHaW9EbnocL5PI6rr10dMw==
4212.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/dRLduplushlLitByDflajDntw==
4212.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/U68jKBBwiztUHegLtpjM0w==
4217.3	Layoff/Rehire - https://simbli.eboardsolutions.com/SU/gaL5XRA3u5fXOTn9bigHuA==
4261	Leaves - https://simbli.eboardsolutions.com/SU/NEon3h0paWxSWoNITTqbmA==
4261	Leaves - https://simbli.eboardsolutions.com/SU/cns2ox14MXb4vglRlm84fA==
4261.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/7IGWMkFdeFkQBbHk7qxzig==
4312.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/CqOQlb4XnDnSONdYu7jm2Q==
4312.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/2aBW0q0A11slsh9KahGJYr69A==
4312.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/LslshgslshO92fRVOPUpUergz7w==
4361	Leaves - https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgLuWJOQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/m93RQnCPlYUeeBo4hULBQ==
4361.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/VCSQ7zJplus5y1nFHLGslshrI5oA==

Policy 4319.1: Civil And Legal Rights

Status: ADOPTED

Original Adopted Date: 03/01/2004 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

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

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

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

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

Whistleblower Protection

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

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

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

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

Protection Against Liability

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

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

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

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

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

State References

CA Constitution Article 1, Section 1

Ed. Code 200-262.4

Ed. Code 44040

Ed. Code 44110-44114

Ed. Code 48907

Ed. Code 48950

Ed. Code 49091.24

Ed. Code 7050-7058

Gov. Code 12650-12656

Gov. Code 12940-12953

Gov. Code 3540.1

Gov. Code 3543.5

Gov. Code 815.3

Gov. Code 820-823

Gov. Code 825.6

Lab. Code 1102.5-1106

Description

Inalienable rights

Prohibition of discrimination -
<https://simbli.eboardsolutions.com/SU/ytLslshoozWGUAAbNL6kKkgxQ==>

Discrimination based on employee's appearance before certain boards or committees

Reporting by school employees of improper governmental activity

Exercise of free expression; time, place and manner rules and regulations

Speech and other communication

Teacher rights to refuse evaluation/survey of personal life

Political activities of school officers and employees

False claims actions

Discrimination prohibited; unlawful practices

Public employment; definitions

Interference with employee's rights prohibited

Intentional torts

Tort claims act

Indemnification of public entity

Whistleblower protections

Federal References

18 USC 16

20 USC 1681-1688

20 USC 7941-7948

Description

Crime of violence; definition

Title IX of the Education Amendments of 1972; discrimination based on sex

Teacher liability protection

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

Management Resources References

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

Cross References

1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/dIGslshfvOqyWh8DLTuprGWw==
1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/ZCplusrqf8OJfVdSVEdfwjAA==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qvzpYbttZOPNWrpR2Lc9VQ==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/U5PKMAkslsh8XdmxbODX9gY2A==
1312.3-E PDF(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/YsqKpKY3LEBnr4vNoyMVGA==
1312.3-E PDF(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/sDRNJkOFJdr6rBfMAplusbMplusg==
3320	Claims And Actions Against The District - https://simbli.eboardsolutions.com/SU/ucnDWx6hGHEFroNGOKmFg==
3320	Claims And Actions Against The District - https://simbli.eboardsolutions.com/SU/c91k4TaBYjVbGbM2oPzSw==
3400	Management Of District Assets/Accounts - https://simbli.eboardsolutions.com/SU/qQg2Qs0VtgXvS1coVhS0Pg==
3400	Management Of District Assets/Accounts - https://simbli.eboardsolutions.com/SU/EEPE8KLEmi83u81NRq4qNw==
3515	Campus Security - https://simbli.eboardsolutions.com/SU/cslshKzg34plus8Yflugiz2YLUrw==
3515	Campus Security - https://simbli.eboardsolutions.com/SU/ROslshkemJzfdllrBjXYxC1w==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/Xb5ZIMMO0i2aRzB52IGiCg==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/vx943OTXDnJq9P0DHTilzg==
4040	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/3Md2dslshuyFrpXYhjStKTrQw==

4040-E(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/Fe6BHPH6DOzDpVRGUqP8hQ==
4040-E PDF(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/josKeRFFqslshEcP1vE5cw0Gg==
4118	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/1feQnJxnTqXT1BhlvWdeWA==
4118	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/L6i9RwB51Lbplusbn135tH3Bg==
4119.21	Professional Standards - https://simbli.eboardsolutions.com/SU/RUG2Aozy5plusrWMBTJVdlsyg==
4119.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/YZXplusYQTz0U6OMJGsFSgPwQ==
4119.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/vF87GYLXytUMmUN2SXjO0g==
4119.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/2wFCpnGtM48l3kplusPslshl0slshSw==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/FkeMlvswqn3LcJldgUB9slshA==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/dvZ7mfqfvA0YM7xyypEMfw==
4132	Publication Or Creation Of Materials - https://simbli.eboardsolutions.com/SU/A6lhj3LSheVqArWU9OaXjA==
4136	Nonschool Employment - https://simbli.eboardsolutions.com/SU/kg34JHzi7hlemKdooJNm9g==
4140	Bargaining Units - https://simbli.eboardsolutions.com/SU/ZdmcuZUIYv3uD1O7CuaxXA==
4144	Complaints - https://simbli.eboardsolutions.com/SU/gUFnuw70jWGezEp60OAE0w==
4144	Complaints - https://simbli.eboardsolutions.com/SU/slshuuXuplus3vKAplusjaXKpilZpQQ==
4218	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/53ook6mub4JLplus3BKAI0eLA==
4218	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/Exyplus8bf8wU5QNILUDbuCig==
4218.1	Dismissal/Suspension/Disciplinary Action (Merit System) - https://simbli.eboardsolutions.com/SU/Gs8gwy3Wx2plusPXU7EUkFEWg==
4219.21	Professional Standards - https://simbli.eboardsolutions.com/SU/577ui4NZDgphKGS5NJplussQbA==
4219.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/SZslshTkenVfGb5PHogpS5WHg==
4219.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/52slshZb5LuY0skwfJS0BbV0Q==
4219.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/DzT84jcjiN31dA5odXslshEoA==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/EpuQDzLygwplussQSQTDILbw==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/7hEQzj8hdkRLUYbn3mcUYw==
4232	Publication or Creation of Materials - https://simbli.eboardsolutions.com/SU/sOOi3RNQ8O2UrE6Qdbsubg==

4236	Nonschool Employment - https://simbli.eboardsolutions.com/SU/2EYq4TWTxHfIKGniO4gkGA==
4240	Bargaining Units - https://simbli.eboardsolutions.com/SU/ItAmE15lyRuHVP4lWhd7tg==
4244	Complaints - https://simbli.eboardsolutions.com/SU/dpWU08slsh6hjddsVYvxoilag==
4244	Complaints - https://simbli.eboardsolutions.com/SU/T94gjCe5she2llWxwooVA==
4319.21	Professional Standards - https://simbli.eboardsolutions.com/SU/53YbPV2hoKqYj7h7jg34plusA==
4319.21-E(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/KC2bJWRJcvPY6NBslshOucarQ==
4319.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/u6TpxPrplusLKIUDjY7bpOkaw==
4319.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/X3ta8p18splcxmJVplusXplusnZQ==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/Qqh1ZB30DjclxmSo6Ca3A==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/yapulusFLKGYeK7yfxXubPVLrQ==
4332	Publication or Creation of Materials - https://simbli.eboardsolutions.com/SU/GlslshGwQt15nlsUrEfg1bgaA==
4336	Nonschool Employment - https://simbli.eboardsolutions.com/SU/qK9cCPXhorJH0YcplusuQVXhQ==
4340	Bargaining Units - https://simbli.eboardsolutions.com/SU/mzWyX5FBWwfpZYYNlaK0RA==
4344	Complaints - https://simbli.eboardsolutions.com/SU/0m0xiT7oKn9m9TLZpluszeRyA==
4344	Complaints - https://simbli.eboardsolutions.com/SU/35PWlyWDSczCYbz2slshslshaWog==
9260	Legal Protection - https://simbli.eboardsolutions.com/SU/TdGgHj7XaYoQFbgsm2aaplug==

Policy 4340: Bargaining Units

Status: ADOPTED

Original Adopted Date: 11/01/2011 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

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

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

Formation of Bargaining Units

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

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

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

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

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

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

Membership

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

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

However, before disseminating to multiple employees any mass communication concerning employees' right to join or support an employee organization or to refrain from joining or supporting an employee organization, such as a written document or script for oral or recorded presentation or message, the Superintendent or designee shall meet and confer with the employees' exclusive representative regarding the content of the communication. If the district and exclusive representative do not come to agreement on the content of the mass communication, the Superintendent or designee may disseminate the district's mass communication, provided that at the same time, copies of the exclusive representative's communication, which shall be of reasonable length, are also distributed. (Government Code 3553)

Access to New Employee Orientations

The district shall permit employee organizations access to new employee orientation or onboarding process where newly hired employees are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters. The district shall provide employee organizations at least 10 days' notice in advance of an orientation, except that a shorter notice may be provided if an unforeseeable, urgent need critical to the district's operation prevents the required 10 days' notice. (Government Code 3555.5, 3556)

Following a request to negotiate by either party, the structure, time, and manner of access to new employee orientations shall be determined by mutual agreement of the district and the exclusive representative. If the district and exclusive representative fail to reach an agreement, matters related to access to the new employee orientation shall be subject to compulsory interest arbitration. The district and employee organization may mutually agree to submit any dispute to compulsory interest arbitration at any time. In addition, if any dispute arises during negotiations and is not resolved within 45 days after the first meeting or within 60 days after the initial request to negotiate, whichever is earlier, either party may make a demand for compulsory interest arbitration. When any such dispute arises during the summer when the district's administrative office is closed, the timeline shall commence on the first day the administrative office reopens. The decision of the arbitrator shall be final and binding on the parties. (Government Code 3556, 3557)

The date, time, and place of a new employee orientation shall not be disclosed to anyone other than employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation. (Government Code 3556)

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

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

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

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

Access to Employee Contact Information

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

or detailed lists are required by agreement with the exclusive representative. (Government Code 3558, 6254.3)

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

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

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

Communications with Employees

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

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

Membership Dues or Other Payments to an Employee Organization

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

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

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

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

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority

for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

8 CCR 33015-33490
 8 CCR 33700-33710
 8 CCR 34020
 8 CCR 34055
 Ed. Code 45060-45061.5
 Ed. Code 45100.5
 Ed. Code 45104.5
 Ed. Code 45108.5
 Ed. Code 45108.7
 Ed. Code 45168
 Ed. Code 45220-45320
 Gov. Code 3540-3549.3
 Gov. Code 3540.1
 Gov. Code 3543.4
 Gov. Code 3545
 Gov. Code 3550-3552
 Gov. Code 3555-3559
 Gov. Code 53260-53264
 Gov. Code 6205-6210
 Gov. Code 6254.3
 Gov. Code 6503.5

Description

Recognition of exclusive representative; proceedings
 Severance of established unit
 Petition to rescind organizational security arrangement
 Reinstatement of organizational security arrangement
 Deduction of fees from salary or wage payment; certificated employees
 Senior classified management positions
 Abolishment of senior classified management positions
 Definition of senior classified management employees
 Waiver of provisions of 45108.5
 Deduction of fees from salary or wage payment; classified employees
 Merit system; classified employees
 Educational Employment Relations Act
 Public employment; definitions
 Management position; representation
 Appropriateness of unit; basis
 Prohibition on public employers deterring or discouraging union membership
 Public employee communication, information and orientation
 Employment contracts
 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking
 Disclosure of employee contact information to employee organization
 Joint powers agencies

Federal References

8 CFR 33015-33490
 8 CFR 33700-33710
 8 CFR 34020
 8 CFR 34055

Description

Recognition of exclusive representative; proceedings
 Severance of established unit
 Petition to rescind organizational security arrangement
 Reinstatement of organizational security arrangement

Management Resources References

Court Decision
 Court Decision
 Court Decision
 Public Employment Relations Board Ruling
 Public Employment Relations Board Ruling
 Website
 Website

Description

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

Website	California Public Employment Relations Board - https://simbli.eboardsolutions.com/SU/7Fndg3k626KwCb511Tslsh2ew==
Website	California School Employees Association - https://simbli.eboardsolutions.com/SU/NOB1plusNOcLNRMHnggHE1slshjg==
Website	California Teachers Association - https://simbli.eboardsolutions.com/SU/w58tUBBtGnaF0rMUPlwN0g==
Website	Association of California School Administrators - https://simbli.eboardsolutions.com/SU/DMWjqGR6N1ooUHxYbDPXeA==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==

Cross References

0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/FQOZDcYoBERqzRucs3xsMA==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/BxazplusxgNXNREplusOnkNIFqtQ==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/N8bGSx8fxalLgcLPJYKR9w==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/VQd4HhnlB5p7OgDHHuo3HA==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/fhcZPsXmszl9QLwLKW0rSw==
1431	Waivers - https://simbli.eboardsolutions.com/SU/9BuYxzx0B21rRqC5ldthA==
4113	Assignment - https://simbli.eboardsolutions.com/SU/BhXFYknfTIZslshK6TX1rcPNw==
4113	Assignment - https://simbli.eboardsolutions.com/SU/BHJLvt0UWpluspJ20aXCvNAPQ==
4115	Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/0LslshHZpTrWZBP3dcuo7QfxQ==
4115	Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/YXWh5Jlsc6OnRyofY3IEw==
4119.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/BQiemT6yH0cplusdbQ4LuGjZA==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/FkeMlvswqn3LcJldgUB9slshA==
4119.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/dvZ7mfqfvA0YM7xyypEMfw==
4121	Temporary/Substitute Personnel - https://simbli.eboardsolutions.com/SU/UQVHOa8Qzs52Adry5FhGeA==
4121	Temporary/Substitute Personnel - https://simbli.eboardsolutions.com/SU/Eytslsh362LVDh2oTivuLm8gA==
4141	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/wSbplusNslshzmwtp8Du1J7fxoGg==
4143	Negotiations/Consultation - https://simbli.eboardsolutions.com/SU/plusQw524YQnq7oFZ8zRrV6Pg==
4151	Employee Compensation - https://simbli.eboardsolutions.com/SU/slshEmu3YLeYOPsKNjIKLuChQ==

4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/8w7jXCSa7Dmj2OhsA1O4mg==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/bUKajshf9NH4tnZl9utk7g==
4161.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/v9O8SWMTRbBXq5cOByblqw==
4219.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/qInWNgn2LFslshDzTCLslsh592A==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/EpuQDzLygwplusseQSqTDILbw==
4219.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/7hEQzj8hdkRLUYbn3mcUYw==
4241	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/HilDt0mq6toKw0vAGRcktA==
4243	Negotiations/Consultation - https://simbli.eboardsolutions.com/SU/rymBvD6zXpDjldwBE51jfg==
4251	Employee Compensation - https://simbli.eboardsolutions.com/SU/XwmaYplusCUz0TmQhxrplusgRgxQ==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/A1ITc070plusq5qXGSvtT8tew==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/4MRmnj4J0iqDWVDL3OkrzA==
4261.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/uEkwbwYVw5nplus48h2ZcgRMw==
4300	Administrative And Supervisory Personnel - https://simbli.eboardsolutions.com/SU/LFXzXmpvUJIVfhoVlrAWtQ==
4300	Administrative And Supervisory Personnel - https://simbli.eboardsolutions.com/SU/gTre2dsFDBdtNTDqslshUjsow==
4301	Administrative Staff Organization - https://simbli.eboardsolutions.com/SU/alrszldT1JFDIYicZH1EPg==
4312.1	Contracts - https://simbli.eboardsolutions.com/SU/u22KslshC8a3wG7fRWzzQXdjA==
4315	Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/t2D4Ufe1Gcn103DgcL8Dpw==
4319.1	Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/XWa15T9slshJVGmRW95yTHU1Q==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/Qqh1ZB30DjCJlxmSo6Ca3A==
4319.25	Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/yapplusFLKGYeK7yfxXubPVLrQ==
4351	Employee Compensation - https://simbli.eboardsolutions.com/SU/SdFbv9zvpQGp42fubiKLVw==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/6BM2yTUYAw67FplusFDpsplusINA==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/rplusmwwksFJslufmMFbAX0vQ==
4361.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/T2aqRlucvjms46uHEktDnQ==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOFFduR9FE4g==

9321

Closed Session -

<https://simbli.eboardsolutions.com/SU/6Okac2n002IH7QiOyqvirA==>

9321-E PDF(1)

Closed Session -

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9321-E PDF(2)

Closed Session -

<https://simbli.eboardsolutions.com/SU/Z3jPyRYtdSQqCXwy23swSg==>

Regulation 4361.2: Personal Leaves

Status: ADOPTED

Original Adopted Date: 11/01/2012 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

Classified Management and Confidential Assistants follow the personal leave provisions in the California School Employees Association (CSEA) Collective Bargaining Agreement.

Certificated Management follows the personal leave provisions in the Eureka Teachers Association (ETA) Collective Bargaining Agreement with the exception of Personal Necessity/No-tell Leave in which case Certificated Management follows Personal Necessity as outlined in the CSEA Collective Bargaining Agreement.

Regulation 4361.5: Military Leave

Status: ADOPTED

Original Adopted Date: 03/01/2004 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

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

Salary/Compensation

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

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

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

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

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

Benefits

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

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

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

Vacation and Sick Leave Accrual

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

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

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

Pension Plan Service Credit

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

Employment Status

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

Reinstatement Rights

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

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

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

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

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

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

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

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

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

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

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

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

Notices

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

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

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

State References

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

Description

Federal References

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

Description

Management Resources References

Attorney General Opinion	18 Ops.Cal.Atty.Gen. 178 (1951)
Attorney General Opinion	63 Ops.Cal.Atty.Gen. 924 (1978)
Attorney General Opinion	69 Ops.Cal.Atty.Gen. 290 (1986)
Attorney General Opinion	77 Ops.Cal.Atty.Gen. 56 (1994)
Court Decision	Bowers v. San Buenaventura (1977) 75 Cal. App.3d 65
Court Decision	Wright v. City of Santa Clara (1989) 213 Cal. App.3d 1503
U.S. Department of Labor Publication	A Non-Technical Resource Guide to the Uniformed Services Employment and Reemployment Rights Act (USERRA), rev. April 2005
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==
Website	National Committee for Employer Support of the Guard and Reserve - https://simbli.eboardsolutions.com/SU/YYN378LPYzj3jvdJKbsIshUUQ==
Website	U.S. Department of Labor, USERRA - https://simbli.eboardsolutions.com/SU/PNGGXVYmJ8Zx0NMplus6qWUVA==
Website	National School Boards Association - https://simbli.eboardsolutions.com/SU/PGLybcP29yufJSot5FEGJg==

Cross References	Description
2121	Superintendent's Contract - https://simbli.eboardsolutions.com/SU/fcslsh1ixO2EdCt2pz2NabYqA==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/Xb5ZIMMO0i2aRzB52IGiCg==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/vx943OTXDnJq9P0DHTilzg==
4032	Reasonable Accommodation - https://simbli.eboardsolutions.com/SU/DZueYkplusHoNslsh53DXislshi6mLw==
4112.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/lzOl6slshnwrwplusn8LplusKslshvswfw==
4112.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/nxsNzGlnhGviEz28zpluswjzg==
4112.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/BjEd40hv6bJfiroIKsHpQQ==
4116	Probationary/Permanent Status - https://simbli.eboardsolutions.com/SU/Gy4GUysBDt2XEfyrzyQxvw==
4116	Probationary/Permanent Status - https://simbli.eboardsolutions.com/SU/5Oi4FjGaDLWBXlrAxpA2fq==
4161	Leaves - https://simbli.eboardsolutions.com/SU/EEXMgObslshqslshiKqtJJUX7vSg==
4161	Leaves - https://simbli.eboardsolutions.com/SU/1j87G85jaeaw3FbkyNX3fw==
4161.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/wmtZ2H4oDc4HcrB9slshN1zcw==
4212.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/mHaW9EbnocL5PI6rr10dMw==
4212.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/dRLduplushlLitByDflajDntw==
4212.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/U68jKBBwiztUHegLtpjM0w==
4217.3	Layoff/Rehire - https://simbli.eboardsolutions.com/SU/gaL5XRA3u5fXOTn9bigHuA==
4261	Leaves - https://simbli.eboardsolutions.com/SU/NEon3h0paWxSWoNITTqbmA==
4261	Leaves - https://simbli.eboardsolutions.com/SU/cns2ox14MXb4vglRlm84fA==
4261.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/7IGWMkFdeFkQBbHk7qxzig==
4312.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/CqOQlb4XnDnSONdYu7jm2Q==
4312.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/2aBW0q0A11slsh9KahGJYr69A==
4312.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/LslshgslshO92fRVOPUpUergz7w==
4361	Leaves - https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgLUJOQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/m93RQnCPlyUeeeb04hULBQ==
4361.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/VCSQ7zJplus5y1nFHLGslshr15oA==

Policy 6146.1: High School Graduation Requirements

Status: ADOPTED

Original Adopted Date: 12/01/2017 | **Last Revised Date:** 10/31/2022 | **Last Reviewed Date:** 10/31/2022

The Governing Board desires to prepare all students to successfully complete the high school course of study and obtain a diploma that represents their educational achievement and increases their opportunities for postsecondary education and employment.

District students shall complete graduation course requirements as specified in Education Code 51225.3 and those adopted by the Board, except for students who are exempted as provided in "Exemptions from District-Adopted Graduation Requirements," below. Students who are exempted from district-adopted graduation requirements shall be eligible to participate in any graduation ceremony and school activity related to graduation in which other students are eligible to participate.

Course Requirements

To obtain a high school diploma, students shall complete the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Four courses in English (Education Code 51225.3)
2. Two courses in mathematics (Education Code 51225.3)

Students shall complete at least one mathematics course that meets the state academic content standards for Algebra I or Mathematics I. Students may complete such coursework prior to grade 9 provided that they also complete two mathematics courses in grades 9-12. (Education Code 51224.5)

3. Two courses in science, including biological and physical sciences (Education Code 51225.3)
4. Three courses in social studies, including United States (U.S.) history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics (Education Code 51225.3)
5. One course in visual or performing arts, world language, or career technical education (CTE). For purposes of this requirement, a course in American Sign Language shall be deemed a course in world language. (Education Code 51225.3)

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education. (Education Code 51225.3)

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3)
7. Beginning with the 2029-30 school year, a one-semester course in ethnic studies (Education Code 51225.3)
8. Freshman Seminar

Freshman Seminar is required for all 9th grade students as a yearlong course that also meets the

HIV and sexual education requirements.

As an alternative, 9th grade students enrolled in AVID 9 will also meet the yearlong Freshman Seminar and HIV sexual education requirement. An exception consideration shall be made on a case-by-case basis based on a student meeting the following criteria:

- a. 8th grade GPA of 3.75 or higher
- b. Attendance in the "Excellent" or "Satisfactory" category in A2A
- c. Recommendation from two core subject teachers attesting to academic and organizational skills
- d. Contract signed by student and parent/guardian to complete HIV and sexual education requirement through College of the Redwoods or another accredited program prior to the end of Junior year at Eureka High School. Contract will state that failure to complete the HIV and sexual education requirement will preclude a student from receiving a diploma and participating in graduation ceremonies

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

Exemptions from District-Adopted Graduation Requirements

Prior to the beginning of grade 10, the individualized education program (IEP) team for each student with disabilities shall determine whether the student is eligible for exemption from all coursework and other requirements adopted by the Board in addition to the statewide course requirements for high school graduation, and if so, shall notify the student's parent/guardian of the exemption. A student with disabilities shall be eligible for the exemption, if the student's IEP provides for both of the following requirements: (Education Code 51225.31)

1. That the student take the alternate assessment aligned to alternate achievement standards in grade 11 as described in Education Code 60640
2. That the student complete state standards aligned coursework to meet the statewide coursework specified in Education Code 51225.3

In addition, a foster youth, homeless student, former juvenile court school student, child of a military family, or migrant student who transfers into the district or between district schools any time after completing the second year of high school, or a newly arrived immigrant student who is in the third or fourth year of high school and is participating in a newcomer program, shall be exempted from any graduation requirements adopted by the Board that are in addition to statewide course requirements. This exemption shall not apply if the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of the fourth year of high school.

Within 30 days of the transfer into a school by a foster youth, homeless student, former juvenile court school student, child of a military family, migrant student, or a newly arrived immigrant student, or of the commencement of participation in a newcomer program, as applicable, the Superintendent or designee shall notify any eligible student, and others as required by law, of the availability of the exemption from local graduation requirements and whether the student qualifies for it. (Education Code 51225.1)

Retroactive Diplomas

Any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 51413)

In addition, the district may retroactively grant high school diplomas to former students who: (Education Code 48204.4, 51430, 51440)

1. Departed California against their will while in grade 12 and did not receive a diploma because the departure interrupted their education, provided that they were in good academic standing at the time of the departure

Persons may be considered to have departed California against their will if they were in custody of a government agency and were transferred to another state, were subject to a lawful order from a court or government agency that authorized their removal from California, were subject to a lawful order and were permitted to depart California before being removed from California pursuant to the lawful order, were removed or were permitted to depart voluntarily pursuant to the federal Immigration and Nationality Act, or departed due to other circumstances determined by the district that are consistent with the purposes of Education Code 48204.4.

In determining whether to award a diploma under these circumstances, the Superintendent or designee shall consider any coursework that may have been completed outside of the U.S. or through online or virtual courses.

2. Were interned by order of the federal government during World War II or are honorably discharged veterans of World War II, the Korean War, or the Vietnam War, provided that they were enrolled in a district high school immediately preceding the internment or military service and did not receive a diploma because their education was interrupted due to the internment or military service in those wars

Deceased former students who satisfy these conditions may be granted a retroactive diploma to be received by their next of kin.

3. Are veterans who entered the military service of the U.S. while in grade 12 and who had satisfactorily completed the first half of the work required for grade 12 in a district school
4. Were in their senior year of high school during the 2019-20 school year, were in good academic standing and on track to graduate at the end of the 2019-20 school year as of March 1, 2020, and were unable to complete the statewide graduation requirements as a result of the COVID-19 crisis

Honorary Diplomas

The Board may grant an honorary high school diploma to: (Education Code 51225.5)

1. An international exchange student who has not completed the course of study ordinarily required for graduation and who is returning to the student's home country following the completion of one academic school year in the district
2. A student who is terminally ill

The honorary diploma shall be clearly distinguishable from the regular diploma of graduation awarded by the district. (Education Code 51225.5)

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 1600-1651	Graduation of students from grade 12 and credit toward graduation
5 CCR 4600-4670	Uniform complaint procedures
Ed. Code 220	Prohibition of discrimination
Ed. Code 47612	Average daily attendance in charter school
Ed. Code 48200	Compulsory attendance
Ed. Code 48204.4	Parents/guardians departing California against their will
Ed. Code 48412	Certificate of proficiency
Ed. Code 48430	Continuation education schools and classes
Ed. Code 48645.5	Former juvenile court school students; enrollment
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49701	Provisions of the Interstate Compact on Educational Opportunities for Military Children
Ed. Code 51224	Skills and knowledge required for adult life
Ed. Code 51224.5	Algebra in course of study for grades 7-12
Ed. Code 51225.1	Exemption from district graduation requirements
Ed. Code 51225.2	Course credits
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51225.31	Exemption for students with disabilities
Ed. Code 51225.35	Mathematics course requirements; computer science
Ed. Code 51225.36	Instruction in sexual harassment and violence; districts that require health education for graduation
Ed. Code 51225.5	Honorary diplomas; foreign exchange and terminally ill students
Ed. Code 51225.6	Instruction in cardiopulmonary resuscitation; districts that require health education for graduation
Ed. Code 51225.9	Courses of Study, Grades 7 to 12; Career Technical Education
Ed. Code 51226.7	Model Curriculum in Ethnic Studies
Ed. Code 51228	Course of study; offerings and timely opportunity
Ed. Code 51230	Credit for community emergency response training
Ed. Code 51240-51246	Exemptions from requirements
Ed. Code 51250-51251	Assistance to military dependents
Ed. Code 51410-51413	Diplomas
Ed. Code 51420-51427	High school equivalency certificates
Ed. Code 51430	Retroactive high school diplomas
Ed. Code 51440	Credit and granting of diploma to veterans and members of the military service
Ed. Code 51450-51455	Golden State Seal Merit Diploma
Ed. Code 51744-51749.6	Independent study
Ed. Code 56390-56392	Recognition for educational achievement; special education
Ed. Code 60640	California Assessment of Student Performance and Progress
Ed. Code 66204	Certification of high school courses as meeting university admission criteria
Ed. Code 67386	Student safety; affirmative consent standard
Management Resources	Description
Court Decision	O'Connell v. Superior Court (Valenzuela) (2006) 141 Cal.App.4th 1452
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education, High School
Website	University of California, List of Approved A-G Courses
Website	CSBA

Cross References

Code

0460

Description

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	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
4112.2	Certification
4112.2	Certification
5113.2	Work Permits
5113.2	Work Permits
5126	Awards For Achievement
5126	Awards For Achievement
5127	Graduation Ceremonies And Activities
5145.6	Parent/Guardian Notifications
5145.6	Parent/Guardian Notifications
5147	Dropout Prevention
6000	Concepts And Roles
6011	Academic Standards
6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.2	World Language Instruction
6142.2	World Language Instruction
6142.3	Civic Education
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
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6142.91	Reading/Language Arts Instruction
6142.92	Mathematics Instruction
6142.93	Science Instruction
6142.94	History-Social Science Instruction
6143	Courses Of Study
6143	Courses Of Study
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6145.2	Athletic Competition
6145.6	International Exchange
6145.6	International Exchange
6146.11	Alternative Credits Toward Graduation
6146.11	Alternative Credits Toward Graduation
6146.2	Certificate Of Proficiency/High School Equivalency
6146.2	Certificate Of Proficiency/High School Equivalency
6146.2	Certificate Of Proficiency/High School Equivalency
6146.3	Reciprocity Of Academic Credit
6146.3	Reciprocity Of Academic Credit
6146.4	Differential Graduation And Competency Standards For Students With Disabilities
6151	Class Size
6152.1	Placement In Mathematics Courses
6152.1	Placement In Mathematics Courses
6155	Challenging Courses By Examination

6155	Challenging Courses By Examination
6158	Independent Study
6158	Independent Study
6159	Individualized Education Program
6159	Individualized Education Program
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6162.5	Student Assessment
6172.1	Concurrent Enrollment In College Classes
6172.1	Concurrent Enrollment In College Classes
6173	Education For Homeless Children
6173	Education For Homeless Children
6173	Education For Homeless Children
6173	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
6173.3	Education For Juvenile Court School Students
6175	Migrant Education Program
6175	Migrant Education Program
6176	Weekend/Saturday Classes
6177	Summer Learning Programs
6178	Career Technical Education
6178	Career Technical Education
6178.1	Work-Based Learning
6178.1	Work-Based Learning
6178.2	Regional Occupational Center/Program
6179	Supplemental Instruction
6181	Alternative Schools/Programs Of Choice
6181	Alternative Schools/Programs Of Choice
6184	Continuation Education
6184	Continuation Education
6200	Adult Education
6200	Adult Education
9000	Role Of The Board

Policy 6158: Independent Study

Status: ADOPTED

Original Adopted Date: 03/01/2005 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

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

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

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

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

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

General Independent Study Requirements

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

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

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

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

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

Education Code 52060

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

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

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

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

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

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

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

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

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

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

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

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

Master Agreement

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

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

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

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

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

to participate

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

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

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

Course-Based Independent Study

The district's course-based independent study program for students in grades K-12 shall be subject to the following requirements: (Education Code 51749.5)

1. A signed learning agreement shall be completed and on file for each participating student, pursuant to Education Code 51749.6
2. Courses shall be taught under the general supervision of certificated employees who hold the appropriate subject matter credential and are employed by the district or by another district, charter school, or county office of education with which the district has a memorandum of understanding to provide the instruction
3. Courses shall be annually certified by Board resolution to be of the same rigor and educational quality and to provide intellectual challenge that is substantially equivalent to in-person, classroom-based instruction, and shall be aligned to all relevant local and state content standards. For high schools, this shall include access to all courses offered by the district for graduation and approved by UC or CSU as creditable under the A-G admissions criteria. The certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each school day that student is enrolled, number of equivalent total instructional minutes, and number of course credits for each course, consistent with that of equivalent classroom-based courses. The certification shall also include plans to provide opportunities throughout the school year, for all students in transitional kindergarten, kindergarten, and grades 1-3 to receive daily synchronous instruction, for all students in grades 4-8, to receive both daily live interaction and at least weekly synchronous instruction, and for all students in grades 9-12 to receive at least weekly synchronous instruction.
4. Students enrolled in independent study courses shall meet the applicable age requirements established pursuant to Education Code 46300.1, 46300.4, 47612, and 47612.1, and the applicable residency and enrollment requirements established pursuant to Education Code 46300.2, 47612, 48204, and 51747.3
5. For each student participating in an independent study course, satisfactory educational progress shall be determined based on the student's achievement and engagement in the independent study program as indicated by the student's performance on applicable student-level measures of student achievement and engagement set forth in Education Code 52060, completion of assignments, assessments, or other indicators that evidence that the student is working on assignments, learning of required concepts, as determined by the supervising teacher, and progress toward successful completion of the course of study or individual course, as determined by the supervising teacher.

If satisfactory educational progress in one or more independent study courses is not being made, the teacher providing instruction shall notify the student and, if the student is under 18 years of age, the student's parent/guardian. The teacher shall conduct an evaluation to determine whether it is in the student's best interest to remain in the course or whether the student should be referred to an alternative program, which may include, but is not limited to, a regular school program. A written record of the evaluation findings shall be treated as a mandatory interim student record maintained for three years from the date of the evaluation. If

the student transfers to another California public school, the record shall be forwarded to that school.

Procedures for tiered reengagement strategies shall be used for all students who are not making satisfactory educational progress in one or more courses or who are in violation of the written learning agreement, as described in the section "Learning Agreement for Course-Based Independent Study" below. These procedures shall include, but are not necessarily limited to, the verification of current contact information for each enrolled student, a plan for outreach from the school to determine student needs, including connection with health and social services as necessary, and a clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being.

6. Examinations shall be administered by a proctor
7. Statewide testing results shall be reported and assigned to the school at which the student is enrolled and shall be included in the aggregate results of the district. Test results also shall be disaggregated for purposes of comparisons with the test results of students enrolled in classroom-based courses.
8. A student shall not be required to enroll in courses included in the course-based independent study program
9. The student-teacher ratio in the courses in this program shall meet the requirements of Education Code 51745.6
10. For each student, the combined equivalent daily instructional minutes for courses in this program and all other courses shall meet applicable minimum instructional day requirements, and the student shall be offered the minimum annual total equivalent instructional minutes pursuant to Education Code 46200-46208
11. Courses required for high school graduation or for admission to UC or CSU shall not be offered exclusively through independent study
12. A student participating in this program shall not be assessed a fee that is prohibited by Education Code 49011
13. A student shall not be prohibited from participating in independent study solely on the basis that the student does not have the materials, equipment, or access to Internet connectivity necessary to participate in the course
14. A student with disabilities, as defined in Education Code 56026, may participate in course-based independent study if the student's individualized education program specifically provides for that participation
15. A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 through course-based independent study
16. The district shall maintain a plan to transition any student whose family wishes to return to in-person instruction from course-based independent study expeditiously, and, in no case, later than five instructional days

Learning Agreement for Course-Based Independent Study

Before enrolling a student in a course within a course-based independent study program, the Superintendent or designee shall provide the student and, if the student is under age 18 years, the student's parent/guardian with a written learning agreement that includes all of the following: (Education Code 51749.6)

1. A summary of the district's policies and procedures related to course-based independent study pursuant to Education Code 51749.5
2. The duration of the enrolled course(s) and the number of course credits for each enrolled course, consistent with the Board certifications made pursuant to Item #3 of the Course-Based Independent Study section above
3. The duration of the learning agreement, which shall not exceed a school year or span multiple school years
4. The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a student evaluation is required to determine whether the student should remain in the course or be referred to an alternative program, which may include, but is not

limited to, a regular school program

5. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
6. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports
7. A statement that enrollment is an optional educational alternative in which no student may be required to participate. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through course-based independent study only if the student is offered the alternative of classroom instruction.
8. The manner, time, frequency, and place for submitting a student's assignments, for reporting the student's academic progress, and for communicating with a student's parent/guardian regarding a student's academic progress
9. The objectives and methods of study for the student's work, and the methods used to evaluate that work
10. A statement of the adopted policies regarding the maximum length of time allowed between the assignment and the completion of a student's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether the student should be allowed to continue in course-based independent study
11. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the learning agreement, to be earned by the student upon completion.
12. Before the commencement of an independent study course projected to last for 15 school days or more, or within ten school days of the first day of enrollment for an independent study course projected to last less than 15 school days, the learning agreement shall be signed and dated by the student, and by the student's parent/guardian or caregiver if the student is less than 18 years of age, the certificated employee responsible for the general supervision of the independent study course, and as applicable for students with disabilities, the certificated employee designated as having responsibility for the special education programming of the student. For purposes of this paragraph "caregiver" means a person who has met the requirements of Family Code 6550-6552.

Learning agreements may be signed using an electronic signature that complies with state and federal standards, as determined by CDE. (Education Code 51749.6)

A signed learning agreement from a parent/guardian of a student who is less than 18 years of age shall constitute the parent/guardian's permission for the student to receive instruction through course-based independent study. (Education Code 51749.6)

Upon the request of a student's parent/guardian, and before signing a learning agreement as described above, the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference, or other meeting during which the student, parent/guardian, and, if requested by the parent/guardian, an advocate, may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51749.6)

Student-Parent-Educator Conferences

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

Records

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

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

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

The district shall document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program. A student who does not participate in scheduled live interaction or synchronous instruction shall be documented as nonparticipatory for that school day. (Education Code 51747.5)

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

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

Program Evaluation

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

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

State References

5 CCR 11700-11705
Ed. Code 17289
Ed. Code 41020

Description

Independent study
Exemption for facilities
Requirement for annual audit

Ed. Code 41422	Emergency conditions and apportionments
Ed. Code 42238	Revenue limits
Ed. Code 42238.05	Local control funding formula; average daily attendance
Ed. Code 44865	Qualifications for independent study teachers
Ed. Code 46100	Length of school day
Ed. Code 46200-46208	Incentives for longer instructional day and year
Ed. Code 46300-46307.1	Methods of computing average daily attendance
Ed. Code 46390-46393	Emergency average daily attendance
Ed. Code 46600	Interdistrict attendance computation
Ed. Code 47612-47612.1	Charter School Operation
Ed. Code 47612.5	Charter schools operations; general requirements
Ed. Code 48204	Residency requirements for school attendance
Ed. Code 48206.3	Home or hospital instruction; students with temporary disabilities
Ed. Code 48220	Classes of children exempted
Ed. Code 48340	Improvement of pupil attendance
Ed. Code 48915	Expulsion; particular circumstances
Ed. Code 48916.1	Educational program requirements for expelled students
Ed. Code 48917	Suspension of expulsion order
Ed. Code 49011	Student fees
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51744-51749.6	Independent study
Ed. Code 52060	Local Control and Accountability Plan
Ed. Code 52523	Adult education as supplement to high school curriculum; criteria
Ed. Code 56026	Individual with exceptional needs
Ed. Code 58500-58512	Alternative schools and programs of choice
Fam. Code 6550-6552	Caregivers

Federal References

20 USC 6301	Highly qualified teachers
20 USC 6311	State plan

Management Resources References

California Department of Education
Publication

California Department of Education
Publication

California Department of Education
Publication

California Department of Education
Publication

California Department of Education
Publication

Description

Legal Requirements for Independent Study
Conducting Individualized Determinations of Need
2021-22 AA & IT Independent Study FAQs
California Digital Learning Integration and Standards Guidance, May 2021
Elements of Exemplary Independent Study
Modesto City Schools v. Education Audits Appeal Panel (2004) 123 Cal.App.4th 1365

Court Decision

Education Audit Appeals Panel Publication	Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==
Website	California Consortium for Independent Study - https://simbli.eboardsolutions.com/SU/6EJ9KJRdGGplusAXsIshfOR6gplusRQ==
Website	California Department of Education, Independent Study - https://simbli.eboardsolutions.com/SU/aXxHIGl4L70pDR56JnI2Jw==
Website	Education Audit Appeals Panel - https://simbli.eboardsolutions.com/SU/6VovW08Qz3ek2v0oFNsIshMg==

Cross References

Description

0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusIusaBQeAE4bUpZiBFBO9dQ==
0420.4	Charter School Authorization - https://simbli.eboardsolutions.com/SU/yqvHtAwxfp9smLplusmfcAQ==
0420.4	Charter School Authorization - https://simbli.eboardsolutions.com/SU/6aKw9KbSgexgJfcQrYo5eQ==
0470	COVID-19 Mitigation Plan - https://simbli.eboardsolutions.com/SU/xBPc1Aeplus3wePETE5KI2ziA==
0500	Accountability - https://simbli.eboardsolutions.com/SU/PDWiti8tEaGKnqJbgZ4Q3g==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/46smJEFyHQTgoxbzQIEJJA==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/FeWbTzBdYgA9xdZd3xUExA==
3516.5	Emergency Schedules - https://simbli.eboardsolutions.com/SU/oJZXkPi3iNtmezHLSHHBBw==
3580	District Records - https://simbli.eboardsolutions.com/SU/crBR8IcYslshslshcadfBT09vKtA==
3580	District Records - https://simbli.eboardsolutions.com/SU/WEk7cYywcvcslshPFolJHPZg==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/NtHKIeuKt9J8bge0adj3gg==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/tUslshewyAvQpluseaA5VjOFaFlw==
4131	Staff Development - https://simbli.eboardsolutions.com/SU/IYMIfyPYXEiEMhaRz6slshWJQ==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/IAL6e5elvtWslKJ80r5IYg==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/VlddiUvh6orgSjaY4wvt7Q==
5112.3	Student Leave Of Absence - https://simbli.eboardsolutions.com/SU/4CJBHdTEOnz9dq3mSJ5qzw==
5112.3	Student Leave Of Absence - https://simbli.eboardsolutions.com/SU/kD97qlfelg37ShzuEcmplusBw==
5113	Absences And Excuses - https://simbli.eboardsolutions.com/SU/OvU6blFneYGxiu8HTsCalQ==
5113	Absences And Excuses - https://simbli.eboardsolutions.com/SU/b06pfpfibDK5qKNeA2321g==

5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/Hw5C1aEnixhuUFVOE9Vntg==
5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/D2Llg7JcgumhuWnRLo2bAw==
5121	Grades/Evaluation Of Student Achievement - https://simbli.eboardsolutions.com/SU/nEN5IPbgmplusPXhUNTnXJeuw==
5121	Grades/Evaluation Of Student Achievement - https://simbli.eboardsolutions.com/SU/IKtdZAf0mXslsh9Lp2JINpFAA==
5125	Student Records - https://simbli.eboardsolutions.com/SU/Jw4xw3nB7slshn7ptplustrREa5A==
5125	Student Records - https://simbli.eboardsolutions.com/SU/uVgslshw0u1SygQrOqplus8VkHAQ==
5126	Awards For Achievement - https://simbli.eboardsolutions.com/SU/TplusoH8S98CsCgplusZql8kuKplusA==
5126	Awards For Achievement - https://simbli.eboardsolutions.com/SU/3vcVxdI9QTMjNZKGMBvvug==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/slshSHDzymYLN8DwMplltWdsg==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/DdkxP6lo0oUT7dmBE1eK0g==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/Whslsh3slshDAkvapt4AefESXBvQ==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/xlV11kQJSpluf7slshAnBIYIJA==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/blwduf15hDWiR2tslshXyakiQ==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/sj4cx1G3eeeECICNif6t2w==
5146	Married/Pregnant/Parenting Students - https://simbli.eboardsolutions.com/SU/EI88u7DdXyv0auDplus9Wul3g==
5147	Dropout Prevention - https://simbli.eboardsolutions.com/SU/nRgafK7e25QslshoATTaX0j5w==
6000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/qvPcqbSrShZR2J5Nk8zHSg==
6011	Academic Standards - https://simbli.eboardsolutions.com/SU/Tplusl1ybplusF7QGkEsLshLEej7PvA==
6111	School Calendar - https://simbli.eboardsolutions.com/SU/CplusGxnVZdQjf3rslshEsLshKMosLshZA==
6112	School Day - https://simbli.eboardsolutions.com/SU/05atqxQBa68mlO84XP5vNw==
6112	School Day - https://simbli.eboardsolutions.com/SU/XRplus7M06NPTIz3YyiADAJMA==
6142.4	Service Learning/Community Service Classes - https://simbli.eboardsolutions.com/SU/iVnd1RslshrYn5G7DWOf2PmUw==
6143	Courses Of Study - https://simbli.eboardsolutions.com/SU/zJXVIX5MALJLIUsETQnbQA==
6143	Courses Of Study - https://simbli.eboardsolutions.com/SU/bUCwdpAJjX5ggLMG3GsxDA==
6146.1	High School Graduation Requirements - https://simbli.eboardsolutions.com/SU/DFboHnnnuMRfkxHf3cnoYg==

6146.11	Alternative Credits Toward Graduation - https://simbli.eboardsolutions.com/SU/HdoEplusqgACPGdeIVR7rpXvQ==
6146.11	Alternative Credits Toward Graduation - https://simbli.eboardsolutions.com/SU/ZBPxaMqFcdplus8plus1uCXi9Yug==
6152	Class Assignment - https://simbli.eboardsolutions.com/SU/hATymLA9CJuKTcyX9SvmOg==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/nRtcKBP3haQcPUiLWOYqgA==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/IBIWJmfAP00e3xnVhUQNYg==
6162.5	Student Assessment - https://simbli.eboardsolutions.com/SU/qVgmyqQy60o6cg8rziBgg==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/NdqSEfNslshwaBKplusUkKH040A==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/oZbkKwYtcu0mkplusF9H7PNfQ==
6164.5	Student Success Teams - https://simbli.eboardsolutions.com/SU/XrnsIshQIPaFW9wMoMV2IEKpg==
6164.5	Student Success Teams - https://simbli.eboardsolutions.com/SU/UkLYeA03YN6xcWenpZIVQ==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/wTI8EVvu0t0484S390RuGw==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/G268I3K6kr8FEbTmbKV2A==
6181	Alternative Schools/Programs Of Choice - https://simbli.eboardsolutions.com/SU/Sa5uR0ng884KxBYpfmsIshFiQ==
6181	Alternative Schools/Programs Of Choice - https://simbli.eboardsolutions.com/SU/2T3JOQ3ETpzAugVUUKL2plusA==
6183	Home And Hospital Instruction - https://simbli.eboardsolutions.com/SU/splusGW8slshHtohMvCGn2HgrFA==
6184	Continuation Education - https://simbli.eboardsolutions.com/SU/3Ht4rBWGbplusXBfB2lhozFRg==
6184	Continuation Education - https://simbli.eboardsolutions.com/SU/cdslsh69Uc64Uvliuo5C1RewQ==
6185	Community Day School - https://simbli.eboardsolutions.com/SU/m8dwsIshTAYjm6k58NpbUxTJA==
6185	Community Day School - https://simbli.eboardsolutions.com/SU/4lhiHc7rwaMmB800XOzt3A==
6200	Adult Education - https://simbli.eboardsolutions.com/SU/GBFlqzmwZQwt8slshR7plusdHYQQ==
6200	Adult Education - https://simbli.eboardsolutions.com/SU/plus0bvJoejCOEIMYEaP8Bpgg==

Regulation 6158: Independent Study

Status: ADOPTED

Original Adopted Date: 10/01/2015 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

Definitions

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

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

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

Educational Opportunities

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

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

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

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

Equivalency

The district's independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the district's adopted course of study within the customary timeframe. Students in independent study shall have access to the same services and resources that are available to other students in the school and shall have equal rights and privileges. (5 CCR 11700, 11701.5)

Students participating in independent study shall have access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work. (Education Code 51747)

The district shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians. Providing access to Internet connectivity and district-owned devices adequate to participate in an independent study program and complete assigned work

consistent with Education Code 51747, or to participate in an independent study course, as authorized by Education Code 51749.5, shall not be considered funds or other things of value. (Education Code 46300.6, 51747.3)

Eligibility for Independent Study

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

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

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

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

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

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

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

Monitoring Student Progress

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

1. A letter to the student and/or parent/guardian
2. A meeting between the student and the teacher and/or counselor
3. A meeting between the student and the independent study administrator, including the parent/guardian if appropriate

4. An increase in the amount of time the student works under direct supervision

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

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

Responsibilities of Independent Study Administrator

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

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

Assignment and Responsibilities of Independent Study Teachers

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

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

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

1. Completing designated portions of the written independent study agreement and signing the agreement
2. Supervising and approving coursework and assignments
3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due
4. Maintaining a daily or hourly attendance register in accordance with Item #4 in the section on "Records" in the accompanying Board policy
5. Providing direct instruction and counsel as necessary for individual student success
6. Regularly meeting with the student to discuss the student's progress

7. Determining the time value of assigned work or work products completed and submitted by the student
8. Assessing student work and assigning grades or other approved measures of achievement
9. Documenting each student's participation in live interaction and/or synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program

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

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

State References	Description
5 CCR 11700-11705	Independent study
Ed. Code 17289	Exemption for facilities
Ed. Code 41020	Requirement for annual audit
Ed. Code 41422	Emergency conditions and apportionments
Ed. Code 42238	Revenue limits
Ed. Code 42238.05	Local control funding formula; average daily attendance
Ed. Code 44865	Qualifications for independent study teachers
Ed. Code 46100	Length of school day
Ed. Code 46200-46208	Incentives for longer instructional day and year
Ed. Code 46300-46307.1	Methods of computing average daily attendance
Ed. Code 46390-46393	Emergency average daily attendance
Ed. Code 46600	Interdistrict attendance computation
Ed. Code 47612-47612.1	Charter School Operation
Ed. Code 47612.5	Charter schools operations; general requirements
Ed. Code 48204	Residency requirements for school attendance
Ed. Code 48206.3	Home or hospital instruction; students with temporary disabilities
Ed. Code 48220	Classes of children exempted
Ed. Code 48340	Improvement of pupil attendance
Ed. Code 48915	Expulsion; particular circumstances
Ed. Code 48916.1	Educational program requirements for expelled students
Ed. Code 48917	Suspension of expulsion order
Ed. Code 49011	Student fees
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51744-51749.6	Independent study
Ed. Code 52060	Local Control and Accountability Plan
Ed. Code 52523	Adult education as supplement to high school curriculum; criteria
Ed. Code 56026	Individual with exceptional needs
Ed. Code 58500-58512	Alternative schools and programs of choice
Fam. Code 6550-6552	Caregivers

Federal References

20 USC 6301

Description

Highly qualified teachers

20 USC 6311

State plan

Management Resources ReferencesCalifornia Department of Education
Publication**Description**

Legal Requirements for Independent Study

California Department of Education
Publication

Conducting Individualized Determinations of Need

California Department of Education
Publication

2021-22 AA & IT Independent Study FAQs

California Department of Education
Publication

California Digital Learning Integration and Standards Guidance, May 2021

California Department of Education
Publication

Elements of Exemplary Independent Study

Court Decision

Modesto City Schools v. Education Audits Appeal Panel (2004) 123 Cal.App.4th
1365

Education Audit Appeals Panel Publication

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

Website

CSBA District and County Office of Education Legal Services -
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>

Website

California Consortium for Independent Study -
<https://simbli.eboardsolutions.com/SU/6EJ9KJRdGGplusAXslshfOR6gplusRQ==>

Website

California Department of Education, Independent Study -
<https://simbli.eboardsolutions.com/SU/aXxHIGl4L70pDRS6Jnl2Jw==>

Website

Education Audit Appeals Panel -
<https://simbli.eboardsolutions.com/SU/6VovW08Qz3ek2v0oFNslshMg==>**Cross References****Description**

0410

Nondiscrimination In District Programs And Activities -
<https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ==>

0420.4

Charter School Authorization -
<https://simbli.eboardsolutions.com/SU/yqvHtAwzffp9smLplusmfcAQ==>

0420.4

Charter School Authorization -
<https://simbli.eboardsolutions.com/SU/6aKw9KbSgexgJfcQrYo5eQ==>

0470

COVID-19 Mitigation Plan -
<https://simbli.eboardsolutions.com/SU/xBPc1Aeplus3wePETE5KI2ziA==>

0500

Accountability -
<https://simbli.eboardsolutions.com/SU/PDWiti8tEaGKnqJbgZ4Q3g==>

3260

Fees And Charges -
<https://simbli.eboardsolutions.com/SU/46smJEFyHQTgoxbzQIEJA==>

3260

Fees And Charges -
<https://simbli.eboardsolutions.com/SU/FeWbTzBdYgA9xd3xUExA==>

3516.5

Emergency Schedules -
<https://simbli.eboardsolutions.com/SU/oJZXkPi3iNtmezHLSHHBBw==>

3580

District Records -
<https://simbli.eboardsolutions.com/SU/crBR8lcYslshslshcadfBT09vKtA==>

3580

District Records -
<https://simbli.eboardsolutions.com/SU/WEk7cYywcvcslshPFolJHPZg==>

4112.2	Certification - https://simbli.eboardsolutions.com/SU/NtHKleuKt9J8bge0adj3gg==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/tUslshewyAvQpluseaA5VjOFaFlw==
4131	Staff Development - https://simbli.eboardsolutions.com/SU/IYMIfYPYXEiEMhaRz6slshWJQ==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/IAL6e5elvtWslKJ80r5IYg==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/VlddiUvh6orgSjaY4wvt7Q==
5112.3	Student Leave Of Absence - https://simbli.eboardsolutions.com/SU/4CJBHdTEOnz9dq3mSJ5qzw==
5112.3	Student Leave Of Absence - https://simbli.eboardsolutions.com/SU/kD97qlfelg37ShzuEcmplusBw==
5113	Absences And Excuses - https://simbli.eboardsolutions.com/SU/OvU6blFneYGxiu8HTsCalQ==
5113	Absences And Excuses - https://simbli.eboardsolutions.com/SU/b06pfpfibDK5qKNeA2321g==
5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/Hw5C1aEnixhuUFVOE9Vntg==
5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/D2Llg7JcgumhuWnRLo2bAw==
5121	Grades/Evaluation Of Student Achievement - https://simbli.eboardsolutions.com/SU/nEN5IPbgmplusPXhUNTnXJeuw==
5121	Grades/Evaluation Of Student Achievement - https://simbli.eboardsolutions.com/SU/IKtdZAf0mXslsh9Lp2JINpFAA==
5125	Student Records - https://simbli.eboardsolutions.com/SU/Jw4xw3nB7slshn7ptplustrREa5A==
5125	Student Records - https://simbli.eboardsolutions.com/SU/uVgslshw0u1SygQrOqplus8VkhAQ==
5126	Awards For Achievement - https://simbli.eboardsolutions.com/SU/TplusoH8S98CsCgplusZql8kuKplusA==
5126	Awards For Achievement - https://simbli.eboardsolutions.com/SU/3vcVxdI9QTMjNZKGMBvvug==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/slshSHDzymYLN8DwMplltWdsg==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/DdkxP6lo0oUT7dmBE1eK0g==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/Whslsh3slshDAkvapt4AefESXBvQ==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/xlV11kQJSplusf7slshAnBIYIIPA==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/blwduf15hDWiR2tslshXyakiQ==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/sj4cx1G3eeeECICNif6t2w==
5146	Married/Pregnant/Parenting Students - https://simbli.eboardsolutions.com/SU/EI88u7DdXyv0auDplus9Wul3g==
5147	Dropout Prevention - https://simbli.eboardsolutions.com/SU/nRgafK7e25QslshoATTaX0j5w==

6000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/qvPcqbSrShZR2J5Nk8zHSg==
6011	Academic Standards - https://simbli.eboardsolutions.com/SU/Tplusl1ybplusF7QGkEslshLEej7PvA==
6111	School Calendar - https://simbli.eboardsolutions.com/SU/CplusGxnVZdQjf3rslshEslshKMosslshZA==
6112	School Day - https://simbli.eboardsolutions.com/SU/05atqxQB68mlO84XP5vNw==
6112	School Day - https://simbli.eboardsolutions.com/SU/XRplus7M06NPTIz3YyiADAJMA==
6142.4	Service Learning/Community Service Classes - https://simbli.eboardsolutions.com/SU/iVnd1RslshrYn5G7DW0f2PmUw==
6143	Courses Of Study - https://simbli.eboardsolutions.com/SU/zJXVIX5MALJLUeETQnbQA==
6143	Courses Of Study - https://simbli.eboardsolutions.com/SU/bUCwdpAJjX5ggLMG3GsxDA==
6146.1	High School Graduation Requirements - https://simbli.eboardsolutions.com/SU/DFboHnnnuMRfkxHf3cnoYg==
6146.11	Alternative Credits Toward Graduation - https://simbli.eboardsolutions.com/SU/HdoEplusqqACPGdelVR7rpXvQ==
6146.11	Alternative Credits Toward Graduation - https://simbli.eboardsolutions.com/SU/ZBPxaMqFcdplus8plus1uCi9Yug==
6152	Class Assignment - https://simbli.eboardsolutions.com/SU/hATymLA9CJuKTcyX9SvmOg==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/nRtcKBP3haQcPuiLWOYqgA==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/IBIWJmfAP00e3xnVhUQNYg==
6162.5	Student Assessment - https://simbli.eboardsolutions.com/SU/qVgntyqQy60o6cg8rziBgg==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/NdqSEfNslshhwaBKplusUkKH040A==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/oZbkKwYtcu0mkplusF9H7PNfQ==
6164.5	Student Success Teams - https://simbli.eboardsolutions.com/SU/XrnsIshQIPaFW9wMoMV2IEKpg==
6164.5	Student Success Teams - https://simbli.eboardsolutions.com/SU/UkLsYeA03YN6xcWenpZIVQ==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/wTI8EVvu0t0484S390RuGw==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/G268l3K6kr8FEbTmbKV2A==
6181	Alternative Schools/Programs Of Choice - https://simbli.eboardsolutions.com/SU/Sa5uR0ng884KxBypfmsIshFiQ==
6181	Alternative Schools/Programs Of Choice - https://simbli.eboardsolutions.com/SU/2T3JOQ3ETpzAugVUUKL2plusA==
6183	Home And Hospital Instruction - https://simbli.eboardsolutions.com/SU/splusGW8slshHtohMvCGn2HgfrFA==
6184	Continuation Education - https://simbli.eboardsolutions.com/SU/3Ht4rBWGplusXBfB2lhozFRg==

6184	Continuation Education - https://simbli.eboardsolutions.com/SU/cdslsh69Uc64Uvliuo5C1RewQ==
6185	Community Day School - https://simbli.eboardsolutions.com/SU/m8dwsishTAyim6k58NpbUxTJA==
6185	Community Day School - https://simbli.eboardsolutions.com/SU/4lhiHc7rwaMmB800XOzt3A==
6200	Adult Education - https://simbli.eboardsolutions.com/SU/GBFlqzwmwZQwt8slshR7plusdHYQQ==
6200	Adult Education - https://simbli.eboardsolutions.com/SU/plus0bvJoejC0EIMYEaP8Bpgg==

Policy 6164.2: Guidance/Counseling Services

Status: ADOPTED

Original Adopted Date: 11/01/2007 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

The Governing Board recognizes that a structured, coherent, and comprehensive counseling program promotes academic achievement and growth, and serves the diverse needs of district students. The district shall provide an educational counseling program that offers students services and supports within a Multi-Tiered Systems of Support (MTSS) framework, in accordance with law. Counseling staff shall be available to provide students with individualized reviews of their educational progress toward academic and/or career and vocational goals and, as appropriate, may discuss social, personal, or other issues that may impact student learning and well-being.

The Superintendent or designee shall ensure that all persons employed to provide direct school counseling, school psychology, school social work services to students, and/or implement equitable school programs and services that support students' academic and social emotional development and college and career readiness shall possess the appropriate credential from the Commission on Teacher Credentialing authorizing their employment in such positions. Responsibilities of such positions shall be clearly defined in a job description.

Responsibilities of school counselors include, but are not limited to:

1. Engaging with, advocating for, and providing all students with direct services, such as individual counseling, group counseling, risk assessment, crisis response, and instructional services, including mental health and behavioral, academic, and postsecondary educational services and indirect services, including but not limited to, positive school climate strategies, teacher and parent consultations, and referrals to public and private community services
2. Planning, implementing, and evaluating school counseling programs
3. Working within a MTSS that uses multiple data sources to monitor and improve student behavior, attendance, engagement, and achievement
4. Developing, coordinating, and supervising comprehensive student support systems in collaboration with teachers, administrators, other pupil personnel services professionals, families, community partners, and community agencies, including county mental health agencies
5. Promoting and maintaining a safe learning environment for all students by providing restorative practices, positive behavior interventions, and support services, and by developing a variety of intervention strategies, and using those strategies, to meet individual, group, and school community needs before, during, and after a crisis
6. Intervening to ameliorate school-related problems, including problems related to chronic absences and retention
7. Using research-based strategies to promote mental wellness, reduce mental health stigma, and to identify characteristics, risk factors, and warning signs of students who develop, or are at risk of developing, mental health and behavioral disorders and who experience, or are at risk of experiencing, mistreatment, including mistreatment related to any form of conflict or bullying
8. Improving school climate and student well-being by addressing the mental and behavioral health needs of students during a period of transition, separation, heightened stress, and critical changes, accessing community programs and services to meet those needs, and providing other appropriate services
9. Enhancing students' social and emotional competence, character, health, civic engagement, cultural literacy, and commitment to lifelong learning and the pursuit of high-quality educational programs
10. Providing counseling services for unduplicated students who are classified as English learners, or foster youth, homeless children, and students eligible for free and reduced-priced meals, including interventions and support services that enhance equity and access to appropriate education systems and public and private services

11. Engaging in continued development as a professional school counselor

Educational And Career Counseling

Beginning in grade 7, parents/guardians shall receive a general notice at least once before career counseling and course selection so that they may participate in the counseling sessions and decisions. (Education Code 221.5)

The educational counseling program shall include academic counseling and postsecondary services, in the following areas (Education Code 49600):

1. Development and implementation, with parent/guardian involvement, of the student's immediate and long-range educational plans
2. Optimizing progress towards achievement of proficiency standards and competencies
3. Completion of the required curriculum in accordance with the student's needs, abilities, interests, and aptitudes
4. Academic planning for access and success in higher education programs, including advisement on courses needed for admission to colleges and universities, standardized admissions tests, and financial aid
5. High-quality career programs at all grade levels in which students are assisted in doing all of the following:
 - a. Planning for the future, including, but not limited to, identifying personal interests, skills, and abilities, career planning, course selection, and career transition
 - b. Becoming aware of personal preferences and interests that influence educational and occupational exploration, career choice, and career success
 - c. Developing work self-efficacy for the ever-changing work environment, the changing needs of the workforce, and the effects of work on quality of life
 - d. Understanding the relationship between academic achievement and career success, and the importance of maximizing career options
 - e. Understanding the value of participating in career technical education pathways, programs, and certifications, including, but not limited to, those related to regional occupational programs and centers, the federal program administered by the United States Department of Labor offering free education and vocational training to students, known as "Job Corps," the California Conservation Corps, work-based learning, industry certifications, college preparation and credit, and employment opportunities
 - f. Understanding the need to develop essential employable skills and work habits
 - g. Understanding entrance requirements to the Armed Forces of the United States, including the benefits of the Armed Services Vocational Aptitude Battery (ASVAB) test

The district's educational counseling program also may include, but not be limited to, identification of students who are at risk of not graduating with their peers, development of a list of coursework and experience necessary to assist students to satisfy the curricular requirements for college admission and successfully transition to postsecondary education or employment, and counseling regarding available options for students who fail to meet graduation requirements to continue with their education.

The Superintendent or designee shall establish and maintain a program of guidance, placement, and follow-up for all high school students subject to compulsory continuation education. (Education Code 48431)

As part of the district's educational counseling program, students may be offered mental and behavioral health services under which a student may receive prevention, intervention, short-term counseling services, and mental health related classroom instruction to reduce stigma and increase awareness of counseling support services.

No counselor shall unlawfully discriminate against any student. Guidance counseling regarding school programs and career, vocational, or higher education opportunities shall not be differentiated on the basis of any protected category specified in BP 0410 - Nondiscrimination in District Programs and Activities.

In addition, counselors shall affirmatively explore with a student the possibility of careers, or courses leading to careers, that are nontraditional for that student's sex. (Education Code 221.5)

For assessing or counseling students, the district shall not use testing or other materials that permit or require impermissible or unlawful differential treatment of students. (5 CCR 4931)

Colleges and prospective employers, including military recruiters, shall have the same access to students for recruiting purposes. (Education Code 49603; 10 USC 503; 20 USC 7908)

The Superintendent or designee shall collaborate with businesses, government agencies, postsecondary institutions including universities and career technical schools, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities through college and/or career fairs.

When planning to hold a college or career fair, the Superintendent or designee shall notify each apprenticeship program in the county. The notification shall include the planned date, time and location of the college or career fair. (Labor Code 3074.2)

Personal or Mental Health Counseling

A school counselor, school psychologist, or school social worker may provide individualized personal, mental health, or family counseling to students in accordance with the specialization(s) authorized by their credential. Such services may include, but are not limited to, support related to the student's social and emotional development, behavior, substance abuse, mental health assessment, depression, or mental illness. As appropriate, students and their parents/guardians shall be informed about community agencies, organizations, or health care providers that offer qualified professional assistance.

Written parent/guardian consent shall be obtained before mental health counseling or treatment services are provided to a student, except when the student is authorized to consent to the service pursuant to Family Code 6920-6929, Health and Safety Code 124260, or other applicable law.

Any information of a personal nature disclosed to a school counselor by a student age 12 years or older or by the student's parent/guardian is confidential and shall not become part of the student record without the written consent of the person who disclosed the confidential information. The information shall not be revealed, released, discussed, or referred to except under the limited circumstances specified in Education Code 49602. (Education Code 49602)

A counselor shall consult with the Superintendent or designee and, as appropriate, with the district's legal counsel whenever unsure of how to respond to a student's personal problem or when questions arise regarding the possible release of confidential information regarding a student.

Crisis Counseling

The Board recognizes the need for a prompt and effective response when students are confronted with a traumatic

incident. School counselors shall assist in the development of the comprehensive school safety plan, emergency and disaster preparedness plan, and other prevention and intervention practices designed to assist students and parents/guardians before, during, and after a crisis.

Early identification and intervention plans shall be developed to help identify those students who may be at risk for violence so that support may be provided before they engage in violent or disruptive behavior.

In addition, the Superintendent or designee shall identify crisis counseling resources to train district staff in effective threat assessment, appropriate response techniques, and/or methods to directly help students cope with a crisis if it occurs.

Teacher-Based Advisory Program

The Board recognizes that a supportive, ongoing relationship with a caring adult can provide a student with valuable advice, enhance student-teacher relationships, and build the student's feelings of connectedness with the school. The Board authorizes the development of a teacher-based advisory program in which teachers advise students in such areas as academic planning, character development, conflict resolution, and self-esteem. Any teacher participating in this program shall be under the supervision of a credentialed school counselor as appropriate, receive related information and training, and be subject to this Board policy and law, including requirements pertaining to student confidentiality and nondiscrimination.

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

State References

5 CCR 4930-4931

5 CCR 80049-80049.1

5 CCR 80632-80632.5

Ed. Code 221.5

Ed. Code 44266

Ed. Code 48431

Ed. Code 49600-49604

Ed. Code 51250-51251

Ed. Code 51513

Fam. Code 6920-6930

Gov. Code 6254

H&S Code 124260

Lab. Code 3074.2

Pen. Code 11166-11170

W&I Code 5850-5883

Description

Counseling

Pupil Personnel Services credential

Preparation programs for Pupil Personnel Services

Equal opportunity

Pupil Personnel Services credential

Establishing and maintaining high school guidance and placement program

Educational counseling

Assistance to military dependents

Personal beliefs

Consent by minor for medical treatment

Exemption for personnel records if invasion of personal privacy

Mental health services; consent by minors age 12 and older

College and career fairs; notice to apprenticeship programs

Reporting known or suspected cases of child abuse

Mental Health Services Act

Federal References

10 USC 503

20 USC 1232g

20 USC 7908

34 CFR 99.1-99.67

Description

Military recruiter access to directory information

Family Educational Rights and Privacy Act (FERPA) of 1974

Armed forces recruiter access to students and student recruiting information

Family Educational Rights and Privacy

Management Resources References

Description

California Department of Education Publication	California Results-Based School Counseling and Student Support Guidelines, 2007
Website	California Division of Apprenticeship Standards - https://simbli.eboardsolutions.com/SU/uE7fWtCmCWa0Bbr6POZVvA==
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==
Website	California Association of School Counselors - https://simbli.eboardsolutions.com/SU/BoLICJgsmR0Iz2b9uY9pZw==
Website	American School Counselor Association - https://simbli.eboardsolutions.com/SU/R1ggYp24tGNHpluszwmMrEvg==
Website	U.S. Department of Education, access to military recruiters - https://simbli.eboardsolutions.com/SU/bm4rELAxz0ncS8mvxauVUg==
Website	Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNiqRUulsag7efc7aH4Q==
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==

Cross References

Description

0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ==
0415	Equity - https://simbli.eboardsolutions.com/SU/ZGZhz17ATfHJBQP13Jplus7cw==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/FQOZDcYoBERqzRucs3xsMA==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/BxazplusxgNXNREplusOnkNIFqtQ==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdI7DbzBBg==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/N8bGSx8fXallgclPJYKR9w==
0470	COVID-19 Mitigation Plan - https://simbli.eboardsolutions.com/SU/xBPc1Aeplus3wePETE5KI2ziA==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qvzpYbttZOPNWrpR2Lc9VQ==
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1312.3-E PDF(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/YsqKpKY3LEBnr4vNoyMVGA==
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1313	Civility - https://simbli.eboardsolutions.com/SU/cERNNranyLpslshslshpqrqyRyAw==
1400	Relations Between Other Governmental Agencies And The Schools - https://simbli.eboardsolutions.com/SU/vJHizKctUNwJlEfGnHx4CA==
3515	Campus Security - https://simbli.eboardsolutions.com/SU/cslshKzg34plus8Yflugiz2YLUrw==
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3516	Emergencies And Disaster Preparedness Plan - https://simbli.eboardsolutions.com/SU/x6NWrx0FV0TusDr7guOmSQ==

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3516.2	Bomb Threats - https://simbli.eboardsolutions.com/SU/IVIK9slshAIIktBcZcF8v5agg==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/NtHKleuKt9J8bge0adj3gg==
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4119.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/2wFCPnGtM48I3kplusPslshl0slshSw==
4131	Staff Development - https://simbli.eboardsolutions.com/SU/IYMIfYPYXEiEMhaRz6slshWJQ==
4219.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/DzT84jciN31dA5odXslshEoA==
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5022	Student And Family Privacy Rights - https://simbli.eboardsolutions.com/SU/3to8RplnokMSGvb2EJ8Qmg==
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5113	Absences And Excuses - https://simbli.eboardsolutions.com/SU/OvU6bIFneYGxiu8HTsCaIQ==
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5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/Hw5C1aEnixhuUFVOE9Vntg==
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5113.11	Attendance Supervision - https://simbli.eboardsolutions.com/SU/Lz97LnzWjMXSu91JfHK6HA==
5125	Student Records - https://simbli.eboardsolutions.com/SU/Jw4xw3nB7slshn7ptplustrREa5A==
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5125.1	Release Of Directory Information - https://simbli.eboardsolutions.com/SU/jYtwXJdslshkuKNsmoetBdSzQ==
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5125.1-E PDF(1)	Release Of Directory Information - https://simbli.eboardsolutions.com/SU/u8Wpluss34VJFsqplusSplusApU7gow==
5131	Conduct - https://simbli.eboardsolutions.com/SU/pBUFdJOEye0pz1R21VtIYQ==
5131.2	Bullying - https://simbli.eboardsolutions.com/SU/Sw0juMy0rrGIgPDYiJ2Rvw==
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5138	Conflict Resolution/Peer Mediation - https://simbli.eboardsolutions.com/SU/vYnT58jV6Sc5PaNDJcoXJg==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/slshSHDzymYLN8DwMplltWdsg==
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5141.4	Child Abuse Prevention And Reporting - https://simbli.eboardsolutions.com/SU/bJAiplus4YTzTcWu0VMUkkdiQ==
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5141.52	Suicide Prevention - https://simbli.eboardsolutions.com/SU/WM38treDjLEIDeRTkCMSCA==
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5144	Discipline - https://simbli.eboardsolutions.com/SU/q5NswZUhPTbrdfxL6JpCuQ==
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5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/m3D8kgCbYf75xXSrW6Y27Q==
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5145.6	Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/SuvNxTtIUJ0XfalLui15AA==
5145.6-E(1)	Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/RdNSntUjWlcslshJyFn1Yfqfw==
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5147	Dropout Prevention - https://simbli.eboardsolutions.com/SU/nRgafK7e25QslshoATTaX0j5w==
6120	Response To Instruction And Intervention - https://simbli.eboardsolutions.com/SU/YopBQ2VrklsMGNYQPvMr6w==
6141.4	International Baccalaureate Program - https://simbli.eboardsolutions.com/SU/3HplusWL7OI2YANMyMpgmHLBQ==
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6142.8	Comprehensive Health Education - https://simbli.eboardsolutions.com/SU/26yNHUwMmAXRvJ1b3jpT2g==

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6146.2	Certificate Of Proficiency/High School Equivalency - https://simbli.eboardsolutions.com/SU/clTMplus79VZe95z6A99iDmRQ==
6146.2	Certificate Of Proficiency/High School Equivalency - https://simbli.eboardsolutions.com/SU/kon9InuDv3XhBqmyROfDAw==
6146.2-E(1)	Certificate Of Proficiency/High School Equivalency - https://simbli.eboardsolutions.com/SU/plus8xwE8IQn3xFTtyZCiphKQ==
6146.2-E PDF(1)	Certificate Of Proficiency/High School Equivalency - https://simbli.eboardsolutions.com/SU/oac3slshgc169eolD8U7bc6aQ==
6164.5	Student Success Teams - https://simbli.eboardsolutions.com/SU/XrnsIshQIPaFW9wMoMV2IEKpg==
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6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/zsjkyhfKAplusFQR21mnjd3hw==
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6173-E PDF(1)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/WeRWxD20iReBezFN3aKzplusQ==
6173-E PDF(2)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/D7vRHZxZslshBORslshzL7t0wPg==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/hwZQyTeELA0lr5Chn5ZTpg==
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6178	Career Technical Education - https://simbli.eboardsolutions.com/SU/GOGbINrY33slshvwnnQn0jw8A==
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6178.2	Regional Occupational Center/Program - https://simbli.eboardsolutions.com/SU/zpluswb3uMkLaEnDGYEUtDXjQ==
6184	Continuation Education - https://simbli.eboardsolutions.com/SU/3Ht4rBWGbplusXBfB2lhozFRg==

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6200	Adult Education - https://simbli.eboardsolutions.com/SU/GBFlqzwmwZQwt8slshR7plusdHYQQ==
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Policy 6178: Career Technical Education

Status: ADOPTED

Original Adopted Date: 03/01/2008 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

The Governing Board desires to provide a comprehensive career technical education (CTE) program in the secondary grades which integrates core academic instruction with technical and occupational instruction in order to increase student achievement, graduation rates, and readiness for postsecondary education and employment. The district's CTE program shall be designed to help students develop the academic, career, and technical skills needed to succeed in a knowledge- and skills-based economy.

The district's CTE program shall focus on preparing students to enter current or emerging high-skill, high-wage, and/or high-demand occupations by providing a rigorous academic component and practical experience in all aspects of an industry. CTE opportunities may be offered through linked learning programs, partnership academies, apprenticeship programs or orientation to apprenticeships, regional occupational centers or programs (ROC/Ps), charter schools, small learning communities, magnet programs, or other programs that expose students to career options while preparing them for future careers in a given industry or interest area.

The Superintendent or designee shall explore available funding sources that may be used to support CTE programs. The Board shall review and approve all district plans and applications for the use of district, state, and/or federal funds supporting CTE.

The Board shall adopt district standards for CTE which meet or exceed the state's model content standards and describe the essential knowledge and skills that students enrolled in these courses are expected to master. The course curriculum shall be aligned with district-adopted standards and the state's curriculum framework.

At least every three years, the Board shall compare the district's curriculum, course content, and course sequence of CTE with the model state curriculum standards. (Education Code 52376)

The Superintendent or designee shall systematically review the district's CTE courses to determine the degree to which each course may offer an alternative means for completing and receiving credit for specific portions of the course of study prescribed by the district for high school graduation. CTE courses approved for these purposes shall be equivalent in content and rigor to the courses prescribed for graduation. (Education Code 52376)

The Superintendent or designee shall develop partnerships with local businesses and industries to ensure that course sequences, career technical and integrated curriculum, classroom instruction and projects, and assessments have real-world relevance and reflect labor market needs and priorities. The Superintendent or designee shall also work to develop connections with businesses, postsecondary institutions, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities.

The Superintendent or designee shall collaborate with postsecondary institutions to ensure that the district's program is articulated with postsecondary programs in order to provide a sequential course of study. Articulation opportunities may include dual or concurrent enrollment in community college courses.

The Board shall appoint a CTE advisory committee to develop recommendations on the district's CTE program and to serve as a liaison between the district and potential employers. The committee shall consist of at least one student, teacher, business representative, industry representative, school administrator, member of the general public knowledgeable about the disadvantaged, and representative of the field office of the California Employment Development Department. (Education Code 8070)

The Superintendent or designee shall inform all secondary students and their parents/guardians about the CTE experiences available in the district, CTE courses that satisfy college admission criteria, and, if applicable, CTE courses that satisfy high school graduation requirements. In addition, secondary students shall receive individualized academic counseling which provides information about academic and CTE opportunities related to the student's career goals.

Prior to the beginning of each school year, the Superintendent or designee shall advise students, parents/guardians, employees, and the general public that all CTE opportunities are offered without regard to any actual or perceived characteristic protected from discrimination by law. The notification shall be disseminated in languages other than English as needed and shall state that the district will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in the district's CTE program. (20 USC 2354; 34 CFR 100 Appendix B, 104.8, 106.9)

To the extent required by law, the Superintendent or designee shall invite the participation of private school students in CTE programs supported by federal funding under the Strengthening Career and Technical Education for the 21st Century Act (Perkins). (20 USC 2397)

The Superintendent or designee shall collaborate with businesses, government agencies, postsecondary institutions including universities and career technical schools, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities through college and/or career fairs.

When planning to hold a college or career fair, the Superintendent or designee shall notify each apprenticeship program in the county. The notification shall include the planned date, time and location of the college or career fair. (Labor Code 3074.2)

The Superintendent or designee shall ensure that teachers of CTE courses possess the qualifications and credentials necessary to teach their assigned courses. The Superintendent or designee shall also provide teachers and administrators with professional development designed to enhance their knowledge of standards-aligned CTE and shall provide opportunities for CTE teachers to collaborate with teachers of academic courses in the development and implementation of integrated curriculum models.

The Superintendent or designee shall provide counselors and other guidance personnel with professional development that includes, but is not limited to, information about current workforce needs and trends, requirements of the district's CTE program, work-based learning opportunities, and postsecondary education and employment options following high school.

The Superintendent or designee shall regularly assess district needs for facilities, technologies, and equipment to increase students' access to the district's CTE program.

The Superintendent or designee shall annually report to the Board achievement data on participating students, including, but not limited to, the percentage of participating students who successfully complete CTE programs, their performance on state and district academic achievement tests, and graduation rates. Data shall be disaggregated by program and various student subgroups. Based on such data, the Board shall determine the need for program improvements and update the goals in the district's local control and accountability plan as necessary.

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

State References	Description
5 CCR 10070-10075	Work experience education
5 CCR 10080-10092	Community classrooms
5 CCR 10100-10111	Cooperative vocational education
5 CCR 11500-11508	Regional occupational centers and programs
5 CCR 11535-11538	Career technical education contracts with private postsecondary schools
5 CCR 11610-11611	Regional adult and vocational education councils

5 CCR 1635	Credit for work experience education
5 CCR 3051.14	Specially designed career technical education for students with disabilities
8 CCR 200-240	Apprenticeships
Ed. Code 1205	Classification of counties - https://simbli.eboardsolutions.com/SU/afkpApjV7imvOjs09n6O4A==
Ed. Code 17078.70-17078.72	Career technical education facilities - https://simbli.eboardsolutions.com/SU/SGsBKsvontcoplusWOY91ua3Q==
Ed. Code 33430-33432	Health science and medical technology grants
Ed. Code 35168	Inventory of equipment
Ed. Code 41540-41544	Targeted instructional improvement block grant
Ed. Code 44257.3	CTC recognition of study in linked learning teaching methods
Ed. Code 44260-44260.1	Designated subjects career technical education credential
Ed. Code 44260.9	Designated subjects career technical education credential
Ed. Code 48430	Continuation education schools and classes
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 51220-51230	Course of study for grades 7-12
Ed. Code 51760-51769.5	Work experience education
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52300-52499.66	Career technical education
Ed. Code 52519-52520	Adult education; occupational training
Ed. Code 53010-53016	California Career Pathways Trust
Ed. Code 53020-53025	Golden State Pathways Program
Ed. Code 53070-53076.4	The California Career Technical Education Incentive Grant Program
Ed. Code 53086	California Career Resource Network
Ed. Code 54690-54699.1	California Partnership Academies
Ed. Code 54750-54760	California Partnership Academies; green technology and goods movement occupations
Ed. Code 56363	Related services for students with disabilities; specially designed career technical education
Ed. Code 66205.5-66205.9	Approval of career technical education courses for admission to California colleges
Ed. Code 8006-8155	Career technical education
Ed. Code 88500-88551	Community college economic and workforce development program
Gov. Code 54950-54963	The Ralph M. Brown Act
Lab. Code 3070-3099.5	Apprenticeships
Lab. Code 3110-3112.1	Apprenticeship Innovation Funding Program
Lab. Code 3120-3122.4	Youth Apprenticeship
Federal References	Description
20 USC 2301-2414	Strengthening Career and Technical Education for the 21st Century Act
20 USC 6301-6578	Improving the Academic Achievement of the Disadvantaged - https://simbli.eboardsolutions.com/SU/uBgrPnE4ZTLKuykA3OndJw==
34 CFR 100	Appendix B Guidelines for eliminating discrimination in career technical education programs

34 CFR 104.1-104.39

Section 504 of the Rehabilitation Act of 1973

34 CFR 106.1-106.61

Discrimination on the basis of sex, effectuating Title IX

Management Resources References

Description

California Department of Education Publication

California Career Technical Education Model Curriculum Standards, Grades Seven Through Twelve, January 2013

California Department of Education Publication

Career Technical Education Framework for California Public Schools, Grades Seven Through Twelve, January 2007

California Department of Education Publication

Multiple Pathways to Student Success: Envisioning the New California High School, 2010

CSBA Publication

The Linked Learning Approach to High School Reform, Governance Brief, January 2014

CSBA Publication

A Governance Perspective: Interviews with School Board Members from the Nine Linked Learning Initiative School Districts, March 2014

Website

CSBA District and County Office of Education Legal Services - <https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>

Website

U.S. Department of Education, Office of Vocational and Adult Education - <https://simbli.eboardsolutions.com/SU/KuFNXqUtDnSwVvYc3V8IWQ==>

Website

U.S. Department of Labor, Bureau of Labor Statistics - <https://simbli.eboardsolutions.com/SU/RHwiAxFplus6wwheRAXtEJRbg==>

Website

California Department of Education, Career Technical Education - <https://simbli.eboardsolutions.com/SU/GbU76nS5slsh50DkSZTrslshUuTg==>

Website

California Department of Employment Development - <https://simbli.eboardsolutions.com/SU/hmvLawVOABCNaBPAnCxKxw==>

Website

California Workforce Development Board - <https://simbli.eboardsolutions.com/SU/ROXhmuEJ5IZ69DPxdslshDSuA==>

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Association for Career and Technical Education - <https://simbli.eboardsolutions.com/SU/LiN69hrw6tCdohEEkqSaFQ==>

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California Association of Regional Occupational Centers and Programs - <https://simbli.eboardsolutions.com/SU/2ZDdJmPMSffihBrqll7xnA==>

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California Career Resource Network - <https://simbli.eboardsolutions.com/SU/aiMKC0wlC2eTMogaBMcl9g==>

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California Department of Industrial Relations - <https://simbli.eboardsolutions.com/SU/Lh5JVplusYhNJm5slshcgG07zsOQ==>

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University of California, A-G Course Submissions - <https://simbli.eboardsolutions.com/SU/dl7biMSP81bUfpxMPCFyyA==>

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Cross References

Description

0410

Nondiscrimination In District Programs And Activities - <https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ==>

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Charter School Authorization - <https://simbli.eboardsolutions.com/SU/yqvHtAwxzffp9smLplumfcaQ==>

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0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/N8bGSx8fXalLgcLPJYKR9w==
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1700	Relations Between Private Industry And The Schools - https://simbli.eboardsolutions.com/SU/ZCumr5xglcyZr9nTlplusn4LA==
3230	Federal Grant Funds - https://simbli.eboardsolutions.com/SU/OVH379RjC0a1a07I1TFHYg==
3230	Federal Grant Funds - https://simbli.eboardsolutions.com/SU/pHfysr2KHcXTIDFyCkoN8w==
3440	Inventories - https://simbli.eboardsolutions.com/SU/cB5LbBZLYT7A9NIP1rkFQQ==
3512	Equipment - https://simbli.eboardsolutions.com/SU/ezsishZHMnYpluscHnfpO2vztUslshg==
3512-E(1)	Equipment - https://simbli.eboardsolutions.com/SU/htmpuswvNopsrGRvHnZmL57Q==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/NtHKleuKt9J8bge0adj3gg==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/tUslshewyAvQpluseaA5VjOFaFlw==
4131	Staff Development - https://simbli.eboardsolutions.com/SU/IYMIfYPYXEiEMhaRz6slshWJQ==
4331	Staff Development - https://simbli.eboardsolutions.com/SU/3BIIBFE9slshf2AlnllsFw7ag==
5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/Hw5C1aEnixhuUFVOE9Vntg==
5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/D2Llg7JcgumhuWnRLo2bAw==
5113.2	Work Permits - https://simbli.eboardsolutions.com/SU/LIplusEgDe8hDVsmSplusf0Minfw==
5113.2	Work Permits - https://simbli.eboardsolutions.com/SU/2En6wnlSEgfSfkSp6tsW2Q==

5145.6	Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/SuvNxTtIUJ0XfalLui15AA==
5145.6-E(1)	Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/RdNSntUjWlcsIshJyFn1Yqfw==
5145.6-E PDF(1)	Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/ninmwTREIJOBJ9P7Qi7g==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/AOMrIh0ISNE6AkENQ3qyBg==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/4jwYuGplust2xplush7Z1YX0JFQ==
6011	Academic Standards - https://simbli.eboardsolutions.com/SU/Tplus1ybplusF7QGkEslshLEej7PvA==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/8BBILRHFPN4Ze3IDgjitlg==
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6141	Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/LdZqO8PdBm96KAMTQJmplusqA==
6141	Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/sJsfNaei0ooUN9G7aplusvrw==
6141.4	International Baccalaureate Program - https://simbli.eboardsolutions.com/SU/3HplusWL7OI2YANMyMpgmHLBQ==
6143	Courses Of Study - https://simbli.eboardsolutions.com/SU/zJXVIX5MALJLUJEsTQnbQA==
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6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/Fr5qETtTn48ak1ITDSX9jg==
6145.5	Student Organizations And Equal Access - https://simbli.eboardsolutions.com/SU/0qp5CDCPz8M9qc7jKUhzag==
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6146.1	High School Graduation Requirements - https://simbli.eboardsolutions.com/SU/DFboHnnnuMRfkxHf3cnoYg==
6146.11	Alternative Credits Toward Graduation - https://simbli.eboardsolutions.com/SU/HdoEplusqqACPGdeIVR7rpXvQ==
6146.11	Alternative Credits Toward Graduation - https://simbli.eboardsolutions.com/SU/ZBPxaMqFcdplus8plus1uCxi9Yug==
6146.2	Certificate Of Proficiency/High School Equivalency - https://simbli.eboardsolutions.com/SU/clTMplus79VZe95z6A99iDmRQ==
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6162.5	Student Assessment - https://simbli.eboardsolutions.com/SU/qVgmytqQy60o6cg8rziBgg==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/NdqSEfNslshhwaBKplusUkKH040A==
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6164.2	Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/QEsZgzQo3AFYxslshFZf9HBrG==
6164.5	Student Success Teams - https://simbli.eboardsolutions.com/SU/XrnsIshQIPaFW9wMoMV2IEKpg==
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6171	Title I Programs - https://simbli.eboardsolutions.com/SU/p4BMACj6yFUh6jSJgfA2gA==
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6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/wTl8EVvu0t0484S390RuGw==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/G268l3K6kr8FEbTmbKVa2A==
6172.1	Concurrent Enrollment In College Classes - https://simbli.eboardsolutions.com/SU/pluspoxHuHslshvKZSFL0plusslsh4RvQw==
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6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/zsikyhfKAplusFQR21mnjd3hw==
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6173-E PDF(2)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/D7vRHxZxslshBORslshzL7t0wPgW==
6175	Migrant Education Program - https://simbli.eboardsolutions.com/SU/roLeyXGgp5l03jclK5slshG1A==
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6176	Weekend/Saturday Classes - https://simbli.eboardsolutions.com/SU/gT9qUoycsIshwAqFdyaRaqF4w==
6178.1	Work-Based Learning - https://simbli.eboardsolutions.com/SU/avQYbt3iAAr7wkf1xeEMuA==
6178.1	Work-Based Learning - https://simbli.eboardsolutions.com/SU/wLcNslshgmpIusmQlg9zvVgyCIMQ==
6178.2	Regional Occupational Center/Program - https://simbli.eboardsolutions.com/SU/zpluswb3uMkLaEnDGYEUtDXjQ==

6181	Alternative Schools/Programs Of Choice - https://simbli.eboardsolutions.com/SU/Sa5uR0ng884KxBYpfmslshFiQ==
6181	Alternative Schools/Programs Of Choice - https://simbli.eboardsolutions.com/SU/2T3JOQ3ETpzAugVUUKL2plusA==
6184	Continuation Education - https://simbli.eboardsolutions.com/SU/3Ht4rBWGbpplusXBfB2lhozFRg==
6184	Continuation Education - https://simbli.eboardsolutions.com/SU/cdslsh69Uc64Uvliuo5C1RewQ==
6190	Evaluation Of The Instructional Program - https://simbli.eboardsolutions.com/SU/okRYD9py3tHKzr20XkWFZg==
6200	Adult Education - https://simbli.eboardsolutions.com/SU/GBFlqzmwZQwt8slshR7plusdHYQQ==
6200	Adult Education - https://simbli.eboardsolutions.com/SU/plus0bvJoejC0EIMYEaP8Bpgg==
7110	Facilities Master Plan - https://simbli.eboardsolutions.com/SU/CTyHH1bl8WMYv7LT883UOw==

Regulation 6178: Career Technical Education

Status: ADOPTED

Original Adopted Date: 03/01/2008 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

Federal Grants for Career Technical Education (Perkins)

The district shall submit to the California Department of Education an application for a basic grant of the federal Strengthening Career and Technical Education for the 21st Century Act. The application shall address the components specified in 20 USC 2354 and any additional requirements specified in the state plan developed pursuant to 20 USC 2342. (20 USC 2354)

The district shall conduct a needs assessment in accordance with 20 USC 2354, which shall be updated at least once every two years. The needs assessment shall be conducted in consultation with representatives of district career technical education (CTE) programs, postsecondary CTE programs, state or local workforce development boards and businesses, parents/guardians, students, and other specified stakeholders. (20 USC 2354)

To meet the needs identified in the needs assessment, the Superintendent or designee shall develop, coordinate, implement, or improve CTE programs that are of sufficient size, scope, and quality to be effective and that fulfill the following purposes: (20 USC 2355)

1. Provide career exploration and career development activities through an organized, systematic framework designed to aid students, including students in the middle grades, in making informed plans and decisions about future education and career opportunities and programs of study. Such activities shall occur before students enroll and while they are participating in a CTE program, and may include:
 - a. Introductory courses or activities focused on career exploration and career awareness, including non-traditional fields
 - b. Readily available career and labor market information, including information on occupational supply and demand, educational requirements, other information on careers aligned to economic priorities, and employment sectors
 - c. Programs and activities related to the development of student graduation and career plans
 - d. Career guidance and academic counselors who provide information on postsecondary education and career options
 - e. Any other activity that advances knowledge of career opportunities and assists students in making informed decisions about future education and employment goals, including nontraditional fields
 - f. Activities that provide students with strong experience in, and comprehensive understanding of, all aspects of an industry
2. Provide the skills necessary to pursue careers in high-skill, high-wage, or in-demand industry sectors or occupations
3. Integrate academic skills into CTE programs and programs of study to support participating students in meeting state academic standards
4. Provide professional development for teachers, school leaders, administrators, specialized instructional support personnel, guidance counselors, and/or paraprofessionals, which may include the types of activities listed in 20 USC 2355
5. Plan and carry out elements that support the implementation of CTE programs and programs of study and that result in increased student achievement. Such elements may include curriculum aligned with program requirements, sustainable relationships among community stakeholders, opportunities for students to participate in accelerated learning programs, equipment and instructional materials aligned with business and industry needs, and other activities specified in 20 USC 2355.

6. Develop and implement evaluations of the activities funded by the grant

The district's program shall provide activities to prepare special populations for high-skill, high-wage, or in-demand industry sectors or occupations that will lead to self-sufficiency. Special populations shall be provided with equal access to CTE programs and shall not be unlawfully discriminated against. Special populations include, but are not limited to, students with disabilities, students from economically disadvantaged families, pregnant and parenting students, out-of-work individuals, English learners, homeless students, foster youth, children of military families, and students preparing for nontraditional fields. Nontraditional fields include occupations or fields of work, including careers in computer science, technology, and other emerging high-skill occupations, for which individuals from one gender constitute less than 25 percent of the individuals employed in each such occupation or field of work. (20 USC 2302, 2354, 2373)

Upon written request from a nonprofit private school within the geographical area served by the district, the Superintendent or designee shall consult with private school representatives in a timely and meaningful manner and may provide for the participation of private school secondary students in the district's programs and activities funded pursuant to 20 USC 2301-2414. To the extent practicable, the Superintendent or designee shall also, upon request, permit participation of CTE teachers, administrators, and other personnel from private schools in the district's inservice and preservice professional development programs funded through such grants. (20 USC 2397)

Student Organizations

The district may provide support, including supplies, materials, activities, and advisor expenses, to student organizations which engage in activities that are integral to the CTE program and provide for the development of student leadership skills. However, no state or federal funds shall be used to pay students' membership dues, food or lodging expenses, out-of-state travel, or the cost of a social activity or assemblage.

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

State References

5 CCR 10070-10075

5 CCR 10080-10092

5 CCR 10100-10111

5 CCR 11500-11508

5 CCR 11535-11538

5 CCR 11610-11611

5 CCR 1635

5 CCR 3051.14

8 CCR 200-240

Ed. Code 1205

Ed. Code 17078.70-17078.72

Ed. Code 33430-33432

Ed. Code 35168

Ed. Code 41540-41544

Ed. Code 44257.3

Description

Work experience education

Community classrooms

Cooperative vocational education

Regional occupational centers and programs

Career technical education contracts with private postsecondary schools

Regional adult and vocational education councils

Credit for work experience education

Specially designed career technical education for students with disabilities

Apprenticeships

Classification of counties -
<https://simbli.eboardsolutions.com/SU/afkpApjV7imvOjs09n6O4A==>

Career technical education facilities -
<https://simbli.eboardsolutions.com/SU/SGsBKsvontcoplusWOY91ua3Q==>

Health science and medical technology grants

Inventory of equipment

Targeted instructional improvement block grant

CTC recognition of study in linked learning teaching methods

Ed. Code 44260-44260.1	Designated subjects career technical education credential
Ed. Code 44260.9	Designated subjects career technical education credential
Ed. Code 48430	Continuation education schools and classes
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 51220-51230	Course of study for grades 7-12
Ed. Code 51760-51769.5	Work experience education
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52300-52499.66	Career technical education
Ed. Code 52519-52520	Adult education; occupational training
Ed. Code 53010-53016	California Career Pathways Trust
Ed. Code 53020-53025	Golden State Pathways Program
Ed. Code 53070-53076.4	The California Career Technical Education Incentive Grant Program
Ed. Code 53086	California Career Resource Network
Ed. Code 54690-54699.1	California Partnership Academies
Ed. Code 54750-54760	California Partnership Academies; green technology and goods movement occupations
Ed. Code 56363	Related services for students with disabilities; specially designed career technical education
Ed. Code 66205.5-66205.9	Approval of career technical education courses for admission to California colleges
Ed. Code 8006-8155	Career technical education
Ed. Code 88500-88551	Community college economic and workforce development program
Gov. Code 54950-54963	The Ralph M. Brown Act
Lab. Code 3070-3099.5	Apprenticeships
Lab. Code 3110-3112.1	Apprenticeship Innovation Funding Program
Lab. Code 3120-3122.4	Youth Apprenticeship

Federal References

20 USC 2301-2414	Strengthening Career and Technical Education for the 21st Century Act
20 USC 6301-6578	Improving the Academic Achievement of the Disadvantaged - https://simbli.eboardsolutions.com/SU/uBgrPnE4ZTLKuykA3OndJw==
34 CFR 100	Appendix B Guidelines for eliminating discrimination in career technical education programs
34 CFR 104.1-104.39	Section 504 of the Rehabilitation Act of 1973
34 CFR 106.1-106.61	Discrimination on the basis of sex, effectuating Title IX

Management Resources References

California Department of Education Publication	California Career Technical Education Model Curriculum Standards, Grades Seven Through Twelve, January 2013
California Department of Education Publication	Career Technical Education Framework for California Public Schools, Grades Seven Through Twelve, January 2007
California Department of Education Publication	Multiple Pathways to Student Success: Envisioning the New California High School, 2010
CSBA Publication	The Linked Learning Approach to High School Reform, Governance Brief, January 2014

CSBA Publication	A Governance Perspective: Interviews with School Board Members from the Nine Linked Learning Initiative School Districts, March 2014
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==
Website	U.S. Department of Education, Office of Vocational and Adult Education - https://simbli.eboardsolutions.com/SU/KuFNXqUtDnSwVVyc3V8IWQ==
Website	U.S. Department of Labor, Bureau of Labor Statistics - https://simbli.eboardsolutions.com/SU/RHwiAxFplus6wwheRAXtEJRbg==
Website	California Department of Education, Career Technical Education - https://simbli.eboardsolutions.com/SU/GbU76nS5slsh50DkSZTrslshUuTg==
Website	California Department of Employment Development - https://simbli.eboardsolutions.com/SU/hmvLawVOABCNaBPAnCxKxw==
Website	California Workforce Development Board - https://simbli.eboardsolutions.com/SU/ROXhmuEJ5I269DPxdsIshDSuA==
Website	Association for Career and Technical Education - https://simbli.eboardsolutions.com/SU/LiN69hrw6tCdohEEkqSaFQ==
Website	California Association of Regional Occupational Centers and Programs - https://simbli.eboardsolutions.com/SU/2ZDdJmPMSffihBrqll7xnA==
Website	California Career Resource Network - https://simbli.eboardsolutions.com/SU/aiMKC0wIc2eTMogaBMcl9g==
Website	California Department of Industrial Relations - https://simbli.eboardsolutions.com/SU/Lh5JVplusYhNJm5slshcgG07zsOQ==
Website	University of California, A-G Course Submissions - https://simbli.eboardsolutions.com/SU/dI7biMSP81bUfpxMPCFyyA==
Website	Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNiqRUulsaq7efc7aH4Q==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==

Cross References

	Description
0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ==
0415	Equity - https://simbli.eboardsolutions.com/SU/ZGZhZ17ATfHJBQP13Jplus7cw==
0420.4	Charter School Authorization - https://simbli.eboardsolutions.com/SU/yqvHtAwzffp9smLplusmfcAQ==
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0440	District Technology Plan - https://simbli.eboardsolutions.com/SU/c3TEEZEDFLVMDh05wi0TCQ==
0440	District Technology Plan - https://simbli.eboardsolutions.com/SU/xvf0pluskxWXJhSWUIB3QBmhA==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg==
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0500	Accountability - https://simbli.eboardsolutions.com/SU/PDWiti8tEaGKnqJbgZ4Q3g==
1220	Citizen Advisory Committees - https://simbli.eboardsolutions.com/SU/7wRcaQ9gJBXCOuqWB54wfA==

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1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qvzpYbttZOPNWrpR2Lc9VQ==
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1700	Relations Between Private Industry And The Schools - https://simbli.eboardsolutions.com/SU/ZCumr5xglcyZr9nTlplusn4LA==
3230	Federal Grant Funds - https://simbli.eboardsolutions.com/SU/OVH379RjC0a1aO711TFHYg==
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3440	Inventories - https://simbli.eboardsolutions.com/SU/cB5LbBZLYT7A9NIP1rkFQQ==
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5145.6	Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/SuvNxTtlUJ0XfalLui15AA==
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6141	Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/LdZqO8PdBm96KAMTQJmplusqA==
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6141.4	International Baccalaureate Program - https://simbli.eboardsolutions.com/SU/3HplusWL7OI2YANMyMpgmHLBQ==
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6146.11	Alternative Credits Toward Graduation - https://simbli.eboardsolutions.com/SU/HdoEplusqqACPGdeIVR7rpXvQ==
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6146.2-E PDF(1)	Certificate Of Proficiency/High School Equivalency - https://simbli.eboardsolutions.com/SU/oac3slshgc169eolD8U7bc6aQ==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/nRtcKBP3haQcPUiLWOYqgA==
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6162.5	Student Assessment - https://simbli.eboardsolutions.com/SU/qVgmtYqYq60o6cg8rziBgg==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/NdqSEfNslshhwaBKplusUkKH040A==
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6164.2	Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/QEsZgzQo3AFYxslshFZf9HBrg==
6164.5	Student Success Teams - https://simbli.eboardsolutions.com/SU/XrnsIshQIPaFW9wMoMV2IEKpg==
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6171	Title I Programs - https://simbli.eboardsolutions.com/SU/p4BMACj6yFUh6jSJgfA2gA==
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6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/wTl8EVvu0t0484S390RuGw==
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6172.1	Concurrent Enrollment In College Classes - https://simbli.eboardsolutions.com/SU/pluspoxHuHslshvKZSFL0plusslsh4RvQw==
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6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/zsikyhfKAplusFQR21mnjd3hw==
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6173-E PDF(1)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/WeRWxD20iReBezfn3aKzplusQ==
6173-E PDF(2)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/D7vRHxZslshBORslshzL7t0wPg==
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6176	Weekend/Saturday Classes - https://simbli.eboardsolutions.com/SU/gT9qUoycslshwAqFdyaRaqF4w==
6178.1	Work-Based Learning - https://simbli.eboardsolutions.com/SU/avQYbt3iAAr7wkf1xeEMuA==
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6178.2	Regional Occupational Center/Program - https://simbli.eboardsolutions.com/SU/zpluswb3uMkLaEnDGYEUtDXjQ==
6181	Alternative Schools/Programs Of Choice - https://simbli.eboardsolutions.com/SU/Sa5uR0ng884KxBypfmslshFiQ==
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6184	Continuation Education - https://simbli.eboardsolutions.com/SU/3Ht4rBWGbplusXBfB2lhozFRg==
6184	Continuation Education - https://simbli.eboardsolutions.com/SU/cdslsh69Uc64Uvliuo5C1RewQ==
6190	Evaluation Of The Instructional Program - https://simbli.eboardsolutions.com/SU/okRYD9py3tHKzr20XkWFZg==
6200	Adult Education - https://simbli.eboardsolutions.com/SU/GBFlqzmwZQwt8slshR7plusdHYQQ==

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Adult Education -

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7110

Facilities Master Plan -

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Policy 6200: Adult Education

Status: ADOPTED

Original Adopted Date: 06/01/1997 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

The Governing Board believes that education is a lifelong endeavor and that it is important for individuals to continuously develop new skills necessary to participate effectively as citizens, workers, parents/guardians, and family and community members. Eligible adults shall be offered opportunities to enroll in programs and courses that develop academic and workforce skills and, as appropriate, lead to completion of requirements for high school graduation.

The Superintendent or designee shall recommend, for approval by the Board and the California Department of Education, courses to be offered through the district's adult education program.

Adult education classes may be offered any day or evening, including weekends, for such length of time during the school year as determined by the Board. (Education Code 52505)

The Superintendent or designee shall ensure that all teachers of adult education classes possess an appropriate credential issued by the Commission on Teacher Credentialing and have access to high-quality professional development to continuously enhance their knowledge and skills.

Upon recommendation of the administrator of the student's adult school or noncredit program of attendance, the Board may authorize an adult education student pursuing a high school diploma or a high school equivalency certificate to attend a community college during any session or term as a special part-time student. (Education Code 52620)

The Board may award diplomas or certificates to adults and eligible minors enrolled in adult schools upon satisfactory completion of a prescribed course of study in an elementary school program. (Education Code 52508, 52509)

Adult education students who fulfill the district's graduation requirements shall receive a diploma of high school graduation.

If the district has an adult school or classes for adults but is unable to maintain such school or classes because of an inability to secure a teacher(s) or because of a lack of facilities, the district may, with the approval of the County Superintendent of Schools and the Superintendent of Public Instruction, contract with another district for the instruction of such students. (Education Code 52511)

To ensure efficient and coordinated adult education services, the district may join a regional adult education consortium. The district shall participate in the consortium's identification of the educational needs of adults in the region, identification of available funding and services, development and approval of an adult education plan pursuant to Education Code 84906, and implementation of strategies to address the identified needs, improve the effectiveness of district services, and improve students' transitions into postsecondary education and the workforce.

The district's representative to the regional adult education consortium shall be designated by the Board. (Education Code 84905)

The Superintendent or designee shall regularly report to the Board on the effectiveness of the district's adult education program. This report shall include, but not be limited to, the number of adults and high school students participating in the program, student participation in each type of adult education course or class, and the extent to which students successfully completed these programs, including, as applicable, the completion of requirements for the high school diploma or certificate of equivalency.

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

State References

State References	Description
5 CCR 10501	Adult education; definition of adult for attendance counting
5 CCR 10508	Records and reports
5 CCR 10530	Counseling and guidance services
5 CCR 10560	Standards of administration
5 CCR 53412	Minimum qualifications for instructors of noncredit courses
5 CCR 80034	Teaching credentials; adult education
5 CCR 80034.5	Adult education; substitute teachers
5 CCR 80036-80036.4	Requirements for designated subjects adult education credential
5 CCR 80040.2-80040.2.7	Programs of personalized preparation for the designated subjects adult education teaching credentialing
Ed. Code 10200	CalWORKs instructional and job training plan - https://simbli.eboardsolutions.com/SU/Th2G6fo4kyRGpd4slshqm4Wsg==
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Ed. Code 44260.2-44260.3	Credential requirements; designated subjects adult education credential
Ed. Code 44865	Qualifications for independent study teachers
Ed. Code 46191	Attendance for adults in correctional facilities
Ed. Code 46300.1-46300.42	Independent study
Ed. Code 51040	Prescribed courses
Ed. Code 51056	Adult education course of study
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51241	Temporary two-year or permanent exemption from physical education
Ed. Code 51246	Physical education exemptions
Ed. Code 51730-51732	Powers of governing boards (authorization for elementary summer school classes); admissions of adults and minors
Ed. Code 51745	Independent study
Ed. Code 51810-51815	Community service classes
Ed. Code 52500-52523	Adult schools
Ed. Code 52540-52544	Adult English classes
Ed. Code 52550-52556	Classes in citizenship
Ed. Code 52570-52572	Disabled adults
Ed. Code 52610-52616.18	Adult schools; finances
Ed. Code 52620	Attendance at community college as special part-time student
Ed. Code 52651-52656	Immigrant Workforce Preparation Act
Ed. Code 60410	Books for adult classes
Ed. Code 84830	Adult education consortium
Ed. Code 84900-84920	Adult Education Program
Ed. Code 8500-8538	Adult education
W&I Code 11320-11329.5	CalWORKs; education and job training

Federal References

Description

20 USC 2301-2414	Strengthening Career and Technical Education for the 21st Century Act
29 USC 3101-3255	Workforce Innovation and Opportunity Act
29 USC 3271-3333	Adult Education and Family Literacy Act

Management Resources References

California Department of Education Publication	Adult Education Block Grant (AEBG) Measures of Effectiveness
California Department of Education Publication	Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==
Website	California Department of Education, Adult Education - https://simbli.eboardsolutions.com/SU/gAzTIB92QDIgv66uCVMmplusw==
Website	California Department of Industrial Relations, Division of Apprenticeship Standards - https://simbli.eboardsolutions.com/SU/bflwmqcl9A2X6bB1bsnz4g==
Website	California Council for Adult Education - https://simbli.eboardsolutions.com/SU/Espa0cpFsAr9xZVysIshqXkZg==
Website	Comprehensive Adult Student Assessment Systems - https://simbli.eboardsolutions.com/SU/i4duplusM9plusOMt75IXpka2I3A==
Website	Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNiqRUulsag7efc7aH4Q==

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0440	District Technology Plan - https://simbli.eboardsolutions.com/SU/c3TEEZEDFLVMDh05wI0TCQ==
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1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qvzpYbttZOPNWrpR2Lc9VQ==
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5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/RTDH1giQv3pINi6GwaFYplusw==
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6146.11	Alternative Credits Toward Graduation - https://simbli.eboardsolutions.com/SU/HdoEplusqqACPGdeIVR7rpXvQ==
6146.11	Alternative Credits Toward Graduation - https://simbli.eboardsolutions.com/SU/ZBPxaMqFcdplus8plus1uCi9Yug==
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6158	Independent Study - https://simbli.eboardsolutions.com/SU/Rqslsh4Fd5HLPwBBONpjsQGTg==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/2tRYy222MXLXnvV9vrMP4w==
6164.2	Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/QEsZgzQo3AFYxslshFZf9HBRg==
6172.1	Concurrent Enrollment In College Classes - https://simbli.eboardsolutions.com/SU/pluspoxHuHslshvKZSFL0plusslsh4RvQw==
6172.1	Concurrent Enrollment In College Classes - https://simbli.eboardsolutions.com/SU/cBBPHW6bnozwsLshP8S2Cj02w==
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6178	Career Technical Education - https://simbli.eboardsolutions.com/SU/S4qxTuQvqZW507diDlxw9g==
6178.2	Regional Occupational Center/Program - https://simbli.eboardsolutions.com/SU/zpluswb3uMkLaEnDGYEUtDXjQ==
6184	Continuation Education - https://simbli.eboardsolutions.com/SU/3Ht4rBWGbplusXBfB2lhozFRg==
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Regulation 6200: Adult Education

Status: ADOPTED

Original Adopted Date: 06/01/1997 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

Enrollment

For adult education programs, adults include persons age 18 or older and other persons not concurrently enrolled in a regular high school program. However, high school students may be concurrently enrolled in adult education under the conditions specified in the section "Concurrent Enrollment of High School Students" below. (Education Code 52523, 52610)

Adults shall have first priority for enrollment in any adult education class, provided they enroll during the regular enrollment period. (Education Code 52523)

With the exception of programs for adults with disabilities specified in Education Code 52570, adult education classes shall be located in a facility which clearly identifies attendance in the class as being open to the general public. (Education Code 52517, 52570)

Concurrent Enrollment of High School Students

High school students may be permitted to enroll in an adult education program, course, or class for sound educational purposes, including, but not limited to, the following: (Education Code 52523)

1. The adult education program, course, or class is not offered in the regular high school curriculum.
2. The student needs the adult education program, course, or class in order to make up deficient credits for graduation from high school.
3. The adult education program, course, or class allows the student to gain vocational and technical skills beyond that provided by the regular high school's vocational and technical education program.
4. The adult education program, course, or class supplements and enriches the high school student's educational experience.

High school students are expected to enroll in regular high school classes before seeking admission to any similar classes offered in the adult education program. A failed course, however, may be repeated through adult education.

Before enrolling in an adult education class, the high school student shall complete a counseling session that includes the student, the student's parent/guardian, and a certificated representative of the high school. The certificated high school representative shall ensure that the student's school record includes written documentation of the counseling session and both of the following statements: (Education Code 52500.1, 52523)

1. That the student is enrolling voluntarily in the adult education course or class
2. That the enrollment will enhance the student's progress toward meeting educational requirements for high school graduation

The above statement shall be signed by the student, the student's parent/guardian, and the certificated high school representative.

Classes offered in the district's adult education program shall supplement and not supplant the regular high school curriculum. No course required by the district for high school graduation or necessary for students to maintain satisfactory academic progress shall be offered exclusively through the adult education program. (Education Code 52523)

Programs and Courses

The district's adult education program shall offer instruction in one or more of the following areas: (Education Code

41976)

1. Programs in elementary and secondary basic skills, including programs leading to a high school diploma or high school equivalency certificate
2. Programs for immigrants eligible for educational services in citizenship, English as a second language, workforce preparation, and immigrant integration
3. Programs that are primarily related to entry or reentry into the workforce
4. Programs that are primarily designed to develop knowledge and skills to assist elementary and secondary students to succeed academically in school
5. Programs for adults with disabilities
6. Short-term career technical education programs with high employment potential
7. Programs offering pre-apprenticeship training activities in coordination with one or more apprenticeship programs approved by the Division of Apprenticeship Standards for the occupation and geographic area.

The district may also offer programs in parenting, family and consumer awareness, English as a second language, classes for older adults, home economics, and health and safety education. Such programs shall not be paid for with Adult Education Program Funds.

The Superintendent or designee shall regularly submit to the California Department of Education for approval the titles of classes that have been approved by the Governing Board to be offered in any of the program areas listed above.

Adults may also be enrolled in community service classes offered by the district. (Education Code 51811)

All adult education programs, courses, and classes and their enrollment period shall be published in the district's catalog of adult education classes provided to the public. (Education Code 52523)

Independent Study

The Superintendent or designee may make independent study available as an instructional strategy for students enrolled in adult education as appropriate to meet their individual needs.

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

Fees

The district may require fees for enrollment in an adult education class. However, no fees shall be charged for the following adult education programs or classes: (Education Code 52612, 52613)

1. A class for which high school credit is granted, if the class is taken by an individual who does not hold a high school diploma.
2. A class in an elementary subject or a class in English as a second language or citizenship, unless the student is a nonimmigrant with an F-1 visa status. Any nonimmigrant enrolled in these classes shall be charged a fee to cover the full cost of the instruction, not to exceed actual costs. The fee shall be adopted by the Board at a regular meeting at least 90 days before the beginning of the class for which the fee is charged.

Except for those fees required by law, the payment of fees may be waived in cases of hardship at the recommendation of the Superintendent or designee.

The Board may fix a charge, not to exceed cost, for books furnished to adult education students. In lieu of fixing such charge, books may be loaned to students with the payment of a refundable deposit. (Education Code 60410)

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

State References

Description

5 CCR 10501	Adult education; definition of adult for attendance counting
5 CCR 10508	Records and reports
5 CCR 10530	Counseling and guidance services
5 CCR 10560	Standards of administration
5 CCR 53412	Minimum qualifications for instructors of noncredit courses
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5 CCR 80034.5	Adult education; substitute teachers
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5 CCR 80040.2-80040.2.7	Programs of personalized preparation for the designated subjects adult education teaching credentialing
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Ed. Code 41975-41976.1	Adult education; authorized classes and courses
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Ed. Code 52500-52523	Adult schools
Ed. Code 52540-52544	Adult English classes
Ed. Code 52550-52556	Classes in citizenship
Ed. Code 52570-52572	Disabled adults
Ed. Code 52610-52616.18	Adult schools; finances
Ed. Code 52620	Attendance at community college as special part-time student
Ed. Code 52651-52656	Immigrant Workforce Preparation Act
Ed. Code 60410	Books for adult classes
Ed. Code 84830	Adult education consortium
Ed. Code 84900-84920	Adult Education Program
Ed. Code 8500-8538	Adult education

W&I Code 11320-11329.5

CalWORKs; education and job training

Federal References

20 USC 2301-2414

29 USC 3101-3255

29 USC 3271-3333

Description

Strengthening Career and Technical Education for the 21st Century Act

Workforce Innovation and Opportunity Act

Adult Education and Family Literacy Act

Management Resources References

California Department of Education Publication

California Department of Education Publication

Website

Website

Website

Website

Website

Website

Description

Adult Education Block Grant (AEBG) Measures of Effectiveness

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020

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0410

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1312.3-E PDF(1)

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3260

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4112.2

Description

Nondiscrimination In District Programs And Activities -
<https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ==>

District Technology Plan -
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Fees And Charges -
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Transportation Routes And Services -
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Certification -
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4112.2	Certification - https://simbli.eboardsolutions.com/SU/tUslshewyAvQpluseaA5VjOFaFlw==
4121	Temporary/Substitute Personnel - https://simbli.eboardsolutions.com/SU/UQVHOa8Qzs52Adry5FhGeA==
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4131	Staff Development - https://simbli.eboardsolutions.com/SU/IYMIfYPYXEiEMhaRz6slshWJQ==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/RTDH1giQv3pINi6GwaFYplusw==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/NNjfbFeTHYMLXa2oyKWTg==
6112	School Day - https://simbli.eboardsolutions.com/SU/05atqxQB68mlO84XP5vNw==
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6142.4	Service Learning/Community Service Classes - https://simbli.eboardsolutions.com/SU/iVnd1RslshrYn5G7DW0f2PmUw==
6145.6	International Exchange - https://simbli.eboardsolutions.com/SU/W9EQU19GTNylrEPplusnb44uw==
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6146.1	High School Graduation Requirements - https://simbli.eboardsolutions.com/SU/DFboHnnnuMRfkxHf3cnoYg==
6146.11	Alternative Credits Toward Graduation - https://simbli.eboardsolutions.com/SU/HdoEplussqACPGdelVR7rpXvQ==
6146.11	Alternative Credits Toward Graduation - https://simbli.eboardsolutions.com/SU/ZBPxaMqFcdplus8plus1uCxi9Yug==
6146.2	Certificate Of Proficiency/High School Equivalency - https://simbli.eboardsolutions.com/SU/cITMplus79VZe95z6A99iDmRQ==
6146.2	Certificate Of Proficiency/High School Equivalency - https://simbli.eboardsolutions.com/SU/kon9InuDv3XhBqmyROfdAw==
6146.2-E(1)	Certificate Of Proficiency/High School Equivalency - https://simbli.eboardsolutions.com/SU/plus8xwE8IQn3xfTtyZCiphKQ==
6146.2-E PDF(1)	Certificate Of Proficiency/High School Equivalency - https://simbli.eboardsolutions.com/SU/oac3slshgc169eoLd8U7bc6aQ==
6146.4	Differential Graduation And Competency Standards For Students With Disabilities - https://simbli.eboardsolutions.com/SU/Xs7XqDX5xXWGTjFqvve54w==
6146.5	Elementary/Middle School Graduation Requirements - https://simbli.eboardsolutions.com/SU/fAstBYp2I21WTHslshGrKpnSQ==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/Rqslsh4Fd5HLPwBBONpjsQGTg==
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6164.2	Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/QEsZgzQo3AFYxslshFzF9HBrG==
6172.1	Concurrent Enrollment In College Classes - https://simbli.eboardsolutions.com/SU/pluspoxHuHslshvKZSFL0plusslsh4RvQw==
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6178.2	Regional Occupational Center/Program - https://simbli.eboardsolutions.com/SU/zpluswb3uMkLaEnDGYEUtDXjQ==
6184	Continuation Education - https://simbli.eboardsolutions.com/SU/3Ht4rBWGbplusXBfB2lhozFRg==
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9140	Board Representatives - https://simbli.eboardsolutions.com/SU/yjmslshNKV8wpR65FwNX38SKg==

Policy 7150: Site Selection And Development

Status: ADOPTED

Original Adopted Date: 02/01/1999 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

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

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

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

Environmental Impact Investigation for the Site Selection Process

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

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

Agricultural Land

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

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

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

State References

14 CCR 15000-15285

5 CCR 14001-14036

CCP 1263.710-1263.770

Ed. Code 17006

Description

Implementation of California Environmental Quality Act of 1970

California Department of Education: school facilities construction

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

Definition of self-certifying district -

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

Ed. Code 17024	Prior written approval of CDE for selection of school site or construction of building - https://simbli.eboardsolutions.com/SU/plusTy35OslshxGAtnD3w6eRJsIsShxw==
Ed. Code 17070.10-17077.10	Leroy F. Greene School Facilities Act of 1998 - https://simbli.eboardsolutions.com/SU/fu4PsUtUAb4qYYOY9breHg==
Ed. Code 17210-17224	School Sites; general provisions - https://simbli.eboardsolutions.com/SU/ur7JgL2vMelWTcC3SCXTPA==
Ed. Code 17240-17245	New Schools Relief Act - https://simbli.eboardsolutions.com/SU/IEplus2NTUuiy0VslshfQbayySsQ==
Ed. Code 17250.10-17250.55	Design-build contracts - https://simbli.eboardsolutions.com/SU/KyAwX1K9LOug3Oc4uUy4Rw==
Ed. Code 17251-17256	CDE powers concerning buildings and building sites - https://simbli.eboardsolutions.com/SU/NwS3Om8nmJ04Yslsho0jlt8A==
Ed. Code 17260-17268	Plans and specifications for school facilities - https://simbli.eboardsolutions.com/SU/K93eKC5SslshBGM5azLopZgig==
Ed. Code 17280-17317	Field Act; approval of plans and supervision of construction
Ed. Code 17565-17592.5	Board duties; management and control of school property
Ed. Code 35271	Power to acquire and construct on adjacent property
Ed. Code 35275	New school planning; cooperation with recreation and park authorities
Gov. Code 53094	Authority to render zoning ordinances inapplicable
Gov. Code 65402	Acquisition or disposition of property
Gov. Code 65995-65997	Developer fees
Gov. Code 66455.9	Written notices of proposed public school site within development; investigation and report; conditions for acquisition
H&S Code 44360	Risk assessment
Pub. Res. Code 21000-21177	California Environmental Quality Act of 1970

Management Resources References

Attorney General Opinion	82 Ops.Cal.Atty.Gen. 130 (1999)
Website	Governor's Office of Planning and Research - https://simbli.eboardsolutions.com/SU/MvslshHMG1znUbWW5UoFHTJqQ==
Website	Department of Toxic Substances Control - https://simbli.eboardsolutions.com/SU/POmXdiUm5t3RqP4HNX5AFA==
Website	California Department of Education, School Site Selection and Approval Guide - https://simbli.eboardsolutions.com/SU/TToplusOF7QplusSI3WgZk3FBYig==
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIsHxk6R5akQ==
Website	Department of General Services, Office of Public School Construction - https://simbli.eboardsolutions.com/SU/UxUcDGuszWNedr16Dp8wuQ==
Website	California Department of Education, School Facilities - https://simbli.eboardsolutions.com/SU/ATZTQPd7NwSB3FBnCFeslshYA==

Cross References

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1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/ZEoW4ZKHcT3nfqLxRTR1fw==

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1220	Citizen Advisory Committees - https://simbli.eboardsolutions.com/SU/WXKjOn8KOplusMpLzpTd3ujpQ==
1330.1	Joint Use Agreements - https://simbli.eboardsolutions.com/SU/MApP1vZuzplus4Gg6jSyK5KQ==
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3510	Green School Operations - https://simbli.eboardsolutions.com/SU/K0GKzAB8i2S6wgjlLPfUw==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/FREeZf6a8MvAoYS87Pslshlplusw==
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5142.2	Safe Routes To School Program - https://simbli.eboardsolutions.com/SU/gniZuSpCW8HMRg1QFYP8IA==
5142.2	Safe Routes To School Program - https://simbli.eboardsolutions.com/SU/J8otbF8fbNAIdA2FvDrNJg==
7000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/N2ktQLFeCplus5t3ksz8contg==
7110	Facilities Master Plan - https://simbli.eboardsolutions.com/SU/CTyHH1bl8WMYv7LT883UOW==
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7140	Architectural And Engineering Services - https://simbli.eboardsolutions.com/SU/pluslZaMQGyzsWVjWTpJ4pKRQ==
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7210	Facilities Financing - https://simbli.eboardsolutions.com/SU/MIGIRHTFRsKW9LuyR0bsDw==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOFFduR9FE4g==
9320	Meetings And Notices - https://simbli.eboardsolutions.com/SU/kaWrYCz4FrrfM0Djy8s6Fg==
9323.2	Actions By The Board - https://simbli.eboardsolutions.com/SU/qTqIJZz7LWxdOXZSRTVLAA==
9323.2-E PDF(1)	Actions By The Board - https://simbli.eboardsolutions.com/SU/Xvrd3N0N3u1713Zp1VbXkw==
9323.2-E PDF(2)	Actions By The Board - https://simbli.eboardsolutions.com/SU/NjrqTVMZlQhYwjEpGbplusWWQ==

Regulation 7150: Site Selection And Development

Status: ADOPTED

Original Adopted Date: 11/01/2000 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

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

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

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

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

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

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

State References

14 CCR 15000-15285

5 CCR 14001-14036

CCP 1263.710-1263.770

Ed. Code 17006

Ed. Code 17024

Ed. Code 17070.10-17077.10

Ed. Code 17210-17224

Ed. Code 17240-17245

Ed. Code 17250.10-17250.55

Ed. Code 17251-17256

Ed. Code 17260-17268

Ed. Code 17280-17317

Ed. Code 17565-17592.5

Ed. Code 35271

Ed. Code 35275

Gov. Code 53094

Gov. Code 65402

Gov. Code 65995-65997

Gov. Code 66455.9

H&S Code 44360

Pub. Res. Code 21000-21177

Description

Implementation of California Environmental Quality Act of 1970

California Department of Education: school facilities construction

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

Definition of self-certifying district -

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

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

<https://simbli.eboardsolutions.com/SU/plusTy35OslshxGAtnD3w6eRJsIshtw==>

Leroy F. Greene School Facilities Act of 1998 -

<https://simbli.eboardsolutions.com/SU/fu4PsUtUAb4qYYOY9breHg==>

School Sites; general provisions -

<https://simbli.eboardsolutions.com/SU/ur7JgL2vMeIWTcc3SCXTPA==>

New Schools Relief Act -

<https://simbli.eboardsolutions.com/SU/IEplus2NTUuiy0VslshfQbayySsQ==>

Design-build contracts -

<https://simbli.eboardsolutions.com/SU/KyAwX1K9LOug3Oc4uUy4Rw==>

CDE powers concerning buildings and building sites -

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Plans and specifications for school facilities -

<https://simbli.eboardsolutions.com/SU/k93eKC5SslshBGM5azLOpZgig==>

Field Act; approval of plans and supervision of construction

Board duties; management and control of school property

Power to acquire and construct on adjacent property

New school planning; cooperation with recreation and park authorities

Authority to render zoning ordinances inapplicable

Acquisition or disposition of property

Developer fees

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

Risk assessment

California Environmental Quality Act of 1970

Management Resources References

Attorney General Opinion

Website

Website

Website

Website

Website

Description

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

Governor's Office of Planning and Research -

<https://simbli.eboardsolutions.com/SU/MvslshHMG1znUbWW5UoFHTJgQ==>

Department of Toxic Substances Control -

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

<https://simbli.eboardsolutions.com/SU/TToplusOF7QplusSl3WgZk3FBYig==>

CSBA District and County Office of Education Legal Services -

<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshtXk6R5akQ==>

Department of General Services, Office of Public School Construction -

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Website California Department of Education, School Facilities -
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3311.2	Lease-Leaseback Contracts - https://simbli.eboardsolutions.com/SU/l8QSNdaRV09ZFslshUu78sxOA==
3510	Green School Operations - https://simbli.eboardsolutions.com/SU/K0GKzAB8i2S6wgjLPPfUw==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/FREeZf6a8MvAoYS87Pslshlplusw==
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7000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/N2ktQLFeCplus5t3ksz8contg==
7110	Facilities Master Plan - https://simbli.eboardsolutions.com/SU/CTyHH1bl8WMYv7LT883UOW==
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7210	Facilities Financing - https://simbli.eboardsolutions.com/SU/MIGIRHTFRsKW9LuyR0bsDw==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOFduR9FE4g==
9320	Meetings And Notices - https://simbli.eboardsolutions.com/SU/kaWrYCz4FrrfM0Djy8s6Fg==
9323.2	Actions By The Board - https://simbli.eboardsolutions.com/SU/qTqIJZz7LWxdOXZSRTLAA==
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9323.2-E PDF(2)	Actions By The Board - https://simbli.eboardsolutions.com/SU/NjrqTVMZIQhYwjEpGbplusWWQ==

Bylaw 9100: Organization

Status: ADOPTED

Original Adopted Date: 09/01/1992 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

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

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

At this meeting the Board shall:

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

Election of Officers

To elect an officer the Board shall follow a seniority rotation into the leadership roles of the board depending on the year a member is elected or appointed to the board. If more than one member is elected or appointed in the same year, lots shall be drawn to determine seniority. After serving one year as clerk, the elected member shall serve one year as president of the Board. A Board member who is next in line to serve as clerk or president may elect not to rotate into the clerk or president position.

In the absence of the president of the Board, the clerk shall serve as president and in each case shall exercise all powers and bear all responsibilities for the office that is vacated. The clerk shall also sign minutes of regular and special meetings verifying their accuracy and adoption by the Board. The clerk shall perform such duties delegated by the Board or specified in law.

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

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

State References

Ed. Code 35143
 Ed. Code 35145
 Ed. Code 5017
 Gov. Code 54953

Management Resources References

Attorney General Opinion
 Attorney General Opinion
 Website

Cross References

9000
 9005
 9121
 9123
 9140
 9223
 9224
 9230
 9240
 9320
 9323

Description

Annual organizational meetings; date and notice
 Public meetings
 Term of office
 Meetings to be open and public; attendance

Description

59 Ops.Cal.Atty.Gen. 619 (1976)
 68 Ops.Cal.Atty.Gen. 65 (1985)
 CSBA District and County Office of Education Legal Services -
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>

Description

Role Of The Board -
<https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOFduR9FE4g==>
 Governance Standards -
<https://simbli.eboardsolutions.com/SU/b4OmvGoyuJpAPG4LxplusvkHQ==>
 President -
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 Clerk -
<https://simbli.eboardsolutions.com/SU/qd29h4vh2vvJmtN56yncKQ==>
 Board Representatives -
<https://simbli.eboardsolutions.com/SU/yjmslshNKV8wpR65FwNX38SKg==>
 Filling Vacancies -
<https://simbli.eboardsolutions.com/SU/aCSlfcwxIXrZUQNe1slsheSZA==>
 Oath Or Affirmation -
<https://simbli.eboardsolutions.com/SU/tKaJJ9mLslsh1HTqv3M3Bmlbw==>
 Orientation -
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 Board Training -
<https://simbli.eboardsolutions.com/SU/xVjnBLTBhzybPslshMDYIWDZg==>
 Meetings And Notices -
<https://simbli.eboardsolutions.com/SU/kaWrYCz4FrrfM0Djy8s6Fg==>
 Meeting Conduct -
<https://simbli.eboardsolutions.com/SU/RAkJZH5h2NVGgOLslshw4BNKA==>

AGENDA ITEM

Agenda Title: Approval of the Quarterly Report to the Governing Board as Mandated by the State, In Regards to the Williams Lawsuit
Meeting Date: March 30, 2023
Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to receive this first quarter report for 2023.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

The Williams lawsuit has resulted in several mandates for California school districts. A quarterly report to the Governing Board regarding complaints and complaint resolution is one of the requirements.

STRATEGIC PLAN/PRIORITY AREA:

Priority Area 14: Clean, safe, functional, attractive classrooms, facilities and grounds.

HISTORY *(list previous staff or board action(s) with dates if possible)*

Quarterly report to the Governing Board.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

No financial impact to the District.

WHO *(list the name of the contact person(s), job title, and site location)*

Gary Storts, Assistant Superintendent, Educational Services

ATTACHMENTS:

Description

- ▣ 2023 Williams Quarterly Report

EUREKA CITY SCHOOLS
2100 J Street
Eureka, CA 95501



**Quarterly Report on Williams Uniform Complaints
(Education Code §35186)**

Quarterly Reporting Period (please check one)

- ☒ First Quarter 2023 January 1 through March 31, 2023
☐ Second Quarter 2023 April 1 through June 30, 2023
☐ Third Quarter 2023 July 1 through September 30, 2023
☐ Fourth Quarter 2023 October 1 through December 31, 2023

PLEASE CHECK THE BOX THAT APPLIES:

☒ **No complaints were filed** with any school in the district during the quarter indicated above.

☐ **Yes**, complaints were filed with schools in the district during the quarter indicated above.
The following chart summarizes the nature and resolution of these complaints.

Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0		
Teacher Vacancy or Misassignment	0		
Facilities Conditions	0		
TOTALS	0		

Fred Van Vleck, Ed.D.
Superintendent

AGENDA ITEM

Agenda Title: Approval of 2022-23 Supporting Inclusive Practices Grant Application
Meeting Date: March 30, 2023
Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the 2022-23 Supporting Inclusive Practices Grant Application.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

To provide support and technical assistance to Eureka City Schools for increasing the amount of time that our students with disabilities are included in general education settings.

STRATEGIC PLAN/PRIORITY AREA:

Priority Area 3: Mental Health, Social-Emotional Wellness, and Family Engagement

HISTORY *(list previous staff or board action(s) with dates if possible)*

No previous history.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

Revenue proceeds to come from the California Department of Education in the amount of \$15,000.

WHO *(list the name of the contact person(s), job title, and site location)*

Lisa Claussen, Director of Student Services

ATTACHMENTS:

Description

- ▢ 2022-23 Supportive Inclusive Practices Grant Application

2022–23 Supporting Inclusive Practices Grant Application

The grant application is the declaration by the grantee of its intent to apply for funding for the 2022–23 Supporting Inclusive Practices Grant.

Due Date: March 15, 2023

Local Educational Agency Name

Eureka City Schools

County District Code:

12-755150000000

Person Authorized to sign Grant Award Notification and application:

Lisa Claussen

Program Office Overseeing the Grant (name and title):

Lisa Claussen, Director of Student Services

Email:

claussenl@eurekacityschools.org

Telephone:

707-441-2422

Mailing Address:

2100 J St.

City:

Eureka

Zip Code:

95501

County:

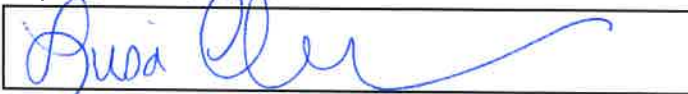
Humboldt

Certification: I hereby certify that this application will be the basis for the operation and administration of the grant funding and will meet all applicable requirements of state and federal rules and regulations. To the best of my knowledge, the information contained in this application is correct and complete and this applicant hereby agrees to have its use of funds reviewed and/or audited.

Print Name and Title of Authorized Person:

Lisa Claussen, Director of Student Services

Signature of Authorized Person:



Date:

03/09/2023

Sign and email to: SEDContractsGrants@cde.ca.gov

Note: No funds will be released without an Authorized Signature on this form.

For CDE Use Only:

Date Received by CDE:

Date Approved by CDE:

Approved By:

AGENDA ITEM

Agenda Title: Approval of Second Amendment Memorandum of Understanding By And Between County of Humboldt And Eureka City Schools For Fiscal Years 2021-2022 Through 2024-2025

Meeting Date: March 30, 2023

Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the Second Amendment to the Memorandum of Understanding By And Between County of Humboldt And Eureka City Schools For Fiscal Years 2021-2022 Through 2024-2025 to conduct public COVID-19 testing and/or vaccination operations.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

To assist in the implementation of students receiving COVID-19 immunizations and required immunizations by the State of California.

STRATEGIC PLAN/PRIORITY AREA:

Priority Area 3: Mental Health, Social-Emotional Wellness, and Family Engagement

HISTORY *(list previous staff or board action(s) with dates if possible)*

Department of Health & Human Services had two First Amendments to their Vaccination MOU with ECS. The two First Amendments have been combined to encompass the changes and create the Second Amendment.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

There is no expenditure or revenue associated with this item.

WHO *(list the name of the contact person(s), job title, and site location)*

Lisa Claussen, Director of Student Services

ATTACHMENTS:

Description

- ▣ County of Humboldt & ECS Vaccine MOU

**SECOND AMENDMENT
MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
COUNTY OF HUMBOLDT
AND
EUREKA CITY SCHOOLS
FOR FISCAL YEARS 2021-2022 THROUGH 2024-2025**

This Second Amendment to the Memorandum of Understanding dated September 20, 2021, as amended on June 13, 2022, by and between the County of Humboldt, a political subdivision of the State of California, hereinafter referred to as "COUNTY," and Eureka City Schools, a California public entity, hereinafter referred to as "ECS," is entered into this 30th day of March, 2023, to be effective as of January 31, 2023.

WHEREAS, COUNTY, by and through its Department of Health and Human Services Department – Public Health, desired to work collaboratively with ECS to conduct public COVID-19 testing and/or vaccination operations; and

WHEREAS, on September 20, 2021, COUNTY and ECS entered into a Memorandum of Understanding regarding the performance of COVID-19 testing and/or vaccination operations at ECS' facilities; and

WHEREAS, on June 13, 2022, COUNTY and ECS agreed to amend the Memorandum of Understanding to expand the responsibilities of the parties to include the ECS facility located at 2100 J Street, Eureka, California; and

WHEREAS, the parties now desire to amend certain provisions of the Memorandum of Understanding to include influenza and other Advisory Committee on Immunization Practices (ACIP) recommended immunizations to the vaccination and/or testing operations currently provided as of January 31, 2023.

NOW THEREFORE, the parties mutually agree as follows:

1. Section 1-Rights and Responsibilities of the Parties is hereby amended to read as follows:

1. RIGHTS AND RESPONSIBILITIES OF THE PARTIES:

Each party hereby agrees to cooperate, coordinates and work collaboratively with the other party to conduct public COVID-19 testing and/or vaccination operations, utilizing ECS' facilities located at: 717 South Avenue, Eureka, California; 1915 J Street, Eureka, California; 2100 J Street, Eureka, California; 3901 G Street, Eureka, California; 3100 Park Street, Eureka, California; 3322 Dolbeer Street, Eureka, California; 2500 Cypress Avenue, Eureka, California; 719 Creighton Street, Eureka, California; 2155 S Street, Eureka, California; and 216 West Harris Street, Eureka, California, hereinafter referred to as "Facilities", in accordance with the requirements set forth herein and Exhibit A-Shared Responsibilities, which is attached hereto and incorporated herein by reference as if set forth in full.

2. Memorandum of Understanding is hereby amended to delete Exhibit A – Shared Responsibilities ("Exhibit A") and replace it in its entirety with the modified version of Exhibit A that is attached hereto and incorporated herein by reference as if set forth in full. The modified version of Exhibit A attached hereto shall supersede any and all prior versions thereof as of the effective date of this Second Amendment.

EXHIBIT A
SHARED RESPONSIBILITIES
Eureka City Schools
For Fiscal Years 2021-20222 through 2024-2025

1. RESPONSIBILITY OF ECS:

- a. Provide access to, and use of, the Facilities as needed by COUNTY for COVID-19, influenza or other vaccine preventable disease immunization and/or testing operations. Access to the Facilities is restricted to COUNTY staff and volunteers only and is limited to the Facilities' main room and restrooms
- b. Provide access to, and use of, the Facilities surrounding parking lots for the purpose of public and authorized COUNTY personnel parking.

2. RESPONSIBILITIES OF COUNTY:

- a. Provide an estimated timeline for the duration of use of the Facilities
- b. Provide a list of COUNTY contacts to ECS.
- c. Collect, and dispose of, any non-traditional/hazardous waste, including, without limitation, medical waste.
- d. Coordinate the demobilization of COVID-19, influenza or other vaccine preventable disease immunizations and/or testing operations and return the Facilities upon termination of this MOU.
- e. Return the Facilities back to the original condition in which it was at the commencement of this MOU.

3. Except as modified herein, the Memorandum of Understanding executed on September 20, 2021, as amended on June 13, 2022, shall remain in full force and effect. In the event of a conflict between the provisions of this Second Amendment and the original Memorandum of Understanding, or any prior amendments thereto, the provisions of this Second Amendment shall govern.

IN WITNESS WHEREOF, the parties have entered into this Second Amendment as of the first date written above.

EUREKA CITY SCHOOLS:

By: _____

Date: _____

Name: _____

Title: _____

COUNTY OF HUMBOLDT:

By: _____

Date: _____

Sofia Pereira, Public Health Director
(Pursuant to the authority granted by the
Humboldt County Board of Supervisors on
November 1, 2022 [Item D-7])

INSURANCE AND INDEMNIFICATION REQUIREMENTS APPROVED:

By: _____

Date: _____

Risk Management

LIST OF EXHIBITS:

Exhibit A-Shared Responsibilities

AGENDA ITEM

Agenda Title: Approval of ECS Contract with Non Public School (NPS):
Change Academy of Lake of the Ozarks (Calo)
Meeting Date: March 30, 2023
Item: Consent

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to Approve of the Master Contract with Non Public School (NPS): Change Academy of Lake of the Ozarks (Calo).

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Currently residing at Herritage Schools, Inc. in Provo, Utah. Transferring student to Change Academy at Lake of the Ozarks (Calo) in Ozark, Missouri to better prepare the student for a successful transitioning back to public school.

STRATEGIC PLAN/PRIORITY AREA:

Priority Area 3: Mental Health, Social-Emotional Wellness, and Family Engagement

HISTORY *(list previous staff or board action(s) with dates if possible)*

No previous history at Change Academy at Lake of the Ozarks (Calo).

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

Cost per period (80 days)

Inclusive/Basic Education Program Rate - \$201.26 x 80	= \$ 16,100.80
Daily Residential Services - \$471.20 x 112 (maximum days)	= \$ 52,774.40
Daily Room & Board - \$100.00 x 112 (maximum days)	= \$ 11,200.00
Transportation-Emergency (as needed) - \$526.00	= <u>N/A</u>
Total Estimated Maximum Basic Ed/Related Service Costs	= \$ 80,075.20

Residential costs and Mental Health costs are reimbursable at 50% by the Humboldt Del Norte SELPA.

SELPA 50% Reimbursement: \$34,437.60

WHO*(list the name of the contact person(s), job title, and site location)*

Lisa Claussen, Director of Student Services

ATTACHMENTS:

Description

- ▣ Change Academy at Lake of the Ozarks (Calo) Master Contract

*NONPUBLIC, NONSECTARIAN
SCHOOL/AGENCY SERVICES*

*Change Academy at Lake of the
Ozarks (Calo)*

MASTER CONTRACT

Eureka City Schools

2022-2023

MASTER CONTRACT

GENERAL AGREEMENT FOR NONSECTARIAN,
NONPUBLIC SCHOOL AND AGENCY SERVICES

LEA EUREKA CITY SCHOOLS

Contract Year 2022-2023

X Nonpublic School
 Nonpublic Agency

Type of Contract:

 Master Contract for fiscal year with Individual Service Agreements (ISA) to be approved throughout the term of this contract.

X Individual Master Contract for a specific student incorporating the Individual Service Agreement (ISA) into the terms of this Individual Master Contract specific to a single student.

 Interim Contract: an extension of the previous fiscal years approved contracts and rates. The sole purpose of this Interim Contract is to provide for ongoing funding at the prior year's rates for 90 days at the sole discretion of the LEA. Expiration Date:

When this section is included as part of any Master Contract, the changes specified above shall amend Section 4 – Term of Master Contract.

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2022-2023	Contract Number:	
Local Education Agency (LEA):	Eureka City Schools	
Nonpublic School/Agency/Related Services Provider:	Change Academy at Lake of the Ozarks (Calo)	

NONPUBLIC, NONSECTARIAN SCHOOL/AGENCY SERVICES
MASTER CONTRACT

AUTHORIZATION FOR MASTER CONTRACT AND GENERAL PROVISIONS

1. MASTER CONTRACT

This Master Contract (or "Contract") is entered into on July 1, 2022, between Eureka City Schools, hereinafter referred to as the local educational agency ("LEA"), a member of the Humboldt-Del Norte SELPA and Change Academy at Lake of the Ozarks (Calo) (nonpublic, nonsectarian school or agency), hereinafter referred to as NPS/A or "CONTRACTOR" for the purpose of providing special education and/or related services to students with exceptional needs under the authorization of California Education Code sections 56157, 56361 and 56365 *et seq.* and Title 5 of the California Code of Regulations section 3000 *et seq.*, AB 490 (Chapter 862, Statutes of 2003) and AB 1858 (Chapter 914, Statutes of 2004). It is understood that this agreement does not commit the LEA to pay for special education and/or related services provided to any student, or CONTRACTOR to provide such special education and/or related services, unless and until an authorized LEA representative approves the provision of special education and/or related services by CONTRACTOR.

Upon acceptance of a student, LEA shall submit to CONTRACTOR an Individual Services Agreement (hereinafter referred to as "ISA"). Unless otherwise agreed in writing, these forms shall acknowledge CONTRACTOR's obligation to provide all relevant services specified in the student's Individualized Education Program (hereinafter referred to as "IEP"). The ISA shall be executed within ninety (90) days of a student's enrollment. LEA and CONTRACTOR shall enter into an ISA for each student served by CONTRACTOR. As available and appropriate, the LEA shall make available access to any electronic IEP system and/or electronic database for ISA developing including invoicing.

Unless placement and/or services is made pursuant to an Office of Administrative Hearings (hereinafter referred to as "OAH") order, a lawfully executed settlement agreement between LEA and parent or authorized by LEA for a transfer student pursuant to California Education Code section 56325, LEA is not responsible for the costs associated with NPS placement or NPS/A services until the date on which an IEP team meeting is convened, the IEP team determines that a NPS placement is appropriate, and the IEP is signed by the student's parent.

2. CERTIFICATION AND LICENSES

CONTRACTOR shall be certified by the California Department of Education (hereinafter referred to as "CDE") as a NPS/A. All NPS/A services shall be provided consistent with the area of certification and licensure specified by CDE Certification and as defined in California Education Code, section 56366 *et seq* and within the professional scope of practice of each provider's license, certification and/or credential. A current copy of CONTRACTOR's NPS/A certification or a waiver of such certification issued by the CDE pursuant to Education Code section 56366.2 must be provided to LEA on or before the date this Agreement is executed by CONTRACTOR. This Master Contract shall be null and void if such certification or waiver is expired, revoked, rescinded, or otherwise nullified during the effective period of this Master

Contract. Total student enrollment shall be limited to capacity as stated on CDE certification and in Section 24 of the Master Contract.

In addition to meeting the certification requirements of the State of California, a CONTRACTOR that operates a program outside of this State shall be certified and all staff persons providing services to pupils shall be certified and/or licensed by that state to provide, respectively, special education and related services and designated instruction and related services to pupils under the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).

If CONTRACTOR is a licensed children's institution (hereinafter referred to as "LCI"), CONTRACTOR shall be licensed by the state, or other public agency having delegated authority by contract with the state to license, to provide nonmedical care room and board to children, including, but not limited to, individuals with exceptional needs. The LCI must also comply with all licensing requirements relevant to the protection of the child, and have a special permit, if necessary, to meet the needs of each child so placed. If the CONTRACTOR operates a program outside of this State, CONTRACTOR must obtain all required licenses from the appropriate licensing agency in both California and in the state where the LCI is located.

With respect to CONTRACTOR's certification, failure to notify the LEA and CDE in writing of any changes in: (1) credentialed/licensed staff; (2) ownership; (3) management and/or control of the agency; (4) major modification or relocation of facilities; or (5) significant modification of the program may result in the suspension or revocation of CDE certification and/or suspension or termination of this Master Contract by the LEA.

3. COMPLIANCE WITH LAWS, STATUTES, REGULATIONS

During the term of this Master Contract, unless otherwise agreed, CONTRACTOR shall comply with all applicable federal, state, and local statutes, laws, ordinances, rules, policies and regulations. CONTRACTOR shall also comply with all applicable LEA policies and procedures unless, taking into consideration all of the surrounding facts and circumstances, a policy or policies or a portion of a policy does not reasonably apply to CONTRACTOR. CONTRACTOR hereby acknowledges and agrees that it accepts all risks and responsibilities for its failure to comply with LEA policies and shall indemnify LEA under the provisions of Section 16 of this Agreement for all liability, loss, damage and expense (including reasonable attorneys' fees) resulting from or arising out of CONTRACTOR's failure to comply with applicable LEA policies (e.g., those policies relating to; the provision of special education and/or related services, facilities for individuals with exceptional needs, student enrollment and transfer, student inactive status, corporal punishment, student discipline, and positive behavior interventions).

CONTRACTOR acknowledges and understands that LEA may report to the CDE any violations of the provisions of this Master Contract; and that this may result in the suspension and/or revocation of CDE nonpublic school/agency certification pursuant to California Education Code section 56366.4(a).

4. TERM OF MASTER CONTRACT

The term of this Master Contract shall be from July 1, 2022 to June 30, 2023 (Title 5 California Code of Regulations section 3062(a)) unless otherwise stated. Neither the CONTRACTOR nor the LEA is required to renew this Master Contract in subsequent contract years. The parties acknowledge that any subsequent Master Contract is to be re-negotiated prior to June 30, 2023. In the event the contract negotiations are not agreed to by June 30th, the most recently executed Master Contract will remain in effect for 90 days. (Title 5 California Code of Regulations section 3062(d)) No Master Contract will be offered unless and until all of the contracting requirements have been satisfied. The offer of a Master Contract to a CONTRACTOR is at the sole discretion of the LEA.

The provisions of this Master Contract apply to CONTRACTOR and any of its employees or independent contractors. Notice of any change in CONTRACTOR's ownership or authorized representative shall be provided in writing to LEA within thirty (30) calendar days of change of ownership or change of authorized representative.

5. INTEGRATION/CONTINUANCE OF CONTRACT FOLLOWING EXPIRATION OR TERMINATION

This Master Contract includes each ISA and they are incorporated herein by this reference. This Master Contract supersedes any prior or contemporaneous written or oral understanding or agreement. This Master Contract may be amended only by written amendment executed by both parties.

CONTRACTOR shall provide the LEA with information as requested in writing to secure a Master Contract or a renewal.

At a minimum, such information shall include copies of current teacher credentials and clearance, insurance documentation and CDE certification. The LEA may require additional information as applicable. If the application packet is not completed and returned to District, no Master Contract will be issued. If CONTRACTOR does not return the Master Contract to LEA duly signed by an authorized representative within ninety (90) calendar days of issuance by LEA, the new contract rates will not take effect until the newly executed Master Contract is received by LEA and will not be retroactive to the first day of the new Master Contract's effective date. If CONTRACTOR fails to execute the new Master Contract within such ninety-day period, all payments shall cease until such time as the new Master Contract for the current school year is signed and returned to LEA by CONTRACTOR. (California Education Code section 56366(c)(1) and (2)). In the event that this Master Contract expires or terminates, CONTRACTOR shall continue to be bound to all of the terms and conditions of the most recent executed Master Contract between CONTRACTOR and LEA for so long as CONTRACTOR is servicing authorized students at the discretion of the LEA.

6. INDIVIDUAL SERVICES AGREEMENT ("ISA")

This Agreement shall include an ISA developed for each student to whom CONTRACTOR is to provide special education and/or related services. An ISA shall only be issued for students enrolled with the approval of the LEA pursuant to Education Code section 56366 (a)(2)(A). An ISA may be effective for more than one contract year provided that there is a concurrent Master Contract in effect. In the event that this Master Contract expires or terminates, CONTRACTOR, shall continue to be bound to all of the terms and conditions of the most recent executed ISAs between CONTRACTOR and LEA for so long as CONTRACTOR is servicing authorized students.

Any and all changes to a student's educational placement/program provided under this Master Contract and/or an ISA shall be made solely on the basis of a revision to the student's IEP or by written agreement between the parent and LEA. At any time during the term of this Master Contract, a student's parent, CONTRACTOR, or LEA may request a review of a student's IEP subject to all procedural safeguards required by law.

Unless otherwise provided in this Master Contract, the CONTRACTOR shall provide all services specified in the IEP unless the CONTRACTOR and the LEA agree otherwise in the ISA. (California Education Code sections 56366(a) (5) and 3062(e)). In the event the CONTRACTOR is unable to provide a specific service at any time during the life of the ISA, the CONTRACTOR shall notify the LEA in writing within five (5) business days of the last date a service was provided. CONTRACTOR shall provide any and all subsequent compensatory service hours awarded to student as a result of lack of provision of services while student was served by the NPS/A.

If a parent or LEA contests the termination of an ISA by initiating a due process proceeding with the OAH, CONTRACTOR shall abide by the “stay-put” requirement of state and federal law unless the parent agrees otherwise or an Interim Alternative Educational Setting is deemed lawful and appropriate by LEA or OAH consistent with Section 1415 (k)(1)(7) of Title 20 of the United States Code. CONTRACTOR shall adhere to all LEA requirements concerning changes in placement.

Disagreements between LEA and CONTRACTOR concerning the formulation of an ISA or the Master Contract may be appealed to the County Superintendent of Schools of the County where the LEA is located, or the State Superintendent of Public Instruction pursuant to the provisions of California Education Code section 56366(c) (2).

7. DEFINITIONS

The following definitions shall apply for purposes of this contract:

- a. The term “CONTRACTOR” means a nonpublic, nonsectarian school/agency certified by the California Department of Education and its officers, agents and employees.
- b. The term “authorized LEA representative” means a LEA administrator designated to be responsible for NPS/A. It is understood, a representative of the Special Education Local Plan Area (SELPA) of which the LEA is a member is an authorized LEA representative in collaboration with the LEA. The LEA maintains sole responsibility for this Contract, unless otherwise specified in this Contract.
- c. The term “credential” means a valid credential, life diploma, permit, or document in special education or pupil personnel services issued by, or under the jurisdiction of, the State Board of Education if issued prior to 1970 or the California Commission on Teacher Credentialing, which entitles the holder thereof to perform services for which certification qualifications are required as defined in Title 5 of the California Code of Regulations section 3001(g).
- d. The term “qualified” means that a person holds a certificate, permit or other document equivalent to that which staff in a public school are required to hold to provide special education and designated instruction and services and has met federal and state certification, licensing, registration, or other comparable requirements which apply to the area in which he or she is providing special education or related services, including those requirements set forth in Title 34 of the Code of Federal Regulations sections 200.56 and 200.58, and those requirements set forth in Title 5 of the California Code of Regulations Sections 3064 and 3065, and adheres to the standards of professional practice established in federal and state law or regulation, including the standards contained in the California Business and Professions Code.

Nothing in this definition shall be construed as restricting the activities in services of a graduate needing direct hours leading to licensure, or of a student teacher or intern leading to a graduate degree at an accredited or approved college or university, as authorized by state laws or regulations. (Title 5 of the California Code of Regulations Section 3001 (r)).

- e. The term “license” means a valid non-expired document issued by a licensing agency within the Department of Consumer Affairs or other state licensing office authorized to grant licenses and authorizing the bearer of the document to provide certain professional services or refer to themselves using a specified professional title including but not limited to mental health and board and care services at a residential placement. If a license is not available through an appropriate state licensing agency, a certificate of registration with the appropriate professional organization at the national or state level which has standards established for the certificate that

are equivalent to a license shall be deemed to be a license as defined in Title 5 of the California Code of Regulations section 3001(l).

- f. "Parent" means:
- i. a biological or adoptive parent; unless the biological or adoptive parent does not have legal authority to make educational decisions for the child,
 - ii. a guardian generally authorized to act as the child's parent or authorized to make educational decisions for the child,
 - iii. an individual acting in the place of a biological or adoptive parent, including a grandparent, stepparent, or other relative with whom the child lives, or an individual who is legally responsible for the child's welfare,
 - iv. a surrogate parent,
 - v. a foster parent if the authority of the biological or adoptive parent to make educational decisions on the child's behalf has been specifically limited by court order in accordance with Code of Federal Regulations 300.30(b)(1) or (2).

Parent does not include the state or any political subdivision of government or the NPS/A under contract with the LEA for the provision of special education or designated instruction and services for a child. (California Education Code section 56028).

- g. The term "days" means calendar days unless otherwise specified.
- h. The phrase "billable day" means a school day in which instructional minutes meet or exceed those in comparable LEA programs.
- i. The phrase "billable day of attendance" means a school day as defined in California Education Code Section 46307, in which a student is in attendance and in which instructional minutes meet or exceed those in comparable LEA programs unless otherwise stipulated in an IEP or ISA.
- j. It is understood that the term "Master Contract" also means "Contract" and is referred to as such in this document.

ADMINISTRATION OF CONTRACT

8. NOTICES

All notices provided for by this Contract shall be in writing. Notices shall be mailed or delivered by hand and shall be effective as of the date of receipt by addressee.

All notices mailed to LEA shall be addressed to the person and address as indicated on the signature page of this Master Contract. Notices to CONTRACTOR shall be addressed as indicated on signature page of this Master Contract.

9. MAINTENANCE OF RECORDS

All records shall be maintained by CONTRACTOR as required by state and federal laws and regulations. Notwithstanding the foregoing sentence, CONTRACTOR shall maintain all records for at least five (5) years after the termination of this Master Contract. For purposes of this Master Contract, "records" shall include, but not be limited to student records as defined by California Education Code section 49061(b) including electronically stored information; cost data records as set forth in Title 5 of the California Code of Regulations section 3061; registers and roll books of teachers and/or daily service providers; daily service logs and notes and other documents used to record the provision of related services including supervision; daily service logs and notes used to record the provision of services provided through

additional instructional assistants, NPA behavior intervention aides, and bus aides; behavior emergency reports (BER); incident reports; notification of injuries; absence verification records (parent/doctor notes, telephone logs, and related documents) if the CONTRACTOR is funded for excused absences, however, such records are not required if positive attendance is required; bus rosters; staff lists specifying credentials held and documents evidencing other staff qualifications, social security numbers, dates of hire, and dates of termination; records of employee training and certification, staff time sheets; non-paid staff and volunteer sign-in sheets; transportation and other related services subcontracts; school calendars; bell/class schedules when applicable; liability and worker's compensation insurance policies; state NPS/A certifications by-laws; lists of current board of directors/trustees, if incorporated; statement of income and expenses; general journals; cash receipts and disbursement books; general ledgers and supporting documents; documents evidencing financial expenditures; federal/state payroll quarterly reports; evidence of electronic payments; and bank statements and canceled checks or facsimile thereof.

CONTRACTOR shall maintain student records in a secure location to ensure confidentiality and prevent unauthorized access. CONTRACTOR shall maintain a current list of the names and positions of CONTRACTOR's employees who have access to confidential records. CONTRACTOR shall maintain an access log for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the record. Such log shall be maintained as required by California Education Code section 49064 and include the name, title, agency/organization affiliation, date/time of access for each individual requesting or receiving information from the student's record, and a description of the record(s) provided. Such log needs to record access to the student's records by: (a) the student's parent; (b) an individual to whom written consent has been executed by the student's parent; or (c) employees of LEA or CONTRACTOR having a legitimate educational interest in requesting or receiving information from the record. CONTRACTOR/LEA shall maintain copies of any written parental concerns granting access to student records. For purposes of this paragraph, "employees of LEA or CONTRACTOR" do not include subcontractors. CONTRACTOR shall grant the following access to student records, (a) the student's parent; (b) employees of LEA or CONTRACTOR having a legitimate educational interest in requesting or receiving information from the record, and comply with parents' requests for copies of student records, as required by state and federal laws and regulations. CONTRACTOR agrees, in the event of school or agency closure, to forward student records within ten (10) business days to LEA. These shall include, but not limited to, current transcripts, IEP/IFSPs, BER's, incident reports, notification of injuries and all other relevant reports. LEA and/or SELPA shall have access to and receive copies of any and all records upon request within five (5) business days.

10. SEVERABILITY CLAUSE

If any provision of this agreement is held, in whole or in part, to be unenforceable for any reason, the remainder of that provision and of the entire agreement shall be severable and remain in effect.

11. SUCCESSORS IN INTEREST

This contract binds CONTRACTOR's successors and assignees. CONTRACTOR shall notify the LEA of any change of ownership or corporate control.

12. VENUE AND GOVERNING LAW

The laws of the State of California shall govern the terms and conditions of this contract with venue in the County where the LEA is located.

13. MODIFICATIONS AND AMENDMENTS REQUIRED TO CONFORM TO LEGAL AND ADMINISTRATIVE GUIDELINES

This Master Contract may be modified or amended by the LEA to conform to administrative and statutory guidelines issued by any state, federal or local governmental agency. The party seeking such modification shall provide the LEA and/or CONTRACTOR thirty (30) days' notice of any such changes or modifications made to conform to administrative or statutory guidelines and a copy of the statute or regulation upon which the modification or changes are based.

14. TERMINATION

This Master Contract or ISA may be terminated for cause. The cause shall not be the availability of a public class initiated during the period of the contract unless the parent agrees to the transfer of the student to the public school program at an IEP team meeting. To terminate the contract either party shall give no less than twenty (20) days prior written notice (California Education Code section 56366(a)(4)). At the time of termination, CONTRACTOR shall provide to LEA any and all documents CONTRACTOR is required to maintain under this Master Contract. ISAs are void upon termination of this Master Contract, as provided in Section 5 or 6. CONTRACTOR or LEA may terminate an ISA for cause. To terminate the ISA, either party shall give twenty (20) days prior written notice.

15. INSURANCE

CONTRACTOR shall, at CONTRACTOR'S sole cost and expense, maintain in full force and effect, during the term of this Contract, the following insurance coverage from a California licensed and/or admitted insurer with an A minus (A-), VII, or better rating from A.M. Best, sufficient to cover any claims, damages, liabilities, costs and expenses (including counsel fees) arising out of or in connection with CONTRACTOR's fulfillment of any of its obligations under this Agreement or either party's use of the work or any component or part thereof:

PART I - INSURANCE REQUIREMENTS FOR NONPUBLIC SCHOOLS AND AGENCIES

- A. **Commercial General Liability Insurance**, including both bodily injury and property damage, with limits as follows:

- \$2,000,000 per occurrence
- \$ 500,000 fire damage
- \$ 5,000 medical expenses
- \$1,000,000 personal & adv. Injury
- \$3,000,000 general aggregate
- \$2,000,000 products/completed operations aggregate

The policy may not contain an exclusion for coverage of claims arising from claims for sexual molestation or abuse. In the event that CONTRACTOR's policy should have an exclusion for sexual molestation or abuse claims, then CONTRACTOR shall be required to procure a supplemental policy providing such coverage.

- B. **Workers' Compensation Insurance** in accordance with provisions of the California Labor Code adequate to protect the CONTRACTOR from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The Workers' Compensation Insurance coverage must also include Employers Liability coverage with limits of \$1,000,000/\$1,000,000/\$1,000,000.
- C. **Commercial Auto Liability Insurance** for all owned, non-owned or hired automobiles with a \$1 million combined single limit.

If no owned automobiles, then only hired and non-owned is required.

If CONTRACTOR uses a vehicle to travel to/from school sites, between schools and/or to/from students' homes or other locations as approved service locations by the LEA, CONTRACTOR must comply with State of California auto insurance requirements.

- D. **Errors & Omissions (E & O)/Malpractice (Professional Liability) coverage, including Sexual Molestation and Abuse coverage**, unless that coverage is afforded elsewhere in the Commercial General Liability policy by endorsement or separate policy, with the following limits:

\$1,000,000 per occurrence
\$2,000,000 general aggregate

- E. CONTRACTOR, upon execution of this Contract and periodically thereafter upon request, shall furnish the LEA with certificates of insurance evidencing such coverage. The certificate of insurance shall include a ten (10) day non-renewal notice provision. The Commercial General Liability and Automobile Liability policy shall name the LEA and the Board of Education additional insured's premiums on all insurance policies and shall be paid by CONTRACTOR and shall be deemed included in CONTRACTOR's obligations under this contract at no additional charge.
- F. Any deductibles or self-insured retentions above \$100,000 must be declared to and approved by the LEA. At its option, LEA may require the CONTRACTOR, at the CONTRACTOR's sole cost, to: (a) cause its insurer to reduce to levels specified by the LEA or eliminate such deductibles or self-insured retentions with respect to the LEA, its officials and employees, or (b) procure a bond guaranteeing payment of losses and related investigation.
- G. For any claims related to the services performed in connection with this Master Contract, the CONTRACTOR's insurance coverage shall be the primary insurance with respect to the LEA, its subsidiaries, officials and employees. Any insurance or self-insurance maintained by the LEA, its subsidiaries, officials and employees shall be excess of the CONTRACTOR's insurance and shall not contribute with it.
- H. All Certificates of Insurance must reference the contract number, name of the school or agency submitting the certificate, and the location of the school or agency submitting the certificate on the certificate.

PART II - INSURANCE REQUIREMENTS FOR NONPUBLIC SCHOOLS AFFILIATED WITH A RESIDENTIAL TREATMENT FACILITY ("RTC")

When CONTRACTOR is a NPS affiliated with a **residential treatment center (NPS/RTC)**, the following insurance policies are required:

- A. **Commercial General Liability** including both bodily injury and property damage, with limits as follows:

\$3,000,000 per occurrence
\$6,000,000 in General Aggregate.

The policy shall be endorsed to name the LEA and the Board of Education as *named* additional insured and shall provide specifically that any insurance carried by the LEA which may be

applicable to any claims or loss shall be deemed excess and the RTC's insurance primary despite any conflicting provisions in the RTC's policy. Coverage shall be maintained with no Self-Insured Retention above \$100,000 without the prior written approval of the LEA.

- B. **Workers' Compensation Insurance** in accordance with provisions of the California Labor Code adequate to protect the RTC from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The Workers' Compensation Insurance coverage must also include Employers Liability coverage with limits of \$1,000,000/\$1,000,000/\$1,000,000.
- C. **Commercial Auto Liability** coverage with limits of \$1,000,000 Combined Single Limit per Occurrence if the RTC does not operate a student bus service. If the RTC provides student bus services, the required coverage limit is \$5,000,000 Combined Single Limit per Occurrence.
- D. **Fidelity Bond or Crime Coverage** shall be maintained by the RTC to cover all employees who process or otherwise have responsibility for RTC funds, supplies, equipment or other assets. Minimum amount of coverage shall be \$250,000 per occurrence, with no self-insured retention.
- E. **Professional Liability/Errors & Omissions/Malpractice** coverage with minimum limits of \$3,000,000 per occurrence and \$6,000,000 general aggregate.
- F. **Sexual Molestation and Abuse Coverage**, unless that coverage is afforded elsewhere in the Commercial General Liability or Professional liability policy by endorsement, with minimum limits of \$3,000,000 per occurrence and \$6,000,000 general aggregate.

If LEA or CONTRACTOR determines that a change in insurance coverage obligations under this section is necessary, either party may reopen negotiations to modify the insurance obligations.

16. INDEMNIFICATION AND HOLD HARMLESS

To the fullest extent allowed by law, CONTRACTOR shall indemnify and hold LEA and its Board Members, administrators, employees, agents, attorneys, volunteers, and subcontractors ("LEA Indemnities") harmless against all liability, loss, damage and expense (including reasonable attorneys' fees) resulting from or arising out of this Master Contract or its performance, to the extent that such loss, expense, damage or liability was proximately caused by negligence, intentional act, or willful act or omission of CONTRACTOR, including, without limitation, its agents, employees, subcontractors or anyone employed directly or indirectly by it (excluding LEA and LEA Indemnities). The duty and obligation to defend shall arise immediately upon tender of a claim or lawsuit to the CONTRACTOR. The LEA and the Member District(s) shall have the right in their sole discretion to select counsel of its choice to provide the defense at the sole cost of the CONTRACTOR or the applicable insurance carrier.

To the fullest extent allowed by law, LEA shall indemnify and hold CONTRACTOR and its Board Members, administrators, employees, agents, attorneys, and subcontractors ("CONTRACTOR Indemnities") harmless against all liability, loss, damage and expense (including reasonable attorneys' fees) resulting from or arising out of this Master Contract or its performance thereof, to the extent that such loss, expense, damage or liability was proximately caused by the negligent, intentional act or willful act or omission of LEA, including, without limitation, its agents, employees, subcontractors or anyone employed directly or indirectly by it (excluding CONTRACTOR and/or any CONTRACTOR Indemnities).

LEA represents that it is self-insured in compliance with the laws of the State of California, that the self-insurance covers district employees acting within the course and scope of their respective duties and that its self-insurance covers the LEA's indemnification obligations under this Master Contract.

17. INDEPENDENT CONTRACTOR

Nothing herein contained will be construed to imply a joint venture, partnership or principal-agent relationship between the LEA and CONTRACTOR. CONTRACTOR shall provide all services under this Contract as an independent contractor, and neither party shall have the authority to bind or make any commitment on behalf of the other. Nothing contained in this Contract shall be deemed to create any association, partnership, joint venture or relationship of principal and agent, master and servant, or employer and employee between the parties or any affiliates of the parties, or between the LEA and any individual assigned by CONTRACTOR to perform any services for the LEA.

If the LEA is determined to be a partner, joint venture, co-principle, employer or co-employer of CONTRACTOR, CONTRACTOR shall indemnify and hold harmless the LEA from and against any and all claims for loss, liability, or damages arising from that determination, as well as any expenses, costs, taxes, penalties and interest charges incurred by the LEA as a result of that holding.

18. SUBCONTRACTING

CONTRACTOR shall provide written notification to LEA before subcontracting for special education and/or related services pursuant to this Master Contract. In the event LEA determines that it can provide the subcontracted service(s) at a lower rate, LEA may elect to provide such service(s). If LEA elects to provide such service(s), LEA shall provide written notification to CONTRACTOR within five (5) days of receipt of CONTRACTOR's original notice and CONTRACTOR shall not subcontract for said service(s).

CONTRACTOR shall incorporate all of the provisions of this Master Contract in all subcontracts, to the fullest extent reasonably possible. Furthermore, when CONTRACTOR enters into subcontracts for the provision of special education and/or related services (including, but not limited to, transportation) for any student, CONTRACTOR shall cause each subcontractor to procure and maintain insurance during the term of each subcontract. Such subcontractor's insurance shall comply with the provisions of Section 15. Each subcontractor shall furnish the LEA with original endorsements and certificates of insurance effecting coverage required by Section 15. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. The endorsements are to be on forms as required by the LEA. All endorsements are to be received and approved by the LEA before the subcontractor's work commences. The Commercial General Liability and Automobile Liability policies shall name the LEA/SELPA and the LEA Board of Education as additional insured.

As an alternative to the LEA's forms, a subcontractor's insurer may provide complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by this Master Contract. All Certificates of Insurance must reference the LEA contract number, name of the school or agency submitting the certificate, indication if NPS or NPA, and the location of the school or agency submitting the certificate. In addition, all subcontractors must meet the requirements as contained in Section 45 Clearance Requirements and Section 46 Staff Qualifications of this Master Contract.

19. CONFLICTS OF INTEREST

CONTRACTOR shall provide to LEA upon request a copy of its current bylaws and a current list of its Board of Directors (or Trustees), if it is incorporated. CONTRACTOR and any member of its Board of Directors (or Trustees) shall disclose any relationship with LEA that constitutes or may constitute a conflict of interest pursuant to California Education Code section 56042 and Government Code Section 1090 including, but not limited to, employment with LEA, provision of private party assessments and/or reports, and attendance at IEP team meetings acting as a student's advocate. Pursuant to California Education code section 56042, an attorney or advocate for a parent of an individual with exceptional needs shall not recommend placement at CONTRACTOR's facility if the attorney or advocate is employed or contracted

by the CONTRACTOR, or will receive a benefit from the CONTRACTOR, or otherwise has a conflict of interest.

The LEA shall neither execute an ISA with CONTRACTOR nor amend an existing ISA for a student when a recommendation for special education and/or related services is based in whole or in part on assessment(s) or reports provided by CONTRACTOR to the student without prior written authorization by LEA. This paragraph shall apply to CONTRACTOR regardless of when an assessment is performed or a report is prepared (i.e., before or after the student is enrolled in CONTRACTOR's school/agency) or whether an assessment of the student is performed or a report is prepared in the normal course of the services provided to the student by CONTRACTOR. To avoid conflict of interest, and in order to ensure the appropriateness of an Independent Educational Evaluation (hereinafter referred to as "IEE") and its recommendations, the LEA may not fund an IEE by an evaluator who provides ongoing service(s) or is sought to provide service(s) to the student for whom the IEE is requested. Likewise, the LEA may not fund services through the evaluator whose IEE the LEA agrees to fund. When no other appropriate assessor is available, LEA may request and if CONTRACTOR agrees, the CONTRACTOR may provide an IEE.

When CONTRACTOR is a NPA, CONTRACTOR acknowledges that its authorized representative has read and understands Education Code section 56366.3 which provides, in relevant part, that no special education and/or related services provided by CONTRACTOR shall be paid for by LEA if provided by an individual who is or was an employee of LEA within the three hundred and sixty-five (365) days prior to executing this contract. This provision does not apply to any person who is able to provide designated instruction and services during the extended school year because he or she is otherwise employed for up to ten months of the school year by LEA.

CONTRACTOR shall not admit a student living within the jurisdictional boundaries of the LEA on a private pay or tuition free "scholarship" basis and concurrently or subsequently advise/request parent(s) to pursue funding for the admitted school year from the LEA through due process proceedings.

20. NON-DISCRIMINATION

CONTRACTOR shall not, in employment or operation of its programs, unlawfully discriminate on the basis of gender, nationality, national origin, ancestry, race, color, ethnicity, ethnic group affiliation, religion, age, marital status, pregnancy or parental status, sex, sexual orientation, gender, gender identity or expression, physical or mental disability, genetic information or any other classification protected by federal or state law or the perception of one or more of such characteristics or association with a person or group with one or more of these actual or perceived characteristics.

EDUCATIONAL PROGRAM

21. FREE AND APPROPRIATE PUBLIC EDUCATION (FAPE)

The LEA shall provide CONTRACTOR with a copy of the IEP including the Individualized Transition Plan (hereinafter referred to as "ITP") of each student served by CONTRACTOR. CONTRACTOR shall provide special education and/or related services (including transition services) to each student within the NPS/A consistent with the student's IEP and as specified in the ISA. If CONTRACTOR is a NPS, CONTRACTOR shall not accept a student if it cannot provide or ensure the provision of the services outlined in the student's IEP. If student services are provided by a third party (i.e. Related Services Provider), CONTRACTOR shall notify LEA if provision of services cease.

Unless otherwise agreed to between CONTRACTOR and LEA, CONTRACTOR shall be responsible for the provision of all appropriate supplies, equipment, and/or facilities, as specified in the student's IEP and ISA. CONTRACTOR shall make no charge of any kind to parents for special education and/or related services

as specified in the student's IEP and ISA (including, but not limited to, screenings, assessments, or interviews that occur prior to or as a condition of the student's enrollment under the terms of this Master Contract). LEA shall provide low incidence equipment for eligible students with low incidence disabilities when specified in the student's IEP and ISA. Such equipment remains the property of the SELPA/LEA and shall be returned to the SELPA/LEA when the IEP team determines the equipment is no longer needed or when the student is no longer enrolled in the NPS. CONTRACTOR shall ensure that facilities are adequate to provide LEA students with an environment which meets all pertinent health and safety regulations. CONTRACTOR may charge a student's parent(s) for services and/or activities not necessary for the student to receive a free appropriate public education after: (a) written notification to the student's parent(s) of the cost and voluntary nature of the services and/or activities; and (b) receipt by the LEA of the written notification and a written acknowledgment signed by the student's parent(s) of the cost and voluntary nature of the services and/or activities. CONTRACTOR shall adhere to all LEA requirements concerning parent acknowledgment of financial responsibility.

Voluntary services and/or activities not necessary for the student to receive a free appropriate public education shall not interfere with the student's receipt of special education and/or related services as specified in the student's IEP and ISA unless the LEA, CONTRACTOR, and PARENT agree otherwise in writing.

22. GENERAL PROGRAM OF INSTRUCTION

All NPS/A services shall be provided consistent with the area of certification specified by CDE Certification and as defined in California Education Code section 56366 *et seq.*

When CONTRACTOR is a NPS, CONTRACTOR's general program of instruction shall: (a) utilize evidence-based practices and be consistent with LEA's standards regarding the particular course of study and curriculum; (b) include curriculum that addresses mathematics, literacy and the use of educational, assistive technology and transition services; (c) be consistent with CDE's standards regarding the particular course of study and curriculum; (d) provide the services as specified in the student's IEP and ISA. Students shall have access to: (a) State Board of Education (SBE) - adopted Common Core State Standards ("CCSS") for curriculum and the same instructional materials for kindergarten and grades 1 to 8, inclusive; and provide standards – aligned core curriculum and instructional materials for grades 9 to 12, inclusive, used by an LEA, that contracts with the NPS: (b) college preparation courses; (c) extracurricular activities, such as art, sports, music and academic clubs; (d) career preparation and vocational training, consistent with transition plans pursuant to state and federal law and; (e) supplemental assistance, including individual academic tutoring, psychological counseling, and career and college counseling.

When CONTRACTOR serves students in grades 9 through 12 inclusive, LEA shall provide to CONTRACTOR a specific list of the course requirements to be satisfied by the CONTRACTOR leading toward graduation or completion of LEA's diploma requirements. CONTRACTOR shall not award a high school diploma to students who have not successfully completed all of the LEA's graduation requirements.

When CONTRACTOR is a NPA and/or related services provider, CONTRACTOR's general program of instruction and/or services shall utilize evidence-based practices and be consistent with LEA and CDE guidelines and certification, and provided as specified in the student's IEP and ISA. The NPA providing Behavior Intervention services shall develop a written plan that specifies the nature of their NPA service for each student within thirty (30) days of enrollment and shall be provided in writing to the LEA. School-based services may not be unilaterally converted by CONTRACTOR to a substitute program or provided at a location not specifically authorized by the IEP team. Except for services provided by a CONTRACTOR that is a Licensed Children's Institution (LCI), all services not provided in the school setting require the presence of a parent, guardian or adult caregiver during the delivery of services, provided such guardian or caregiver have a signed authorization by the parent or legal guardian to authorize emergency services

as requested. LCI CONTRACTORS shall ensure that appropriate and qualified residential or clinical staff is present during the provision of services under this Master Contract. CONTRACTOR shall immediately notify LEA in writing if no parent, guardian or adult caregiver is present. CONTRACTOR shall provide to LEA a written description of the services and location provided prior to the effective date of this Master Contract. CONTRACTORS providing Behavior Intervention services must have a trained behaviorist or trained equivalent on staff. It is understood that Behavior Intervention services are limited per CDE Certification and do not constitute as an instructional program.

When CONTRACTOR is a NPA, CONTRACTOR shall not provide transportation nor subcontract for transportation services for students unless the LEA and CONTRACTOR agree otherwise in writing.

23. INSTRUCTIONAL MINUTES

When CONTRACTOR is a NPS, the total number of instructional minutes per school day provided by CONTRACTOR shall be at least equivalent to the number of instructional minutes per school day provided to students at like grade level attending LEA schools and shall be specified in the student's ISA developed in accordance with the student's IEP.

For students in grades kindergarten through 12 inclusive, unless otherwise specified in the student's IEP and ISA, the number of instructional minutes, excluding breakfast, recess, lunch and passing time shall be at the same level that Ed. Code prescribes for the LEA.

The total number of annual instructional minutes shall be at least equivalent to the total number of annual instructional minutes provided to students attending LEA schools in like grade level unless otherwise specified in the student's IEP.

When CONTRACTOR is a NPA and/or related services provider, the total number of minutes per school day provided by CONTRACTOR shall be specified in the student's ISA developed in accordance with the student's IEP.

24. CLASS SIZE

When CONTRACTOR is a NPS, CONTRACTOR shall ensure that class size shall not exceed a ratio of one teacher per twelve (12) students, unless CONTRACTOR and LEA agree otherwise in writing. Upon prior written approval by an authorized LEA representative, class size may be temporarily increased by a ratio of 1 teacher to fourteen (14) students when necessary during the regular or extended school year to provide services to students with disabilities.

In the event a NPS is unable to fill a vacant teaching position responsible for direct instruction to students, and the vacancy has direct impact on the CDE Certification of that school, the NPS shall develop a plan to ensure appropriate coverage of students by first utilizing existing certificated staff. The NPS and the LEA may agree to one 30 school day period per contract year where class size may be increased to ensure coverage by an appropriately credentialed teacher. Such an agreement shall be in writing and signed by both parties. This provision does not apply to a NPA.

CONTRACTOR providing special education instruction for individuals with exceptional needs between the ages of three and five years, inclusive, shall also comply with the appropriate instructional adult to child ratios pursuant to California Education Code sections 56440 et seq.

25. CALENDARS

When CONTRACTOR is a NPS, CONTRACTOR shall submit to the LEA/SELPA a school calendar with the total number of billable days not to exceed 180 days, plus extended school year billable days equivalent to the

number of days determined by the LEA's extended school year calendar. Billable days shall include only those days that are included on the submitted and approved school calendar, and/or required by the IEP (developed by the LEA) for each student. CONTRACTOR shall not be allowed to change its school calendar and/or amend the number of billable days without the prior written approval of the LEA. Nothing in this Master Contract shall be interpreted to require the LEA to accept any requests for calendar changes.

Unless otherwise specified by the student's IEP, educational services shall occur at the school site. A student shall only be eligible for extended school year services as determined by the IEP team and the provision of such is specifically included in the ISA. Extended school year shall consist of twenty (20) instructional days, unless otherwise agreed upon by the IEP team convened by the LEA. Any days of extended school year in excess of twenty (20) billable days must be mutually agreed to, in writing, prior to the start of the extended school year.

Student must have actually been in attendance during the regular school year and/or during extended school year and received services on a billable day of attendance in order for CONTRACTOR to be eligible for payment. It is specifically understood that services may not be provided on weekends/holidays and other times when school is not in session, unless agreed to by the LEA, in writing, in advance of the delivery of any NPS service. Any instructional days provided without this written agreement shall be at the sole financial responsibility of the CONTRACTOR.

CONTRACTOR shall observe the same legal holidays as LEA. Those holidays are Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day and Independence Day. With the approval of LEA, CONTRACTOR may revise the date upon which CONTRACTOR closes in observance of any of the holidays observed by the LEA.

When CONTRACTOR is a NPA, CONTRACTOR shall be provided with a LEA-developed/approved calendar prior to the initiation of services. CONTRACTOR herein agrees to observe holidays as specified in the LEA-developed/approved calendar. CONTRACTOR shall provide services pursuant to the LEA-developed/approved calendar; or as specified in the LEA student's IEP and ISA. Unless otherwise specified in the LEA student's ISA, CONTRACTOR shall provide related services to LEA students on only those days that the LEA student's school of attendance is in session and the LEA student attends school. CONTRACTOR shall bill only for services provided on billable days of attendance as indicated on the LEA calendar unless CONTRACTOR and the LEA agree otherwise, in writing. Student must have actually been in attendance and/or received services on a billable day of attendance in order for CONTRACTOR to be eligible for payment. It is specifically understood that services may not be provided on weekends/holidays and other times when school is not in session, unless agreed to by the LEA, in writing, in advance of the delivery of any NPA service provided by CONTRACTOR. Any instructional days provided without this written agreement shall be at the sole financial responsibility of the CONTRACTOR.

26. DATA REPORTING

CONTRACTOR shall agree to provide to the LEA all data related to student information and billing information with LEA. CONTRACTOR shall agree to provide data related to all sections of this contract, including student discipline as noted below, and requested by and in the format required by the LEA. It is understood that all NPS/A shall utilize the LEA approved electronic IEP system for all IEP development, service tracking documentation, and progress reporting, unless otherwise agreed to by the LEA. Additional progress reporting may be required by the LEA. The LEA shall provide the CONTRACTOR with appropriate software, user training and proper internet permissions to allow adequate access.

Using forms developed by the CDE or as otherwise mutually agreed upon by CONTRACTOR and LEA, CONTRACTOR shall provide LEA, on a monthly basis, a written report of all incidents in which a statutory offense is committed by any LEA student, regardless if it results in a disciplinary action of suspension or expulsion. This includes all statutory offenses as described in Education Code sections 48900 and 48915.

CONTRACTOR shall also include incidents resulting in the use of a behavioral restraint and/or seclusion even if they were not a result of a violation of Education Code sections 48900 and 48915.

The LEA shall provide the CONTRACTOR with approved forms and/or format for such data including, but not limited to, invoicing, attendance reports and progress reports. The LEA may approve use of CONTRACTOR'S provided forms at their discretion.

27. LEAST RESTRICTIVE ENVIRONMENT/DUAL ENROLLMENT

CONTRACTOR and LEA shall follow all LEA policies and procedures that support Least Restrictive Environment ("LRE") options and/or dual enrollment options if available and appropriate, for students to have access to the general curriculum and to be educated with their nondisabled peers to the maximum extent appropriate.

CONTRACTOR and LEA shall ensure that LRE placement options are addressed at all IEP team meetings regarding students for whom ISAs have been or may be executed. This shall include IEP team consideration of supplementary aids and services, goals and objectives necessary for placement in the LRE and necessary to enable students to transition to less restrictive settings.

When an IEP team has determined that a student should be transitioned into the public school setting, CONTRACTOR shall assist the LEA in implementing the IEP team's recommended activities to support the transition.

28. STATEWIDE ACHIEVEMENT TESTING

When CONTRACTOR is a NPS, per implementation of Senate Bill 484, CONTRACTOR shall administer all statewide assessments within the California Assessment of Student Performance and Progress ("CAASPP"), Desired Results Developmental Profile ("DRDP"), California Alternative Assessment ("CAA"), achievement and abilities tests (using LEA-authorized assessment instruments), the Fitness Gram, , the English Language Proficiency Assessments for California ("ELPAC"), the Alternative English Language Proficiency Assessments for California ("Alternative ELPAC"), and as appropriate to the student, and mandated by LEA pursuant to LEA and state and federal guidelines.

CONTRACTOR is subject to the alternative accountability system developed pursuant to Education Code section 52052, in the same manner as public schools. Each LEA student placed with CONTRACTOR by the LEA shall be tested by qualified staff of CONTRACTOR in accordance with that accountability program. LEA shall provide test administration training to CONTRACTOR'S qualified staff. CONTRACTOR shall attend LEA test training and comply with completion of all coding requirements as required by LEA.

29. MANDATED ATTENDANCE AT LEA MEETINGS

CONTRACTOR shall attend District mandated meetings when legal mandates, and/or LEA policy and procedures are reviewed, including but not limited to the areas of: curriculum, high school graduation, standards-based instruction, behavior intervention, cultural and linguistic needs of students with disabilities, dual enrollment responsibilities, LRE responsibilities, transition services, data collection, and standardized testing and IEPs. LEA shall provide CONTRACTOR with reasonable notice of mandated meetings. Attendance at such meetings does not constitute a billable service hour(s).

30. POSITIVE BEHAVIOR INTERVENTIONS AND SUPPORTS

CONTRACTOR shall comply with the requirements of Education Code section 49005, *et seq.*, 56521.1 and 56521.2. LEA students who exhibit behaviors that interfere with their learning or the learning of others must receive timely and appropriate assessments and positive supports and interventions in accordance

with the federal law and its implementing regulations. If the IEP team determines that a student's behavior impedes his or her learning or the learning of others, the IEP team is required to consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior, consistent with Section 1414(d)(3)(B)(i) and (d)(4) of Title 20 of the United States Code and associated federal regulations. This could mean that instead of developing a Behavior Intervention Plan ("BIP"), the IEP team may conclude it is sufficient to address the student's behavioral problems through the development of behavioral goals and behavioral interventions to support those goals.

CONTRACTOR shall maintain a written policy pursuant to California Education Code section 56521.1 regarding emergency interventions and behavioral emergency reports. CONTRACTOR shall ensure that all of its staff members are trained in crisis intervention, emergency procedures, and evidenced-based practices and interventions specific to the unique behavioral needs of the CONTRACTOR's pupil population. The training shall be provided within 30 days of employment to new staff who have any contact or interaction with pupils during the school day, and annually to all staff who have any contact or interaction with pupils during the school day. The CONTRACTOR shall select and conduct the training in accordance with California Education Code section 56366.1. CONTRACTOR shall maintain written records of the training and provide written verification of the training annually and upon request.

Pursuant to Education Code section 56521.1, emergency interventions shall not be used as a substitute for a BIP, and shall not be employed longer than necessary to contain the behavior. Emergency interventions may only be used to control unpredictable, spontaneous behavior that poses clear and present danger of serious physical harm to the individual with exceptional needs, or others, and that cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior. If a situation requires prolonged use of emergency intervention, staff must seek assistance from the school site administrator or a law enforcement agency.

CONTRACTOR shall complete a behavior emergency report when an emergency occurs that is defined as a serious, dangerous behavior that staff has determined to present a clear and present danger to others. It requires a non-violent physical intervention to protect the safety of student, self, or others and a physical intervention has been used; or a physical intervention has not been used, but an injury or serious property damage has occurred. Personal Safety Techniques may or may not have been used. Emergencies **require** a behavior emergency report form be completed and submitted to the LEA within twenty-four (24) hours for administrative action. CONTRACTOR shall notify Parent within twenty-four (24) hours via telephone. If the student's IEP does not contain a BIP, an IEP team shall schedule a meeting to review the behavior emergency report, determine if there is a necessity for a functional behavioral assessment, and to determine an interim plan. If the student already has a BIP, the IEP team shall review and modify the BIP if a new serious behavior has been exhibited or existing behavioral interventions have proven to be ineffective. CONTRACTOR shall schedule with LEA an IEP meeting within two (2) days.

Pursuant to Education Code section 56521.2, CONTRACTOR shall not authorize, order, consent to, or pay for the following interventions, or any other interventions similar to or like the following: (1) any intervention that is designed to, or likely to, cause physical pain, including, but not limited to, electric-shock; (2) an intervention that involves the release of noxious, toxic, or otherwise unpleasant sprays, mists, or substances in proximity to the face of the individual; (3) an intervention that denies adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities; (4) an intervention that is designed to subject, used to subject, or likely to subject, the individual to verbal abuse, ridicule, or humiliation, or that can be expected to cause excessive emotional trauma; (5) restrictive interventions that employ a device, material, or objects that simultaneously immobilize all four extremities, including the procedure known as prone containment, except that prone containment or similar techniques may be used by trained personnel as a limited emergency intervention; (6) locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use a locked room; (7) an intervention that precludes adequate supervision of the individual; (8) an intervention that deprives the individual of one or more of his or her senses.

In the case of a child whose behavior impedes the child's learning or that of others, the IEP team shall consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior, consistent with Section 1414(d)(3)(B)(i) and (d)(4) of Title 20 of the United States Code and associated federal regulations.

All restraint practices must be reviewed and revised when they have an adverse effect on a student and are used repeatedly for an individual child, either on multiple occasions within the same classroom or multiple uses by the same individual. CONTRACTOR shall notify the student's parent/guardian when any type of physical or mechanical restraint or seclusion has been used. Upon the use of any type of physical or mechanical restraint or seclusions of an LEA student, CONTRACTOR shall complete a BER per the reporting and notification requirements listed above.

31. STUDENT DISCIPLINE

CONTRACTOR shall maintain and abide by a written policy for student discipline that is consistent with state and federal law and regulations. Using forms developed by the California Department of Education or as otherwise mutually agreed upon by CONTRACTOR and LEA, CONTRACTOR shall provide LEA, on a monthly basis, a written report of all incidents in which a statutory offense is committed by any LEA student, regardless if it results in a disciplinary action of suspension or expulsion. This includes all statutory offenses as described in Education Codes 48900 and 48915. CONTRACTOR shall also include incidents resulting in the use of a behavioral restraint and/or seclusion even if they were not a result of a violation of Education Code Sections 48900 and 48915.

When CONTRACTOR seeks to remove a student from his/her current educational placement for disciplinary reasons, CONTRACTOR shall immediately submit a written discipline report to the LEA. Written discipline reports shall include, but not be limited to: the student's name; the time, date, and description of the misconduct; the disciplinary action taken by CONTRACTOR; and the rationale for such disciplinary action. A copy of the student's behavior plan, if any, shall be submitted with the written discipline report. CONTRACTOR and LEA agree to participate in a manifestation determination at an IEP meeting no later than the tenth (10th) day of suspension.

32. IEP TEAM MEETINGS

An IEP team meeting shall be convened at least annually to evaluate: (1) the educational progress of each student placed with CONTRACTOR, including all state assessment results pursuant to the requirements of Education Code section 52052; (2) whether or not the needs of the student continue to be best met at the NPS; and (3) whether changes to the student's IEP are necessary, including whether the student may be transitioned to a public school setting. (California Education Code sections 56366 (a) (2) (B) (i) and (ii)) and pursuant to California Education Code section 56345 (b) (4).)

If the LEA student is to be transferred from a NPS setting into a regular class setting in a public school for any part of the school day, the IEP team shall document, if appropriate, a description of activities provided to integrate the student into the regular education program, including the nature of each activity as well as the time spent on the activity each day or week and a description of the activities provided to support the transition of the student from the special education program into the regular education program. Each student shall be allowed to provide confidential input to any representative of his or her IEP team. Except as otherwise provided in the Master Contract, CONTRACTOR and LEA shall participate in all IEP team meetings regarding students for whom ISAs have been or may be executed. At any time during the term of this Master Contract, the parent, the CONTRACTOR or the LEA may request a review of the student's IEP, subject to all procedural safeguards required by law, including reasonable notice given to, and participation of, the CONTRACTOR in the meeting. Every effort shall be made to schedule IEP team meetings at a time and place that is mutually convenient to parent, CONTRACTOR and LEA. CONTRACTOR

shall provide to LEA assessments and written assessment reports by service providers upon request and/or pursuant to LEA policy and procedures. It is understood that attendance at an IEP meeting is part of CONTRACTOR'S professional responsibility and is not a billable service under this Master Contract.

It is understood that the CONTRACTOR shall utilize the approved electronic IEP system of the LEA for all IEP planning and progress reporting at the LEA's discretion. The LEA or SELPA may provide training for any CONTRACTOR to ensure access to the approved system. The CONTRACTOR shall maintain confidentiality of all IEP data on the approved system and shall protect the password requirements of the system. When a student dis-enrolls from the NPS/NPA, the NPS/NPA and LEA shall discontinue use of the approved system for that student.

Changes in any student's educational program, including instruction, services, or instructional setting provided under this Master Contract, may only be made on the basis of revisions to the student's IEP. In the event that the CONTRACTOR believes the student requires a change of placement, the CONTRACTOR may request a review of the student's IEP for the purposes of consideration of a change in the student's placement. Student is entitled to remain in the last agreed upon and implemented placement unless parent agrees otherwise or an Interim Alternative Educational Setting is deemed lawful and appropriate by LEA or OAH consistent with Section 1415 (k)(1)(7) of Title 20 of the United States Code.

33. SURROGATE PARENTS AND FOSTER YOUTH

CONTRACTOR shall comply with LEA surrogate parent assignments. Surrogate parents shall serve as the child's parent and have all the rights relative to the student's education that a parent has under the Individuals with Disabilities Education Act pursuant to *20 USC 1414-1482 and 34 CFR 300.1-300.756*. A pupil in foster care shall be defined pursuant to California Education Code section 42238.01(b). The LEA shall annually notify the CONTRACTOR who the LEA has designated as the educational liaison for foster children. When a pupil in foster care is enrolled in a NPS by the LEA any time after the completion of the pupil's second year of high school, the CONTRACTOR shall schedule the pupil in courses leading towards graduation based on the diploma requirements of the LEA unless provided notice otherwise in writing pursuant to Section 51225.1.

34. DUE PROCESS PROCEEDINGS

CONTRACTOR shall fully participate in special education due process proceedings including mediations and hearings, as requested by LEA. Participation further includes the willingness to make CONTRACTOR's staff available for witness preparation and testimony as is necessary to facilitate a due process hearing. CONTRACTOR shall also fully participate in the investigation and provision of documentation related to any complaint filed with the State of California, the Office of Civil Rights, or any other state and/or federal governmental body or agency. Full participation shall include, but in no way be limited to, cooperating with LEA representatives to provide complete answers raised by any investigator and/or the immediate provision of any and all documentation that pertains to the operation of CONTRACTOR's program and/or the implementation of a particular student's IEP/Individual and Family Service Plan ("IFSP").

35. COMPLAINT PROCEDURES

CONTRACTOR shall maintain and adhere to its own written procedures for responding to parent complaints. These procedures shall include annually notifying and providing parents of students with appropriate information (including complaint forms) for the following: (1) Uniform Complaint Procedures pursuant to Title 5 of the California Code of Regulations section 4600 *et seq.*; (2) Nondiscrimination policy pursuant to Title 5 of the California Code of Regulations section 4960 (a); (3) Sexual Harassment Policy, California Education Code 231.5 (a) (b) (c); (4) Title IX Student Grievance Procedure, Title IX 106.8 (a) (d) and 106.9 (a); and (5) Notice of Privacy Practices in compliance with Health Insurance Portability and

Accountability Act ("HIPAA"). CONTRACTOR shall include verification of these procedures to the LEA. CONTRACTOR shall immediately notify LEA of any complaints filed against it related to LEA students and provide LEA with all documentation related to the complaints and/or its investigation of complaints, including any and all reports generated as a result of an investigation.

36. STUDENT PROGRESS REPORTS/REPORT CARDS AND ASSESSMENTS

Unless LEA requests in writing that progress reports be provided on a monthly basis, CONTRACTOR shall provide to parents at least four (4) written progress reports/report cards. At a minimum, progress reports shall include progress over time towards IEP goals and objectives. A copy of the progress reports/report cards shall be maintained at the CONTRACTOR's place of business and shall be submitted to the LEA and LEA student's parent(s) quarterly.

The CONTRACTOR shall also provide an LEA representative access to supporting documentation used to determine progress on any goal or objective, including but not limited to log sheets, observation notes, data sheets, pre/post tests, rubrics and other similar data collection used to determine progress or lack of progress on approved goals, objectives, transition plans or behavior intervention plans. The LEA may request such data at any time within five (5) years of the date of service. The CONTRACTOR shall provide this data supporting progress within five (5) business days of request. Additional time may be granted as needed by the LEA.

CONTRACTOR shall complete academic or other evaluations of the student ten (10) days prior to the student's annual or triennial review IEP team meeting for the purpose of reporting the student's present levels of performance at the IEP team meeting as required by state and federal laws and regulations and pursuant to LEA policies, procedures, and/or practices. CONTRACTOR shall provide sufficient copies of its reports, documents, and projected goals to share with members of the IEP team five (5) business days prior to the IEP meeting. CONTRACTOR shall maintain supporting documentation such as test protocols and data collection, which shall be made available to LEA within five (5) business days of request.

The CONTRACTOR is responsible for all evaluation costs regarding the updating of goals and objectives, progress reporting and development of present levels of performance. All assessments resulting from an assessment plan shall be provided by the LEA unless the LEA specifies in writing a request that CONTRACTOR perform such additional assessment. Any assessment and/or evaluation costs may be added to the ISA and/or approved separately by the LEA at the LEA's sole discretion.

It is understood that all billable hours must be in direct services to pupils as specified in the ISA. For NPA services, supervision provided by a qualified individual as specified in Title 5 Regulation, subsection 3065, shall be determined as appropriate and included in the ISA. Supervision means the direct observation of services, data review, case conferencing and program design consistent with professional standards for each professional's license, certification, or credential.

CONTRACTOR shall not charge the student's parent(s) or LEA for the provision of progress reports, report cards, evaluations conducted in order to obtain present levels of performance, interviews, and/or meetings. It is understood that all billable hours have limits to those specified on the ISA consistent with the IEP. It is understood that copies of data collection notes, forms, charts and other such data are part of the pupil's record and shall be made available to the LEA upon written request.

37. TRANSCRIPTS

When CONTRACTOR is a NPS, CONTRACTOR shall prepare transcripts at the close of each semester, or upon student transfer, for students in grades nine (9) through twelve (12) inclusive, and submit them on LEA approved forms to the student's school of residence for evaluation of progress toward completion of

diploma requirements as specified in LEA Procedures. CONTRACTOR shall submit to the LEA names of students and their schools of residence for whom transcripts have been submitted as specified by the LEA.

38. STUDENT CHANGE OF RESIDENCE

Within five (5) school days from the date CONTRACTOR becomes aware of a student's change of residence, CONTRACTOR shall notify LEA, in writing, of the student's change of residence as specified in LEA Procedures. Upon enrollment, CONTRACTOR shall notify parents in writing of their obligation to notify CONTRACTOR of the student's change of residence. CONTRACTOR shall maintain, and provide upon request by LEA, documentation of such notice to parents.

If CONTRACTOR had knowledge or should reasonably have had knowledge of the student's change of residence boundaries and CONTRACTOR fails to follow the procedures specified in this provision, LEA shall not be responsible for the costs of services delivered following the student's change of residence.

39. WITHDRAWAL OF STUDENT FROM PROGRAM

CONTRACTOR shall immediately report electronically and in writing to the LEA within five (5) business days when an LEA student is withdrawn without prior notice from school and/or services, including student's change of residence to a residence outside of LEA service boundaries, and student's discharge against professional advice from a NPS/RTC.

40. PARENT ACCESS

CONTRACTOR shall provide for reasonable parental access to students and all facilities including, but not limited to, the instructional setting, recreational activity areas, meeting rooms and student living quarters. CONTRACTOR shall comply with any known court orders regarding parental visits and access to LEA students.

CONTRACTOR operating programs associated with a NPS/RTC shall cooperate with a parent's reasonable request for LEA student therapeutic visits in their home or at the NPS/RTC. CONTRACTOR shall require that parents obtain prior written authorization for therapeutic visits from the CONTRACTOR and the LEA at least thirty (30) days in advance. CONTRACTOR shall facilitate all parent travel and accommodations and for providing travel information to the parent as appropriate. Payment by LEA for approved travel-related expenses shall be made directly through the LEA consistent with LEA Procedures.

CONTRACTOR providing services in the student's home as specified in the IEP shall ensure that at least one parent of the child, or an adult caregiver with written and signed authorization to make decisions in an emergency, is present. The names of any adult caregiver other than the parent shall be provided to the LEA prior to the start of any home based services, including written and signed authorization in emergency situations. The parent shall inform the LEA of any changes of caregivers and provide written authorization for emergency situation. The adult caregiver cannot also be an employee or volunteer associated with the NPS/NPA service provider.

All problems and/or concerns reported to parents, both verbal and written, shall also be provided, in writing, to the LEA.

41. LICENSED CHILDREN'S INSTITUTION ("LCI") CONTRACTORS AND RESIDENTIAL TREATMENT CENTER ("RTC") CONTRACTORS

If CONTRACTOR is a LCI, CONTRACTOR shall adhere to all legal requirements regarding educational placements for LCI students as stated in Education Code 56366 (a) (2) (C), 56366.9 (c) (1), Health and Safety Code section 1501.1(b), AB 1858 (2004), AB490 (Chapter 862, Statutes of 2003), AB 1261 (2005),

AB 1166 Chapter 171 (2015), AB 167 Chapter 224 (2010), AB 216 Chapter 324 (2013), AB 379 Chapter 772 (2015), AB 1012 Chapter 703 (2015), and the procedures set forth in the LEA Procedures. An LCI shall not require that a pupil be placed in its NPS as a condition of being placed in its residential facility.

If CONTRACTOR is a NPS/RTC, CONTRACTOR shall adhere to all legal requirements under the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. section 1412(a)(1)(A) and Education Code section 56000, et seq.; amended and reorganized by the Individuals with Disabilities Education Improvement Act of 2004 (IDEIA), 20 U.S.C. section 1401(29); Education Code section 56031; Cal. Code Regs., Title 5, section 3001 et seq., regarding the provision of counseling services, including residential care for students to receive a FAPE as set forth in the LEA student's IEPs. CONTRACTOR shall meet all monitoring requirements as noted in Section 43 below.

If CONTRACTOR is a NPS that is owned, operated by, or associated with a LCI, CONTRACTOR shall provide to LEA, on a quarterly basis, a list of all students, including those identified as eligible for special education. For those identified as special education students, the list shall include: 1) special education eligibility at the time of enrollment and; 2) the educational placement and services specified in each student's IEP at the time of enrollment. A copy of the current IEP shall be provided to the LEA.

Unless placement is made pursuant to an Office of Administrative Hearings order or a lawfully executed agreement between LEA and parent, LEA is not responsible for the costs associated with NPS placement until the date on which an IEP team meeting is convened, the IEP team determines that a NPS placement is appropriate, and the IEP is signed by the student's parent or another adult with educational decision-making rights.

In addition to meeting the certification requirements of the State of California, a CONTRACTOR that operates a program outside of this State shall be certified or licensed by that state to provide, respectively, special education and related services and designated instruction and related services to pupils under the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).

42. STATE MEAL MANDATE

When CONTRACTOR is a NPS, CONTRACTOR and LEA shall satisfy the State Meal Mandate under California Education Code sections 49530, 49530.5 and 49550.

43. MONITORING

When CONTRACTOR is a NPS, the LEA (or SELPA) shall conduct at least one onsite monitoring visit during each school year to the NPS at which the LEA has a pupil attending and with which it maintains a master contract. The monitoring visit shall include, but is not limited to, a review of services provided to the pupil through the ISA between the LEA and the NPS, a review of progress the pupil is making toward the goals set forth in the pupil's individualized education program, a review of progress the pupil is making toward the goals set forth in the pupil's behavioral intervention plan, if applicable, an observation of the pupil during instruction, and a walkthrough of the facility. The LEA (or SELPA) shall report the findings resulting from the monitoring visit to the California Department of Education within 60 calendar days of the onsite visit.

The LEA (or SELPA) shall conduct an onsite visit to the NPS before placement of a pupil if the LEA does not have any pupils enrolled at the school at the time of placement.

CONTRACTOR shall allow LEA representatives access to its facilities for additional periodic monitoring of each student's instructional program. LEA shall have access to observe each student at work, observe the instructional setting, interview CONTRACTOR, and review each student's records and progress. Such access shall include unannounced monitoring visits. When making site visits, LEA shall initially report to

CONTRACTOR's site administrative office. CONTRACTOR shall be invited to participate in the review of each student's progress.

If CONTRACTOR is also an LCI and/or NPS/RTC, the CDE shall annually evaluate whether CONTRACTOR is in compliance with Education Code section 56366.9 and Health and Safety Code section 1501.1(b).

The State Superintendent of Public Instruction ("Superintendent") shall monitor CONTRACTOR'S facilities, the educational environment, and the quality of the educational program, including the teaching staff, the credentials authorizing service, the standards-based core curriculum being employed, and the standard focused instructional materials used on a three-year cycle, as follows: (1) CONTRACTOR shall complete a self-review in year one; (2) the Superintendent shall conduct an onsite review in year two; and (3) the Superintendent shall conduct a follow-up visit in year three.

CONTRACTOR shall participate in any LEA or CDE compliance review, if applicable, to be conducted as aligned with the CDE Onsite Review and monitoring cycle in accordance with California Education Code section 56366.1(j). This review will address programmatic aspects of the NPS, compliance with relevant state and federal regulations, and Master Contract compliance. CONTRACTOR shall conduct any follow-up or corrective action procedures related to review findings.

CONTRACTOR understands that LEA reserves the right to institute a program audit with or without cause. The program audit may include, but is not limited to, a review of core compliance areas of health and safety; curriculum/instruction; related services; and contractual, legal, and procedural compliance.

When CONTRACTOR is a NPS, CONTRACTOR shall collect all applicable data and prepare the applicable portion of a School Accountability Report Card as appropriate in accordance with California Education Code Section 33126.

PERSONNEL

44. CLEARANCE REQUIREMENTS

CONTRACTOR shall comply with the requirements of California Education Code sections 44237, 35021.1, 35021.2, and 56366.1 including, but not limited to: obtaining clearance from both the California Department of Justice (hereinafter referred to as "CDOJ") and clearance from the Federal Bureau of Investigation (hereinafter referred to as "FBI") for CONTRACTOR's employees and volunteers who will have or likely may have any direct contact with LEA students. CONTRACTOR hereby agrees that CONTRACTOR's employees and volunteers shall not come in contact with students until CDOJ and FBI clearance are ascertained. CONTRACTOR shall certify in writing to LEA that none of its employees, and volunteers, unless CONTRACTOR determines that the volunteers will have no direct contact with students, or subcontractors who may come into contact with students have been convicted of a violent or serious felony as those terms are defined in California Education Code section 44237(h), unless despite the employee's conviction of a violent or serious felony, he or she has met the criteria to be eligible for employment pursuant to California Education Code section 44237 (i) or (j). Contractor shall certify to LEA that they have successful background checks and enrolled in subsequent arrest notification service for all employees who may come into contact with students.

Notwithstanding the restrictions on sharing and destroying criminal background check information, CONTRACTOR, upon demand, shall make available to the LEA evidence of a successful criminal background check clearance and enrollment in subsequent arrest notification service, as provided, for each owner, operator, and employee of the NPS/A. CONTRACTOR is required to retain the evidence on-site, as specified, for all staff, including those licensed or credentialed by another state agency. Background

clearances and proof of subsequent arrest notification service, as required by California Penal Code section 11105.2, for all staff shall be provided to the LEA upon request.

45. STAFF QUALIFICATIONS

CONTRACTOR shall ensure that all individuals employed, contracted, and/or otherwise hired by CONTRACTOR to provide classroom and/or individualized instruction or related services hold a license, certificate, permit, or other document equivalent to that which staff in a public school are required to hold in the service rendered consistent with Education Code section 56366.1(n)(1) and are qualified pursuant to Title 34 of the Code of Federal Regulations sections 200.56 and 200.58, and Title 5 of the California Code of Regulations sections 3001(r), 3064 and 3065. Such qualified staff may only provide related services within the scope of their professional license, certification or credential and ethical standards set by each profession, and not assume responsibility or authority for another related services provider or special education teacher's scope of practice.

CONTRACTOR shall ensure that all staff are appropriately credentialed to provide instruction and services to students with the disabling conditions placed in their program/school through documentation provided to the CDE (5 CCR 3064 (a)).

When CONTRACTOR is a NPS, an appropriately qualified person shall serve as curricular and instructional leader, and be able to provide leadership, oversight and professional development. The administrator of the NPS holds or is in the process of obtaining one of the following: (A) An administrative credential granted by an accredited postsecondary educational institution and two years of experience with pupils with disabilities. (B) A pupil personnel services credential that authorizes school counseling or psychology. (C) A license as a clinical social worker issued by the Board of Behavioral Sciences. (D) A license in psychology regulated by the Board of Psychology. (E) A master's degree issued by an accredited postsecondary institution in education, special education, psychology, counseling, behavioral analysis, social work, behavioral science, or rehabilitation. (F) A credential authorizing special education instruction and at least two years of experience teaching in special education before becoming an administrator. (G) A license as a marriage and family therapist certified by the Board of Behavioral Sciences. (H) A license as an educational psychologist issued by the Board of Behavioral Sciences. (I) A license as a professional clinical counselor issued by the Board of Behavioral Sciences. (California Education Code Section 56366.1 (a)(5))

CONTRACTOR shall comply with personnel standards and qualifications regarding instructional aides and teacher assistants respectively pursuant to federal requirements and California Education Code sections 45340 *et seq.* and 45350 *et seq.* Specifically, all paraprofessionals, including but not limited to, instructional aides and teacher assistants, employed, contracted, and/or otherwise hired or subcontracted by CONTRACTOR to provide classroom and/or individualized instruction or related services, shall possess a high school diploma (or its recognized equivalent) and at least one of the following qualifications: (a) completed at least two (2) years of study at an institution of higher education; or (b) obtained an associate's (or higher) degree; or (c) met a rigorous standard of quality and can demonstrate, through a formal state or local assessment (i) knowledge of, and the ability to assist in instructing, reading, writing, and mathematics; or (ii) knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate. CONTRACTOR shall comply with all laws and regulations governing the licensed professions, including but not limited to, the provisions with respect to supervision.

In addition to meeting the certification requirements of the State of California, a CONTRACTOR that operates a program outside of this state and serving a student by this LEA shall be certified or licensed by that state to provide special education and related services to pupils under the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 *et seq.*).

46. VERIFICATION OF LICENSES, CREDENTIALS AND OTHER DOCUMENTS

CONTRACTOR shall submit to LEA a staff list, and copies of all current licenses, credentials, certifications, permits and/or other documents which entitle the holder to provide special education and/or related services by individuals employed, contracted, and/or otherwise hired or sub-contracted by CONTRACTOR. CONTRACTOR shall ensure that all licenses, credentials, permits or other documents are on file at the office of the County Superintendent of Schools. CONTRACTOR shall provide the LEA with the verified dates of fingerprint clearance, Department of Justice clearance and Tuberculosis Test clearance for all employees, approved subcontractors and/or volunteers prior to such individuals starting to work with any student.

CONTRACTOR shall monitor the status of licenses, credentials, certifications, permits and/or other documents for all individuals employed, contracted, and/or otherwise hired by CONTRACTOR. CONTRACTOR shall notify LEA and CDE in writing within forty-five (45) days when personnel changes occur which may affect the provision of special education and/or related services to LEA students. CONTRACTOR shall notify LEA within forty-five (45) days if any such licenses, certifications or waivers are expired, suspended, revoked, rescinded, challenged pursuant to an administrative or legal complaint or lawsuit, or otherwise nullified during the effective period of this Master Contract. The LEA shall not be obligated to pay for any services provided by a person whose such licenses, certifications or waivers are expired, suspended, revoked, rescinded, or otherwise nullified during the period which such person is providing services under this Master Contract. Failure to notify the LEA and CDE of any changes in credentialing/licensed staff may result in suspension or revocation of CDE certification and/or suspension or termination of this Master Contract by the LEA.

47. STAFF ABSENCE

When CONTRACTOR is a NPA and/or related services provider, and CONTRACTOR's service provider is absent, CONTRACTOR shall provide a qualified (as defined in Section 7 of this agreement and as determined by LEA) substitute, unless LEA provides appropriate coverage in lieu of CONTRACTOR's service providers. It is understood that the parent of a student shall not be deemed to be a qualified substitute for their student. LEA will not pay for services unless a qualified substitute is provided and/or CONTRACTOR provides documentation evidencing the provision of "make-up" services by a qualified service provider within thirty (30) calendar days from the date on which the services should have been provided. CONTRACTOR shall not "bank" or "carry over" make up service hours under any circumstances, unless otherwise agreed to in writing by CONTRACTOR and authorized LEA representative.

48. STAFF PROFESSIONAL BEHAVIOR WHEN PROVIDING SERVICES AT SCHOOL OR SCHOOL RELATED EVENTS OR AT SCHOOL FACILITY AND/OR IN THE HOME

It is understood that all employees, subcontractors, and volunteers of any certified NPS/A shall adhere to the customary professional and ethical standards when providing services. All practices shall only be within the scope of professional responsibility as defined in the professional code of conduct for each profession as well as any LEA professional standards as specified in Board policies and/or regulations when made available to the CONTRACTOR.

For services provided on a public school campus, sign in/out procedures shall be followed by NPS/A providers working in a public school classroom along with all other procedures for being on campus consistent with school and district policy. Such policies and procedures shall be made available to the CONTRACTOR upon request. It is understood that the public school credentialed classroom teacher is responsible for the instructional program.

CONTRACTOR providing services outside of the student's school as specified in the IEP shall ensure that at least one parent of the child or an adult caregiver with written and signed authority to make decisions in an emergency is present during provision of services. The names of any adult caregiver other than the parent shall be provided to the LEA prior to the start of any home-based services, including written and signed authorization in emergency situations. The adult caregiver cannot also be an employee or volunteer associated with the NPS/NPA service provider. All problems and/or concerns reported by CONTRACTOR to parents or guardians, in either verbal or written form, shall be reported to the LEA.

HEALTH AND SAFETY MANDATES

49. HEALTH AND SAFETY

CONTRACTOR shall comply with all applicable federal, state, local, and LEA laws, regulations, ordinances, policies, and procedures regarding student and employee health and safety. CONTRACTOR shall comply with the requirements of California Education Code sections 35021 *et. seq.* and 49406, regarding the examination of CONTRACTOR's employees and volunteers for tuberculosis. CONTRACTOR shall provide to LEA documentation for each individual volunteering, employed, contracted, and/or otherwise hired by CONTRACTOR of such compliance before an individual comes in contact with a student.

CONTRACTOR shall comply with OSHA Blood-Borne Pathogens Standards, 29 Code of Federal Regulations (CFR) section 1910.1030, when providing medical treatment or assistance to a student. CONTRACTOR further agrees to provide annual training regarding universal health care precautions and to post required notices in areas designated in the California Health and Safety Code.

50. FACILITIES AND FACILITIES MODIFICATIONS

CONTRACTOR shall provide special education and/or related services to students in facilities that comply with all applicable federal, state, and local laws, regulations, and ordinances related, but not limited to: disability access; fire, health, sanitation, and building standards and safety; fire warning systems; zoning permits; and occupancy capacity. When CONTRACTOR is a NPS, CONTRACTOR shall conduct fire drills as required by Title 5 California Code of Regulations section 550. CONTRACTOR shall be responsible for any structural changes and/or modifications to CONTRACTOR's facilities as required complying with applicable federal, state, and local laws, regulations, and ordinances. Failure to notify the LEA and CDE of any changes in, major modification or relocation of facilities may result in the suspension or revocation of CDE certification and/or suspension or termination of this Master Contract by the LEA.

51. ADMINISTRATION OF MEDICATION

CONTRACTOR shall comply with the requirements of California Education Code section 49423 when CONTRACTOR serves a student that is required to take prescription and/or over-the-counter medication during the school day. CONTRACTOR may designate personnel to assist the student with the administration of such medication after the student's parent(s) provide to CONTRACTOR: (a) a written statement from a physician detailing the type, administration method, amount, and time schedules by which such medication shall be taken; and (b) a written statement from the student's parent(s) granting CONTRACTOR permission to administer medication(s) as specified in the physician's statement. CONTRACTOR shall maintain, and provide to LEA upon request, copies of such written statements. CONTRACTOR shall maintain a written log for each student to whom medication is administered. Such written log shall specify the student's name; the type of medication; the date, time, and amount of each administration; and the name of CONTRACTOR's employee who administered the medication. CONTRACTOR maintains full responsibility for ensuring appropriate staff training in the administration of such medication consistent with physician's written orders. Any change in medication type, administration method, amount or schedule must be authorized by both a licensed physician and parent.

52. INCIDENT/ACCIDENT REPORTING

CONTRACTOR shall submit within 24 hours, electronically, any accident or incident report to the LEA. CONTRACTOR shall properly submit required accident or incident reports pursuant to the procedures specified in LEA Procedures.

53. CHILD ABUSE REPORTING

CONTRACTOR hereby agrees to annually train all staff members, including volunteers, so that they are familiar with and agree to adhere to its own child and dependent adult abuse reporting obligations and procedures as specified in California Penal Code section 11164 et seq. and Education Code 44691. To protect the privacy rights of all parties involved (i.e., reporter, child and alleged abuser), reports will remain confidential as required by law and professional ethical mandates. A written statement acknowledging the legal requirements of such reporting and verification of staff adherence to such reporting shall be submitted to the LEA.

54. SEXUAL HARASSMENT

CONTRACTOR shall have a Sexual and Gender Identity harassment policy that clearly describes the kinds of conduct that constitutes sexual harassment and that is prohibited by the CONTRACTOR's policy, as well as federal and state law. The policy should include procedures to make complaints without fear of retaliation, and for prompt and objective investigations of all sexual harassment complaints. CONTRACTOR further agrees to provide annual training to all employees regarding the laws concerning sexual harassment and related procedures pursuant to Government Code 12950.1.

55. REPORTING OF MISSING CHILDREN

CONTRACTOR assures LEA that all staff members, including volunteers, are familiar with and agree to adhere to requirements for reporting missing children as specified in California Education Code section 49370. A written statement acknowledging the legal requirements of such reporting and verification of staff adherence to such reporting shall be properly submitted to the LEA. The written statement shall be submitted as specified by the LEA.

FINANCIAL

56. ENROLLMENT, CONTRACTING, SERVICE TRACKING, ATTENDANCE REPORTING, AND BILLING PROCEDURES

CONTRACTOR shall assure that the nonpublic school or nonpublic agency has the necessary financial resources to provide an appropriate education for the students enrolled and will distribute those resources in such a manner to implement the IEP and ISA for each and every student.

CONTRACTOR shall comply with all LEA procedures concerning enrollment, contracting, attendance reporting, service tracking and billing including requirements of electronic billing as specified by the LEA Procedures, as well as provide all such records requested by LEA concerning the same. CONTRACTOR shall be paid for the provision of special education and/or related services specified in the student's IEP and ISA. All payments by LEA shall be made in accordance with the terms and conditions of this Master Contract and governed by all applicable federal and state laws.

CONTRACTOR shall maintain separate registers for the basic education program, each related service, and services provided by instructional assistants, behavior intervention aides and bus aides. Original

attendance forms (i.e., roll books for the basic education program, service tracking documents and notes for instructional assistants, behavioral intervention aides, bus aides, and each related service) shall be completed by the actual service provider whose signature shall appear on such forms and shall be available for review, inspection, or audit by LEA during the effective period of this contract and for a period of five (5) years thereafter. CONTRACTOR shall verify the accuracy of minutes of reported attendance that is the basis of services being billed for payment.

CONTRACTOR shall submit invoices and related documents to LEA for payment, for each calendar month when education or related services were provided. Invoices and related documents shall be properly submitted electronically. At a minimum, each invoice must contain the following information: month of service; specific days and times of services; name of staff who provided the service; approved cost of each invoice; total for each service and total for the monthly invoice; date invoice was mailed; signature of NPS/NPA administrator authorizing that the information is accurate and consistent with the ISA, CDE certificates and staff notification; verification that attendance report is attached as appropriate; indication of any made-up session consistent with this contract; verification that progress reports have been provided consistent with the ISA (monthly or quarterly unless specified otherwise on the ISA); and name or initials of each student for when the service was provided.

In the event services were not provided, rationale for why the services were not provided shall be included.

Such an invoice is subject to all conditions of this contract. At the discretion of the LEA, an electronic invoice may be required provided such notice has been made in writing and training provided to the CONTRACTOR at no additional charge for such training.

Invoices shall be submitted no later than thirty (30) days after the end of the attendance accounting period in which the services were rendered. LEA shall make payment to CONTRACTOR based on the number of billable days of attendance and hours of service at rates specified in this contract within forty-five (45) days of LEA's receipt of properly submitted hard copy of invoices prepared and submitted as specified in California Education Code Section 56366.5 and the LEA. CONTRACTOR shall correct deficiencies and submit rebilling invoices no later than thirty (30) calendar days after the invoice is returned by LEA. LEA shall pay properly submitted re-billing invoices no later than forty-five (45) days after the date a completely corrected re-billing invoice is received by LEA.

In no case shall initial payment claim submission for any Master Contract fiscal year (July through June) extend beyond December 31st after the close of the fiscal year. In no case shall any rebilling for the Master Contract fiscal year (July through June) extend beyond six (6) months after the close of the fiscal year unless approved by the LEA to resolve billing issues including re-billing issues directly related to a delay in obtaining information from the Commission on Teacher Credentialing regarding teacher qualification, but no later than twelve (12) months from the close of the fiscal year. If the billing or re-billing error is the responsibility of the LEA, then no limit is set provided that the LEA and CONTRACTOR have communicated such concerns in writing during the 12-month period following the close of the fiscal year. LEA will not pay mileage for NPA employee.

57. RIGHT TO WITHHOLD PAYMENT

LEA may withhold payment to CONTRACTOR when: (a) CONTRACTOR has failed to perform, in whole or in part, under the terms of this contract; (b) CONTRACTOR has billed for services rendered on days other than billable days of attendance or for days when student was not in attendance and/or did not receive services; (c) CONTRACTOR was overpaid by LEA as determined by inspection, review, and/or audit of its program, work, and/or records; (d) CONTRACTOR has failed to provide supporting documentation with an invoice, as required by EC 56366(c)(2); (e) education and/or related services are provided to students by personnel who are not appropriately credentialed, licensed, or otherwise qualified; (f) LEA has not

received prior to school closure or contract termination, all documents concerning one or more students enrolled in CONTRACTOR's educational program; (g) CONTRACTOR fails to confirm a student's change of residence to another district or confirms the change of residence to another district, but fails to notify LEA within five (5) days of such confirmation; or (h) CONTRACTOR receives payment from Medi-Cal or from any other agency or funding source for a service provided to a student. It is understood that no payments shall be made for any invoices that are not received by six (6) months following the close of the prior fiscal year, for services provided in that year.

Final payment to CONTRACTOR in connection with the cessation of operations and/or termination of a Master Contract will be subject to the same documentation standards described for all payment claims for regular ongoing operations. In addition, final payment may be withheld by the LEA until completion of a review or audit, if deemed necessary by the LEA. Such review or audit will be completed within ninety (90) days. The final payment may be adjusted to offset any previous payments to the CONTRACTOR determined to have been paid in error or in anticipation of correction of documentation deficiencies by the CONTRACTOR that remain uncorrected.

The amount which may be withheld by LEA with respect to each of the subparagraphs of the preceding paragraph are as follows: (a) the value of the service CONTRACTOR failed to perform; (b) the amount of overpayment; (c) the portion of the invoice for which satisfactory documentation has not been provided by CONTRACTOR; (d) the amount invoiced for services provided by the individual not appropriately credentialed, licensed, or otherwise qualified; (e) the proportionate amount of the invoice related to the applicable pupil for the time period from the date the violation occurred and until the violation is cured; or (f) the amount paid to CONTRACTOR by Medi-Cal or another agency or funding source for the service provided to the student.

If LEA determines that cause exists to withhold payment to CONTRACTOR, LEA shall, within ten (10) business days of this determination, provide to CONTRACTOR written notice that LEA is withholding payment. Such notice shall specify the basis or bases for LEA's withholding payment and the amount to be withheld. Within thirty (30) days from the date of receipt of such notice, CONTRACTOR shall take all necessary and appropriate action to correct the deficiencies that form the basis for LEA's withholding payment or submit a written request for extension of time to correct the deficiencies or submit to LEA written documentation demonstrating that the basis or bases cited by the LEA for withholding payment is unfounded. Upon receipt of CONTRACTOR's written request showing good cause, LEA shall extend CONTRACTOR's time to correct deficiencies (usually an additional thirty (30) days), otherwise payment will be denied.

If after subsequent request for payment has been denied and CONTRACTOR believes that payment should not be withheld, CONTRACTOR shall send written notice to LEA specifying the reason it believes payment should not be withheld. LEA shall respond to CONTRACTOR's notice within thirty (30) business days by indicating that a warrant for the amount of payment will be made or stating the reason LEA believes payment should not be made. If LEA fails to respond within thirty (30) business days or a dispute regarding the withholding of payment continues after the LEA's response to CONTRACTOR's notice, CONTRACTOR may invoke the following escalation policy.

After forty-five (45) business days: The CONTRACTOR may notify the Authorized LEA's Representative of the dispute in writing. The LEA Authorized Representative shall respond to the CONTRACTOR in writing within fifteen (15) business days.

After sixty (60) business days: The LEA or CONTRACTOR may appeal to the County Superintendent of Schools so long as the County Superintendent of Schools is not participating in the Local Plan involved in the NPS/A contract, or a mutually agreed upon mediator. Both parties agree to pay for their own costs and expenses arising out of such mediation. Each party agrees to act in good faith in participating in any mediation process agreed to by the parties.

58. PAYMENT FROM OUTSIDE AGENCIES

CONTRACTOR shall notify LEA when Medi-Cal or any other agency is billed for the costs associated with the provision of special education and/or related services to students. Upon request, CONTRACTOR shall provide to LEA any and all documentation regarding reports, billing, and/or payment by Medi-Cal or any other agency for the costs associated with the provision of special education and/or related services to students. CONTRACTOR shall provide prior written notice of the rights and protections required by Title 34 of the Code of Federal Regulations section 300.154(d) whenever it seeks to use the LEA students' public benefits to pay for special education and related services. Such notice shall be provided before seeking payment from Medi-Cal for the first time and annually.

59. PAYMENT FOR ABSENCES

NONPUBLIC SCHOOL STAFF ABSENCE

Whenever a classroom teacher employed by CONTRACTOR is absent, CONTRACTOR shall provide an appropriately credentialed substitute teacher in the absent teacher's classroom in accordance with California Education Code section 56061. CONTRACTOR shall provide to LEA documentation of substitute coverage pursuant to the LEA Procedures. Substitute teachers shall remain with their assigned class during all instructional time. LEA will not pay for instruction and/or services unless said instruction or service is provided by an appropriately credentialed substitute teacher.

Whenever a related service provider is absent, CONTRACTOR shall provide a qualified (as defined in Section 7 of this agreement and as determined by LEA) substitute. LEA will not pay for services unless a qualified substitute is provided and/or CONTRACTOR provides documentation evidencing the provision of "make-up" services by a qualified service provider within thirty (30) calendar days from the date on which the services should have been provided unless otherwise agreed in student's IEP.

NONPUBLIC SCHOOL STUDENT ABSENCE

If CONTRACTOR is a nonpublic school, no later than the tenth (10th) cumulative day of a student's unexcused absence, CONTRACTOR shall notify the LEA of such absence.

Criteria for a billable day for payment purposes is one (1) day of attendance as defined in California Education Code, sections 46010, 46010.3 and 46307. LEA shall not pay for services provided on days that a student's attendance does not qualify for Average Daily Attendance (ADA) reimbursement under state law. *Per Diem* rates for students whose IEPs authorize less than a full instructional day may be adjusted on a pro rata basis in accordance with the actual proportion of the school day the student was served. LEA shall not be responsible for payment of related services for days on which a student's attendance does not qualify for Average Daily Attendance ("ADA") reimbursement under state law, nor shall student be eligible for make-up services.

NONPUBLIC AGENCY STAFF ABSENCE

When CONTRACTOR is a nonpublic agency and CONTRACTOR's service provider is absent, CONTRACTOR shall provide a qualified (as defined in Section 7 of this agreement and as determined by LEA) substitute, unless LEA provides appropriate coverage in lieu of CONTRACTOR's service providers. LEA shall not pay for services unless a qualified substitute is provided and/or CONTRACTOR provides documentation evidencing the provision of "make-up" services by a qualified service provider within thirty (30) calendar days from the date on which the services should have been provided. CONTRACTOR shall not "bank" or "carry over" make up service hours under any circumstances, unless otherwise agreed to in writing by CONTRACTOR and LEA. In the event services were not provided, reasons for why the services were not provided shall be included.

NONPUBLIC AGENCY STUDENT ABSENCE

If CONTRACTOR is a nonpublic agency, it shall notify LEA of the absence of a student no later than the fifth (5th) consecutive service day of the student's absence. LEA shall not be responsible for the payment of services when a student is absent.

60. LEA and/or NONPUBLIC SCHOOL CLOSURE DUE TO EMERGENCY

The following shall apply in the event of a LEA or NPS school closure due to an emergency consistent with guidelines followed by LEAs in accordance with Education Code sections 41422 and 46392:

- a. If CONTRACTOR remains open, if allowed, during an emergency and serves students appropriately as delineated in the ISA, CONTRACTOR shall receive payment, regardless of whether a sending LEA is open or closed.
- b. NPS School Closure- In the event of a NPS School Closure for the reasons set forth in Education Code section 41422, if the LEA is able to obtain alternative placement for the student, CONTRACTOR shall not receive payment for days the student is not in attendance due to CONTRACTOR'S school closure. If the LEA is unable to obtain an alternative placement, CONTRACTOR shall receive payment consistent with the student's approved ISA, as though the student were continuing his/her regular attendance, until an alternative placement can be found and implement LEA student IEP in accordance with Education Code section 56345(a)(9) pertaining to emergency conditions.
- c. LEA and NPS School Closure- In the event of the LEA and NPS School Closures, on days the LEA is funded, CONTRACTOR shall receive payment consistent with the student's approved ISA, until an alternative placement can be found and implement LEA student IEP in accordance with Education Code section 56345(a)(9) pertaining to emergency conditions. If the LEA is able to obtain alternative placement for the student, CONTRACTOR shall not receive payment for days the student is not in attendance with CONTRACTOR due to CONTRACTOR'S school closure.

When the emergency school closure is lifted, CONTRACTOR shall notify the LEAs it serves of any lost instructional minutes. CONTRACTOR and LEAs shall work collaboratively to determine the need for make-up days or service changes, and shall work together to amend IEP and ISA paperwork as appropriate.

61. INSPECTION AND AUDIT

The CONTRACTOR shall maintain and the LEA shall have the right to examine and audit all of the books, records, documents, accounting procedures and practices and other evidence that reflect all costs claimed to have been incurred or fees claimed to have been earned under this Agreement.

CONTRACTOR shall provide access to LEA to all records including, but not limited to: student records as defined by California Education Code section 49061(b); registers and roll books of teachers; daily service logs and notes or other documents used to record the provision of related services; Medi-Cal/daily service logs and notes used to record provision of services provided by instructional assistants, behavior intervention aides, bus aides, and supervisors; absence verification records (parent/doctor notes, telephone logs, and related documents); bus rosters; staff lists specifying credentials held, business licenses held, documents evidencing other qualifications, , dates of hire, and dates of termination; staff time sheets; non-paid staff and volunteer sign-in sheets; transportation and other related service subcontracts; school calendars; bell/class schedules when applicable; liability and worker's compensation insurance policies; state NPS/A certifications; by-laws; lists of current board of directors/trustees, if incorporated; other documents evidencing financial expenditures; federal/state payroll quarterly reports Form 941/DE3DP; and bank statements and canceled checks or facsimile thereof. Such access shall

include unannounced inspections by LEA. CONTRACTOR shall make available to LEA all budgetary information including operating budgets submitted by CONTRACTOR to LEA for the relevant contract period being audited.

CONTRACTOR shall make all records available at the office of LEA or CONTRACTOR's offices (to be specified by LEA) at all reasonable times and without charge. All records shall be provided to LEA within five (5) working days of a written request from LEA. CONTRACTOR shall, at no cost to LEA, provide assistance for such examination or audit. LEA's rights under this section shall also include access to CONTRACTOR's offices for purposes of interviewing CONTRACTOR's employees. If any document or evidence is stored in an electronic form, a hard copy shall be made available to the LEA, unless the LEA agrees to the use of the electronic format.

CONTRACTOR shall obtain from its subcontractors and suppliers written agreements to the requirements of this section and shall provide a copy of such agreements to LEA upon request by LEA.

If an inspection, review, or audit by LEA, a state agency, a federal agency, and/or an independent agency/firm determines that CONTRACTOR owes LEA monies as a result of CONTRACTOR's over billing or failure to perform, in whole or in part, any of its obligations under this Master Contract, LEA shall provide to CONTRACTOR written notice demanding payment from CONTRACTOR and specifying the basis or bases for such demand. Unless CONTRACTOR and LEA otherwise agree in writing, CONTRACTOR shall pay to LEA the full amount owed as a result of CONTRACTOR's over billing and/or failure to perform, in whole or in part, any of its obligations under this Master Contract, as determined by an inspection, review, or audit by LEA, a state agency, a federal agency, and/or an independent agency/firm. CONTRACTOR shall make such payment to LEA within thirty (30) days of receipt of LEA's written notice demanding payment.

62. RATE SCHEDULE

The attached rate schedule (Exhibit A) limits the number of students that may be enrolled and maximum dollar amount of the contract. It may also limit the maximum number of students that can be provided specific services. Per Diem rates for students whose IEPs authorize less than a full instructional day may be adjusted proportionally. In such cases only, the adjustments in basic education rate shall be based on the required minimum number of minutes per grade level as noted in California Education Code Section 46200-46208.

Special education and/or related services offered by CONTRACTOR shall be provided by qualified personnel as per State and Federal law, and the codes and charges for such educational and/or related services during the term of this contract, shall be as stated in Exhibit A.

63. DEBARMENT CERTIFICATION

By signing this agreement, the CONTRACTOR certifies that:

- (a) The CONTRACTOR and any of its shareholders, partners, or executive officers are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency, and
- (b) Have not, within a three-year period preceding this contract, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, state or local government contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and are not presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of these offenses.

The parties hereto have executed this Contract by and through their duly authorized agents or representatives. This contract is effective on the 1st day of July, 2022 and terminates at 5:00 P.M. on June 30, 2023, unless sooner terminated as provided herein.

CONTRACTOR

LEA

Change Academy at Lake of the Ozarks (Calo)
Nonpublic School/Agency

Eureka City Schools
LEA Name

By: _____
Signature Date

By: _____
Signature Date

Abby Mayer, M.Ed – Calo Academic Director
Name and Title of Authorized
Representative

Name and Title of Authorized
Representative

Notices to CONTRACTOR shall be addressed to:

Notices to LEA shall be addressed to:

Abby Mayer, M.Ed – Calo Academic Director

Name and Title

Change Academy at Lake of the Ozarks (Calo)

Nonpublic School/Agency/Related Service Provider

130 Calo Lane

Address

Lake Ozark, MO 65049

City

State

Zip

573-746-7396

Phone

Fax

abby@caloprograms.com

Email

Name and Title

LEA

Address

City

State

Zip

Phone

Fax

Email

**Additional LEA Notification
(Required if completed)**

Heather Quigley-Cook, SELPA Director

Name and Title

624 Harris Street

Address

Eureka

CA

95503

City

State

Zip

(707) 441-2051

(707) 445-6124

Phone

Fax

hdnselpa@hcoe.org

Email

EXHIBIT A: 2022-2023 RATES

4.1 RATE SCHEDULE FOR CONTRACT YEAR

The CONTRACTOR: Calo

The CONTRACTOR CDS NUMBER: _____

PER ED CODE 56366 – TEACHER-TO-PUPIL RATIO: 1:12

Maximum Contract Amount: \$100,000.00

Education service(s) offered by the CONTRACTOR and the charges for such service(s) during the term of this contract shall be as follows:

- 1) Daily Basic Education Rate: \$201.26
- 2) Inclusive Education Program
(Includes Educational Counseling (not ed related mental health) services, Speech & Language services, Behavior Intervention Planning, and Occupational Therapy as specified on the student's IEP.) DAILY RATE: \$705.37
- 3) Related Services

<u>SERVICE</u>	<u>RATE</u>	<u>PERIOD</u>
<u>Intensive Individual Services (340)</u>	_____	_____
<u>Language and Speech (415)</u>	_____	_____
<u>Adapted Physical Education (425)</u>	_____	_____
<u>Health and Nursing: Specialized Physical Health Care (435)</u>	_____	_____
<u>Health and Nursing: Other Services (436)</u>	_____	_____
<u>Assistive Technology Services (445)</u>	_____	_____
<u>Occupational Therapy (450)</u>	_____	_____
<u>Physical Therapy (460)</u>	_____	_____
<u>Individual Counseling (510)</u>	_____	_____
<u>Counseling and Guidance (515)</u>	_____	_____
<u>Parent Counseling (520)</u>	_____	_____
<u>Social Work Services (525)</u>	_____	_____
<u>Psychological Services (530)</u>	_____	_____
<u>Behavior Intervention Services (535)</u>	_____	_____
<u>Specialized Services for Low Incidence Disabilities (610)</u>	_____	_____
<u>Specialized Deaf and Hard of Hearing (710)</u>	_____	_____

<u>Interpreter Services (715)</u>	<u></u>	<u></u>
<u>Audiological Services (720)</u>	<u></u>	<u></u>
<u>Specialized Vision Services (725)</u>	<u></u>	<u></u>
<u>Orientation and Mobility (730)</u>	<u></u>	<u></u>
<u>Specialized Orthopedic Services (740)</u>	<u></u>	<u></u>
<u>Reader Services (745)</u>	<u></u>	<u></u>
<u>Transcription Services (755)</u>	<u></u>	<u></u>
<u>Recreation Services, Including Therapeutic (760)</u>	<u></u>	<u></u>
<u>College Awareness (820)</u>	<u></u>	<u></u>
<u>Work Experience Education (850)</u>	<u></u>	<u></u>
<u>Job Coaching (855)</u>	<u></u>	<u></u>
<u>Mentoring (860)</u>	<u></u>	<u></u>
<u>Travel Training (870)</u>	<u></u>	<u></u>
<u>Other Transition Services (890)</u>	<u></u>	<u></u>
<u>Other (900) Residential Treatment Services</u>	<u>\$471.20</u>	<u>per day</u>
<u>Other (900) Room & Board</u>	<u>\$100.00</u>	<u>per day</u>

EXHIBIT B: 2022-2023 ISA

INDIVIDUAL SERVICES AGREEMENT (ISA) FOR NONPUBLIC, NONSECTARIAN SCHOOL SERVICES

(Education Code Sections 56365 et seq.)

This agreement is effective on March 10, 2023 or the date student begins attending a nonpublic school or receiving services from a nonpublic agency, if after the date identified, and terminates at 5:00 P.M. on June 30, 2023, unless sooner terminated as provided in the Master Contract and by applicable law.

Local Education Agency Eureka City Schools Nonpublic School Change Academy at Lake of the Ozarks (Calo)

LEA Case Manager: Name Edith Behrens Phone Number (707) 441-2400

Pupil Name [REDACTED] [REDACTED] [REDACTED] (Last) (First) (M.I.) Sex [REDACTED] Grade [REDACTED]

Address [REDACTED] City [REDACTED] State/Zip [REDACTED]

DOB [REDACTED] Residential Setting: ☒ Home ☐ Foster ☐ LCI # [REDACTED] ☐ OTHER [REDACTED]

Parent/Guardian [REDACTED] Phone [REDACTED]

Address [REDACTED] City [REDACTED] State/Zip [REDACTED]
(If different from student)

AGREEMENT TERMS:

- Nonpublic School:* The average number of minutes in the instructional day will be: 362 minutes during the regular school year, and 362 minutes during the extended school year
- Nonpublic School:* The number of school days in the calendar of the school year are: 183 during the regular school year, and 67 during the extended school year
- Educational services as specified in the IEP shall be provided by the CONTRACTOR and paid at the rates specified below.*

A. **INCLUSIVE AND/OR BASIC EDUCATION PROGRAM RATE:** (Applies to nonpublic schools only): Daily Rate: \$201.26

Estimated Number of Days 80 x Daily Rate \$201.26 = PROJECTED BASIC EDUCATION COSTS \$16,100.80

B. RELATED SERVICES:

SERVICE	Provider			# of Times per wk/mo/yr., Duration; or per IEP; or as needed	Cost per session	Maximum Number of Sessions	Estimated Maximum Total Cost for Contracted Period
	LEA	NPS	OTHER Specify				
Intensive Individual Services (340)							
Language/Speech Therapy (415) a. Individual b. Group							
Adapted Physical Ed. (425)							
Health and Nursing: Specialized Physical Health Care (435)							
Health and Nursing Services: Other (436)							
Assistive Technology Services (445)							
Occupational Therapy (450)		X		Per IEP	\$75	N/A	
Physical Therapy (460)							

SERVICE	Provider			# of Times per wk/mo/yr., Duration; or per IEP; or as needed	Cost per session	Maximum Number of Sessions	Estimated Maximum Total Cost for Contracted Period
	LEA	NPS	OTHER Specify				
Individual Counseling (510)							
Counseling and guidance (515).							
Parent Counseling (520)							
Social Work Services (525)							
Psychological Services (530)							
Behavior Intervention Services (535)							
Specialized Services for Low Incidence Disabilities (610)							
Specialized Deaf and Hard of Hearing Services (710)							
Interpreter Services (715)							
Audiological Services (720)							
Specialized Vision Services (725)							
Orientation and Mobility (730)							
Braille Transcription (735)							
Specialized Orthopedic Service (740)							
Reader Services (745)							
Note Taking Services (750)							
Transcription Services (755)							
Recreation Services (760)							
College Awareness Preparation (820)							
Vocational Assessment, Counseling, Guidance and Career Assessment (830)							
Career Awareness (840)							
Work Experience Education (850)							
Mentoring (860)							
Agency Linkages (865)							
Travel Training (870)							
Other Transition Services (890)							
Other (900) Residential Services		X		Daily	\$471.20	112	\$52,774.40
Other (900) Room & Board		X		Daily	\$100.00	112	\$11,200.00
Transportation-Emergency b. Transportation-Parent		X		As Needed	\$526.00	Per Trip	N/A

SERVICE	Provider			# of Times per wk/mo/yr., Duration; or per IEP; or as needed	Cost per session	Maximum Number of Sessions	Estimated Maximum Total Cost for Contracted Period
	LEA	NPS	OTHER Specify				
Bus Passes							
Other							

ESTIMATED MAXIMUM RELATED SERVICES COST\$ 63,974.40

TOTAL ESTIMATED MAXIMUM BASIC EDUCATION AND RELATED SERVICES COSTS \$ 80,075.20

4. Other Provisions/Attachments:

5. MASTER CONTRACT APPROVED BY THE GOVERNING BOARD ON _____

6. Progress Reporting Requirements: X Quarterly Monthly Other (Specify) _____

The parties hereto have executed this Individual Services Agreement by and through their duly authorized agents or representatives as set forth below.

-CONTRACTOR-

-LEA/SELPA-

Change Academy at Lake of the Ozarks (Calo)
(Name of Nonpublic School/Agency)

(Name of LEA/SELPA)

Abby Mayer, M.Ed 3/6/23
(Signature) (Date)

(Signature) (Date)

Abby Mayer, M.Ed – Calo Academic Director
(Name and Title)

(Name of Superintendent or Authorized Designee)

AGENDA ITEM

Agenda Title: Consideration of Stipulated Student Expulsion [EC Sec 48900.4 and 48900(A)] [Student #22-23-606; Resolution#22-23-018]
Meeting Date: March 30, 2023
Item: Discussion/Action

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the Stipulated Expulsion of a student [EC Sec 48900.4 and 48900(A)] [Student #22-23-606; Resolution#22-23-018].

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Actions by this student resulted in a recommendation for expulsion by the school.

STRATEGIC PLAN/PRIORITY AREA:

Subject does not apply to a Strategic Plan Priority Area

HISTORY *(list previous staff or board action(s) with dates if possible)*

This item was discussed in Closed Session at the Board Meeting on March 30, 2023.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

There is no expenditure or revenue associated with this item.

WHO *(list the name of the contact person(s), job title, and site location)*

Lisa Claussen, Director of Student Services

ATTACHMENTS:

Description

AGENDA ITEM

Agenda Title: Consideration of Stipulated Student Expulsion [EC Sec 48900a(1) and 48900a(2)] [Student #22-23-785; Resolution#22-23-019]
Meeting Date: March 30, 2023
Item: Discussion/Action

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the Stipulated Expulsion of a student [EC Sec 48900a(1) and 48900a(2)] [Student #22-23-785; Resolution#22-23-019].

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Actions by this student resulted in a recommendation for expulsion by the school.

STRATEGIC PLAN/PRIORITY AREA:

Subject does not apply to a Strategic Plan Priority Area

HISTORY *(list previous staff or board action(s) with dates if possible)*

The item was discussed in Closed Session at the Board Meeting on March 30, 2023.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

There is no expenditure or revenue associated with this item.

WHO *(list the name of the contact person(s), job title, and site location)*

Lisa Claussen, Director of Student Services

ATTACHMENTS:

Description

AGENDA ITEM

Agenda Title: Consideration of Stipulated Student Expulsion [EC Sec 48900a.(l) and 48900a.(2)] [Student #22-23-492; Resolution #22-23-020]
Meeting Date: March 30, 2023
Item: Discussion/Action

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the Stipulated Student Expulsion [EC Sec 48900a.(l) and 48900a.(2)] [Student #22-23-492; Resolution #22-23-020].

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Actions by this student resulted in a recommendation for expulsion by the school.

STRATEGIC PLAN/PRIORITY AREA:

Subject does not apply to a Strategic Plan Priority Area

HISTORY *(list previous staff or board action(s) with dates if possible)*

This item was discussed in Closed Session at the Board Meeting on March 30, 2023.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

There is no expenditure or revenue associated with this item.

WHO *(list the name of the contact person(s), job title, and site location)*

Lisa Claussen, Director of Student Services

ATTACHMENTS:

Description

AGENDA ITEM

Agenda Title: Consideration of Stipulated Student Expulsion [EC Sec 48900a.(l), 48900 (c), and 48900 (h)] [Student #22-23-123; Resolution #22-23-021]

Meeting Date: March 30, 2023

Item: Discussion/Action

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the Stipulated Student Expulsion [EC Sec 48900a.(l), 48900 (c), and 48900 (h)] [Student #22-23-123; Resolution #22-23-021]

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Actions by this student resulted in a recommendation for expulsion by the school.

STRATEGIC PLAN/PRIORITY AREA:

Subject does not apply to a Strategic Plan Priority Area

HISTORY *(list previous staff or board action(s) with dates if possible)*

This item was discussed in Closed Session at the Board Meeting on March 30, 2023.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

There is no expenditure or revenue associated with this item.

WHO *(list the name of the contact person(s), job title, and site location)*

Lisa Claussen, Director of Student Services

ATTACHMENTS:

Description

AGENDA ITEM

Agenda Title: Receipt of the 2021-2022 Independent Audit Report

Meeting Date: March 30, 2023

Item: Discussion/Action

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to receive and accept the 2021-2022 Audit Report.

Note: The attachments are pending and will be added to the Board item after they have been received.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

School districts are required to undergo an annual financial audit by an outside accounting firm. The July 1, 2021 – June 30, 2022 Eureka City Schools audit was completed by James Marta & Company LLP.

STRATEGIC PLAN/PRIORITY AREA:

Applied to the "Fiscal Integrity of the District" portion of the Strategic Plan

HISTORY *(list previous staff or board action(s) with dates if possible)*

The 2021-22 independent audit report was originally agendized for the March 9, 2023, Board meeting. The item was pulled from the agenda due to ongoing issues with the County of Humboldt Audit-Controller Department's delay in balancing 2020-21 cash accounts, which in turn impacted James Marta & Co.'s ability to timely complete the audit report.

The audit is an annual requirement.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

Cost for the 2021-2022 audit is \$40,900.

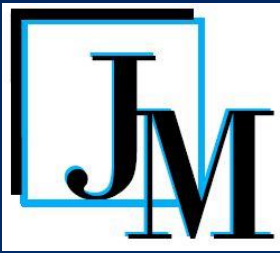
WHO *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

ATTACHMENTS:

Description

- ▣ 2021-22 Independent Audit Report
- ▣ Presentation



EUREKA CITY SCHOOLS

COUNTY OF HUMBOLDT
EUREKA, CALIFORNIA

FINANCIAL STATEMENTS
WITH
INDEPENDENT AUDITOR'S REPORT

FOR THE YEAR ENDED JUNE 30, 2022

JAMES MARTA & Co. LLP

701 HOWE AVENUE, E3
SACRAMENTO, CA

(916) 993-9494
(916) 993-9489 FAX

WWW.JPMCPA.COM

EUREKA CITY SCHOOLS

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EUREKA CITY SCHOOLS

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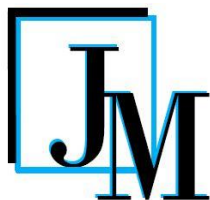
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James Marta & Company LLP

Certified Public Accountants

Accounting, Auditing, Consulting and Tax

INDEPENDENT AUDITOR'S REPORT

To the Governing Board
Eureka City Schools
Eureka, California

Report on the Audit of the Financial Statements

Opinions

We have audited the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of Eureka City Schools (the "District"), as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the District, as of June 30, 2022, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

The District's management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Emphasis of Matter

As discussed in Note 1 to the financial statements, the prior year net position has been restated to reflect an adjustment to capital assets that was not reflected in the financial statements for the year ended June 30, 2021. The nature and effect of these restatements are further described in Note 1 Error Correction. Our opinion is not modified with respect to this matter.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis, the Schedule of Revenues, Expenditures and Changes in Fund Balance-Budget (Non-GAAP) and Actual - General Fund, Schedule of Changes in the District's Net OPEB Liability and Related Ratios, Schedule of Proportionate Share of Net Pension Liability, and Schedule of Pension Contributions, respectively, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

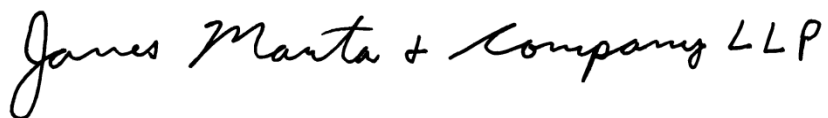
Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's basic financial statements. The *supplementary information as listed in the table of contents* are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The *supplementary information* is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the *supplementary information* is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated March 24, 2023, on our consideration of District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering District's internal control over financial reporting and compliance.



James Marta & Company LLP
Certified Public Accountants
Sacramento, California
March 24, 2023

MANAGEMENT'S DISCUSSION AND ANALYSIS

EUREKA CITY SCHOOLS

MANAGEMENT'S DISCUSSION AND ANALYSIS

JUNE 30, 2022

This section of Eureka City Schools' (the "District") annual financial report presents management's discussion and analysis of the District's financial performance during the fiscal year that ended on June 30, 2022. Please read it in conjunction with the Independent Auditor's Report and the District's financial statements.

USING THIS ANNUAL REPORT

This annual report consists of a series of financial statements. The Statement of Net Position and Statement of Activities provide information about the activities of the District as a whole and present a longer-term view of the District's finances. The Governmental Funds Balance Sheet and the Statement of Revenues, Expenditures and Change in Fund Balances provide information about how District services were financed in the short-term, and how much remains for future spending. Fund financial statements also report the District's operations in more detail than the government-wide statements by providing information about the District's most significant funds. The remaining statements provide financial information about activities for which the District acts solely as a trustee or agent for the benefit of those outside the District.

FINANCIAL HIGHLIGHTS

- ⇒ Over the course of the year, net position increased by \$19,142,492.
- ⇒ Capital assets, net of depreciation, increased by \$10,766,392. Accumulated depreciation increased by \$3,936,522.
- ⇒ Long-term liabilities have decreased by \$6,957,437 with bonds payable increasing by \$14,695,500, accreted interest payable increasing by \$1,762,535, Net OPEB liability decreasing by \$2,941,229, net pension liability decreasing by \$20,931,869, notes payables increasing by \$463,733 and compensated absences decreasing by \$5,607.
- ⇒ During fiscal year 2021-22, average daily attendance (ADA) for P2 of the District (exclusive of Adult ADA) decreased by 151.5 ADA, or 4.5%.
- ⇒ CBED data shows enrollment in the District went from 3,540 to 3,619, representing an increase of enrollment by 79, or 2.2%.
- ⇒ The District maintains the required minimum reserves for economic uncertainty of 3% of combined General Fund and Special reserve expenditures, transfers out and other uses (total outgo). During FY 2021-22, General Fund expenditures and other uses totaled \$52,759,271. At June 30, 2022, the District had available reserves designated for economic uncertainties of \$3,352,138, approximately 6.4% of General Fund and Special Reserve expenditures, transfers out and other uses.

EUREKA CITY SCHOOLS

MANAGEMENT'S DISCUSSION AND ANALYSIS

JUNE 30, 2022

THE FINANCIAL REPORT

The full annual financial report consists of three separate parts, including the basic financial statements, supplementary information, and Management's Discussion and Analysis. The three sections together provide a comprehensive overview of the District. The basic financial statements are comprised of two kinds of statements that present financial information from different perspectives, government-wide and funds.

- ⇒ Government-wide financial statements, which comprise the first two statements, provide both short-term and long-term information about the District's overall financial position.
- ⇒ Individual parts of the District, which are reported as fund financial statements, comprise the remaining statements.
 - Basic services funding is described in the governmental funds statements. These statements include short-term financing and identify the balance remaining for future spending.
 - Financial relationships, for which the District acts as an agent or trustee for the benefit of others to whom the resources belong, are presented in the fiduciary fund statements.

Notes to the basic financials, which are included in the financial statements, provide more detailed data and explain some of the information in the statements. They are an integral part of the financial statements. The required supplementary information provides further explanations and provides additional support for the financial statements.

Reporting the District as a Whole

The District as a whole is reported in the Government-wide statements and uses accounting methods similar to those used by companies in the private sector. All of the District's assets and liabilities are included in the Statement of Net Position. The Statement of Activities reports all of the current year's revenues and expenses regardless of when cash is received or paid.

The District's financial health or position (net position) can be measured by the difference between the District's assets and liabilities.

- ⇒ Increases or decreases in the net position of the District over time are indicators of whether its financial health is improving or deteriorating, respectively.
- ⇒ Additional non-financial factors such as the condition of school buildings and other facilities, and changes in the property tax base of the District need to be considered in assessing the overall health of the District.

EUREKA CITY SCHOOLS
MANAGEMENT'S DISCUSSION AND ANALYSIS

JUNE 30, 2022

Information included in the Statement of Net Position and the Statement of Activities, consists solely of the governmental activities of the District.

Governmental Activities:

The basic services provided by the District, such as regular and special education, administration, and transportation are included here, and are primarily financed by state apportionments, property taxes, impact aid, and other state and federal aid. Non-basic services, such as child nutrition, are also included here, but are financed by a combination of state and federal contract and grants, and local revenues. After-school tutoring programs are offered through the After School Education and Safety (ASES) program.

Reporting the District's Most Significant Funds:

The District's fund-based financial statements provide detailed information about the District's most significant funds. Some funds are required to be established by State law, while other funds have been established to control and manage money for specific purposes.

Governmental Funds

The major governmental funds of Eureka City Schools are the General Fund and the Building Fund. Governmental fund reporting focuses on how money flows into and out of the funds and the balances that remain at the end of the year. A modified accrual basis of accounting measures cash and all other financial assets that can readily be converted to cash. The governmental fund statements provide a detailed short-term view of the District's operations and services. Governmental fund information helps to determine the level of financial resources available in the near future to finance the District's programs.

Fiduciary Funds

The District is the trustee, or fiduciary, for its student activity funds. All of the District's fiduciary activities are reported in separate Fiduciary Statements. We exclude these activities from the District's other financial statements because the District cannot use these assets to finance their operations. The District is responsible for ensuring that the assets reported in these funds are used for their intended purposes.

GENERAL FUND BUDGETARY HIGHLIGHTS

The District's budget is prepared in accordance with California law and is based on the modified accrual basis of accounting. Over the course of the year, the District revised its annual operating budget at various times to reflect the most recent financial information available. The most significant budget adjustments made during the year fall into the following categories:

- ⇒ Budget revisions to the adopted budget required after approval of the State budget.
- ⇒ Budget revisions to adjust program revenues and expenditures to final awards.
- ⇒ Budget revisions to reflect changes in staffing and hiring.
- ⇒ Budget revisions to reflect one-time federal and state funding in response to the COVID-19 pandemic.

EUREKA CITY SCHOOLS

MANAGEMENT'S DISCUSSION AND ANALYSIS

JUNE 30, 2022

ECONOMIC FACTORS BEARING ON THE DISTRICT'S FUTURE

- ⇒ For the 2021/2022 fiscal year, Eureka City Schools resumed full-time In-Person Learning. In the previous year, in accordance with the State's school reopening guidelines, the District phased into a hybrid model (a blend of in-person instruction and distance learning and a full distance (no in-person instruction)), based on parent choice, beginning the week of March 1, 2021.
- ⇒ Except for the influx of Federal and State one-time funding, the District has continued a pattern of deficit spending over the past several years. As a result, reserves and one-time revenues have been used to fund ongoing initiatives and expenditures; judicious use of the one-time funding has allowed the District to increase reserves over the previous year. The District submitted its Local Control Accountability Plan (LCAP) update along with the 2021/22 budget.
- ⇒ The District experienced an enrollment increase in 2021/22, yet projects continued future year enrollment decreases, which negatively influences overall funding levels. Attendance rates significantly decreased in 2021/22, as well.
- ⇒ Eureka City Schools received a variety of one-time funds from state and federal sources to combat the effects of the COVID-19 pandemic. These funds are being utilized to add educational resources and assist with ongoing operations within the District.
- ⇒ Rising costs for special education, health benefits, step and column movement, STRS and PERS contributions, increases in the minimum wage, facilities maintenance and upgrades, utilities, and other inflationary pressures, as well as additional demand for intervention programs and programs to combat learning loss have reduced funding for other areas.
- ⇒ The increase in required compliance and reporting regulations, associated with the proliferation of new programs, have placed an increasing burden on the District staff.

CONTACTING THE DISTRICT'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayers, parents, investors, and creditors with a general overview of the District's finances and to show the District's accountability for the money it receives. If you have questions regarding this report or need additional financial information, contact Paul Ziegler, Assistant Superintendent Business Services, Eureka City Schools, 2100 J Street, Eureka, CA 95503.

EUREKA CITY SCHOOLS
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2022

TABLE 04-01

Financial Analysis of the School District as a Whole

Comparative Statement of Net Position			
	2022	(As restated) 2021	Increase/ (Decrease)
<u>Assets</u>			
Cash	\$ 70,929,147	\$ 50,444,615	\$ 20,484,532
Receivables	6,972,470	10,499,106	(3,526,636)
Stores Inventory	130,007	46,035	83,972
Capital Assets, Net	77,785,520	67,019,128	10,766,392
Total Assets	<u>155,817,144</u>	<u>128,008,884</u>	<u>27,808,260</u>
<u>Deferred Outflows</u>	<u>19,537,683</u>	<u>18,971,371</u>	<u>566,312</u>
<u>Liabilities</u>			
Other Liabilities	6,448,387	6,160,886	287,501
Long-term Debt Outstanding	138,998,818	145,956,255	(6,957,437)
Total Liabilities	<u>145,447,205</u>	<u>152,117,141</u>	<u>(6,669,936)</u>
<u>Deferred Inflows</u>	<u>25,858,761</u>	<u>9,956,745</u>	<u>15,902,016</u>
<u>Net Position</u>			
Net Investment in Capital Assets			
- Net of Related Debt	9,508,727	8,202,169	1,306,558
Restricted	41,936,125	40,343,480	1,592,645
Unrestricted	(47,395,991)	(63,639,280)	16,243,289
Total Net Position	<u>\$ 4,048,861</u>	<u>\$ (15,093,631)</u>	<u>\$ 19,142,492</u>

EUREKA CITY SCHOOLS
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2022

TABLE 04-02

Financial Analysis of the School District as a Whole

Comparative Statement of Activities

	2022	2021	Increase/ (Decrease)
Program Revenues:			
Charges for Services	\$ 598,441	\$ 823,183	\$ (224,742)
Operating Grants and Contributions	25,703,750	17,748,060	7,955,690
Capital Grants and Contributions	25,791	25,791	-
Total Program Revenues	<u>26,327,982</u>	<u>18,597,034</u>	<u>7,730,948</u>
General Revenues:			
Taxes Levied	21,298,731	20,437,786	860,945
Federal and State Aid	24,219,011	21,454,098	2,764,913
Interest and Investment Earnings	451,777	435,298	16,479
Interagency	49,776	59,278	(9,502)
Miscellaneous	349,610	336,056	13,554
Total General Revenues	<u>46,368,905</u>	<u>42,722,516</u>	<u>3,646,389</u>
Program Expenses:			
Instruction	25,692,021	32,569,532	(6,877,511)
Instruction-Related Services	5,784,016	6,633,730	(849,714)
Pupil Services	8,158,846	8,250,052	(91,206)
General Administration	3,986,748	4,477,021	(490,273)
Community Services	840,370	759,810	80,560
Plant Services	1,696,468	5,519,998	(3,823,530)
Ancillary Services	2,003,187	698,033	1,305,154
Interest on Long-Term Liabilities	2,939,993	1,937,702	1,002,291
Other Outgo	2,452,746	2,121,896	330,850
Total Expenses	<u>53,554,395</u>	<u>62,967,774</u>	<u>(9,413,379)</u>
Change in Net Position	<u>\$ 19,142,492</u>	<u>\$ (1,648,224)</u>	<u>\$ 20,790,716</u>

EUREKA CITY SCHOOLS
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2022

TABLE 04-03

Summary of Expenses for Governmental Functions

	2022	Percentage of Total
<u>Expenses</u>		
Instruction	\$ 25,692,021	47.97%
Instruction-Related Services	5,784,016	10.80%
Pupil Services	8,158,846	15.23%
General Administration	3,986,748	7.44%
Community Services	840,370	1.57%
Plant Services	1,696,468	3.17%
Ancillary Services	2,003,187	3.74%
Interest on Long-Term Liabilities	2,939,993	5.49%
Other Outgo	2,452,746	4.58%
Total Expenses	<u>\$ 53,554,395</u>	<u>100.00%</u>

TABLE 04-04

Comparative Statement of Capital Assets

	2022	2021
Land	\$ 1,095,638	\$ 1,095,638
Improvement of Sites	14,840,009	14,787,745
Buildings	106,300,824	106,201,308
Equipment	6,424,967	6,208,323
Work in Progress	16,703,789	2,369,299
Subtotals	<u>145,365,227</u>	<u>130,662,313</u>
Less: Accumulated Depreciation	<u>(67,579,707)</u>	<u>(57,684,659)</u>
Capital Assets, net	<u>\$ 77,785,520</u>	<u>\$ 72,977,654</u>

EUREKA CITY SCHOOLS
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2022

TABLE 04-05

Comparative Statement of Outstanding Long-Term Liabilities

	2022	2021
Bonds Payable	\$ 85,364,932	\$ 70,669,932
Accreted Interest	19,815,263	18,052,728
Net OPEB Liability	9,940,364	12,881,593
Net Pension Liability	23,222,993	44,154,862
Note Payables	463,733	-
Compensated Absences	191,533	197,140
Totals	<u>\$ 138,998,818</u>	<u>\$ 145,956,255</u>

TABLE 04-06

Summary of Revenues for Governmental Functions

	2022	Percentage of Total
Program Revenues:		
Charges for Services	\$ 598,441	0.82%
Operating Grants and Contributions	25,703,750	35.36%
Capital Grants and Contributions	25,791	0.04%
General Revenues:		
Taxes Levied	21,298,731	29.30%
Federal and State Aid	24,219,011	33.32%
Interest and Investment Earnings	451,777	0.62%
Interagency	49,776	0.07%
Miscellaneous	349,610	0.48%
Total Revenues	<u>\$ 72,696,887</u>	<u>100.00%</u>

EUREKA CITY SCHOOLS
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2022

TABLE 04-07

Comparative Statement of Fund Balances

	Fund Balance June 30, 2021	Fund Balance June 30, 2020	Increase/ (Decrease)
General	\$ 28,309,504	\$ 16,846,828	\$ 11,462,676
Building	36,903,402	29,905,701	6,997,701
Student Activity	358,013	284,065	73,948
Adult Education	101,359	123,583	(22,224)
Child Development	36,442	37,438	(996)
Cafeteria	334,398	328,700	5,698
Deferred Maintenance	2,121	2,121	-
Capital Facilities	85,701	84,995	706
County School Facilities	32,870	3,059,625	(3,026,755)
Special Reserve for Capital Outlay Projects	17,239	241,119	(223,880)
Bond Interest and Redemption	4,911,120	4,224,907	686,213
Self-Insurance Vision and Dental	-	1,326,069	(1,326,069)
Total	<u>\$ 71,092,169</u>	<u>\$ 56,465,151</u>	<u>\$ 14,627,018</u>

FINANCIAL SECTION

EUREKA CITY SCHOOLS
STATEMENT OF NET POSITION
JUNE 30, 2022

ASSETS	Governmental Activities
Cash and investments (Note 2)	\$ 70,929,147
Receivables	6,972,470
Stores Inventory	130,007
Non-depreciable capital assets (Note 4)	17,799,427
Depreciable capital assets, net of accumulated depreciation (Note 4)	59,986,093
Total Assets	<u>155,817,144</u>
 DEFERRED OUTFLOWS OF RESOURCES	
Deferred outflows on OPEB (Note 7)	2,142,649
Deferred outflows on pensions (Note 6)	17,395,034
Total Deferred Outflows	<u>19,537,683</u>
 LIABILITIES	
Accounts payable	5,046,731
Unearned revenue	1,401,656
Long-term liabilities (Note 5)	
Due within one year	3,529,322
Due after one year	135,469,496
Total Liabilities	<u>145,447,205</u>
 DEFERRED INFLOWS OF RESOURCES	
Deferred bond premium revenue	4,883,092
Deferred inflows on OPEB (Note 7)	4,053,913
Deferred inflows on pensions (Note 6)	16,921,756
Total Deferred Inflows	<u>25,858,761</u>
 NET POSITION	
Net investment in capital assets	9,508,727
Restricted (Note 8)	41,936,125
Unrestricted	(47,395,991)
Total Net Position	<u>\$ 4,048,861</u>

The accompanying notes are an integral part of these financial statements.

EUREKA CITY SCHOOLS

STATEMENT OF ACTIVITIES

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

		Program Revenues			Net (Expense) Revenues and Changes in Net Position
		Charges for	Operating	Capital	
	Expenses	Services	Grants and Contributions	Grants and Contributions	Governmental Activities
Governmental Activities:					
Instruction	\$ 25,692,021	\$ 62,270	\$ 14,621,733	\$ 25,791	\$ (10,982,227)
Instruction - related services:					
Supervision of instruction	1,956,184	44,442	1,161,451	-	(750,291)
Instructional library, media, and technology	711,786	-	72,948	-	(638,838)
School site administration	3,116,046	13	836,372	-	(2,279,661)
Pupil Services:					
Home-to-school transportation	1,065,253	-	10,173	-	(1,055,080)
Food services	3,096,708	119,095	2,641,421	-	(336,192)
All other pupil services	3,996,885	340,284	1,778,549	-	(1,878,052)
General administration:					
Data processing	441,773	-	193,263	-	(248,510)
All other general administration	3,544,975	19,780	1,592,499	-	(1,932,696)
Plant services	1,696,468	-	440,154	-	(1,256,314)
Ancillary services	2,003,187	-	548,796	-	(1,454,391)
Community services	840,370	-	1,341,555	-	501,185
Interest on long-term liabilities	2,939,993	-	-	-	(2,939,993)
Other outgo	2,452,746	12,557	464,836	-	(1,975,353)
Total governmental activities	<u>\$ 53,554,395</u>	<u>\$ 598,441</u>	<u>\$ 25,703,750</u>	<u>\$ 25,791</u>	<u>(27,226,413)</u>
General Revenues:					
Taxes and subventions:					
Taxes levied for general purposes					17,157,300
Taxes levied for debt service					4,141,431
Federal and state aid not restricted to specific purposes					24,219,011
Interest and investment earnings					451,777
Interagency revenues					49,776
Miscellaneous					349,610
Total general revenues					<u>46,368,905</u>
Change in net position					19,142,492
Net Position - July 1, 2021, as originally reported					<u>(9,135,105)</u>
Error Correction (Note 1)					<u>(5,958,526)</u>
Net position - July 1, 2021, as restated					<u>(15,093,631)</u>
Net position - June 30, 2022					<u>\$ 4,048,861</u>

The accompanying notes are an integral part of these financial statements.

EUREKA CITY SCHOOLS
BALANCE SHEET
GOVERNMENTAL FUNDS
JUNE 30, 2022

	General Fund	Building Fund	All Non-Major Funds	Totals
ASSETS				
Cash and cash equivalents	\$ 27,119,265	\$ 37,054,136	\$ 5,468,011	\$ 69,641,412
Receivables	5,881,201	531,205	545,496	6,957,902
Stores inventory	81,036	-	48,971	130,007
Due from other funds	52,577	-	-	52,577
Total assets	<u>\$ 33,134,079</u>	<u>\$ 37,585,341</u>	<u>\$ 6,062,478</u>	<u>\$ 76,781,898</u>
LIABILITIES AND FUND BALANCES				
Liabilities				
Accounts payable	\$ 3,515,166	\$ 681,939	\$ 38,391	\$ 4,235,496
Due to other funds	-	-	52,577	52,577
Unearned revenue	1,309,409	-	92,247	1,401,656
Total liabilities	<u>4,824,575</u>	<u>681,939</u>	<u>183,215</u>	<u>5,689,729</u>
Fund balances				
Nonspendable	86,471	-	50,111	136,582
Restricted	4,219,403	36,903,402	813,320	41,936,125
Committed	-	-	4,911,120	4,911,120
Assigned	20,651,492	-	104,712	20,756,204
Unassigned	3,352,138	-	-	3,352,138
Total fund balances	<u>28,309,504</u>	<u>36,903,402</u>	<u>5,879,263</u>	<u>71,092,169</u>
Total liabilities and fund balances	<u>\$ 33,134,079</u>	<u>\$ 37,585,341</u>	<u>\$ 6,062,478</u>	<u>\$ 76,781,898</u>

The accompanying notes are an integral part of these financial statements.

EUREKA CITY SCHOOLS

RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET TO THE STATEMENT OF NET POSITION

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

Total fund balances - governmental funds	\$ 71,092,169
Amounts reported for governmental activities in the statement of net position are different because:	
Capital assets used for governmental activities are not financial resources and, therefore, are not reported as assets in governmental funds. The cost of the assets is \$145,365,227 and the accumulated depreciation is \$67,579,707 (Note 4).	77,785,520
Unmatured interest on long-term debt is recognized as paid in governmental funds, but recognized as accrued in government-wide financial statements.	(811,235)
Unamortized costs: In governmental funds, debt issuance premiums, gain or loss on refunding, and defeasance costs are recognized as expenditures in the period they are incurred. In the government-wide statements, these amounts are amortized over the remaining life of the old debt or the life of the new debt, which ever is shorter. Unamortized premiums and loss on refunding consist of:	
Unamortized portion of bond premiums	(4,883,092)
Long-term liabilities are not due and payable in the current period and, therefore, are not reported as liabilities in the funds. Long-term liabilities at June 30, 2022 consisted of (Note 5):	
General obligation bonds payable	\$ 85,364,932
Net pension liability (note 6)	23,222,993
Accreted interest	19,815,263
Net OPEB liability (note 7)	9,940,364
Compensated absences payable	191,533
Note payable	463,733
	(138,998,818)
Deferred outflows and inflows of resources relating to pensions: In governmental funds, deferred outflows and inflows of resources relating to pensions are not reported because they are applicable to future periods. In the statement of net position, deferred outflows and inflows of resources relating to pension are reported.	
Deferred outflows of resources relating to pensions	17,395,034
Deferred inflows of resources relating to pensions	(16,921,756)
Deferred outflows and inflows of resources relating to other postemployment benefits (OPEB): In governmental funds, deferred outflows and inflows of resources relating to OPEB are not reported because they are applicable to future periods. In the statement of net position, deferred outflows and inflows of resources relating to OPEB are reported.	
Deferred outflows of resources relating to OPEB	2,142,649
Deferred inflows of resources relating to OPEB	(4,053,913)
Internal service funds are reported with governmental activities in the statement of net position as they are presumed to operate for the benefit of governmental activities.	1,302,303
Total net position, governmental activities	\$ 4,048,861

The accompanying notes are an integral part of these financial statements.

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EUREKA CITY SCHOOLS
STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCES

GOVERNMENTAL FUNDS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	General Fund	Building Fund	All Non-Major Funds	Totals
REVENUES				
LCFF sources	\$ 40,360,750	\$ -	\$ -	\$ 40,360,750
Federal revenue	12,320,733	-	2,520,817	14,841,550
Other state revenues	8,196,274	-	997,635	9,193,909
Other local revenues	3,344,190	266,498	4,879,735	8,490,423
Total revenues	64,221,947	266,498	8,398,187	72,886,632
EXPENDITURES				
Certificated salaries	18,002,592	-	338,858	18,341,450
Classified salaries	9,138,613	13,155	1,108,211	10,259,979
Employee benefits	14,521,744	3,517	955,637	15,480,898
Books and supplies	2,939,561	80,126	1,428,432	4,448,119
Services and other operating expenditures	4,975,274	17,336	339,027	5,331,637
Capital outlay	770,215	13,978,441	241,120	14,989,776
Other outgo	2,288,192	-	129,776	2,417,968
Debt Service:				
Principal Retirement	-	-	3,305,000	3,305,000
Interest	-	-	2,120,639	2,120,639
Total expenditures	52,636,191	14,092,575	9,966,700	76,695,466
Excess (deficiency) of revenues over expenditures	11,585,756	(13,826,077)	(1,568,513)	(3,808,834)
OTHER FINANCING SOURCES (USES)				
Operating transfers in	-	3,033,778	123,080	3,156,858
Operating transfers out	(123,080)	-	(3,033,778)	(3,156,858)
Other financing sources	-	17,790,000	1,971,921	19,761,921
Total other financing sources (uses)	(123,080)	20,823,778	(938,777)	19,761,921
Net change in fund balances	11,462,676	6,997,701	(2,507,290)	15,953,087
Fund balances, July 1, 2021	16,846,828	29,905,701	8,386,553	55,139,082
Fund balances, June 30, 2022	\$ 28,309,504	\$ 36,903,402	\$ 5,879,263	\$ 71,092,169

The accompanying notes are an integral part of these financial statements.

EUREKA CITY SCHOOLS

RECONCILIATION OF THE GOVERNMENTAL STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES TO THE STATEMENT OF ACTIVITIES

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

Total net change in fund balances - governmental funds	\$ 15,953,087
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Amounts reported governmental activities in the statement of activities are different because:

Capital outlay: In governmental funds, the costs of capital assets are reported as expenditures in the period when the assets are acquired. In the statement of activities, costs of capital assets are allocated over their estimated useful lives as depreciation expense. The difference between capital outlay expenditures and depreciation expense for the period is as follows and can be found on (Note 4):

Expenditures for capital outlay:	\$ 14,702,914	
Depreciation expense:	<u>(3,936,522)</u>	10,766,392

Debt service: In governmental funds, repayment of long-term debt are reported as expenditures. In the government-wide statements, repayments of long-term debt are reported as reductions of liabilities. Expenditures for repayment of the principal portion of long-term debt were: (Note 5).

3,305,000

Other postemployment benefits (OPEB): In governmental funds, OPEB expenses are recognized when employer contributions are made. In the statement of activities, OPEB expenses are recognized on the accrual basis. This year, the difference between OPEB expenses and actual employer OPEB contributions was:

2,551,745

Unmatured interest on long-term debt: In governmental funds, interest on long-term debt is recognized in the period that it becomes due. In the government-wide statement of activities, it is recognized in the period that is incurred. Unmatured interest owing at the end of the period, less matured interest paid during the period but owing from the prior period, was:

825,046

Debt proceeds: In governmental funds, proceeds from debt are recognized as other financing sources. In the government-wide statements, proceeds from debt are reported as increases to liabilities. Amounts recognized in governmental funds as proceeds from debt, net of issue premium or discount, were:

(18,463,733)

Accreted interest on capital appreciation bonds is recognized in the period it is incurred, in the governmental funds it is only recognized when it is due (Note 5).

(1,762,535)

Amortization of debt issue premium or discount or deferred gain or loss from debt refunding: In the governmental funds, if debt is issued at a premium or at a discount, the premium or discount is recognized as an Other Financing Sources or an Other Financing Use in the period it is incurred. In the government-wide statements, the premium or discount, plus any deferred gain or loss from debt refunding, is amortized as interest over the remaining life of the old debt or the life of the new debt, whichever is shorter. Amortization of debt issue premium or discount, or deferred gain or loss from debt refunding, for the period is:

(1,978,540)

Pensions: In government funds, pension costs are recognized when employer contributions are made in the statement of activities, pension costs are recognized on the accrual basis. This year, the difference between accrual-basis pension costs and actual employer contributions was:

7,964,189

Internal Service Funds: Internal services funds are used to conduct certain activities for which costs are charged to other funds on a full cost-recovery basis. Because internal service funds are presumed to benefit governmental activities, internal services activities are reported as governmental in the statement of activities. The net increase or decrease in internal service funds was:

(23,766)

Compensated absences: In governmental funds, compensated absences are measured by the amounts paid during the period. In the statement of activities, compensated absences are measured by the amounts earned. The difference between compensated absences paid and compensated absences earned was:

5,607

Change in net position of governmental activities	<u>\$ 19,142,492</u>
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EUREKA CITY SCHOOLS
PROPRIETARY FUND - STATEMENT OF NET POSITION
SELF-INSURANCE FUND
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

ASSETS

Current Assets

Cash in County Treasury	\$ 1,117,709
Cash with Fiscal Agent	170,026
Receivables	<u>14,568</u>
Total Current Assets	<u>1,302,303</u>

LIABILITIES

Current Liabilities

Accounts Payable	<u>-</u>
Total Current Liabilities	<u>-</u>

NET POSITION

Unrestricted	<u>1,302,303</u>
Net Position	<u><u>\$ 1,302,303</u></u>

The accompanying notes are an integral part of these financial statements.

EUREKA CITY SCHOOLS

**PROPRIETARY FUND – STATEMENT OF REVENUES, EXPENSES
AND CHANGES IN NET POSITION**

SELF-INSURANCE FUND

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

OPERATING REVENUES

Self-insurance premiums	\$ 723,179
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OPERATING EXPENSES

Contract services	<u>754,539</u>
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Operating Income/(Loss)	(31,360)
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NON-OPERATING REVENUES

Interest Income	<u>7,594</u>
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Change in Net Position	(23,766)
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Net Position - Beginning	<u>1,326,069</u>
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Net Position - Ending	<u><u>\$ 1,302,303</u></u>
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The accompanying notes are an integral part of these financial statements.

EUREKA CITY SCHOOLS
PROPRIETARY FUND – STATEMENT OF CASH FLOWS
SELF-INSURANCE FUND
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

CASH FLOWS FROM OPERATING ACTIVITIES

Cash receipts from self-insurance premiums	\$ 730,746
Cash payments for contract services	<u>(801,159)</u>
Net Cash Provided/(Used) by Operating Activities	(70,413)

CASH FLOWS FROM INVESTING ACTIVITIES

Interest income received	<u>7,594</u>
Net Increase/(Decrease) in Cash and Cash Equivalents	(62,819)
Cash and Cash Equivalents - Beginning	<u>1,350,554</u>
Cash and Cash Equivalents - Ending	<u><u>\$ 1,287,735</u></u>

**RECONCILIATION OF OPERATING INCOME TO
NET CASH PROVIDED BY OPERATING ACTIVITIES**

Operating income/(loss)	\$ (31,360)
Adjustments to reconcile net income to net cash provided by operations:	
(Increase)/Decrease in:	
Receivables	7,567
Increase/(Decrease) in:	
Accounts Payable	<u>(46,620)</u>
Net Cash Provided/(Used) by Operating Activities	<u><u>\$ (70,413)</u></u>

The accompanying notes are an integral part of these financial statements.

EUREKA CITY SCHOOLS
STATEMENT OF FIDUCIARY NET POSITION
TRUST FUND
JUNE 30, 2022

	<u>Private- Purpose Trust Fund</u> <u>Foundation Fund</u>
ASSETS	
Cash in County Treasury	\$ 237,562
Accounts Receivable	<u>4,071</u>
Total assets	<u><u>\$ 241,633</u></u>
LIABILITIES	
Accounts Payable	<u>\$ 147</u>
Total liabilities	<u>147</u>
NET POSITION	
Held in Trust	<u>241,486</u>
Total liabilities and net position	<u><u>\$ 241,633</u></u>

The accompanying notes are an integral part of these financial statements.

EUREKA CITY SCHOOLS

STATEMENT OF CHANGES IN FIDUCIARY NET POSITION

TRUST FUND

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	Private- Purpose Trust Fund
	Foundation Fund
REVENUES	
Donations	\$ 43,267
Interest income	1,853
Total revenues	<u>45,120</u>
EXPENSES	
Operating expense	<u>33,312</u>
Total expenses	<u>33,312</u>
Change in Net Position	<u>11,808</u>
Net Position, July 1, 2021	<u>229,678</u>
Net Position, June 30, 2022	<u><u>\$ 241,486</u></u>

The accompanying notes are an integral part of these financial statements.

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Eureka City Schools (the "District") accounts for its financial transactions in accordance with the policies and procedures of the California Department of Education's *California School Accounting Manual*. The accounting policies of the District conform to accounting principles generally accepted in the United States of America as prescribed by the Governmental Accounting Standards Board. The following is a summary of the more significant policies:

REPORTING ENTITY

The Board of Trustees is the level of government which has governance responsibilities over all activities related to public school education in the District. The Board is not included in any other governmental "reporting entity" as defined by the Governmental Accounting Standards Board since Board members have decision-making authority, the power to designate management, the responsibility to significantly influence operations and primary accountability for fiscal matters.

BASIS OF PRESENTATION

The basic financial statements include a Management's Discussion and Analysis (MD&A) section providing an analysis of the District's overall financial position and results of operations, financial statements prepared using full accrual accounting for all of the District's activities, including infrastructure, and a focus on the major funds.

Government-wide Financial Statements

The Statement of Net Position and the Statement of Activities displays information about the reporting government as a whole. Fiduciary funds are not included in the government-wide financial statements. Fiduciary funds are reported only in the Statement of Fiduciary Net Position at the fund financial statement level.

The Statement of Net Position and the Statement of Activities are prepared using the economic resources measurement focus and the accrual basis of accounting. Revenues, expenses, gains, losses, assets, and liabilities resulting from exchange and exchange-like transactions are recognized when the exchange takes place. Revenues, expenses, gains, losses, assets and liabilities resulting from nonexchange transactions are recognized in accordance with the requirements of Governmental Accounting Standards Board Codification Section (GASB Cod. Sec.) N50.118-.121.

Program revenues: Program revenues included in the Statement of Activities derive directly from the program itself or from parties outside the District's taxpayers or citizenry, as a whole; program revenues reduce the cost of the function to be financed from the District's general revenues.

Allocation of indirect expenses: The District reports all direct expenses by function in the Statement of Activities. Direct expenses are those that are clearly identifiable with a function. Depreciation expense is specifically identified by function and is included in the direct expense of each function. Interest on general long-term liabilities is considered an indirect expense and is reported separately on the Statement of Activities.

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

MEASUREMENT FOCUS AND BASIS OF ACCOUNTING

Government-Wide Financial Statements

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements are met. Expenses are recorded when liabilities are incurred.

Governmental Fund Financial Statements

Governmental fund financial statements (i.e., balance sheet and statement of revenues, expenditures, and changes in fund balances) are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenue resulting from exchange transactions, in which each party gives and receives essentially equal value, is recorded under the accrual basis when the exchange takes place. On a modified accrual basis, revenue is recorded in the fiscal year in which the resources are measurable and become available. “Available” means the resources will be collected within the current fiscal year or are expected to be collected soon enough thereafter to be used to pay liabilities of the current fiscal year. For the District, “available” means collectible within the current period or within 60 days after year-end.

Non-exchange transactions, in which the District receives value without directly giving equal value in return, include property taxes, grants, and entitlements. Under the accrual basis, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. Revenue from grants and entitlements is recognized in the fiscal year in which all eligibility requirements have been satisfied. Eligibility requirements include timing requirements, which specify the year when the resources are to be used, or the fiscal year when use is first permitted; matching requirements, in which the District must provide local resources to be used for a specified purpose; and expenditure requirements, in which the resources are provided to the District on a reimbursement basis. Under the modified accrual basis, revenue from non-exchange transactions must also be available before it can be recognized.

Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

FUND ACCOUNTING

The accounts of the District are organized on the basis of funds or account groups, each of which is considered to be a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues, and expenditures or expenses, as appropriate. District resources are allocated to and accounted for in individual funds based upon the purpose for which they are to be spent and the means by which spending activities are controlled.

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

The District funds are as follows:

Major Governmental Funds:

The **General Fund** is the general operating fund of the District and accounts for all revenues and expenditures of the District not encompassed within other funds. All general tax revenues and other receipts that are not allocated by law or contractual agreement to some other fund are accounted for in this fund. General operating expenditures and the capital improvement costs that are not paid through other funds are paid from the General Fund. For financial reporting purposes, the current year activity and year-end balances of the Special Reserve Fund for Other than Capital Outlay Projects and Special Reserve Fund for Postemployment Benefits are combined with the General Fund.

The **Building Fund** is used primarily to account separately for proceeds from the sale of bonds (Education Code Section 15146) and may not be used for any purposes other than those for which the bonds were issued.

Non-Major Governmental Funds:

The **Special Revenue funds** are established to account for the proceeds from specific revenue sources (other than trusts, major capital projects, or debt service) that are restricted or committed to the financing of particular activities and that compose a substantial portion of the inflows of the fund. Additional resources that are restricted, committed, or assigned to the purpose of the fund may also be reported in the fund.

The **Student Activity Fund** accounts for student body activities (ASB) to account for the raising and expending of money to promote the general welfare, morale and educational experience of the student body.

The **Adult Education Fund** is used to account separately for Federal, State, and local revenues for adult education programs and is to be expended for adult education purposes only.

The **Child Development Fund** is used to account separately for Federal, State, and local revenues to operate child development programs and is to be used only for expenditures for the operation of child development programs.

The **Cafeteria Fund** is used to account separately for Federal, State, and local resources to operate the food service program (Education Code Sections 38090-38093) and is used only for those expenditures authorized by the governing board as necessary for the operation of the District's food service program (Education Code Sections 38091 and 38100).

The **Deferred Maintenance Fund** is used to account separately for State apportionments and the District's contributions for deferred maintenance purposes (Education Code Sections 17582-17587) and for items of maintenance approved by the State Allocation Board.

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Governmental Funds (continued):

The **Capital Project Funds** are used to account for and report financial resources that are restricted, committed, or assigned to the acquisition or construction of major capital facilities and other capital assets (other than those financed by proprietary funds and trust funds).

The **Capital Facilities Fund** is used primarily to account separately for monies received from fees levied on developers or other agencies as a condition of approving a development (*Education Code* sections 17620-17626). Expenditures are restricted to the purposes specified in *Government Code* sections 65970-65981 or to the items specified in agreements with the developer (*Government Code* Section 66006).

The **County School Facilities Fund** is established pursuant to Education Code Section 17070.43 to receive apportionments from the 1998 State School Facilities Fund (Proposition 1A), the 2002 State School Facilities Fund (Proposition 47), or the 2004 State School Facilities Fund (Proposition 55) authorized by the State Allocation Board for new school facility construction, modernization projects, and facility hardship grants, as provided in the Leroy F. Greene School Facilities Act of 1998 (Education Code Section 17070 et seq.).

The **Special Reserve Fund for Capital Outlay Projects** is used to account for resources used for the acquisition or construction of major capital facilities by the District.

The **Bond Interest and Redemption Fund** is used for the repayment of bonds issued for the District (Education Code Sections 15125-15262).

Proprietary fund reporting focuses on the determination of operating income, changes in net position, financial position, and cash flows. Proprietary funds are classified as enterprise or internal service. The District has only one following proprietary fund:

Internal Service Funds may be used to account for any activity for which services are provided to other funds of the District on a cost-reimbursement basis. The District operates a Self-Insurance fund that is accounted for in an internal service fund.

Fiduciary Funds are used to account for assets held in trustee or custodial capacity for others that cannot be used to support the district's own programs. The fiduciary fund category includes Trust and custodial funds. The District has only one fiduciary fund.

Private-Purpose Trust Funds is used to account separately for gifts or bequests per Education Code Section 41031 that benefit individuals, private organizations, or other governments and under which neither principal nor income may be used for purposes that support the District's own programs.

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Basis of Accounting

Basis of accounting refers to when revenues and expenditures or expenses are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurement made, regardless of the measurement focus applied.

Accrual

Governmental activities in the government-wide financial statements and the proprietary and fiduciary fund financial statements are presented on the accrual basis of accounting. Revenues are recognized when earned and expenses are recognized when incurred.

Modified Accrual

The governmental funds financial statements are presented on the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recorded when susceptible to accrual; i.e., both measurable and available. "Available" means collectible within the current period or within 60 days after year end. Expenditures are generally recognized under the modified accrual basis of accounting when the related liability is incurred. The exception to this general rule is that principal and interest on general obligation long-term liabilities, if any, is recognized when due.

BUDGETS AND BUDGETARY ACCOUNTING

Annual budgets are adopted on a basis consistent with generally accepted accounting principles for all governmental funds. By state law, the District's governing board must adopt a final budget no later than July 1. A public hearing must be conducted to receive comments prior to adoption. The District's governing board satisfied these requirements.

During the year, budget revisions by the District's governing board and district superintendent give consideration to unanticipated revenue and expenditures. The final revised budgets are presented in the financial statements.

Formal budgetary integration was employed as a management control device during the year for all budgeted funds. The District employs budget control by major object and by individual appropriation accounts. Expenditures cannot legally exceed appropriations by major object account. The budgets are revised during the year by the District's Board of Trustees and District Superintendent to provide for unanticipated revenues and expenditures.

RECEIVABLES

Receivables consist of amounts due from the federal and state governments related to federal and state programs. The District has not established an allowance for doubtful accounts, due to the nature of these accounts. However, management continually monitors the accounts for collectability. The District does not charge interest on past due accounts.

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

STORES INVENTORY

Inventory in the General and Cafeteria Funds consists mainly of consumable supplies held for future use and are valued at average cost. Inventories are recorded as expenditures at the time individual inventory items are transferred from the warehouse to schools and offices.

CAFETERIA FOOD PURCHASES

The Cafeteria Fund statement of revenues and expenditures reflects supplies expense and included in this amount is a handling charge for the delivery of government surplus food commodities. The State does not require the Cafeteria Account to record the fair market value of these commodities. The supplies expenditures would have been greater had the District paid fair market value for the government surplus food commodities.

CAPITAL ASSETS

Capital assets purchased or acquired, with an original cost of \$5,000 or more, are recorded at historical cost or estimated historical cost. Contributed assets are reported at fair market value as of the date received. Additions, improvements and other capital outlay that significantly extend the useful life of an asset are capitalized. Other costs incurred for repairs and maintenance are expensed as incurred. Capital assets are depreciated using the straight-line method over 2 - 50 years depending on asset types.

COMPENSATED ABSENCES

Compensated Absences

Compensated absence benefits are recorded as a liability of the District. The liability of \$191,533 is for the earned but unused benefits.

Accumulated Sick Leave

Sick leave benefits are accumulated for each employee. The employees do not gain a vested right to accumulated sick leave. Accumulated employee sick leave benefits are not recognized as liabilities of the District since cash payment of such benefits is not probable. Therefore, sick leave benefits are recorded as expenditures in the period that sick leave is taken.

DEFERRED INFLOWS AND OUTFLOWS OF RESOURCES

In addition to assets, the statement of net position includes a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s), and as such will not be recognized as an outflow of resources (expense/expenditures) until then.

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

DEFERRED INFLOWS AND OUTFLOWS OF RESOURCES (CONTINUED)

In addition to liabilities, the statement of net position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and as such, will not be recognized as an inflow of resources (revenue) until that time.

REVENUES – EXCHANGE AND NON-EXCHANGE TRANSACTIONS

Revenue resulting from exchange transactions, in which each party gives and receives essentially equal value, is recorded on the accrual basis when the exchange takes place. On a modified accrual basis, revenue is recorded in the fiscal year in which the resources are measurable and become available. Available means that the resources will be collected within the current fiscal year or are expected to be collected soon enough thereafter, to be used to pay liabilities of the current fiscal year. For the District, available means expected to be received within 90 days of fiscal year-end.

Non-exchange transactions, in which the District receives value without directly giving equal value in return, include property taxes, certain grants, entitlements, and donations. Revenue from property taxes is recognized in the fiscal year in which the taxes are received. Revenue from certain grants, entitlements, and donations is recognized in the fiscal year in which all eligibility requirements have been satisfied. Eligibility requirements include time and purpose restrictions. On a modified accrual basis, revenue from non-exchange transactions must also be available before it can be recognized.

Under the modified accrual basis, the following revenue sources are considered to be both measurable and available at fiscal year-end: State apportionments, interest, certain grants, and other local sources.

UNEARNED REVENUE

Unearned revenue arises when potential revenue does not meet both the "measurable" and "available" criteria for recognition in the current period or when resources are received by the District prior to the incurrence of qualifying expenditures. In subsequent periods, when both revenue recognition criteria are met, or when the District has a legal claim to the resources, the liability for unearned revenue is removed from the balance sheet and revenue is recognized.

Certain grants received before the eligibility requirements are met are recorded as unearned revenue. On the governmental fund financial statements, receivables that will not be collected within the available period are also recorded as unearned revenue.

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

RESTRICTED NET POSITION

Restrictions of the ending net position indicate the portions of net position not appropriable for expenditure or amounts legally segregated for a specific future use. The restriction for unspent categorical program revenues represents the portion of net position restricted to specific program expenditures. The restrictions on special revenues and capital projects represent the portion of net position for the special revenue and capital projects funds. The restriction for debt service represents the amount to be used for the repayment of long-term liabilities. It is the District's policy to first use restricted net position when allowable expenditures are incurred.

OPERATING REVENUES AND EXPENSES

Operating revenues are those revenues that are generated directly from the primary activity of the proprietary funds. For the District, these revenues are primarily interfund insurance premiums. Operating expenses are necessary costs incurred to provide the goods or services that are the primary activity of the fund.

EXPENSES/EXPENDITURES

On the accrual basis of accounting, expenses are recognized at the time they are incurred. The measurement focus of governmental fund accounting is on decreases in net financial resources (expenditures) rather than expenses. Expenditures are generally recognized in the accounting period in which the related fund liability is incurred, if measurable, and typically paid within 90 days. Principal and interest on long-term obligations, which have not matured, are recognized when paid in the governmental funds as expenditures. Allocations of costs, such as depreciation and amortization, are not recognized in the governmental funds but are recognized in the entity-wide statements.

CASH AND CASH EQUIVALENTS

The District's cash and cash equivalents are considered to be cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition. Cash equivalents also include cash with county treasury balances for purposes of the statement of cash flows.

INVESTMENTS

Investments held at June 30, 2022, with original maturities greater than one year are stated at fair value. Fair value is estimated based on quoted market prices at year-end. All investments not required to be reported at fair value are stated at cost or amortized cost.

PREPAID EXPENDITURES

Prepaid expenditures (expenses) represent amounts paid in advance of receiving goods or services. The District has the option of reporting an expenditure in governmental funds for prepaid items either when purchased or during the benefiting period. The District has chosen to report the expenditures when paid.

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

INTERFUND BALANCES

On fund financial statements, receivables and payables resulting from short-term interfund loans are classified as "interfund receivables/payables". These amounts are eliminated in the governmental and business-type activities columns of the statement of net position.

LONG-TERM OBLIGATIONS

All payables, accrued liabilities, and long-term obligations are reported in the government-wide and proprietary fund financial statements. In general, governmental fund payables and accrued liabilities that, once incurred, are paid in a timely manner and in full from current financial resources are reported as obligations of the governmental funds.

However, claims and judgments, compensated absences, special termination benefits, and contractually required pension contributions that will be paid from governmental funds are reported as a liability in the governmental fund financial statements only to the extent that they are due for payment during the current year. Bonds, capital leases, and other long-term obligations are recognized as liabilities in the governmental fund financial statements when due.

BOND PREMIUMS AND DISCOUNTS

In the government-wide financial statements and in the proprietary fund type financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, or proprietary fund statement of net assets. Bond premiums and discounts are deferred and amortized over the life of the bonds using the straight-line method.

PROPERTY TAX

The District's local control funding formula is received from a combination of local property taxes, state apportionments, and other local sources. Secured property taxes attach as an enforceable lien on property as of January 1. Taxes are payable in two installments on November 1 and February 1 and become delinquent on December 10 and April 10, respectively. Unsecured property taxes are payable in one installment on or before August 31. The County of Humboldt bills and collects the taxes on behalf of the District. Local property tax revenues are recorded when received.

INTERFUND ACTIVITY

Transfers between governmental activities in the government-wide financial statements are reported in the same manner as general revenues. Exchange transactions between funds are reported as revenues in the seller funds and as expenditures/expenses in the purchaser funds. Flows of cash or goods from one fund to another without a requirement for repayment are reported as interfund transfers. Interfund transfers are reported as other financing sources/uses in governmental funds and after non-operating revenues/expenses in proprietary funds. Repayments from funds responsible for particular expenditures/expenses to the funds that initially paid for them are not presented in the financial statements.

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

FINANCING LEASES

A lease is defined 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. The long-term liability and corresponding asset for financial leases are recorded in the financial statements to the extent that the District's lease capitalization threshold is met, \$375,000. Amortization of related assets using the straight-line method over the life of the contract as of June 30, 2022, the District did not have any financial leases that met the threshold.

NET POSITION

Net position represents the difference between assets and liabilities. Net position invested in capital assets, net of related debt consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowings used for the acquisition, construction or improvement of those assets. Net position is reported as restricted when there are limitations imposed on their use either through the enabling legislation adopted by the District or through external restrictions imposed by creditors, grantors, or laws or regulations of other governments. The District first applies restricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available.

FUND BALANCE

Governmental Accounting Standards Board Codification Sections 1300 and 1800, Fund Balance Reporting and Governmental Fund Type Definitions (GASB Code Section 1300 and 1800) implements a five-tier fund balance classification hierarchy that depicts the extent to which a government is bound by spending constraints imposed on the use of its resources. The five classifications, discussed in more detail below, are nonspendable, restricted, committed, assigned and unassigned. The classifications used in the governmental fund financial statements are as follows:

- **Nonspendable:** This classification includes amounts that are not expected to be converted to cash, such as resources that are not in a spendable form (e.g. inventories and prepaids) or that are legally or contractually required to be maintained intact. The District has classified its revolving cash account as being Nonspendable as it is required to be maintained intact.
- **Restricted:** This classification includes amounts constrained to specific purposes by their providers or by law. The District has classified federal and state categorical programs as being restricted because their use is restricted by Statute. Debt service resources are to be used for future servicing of the general obligation bonds and are restricted through debt covenants.
- **Committed:** This classification includes amounts constrained to specific sources by the Board. For this purpose, all commitments of funds shall be approved by a majority vote of the Board. The constraints shall be imposed no later than the end of the reporting period of June 30, although the actual amounts may be determined subsequent to that date but prior to the issuance of the financial statements.

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

FUND BALANCE (CONTINUED)

- Assigned: This classification includes amounts which the Board or its designee intends to use for a specific purpose but are neither restricted nor committed. The Board delegates authority to assign funds to the assigned fund balance to the Superintendent or designee and authorizes the assignment of such funds to be made any time prior to the issuance of the financial statements. This classification also includes the remaining positive fund balance for all governmental funds except for the General Fund. The Agency has assigned funds for Other Capital Projects that are to be used for the repair and replacement of equipment.
- Unassigned: This classification includes the residual fund balance for the General Fund and includes the amount designated for economic uncertainties. To protect the District against unforeseen circumstances such as revenue shortfalls and unanticipated expenditures, the Board maintains a minimum unassigned fund balance which includes a reserve for economic uncertainties equal to at least one month of average general fund expenditures or 8% of general fund expenditures and other financing uses. If the unassigned fund balance falls below this level due to an emergency situation, unexpected expenditures, or revenue shortfalls, the Board shall develop a plan to recover the fund balance which may include dedicating new unrestricted revenues, reducing expenditures, and/or increasing revenues or pursuing other funding sources.

When multiple types of funds are available for an expenditure, the District shall first utilize funds from the restricted fund balance as appropriate, then from committed fund balance, then from the Assigned fund balance, and lastly from the Unassigned fund balance.

ESTIMATES

The preparation of the financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results may differ from those estimates.

ENCUMBRANCES

Encumbrance accounting is used in all budgeted funds to reserve portions of applicable appropriations for which commitments have been made. Encumbrances are recorded for purchase orders, contracts, and other commitments when they are written. Encumbrances are liquidated when the commitments are paid. All encumbrances are liquidated at June 30.

ELIMINATIONS AND RECLASSIFICATIONS

In the process of aggregating data for the Statement of Net Position and the Statement of Activities, some amounts reported as interfund activity and balances in the funds were eliminated or reclassified. Interfund receivables and payables were eliminated to minimize the "grossing up" effect on assets and liabilities within the governmental activities' column.

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

PENSIONS

For purposes of measuring the net pension liability and deferred outflows/inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the District's California Public Employees' Retirement System (CalPERS) and California State Teachers' Retirement System (CalSTRS) plans (Plans) and additions to/deductions from the Plans' fiduciary net position have been determined on the same basis as they are reported by CalPERS and CalSTRS, respectively. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (OPEB)

For purposes of measuring the District's OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense, information about the fiduciary net position of the District's OPEB Plan (OPEB Plan) and additions to/deductions from the District's fiduciary net position have been determined on the same basis as they are reported by the OPEB Plan. For this purpose, the OPEB Plan recognizes benefit payments when due and payable in accordance with the benefit terms. Investments are reported at fair value, except for money market investments and participating interest earning investment contracts that have a maturity at the time of purchase of one year or less, which are reported at cost.

ERROR CORRECTION

The balance for capital assets, was overstated by \$5,958,526 as previously reported due to an error in tracking of records. This overstatement in capital assets is a result of the accumulated depreciation of \$5,958,526 not included in the prior year balance reported. GASB, Statement, No. 100 has been implemented to ensure proper presentation and restatement of prior period net position for the reporting period ending June 30, 2022.

The primary objective of GASB, Statement, No. 100 is to enhance accounting and financial reporting requirements for accounting changes and error corrections to provide more understandable, reliable, relevant, consistent, and comparable information for making decisions or assessing accountability. This Statement defines accounting changes as changes in accounting principles, changes in accounting estimates, and changes to or within the financial reporting entity and describes the transactions or other events that constitute those changes. As part of those descriptions, for (1) certain changes in accounting principles and (2) certain changes in accounting estimates that result from a change in measurement methodology, a new principle or methodology should be justified on the basis that it is preferable to the principle or methodology used before the change. That preferability should be based on the qualitative characteristics of financial reporting—understandability, reliability, relevance, timeliness, consistency, and comparability. This Statement also addresses corrections of errors in previously issued financial statements.

EUREKA CITY SCHOOLS

NOTES TO BASIC FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

ERROR CORRECTION (CONTINUED)

This Statement prescribes the accounting and financial reporting for (1) each type of accounting change and (2) error corrections. This Statement requires that (a) changes in accounting principles and error corrections be reported retroactively by restating prior periods, (b) changes to or within the financial reporting entity be reported by adjusting beginning balances of the current period, and (c) changes in accounting estimates be reported prospectively by recognizing the change in the current period. The requirements of this Statement for changes in accounting principles apply to the implementation of a new pronouncement in absence of specific transition provisions in the new pronouncement. This Statement also requires that the aggregate amount of adjustments to and restatements of beginning net position, fund balance, or fund net position, as applicable, be displayed by reporting unit in the financial statements.

This Statement requires disclosure in notes to financial statements of descriptive information about accounting changes and error corrections, such as their nature. In addition, information about the quantitative effects on beginning balances of each accounting change and error correction should be disclosed by reporting unit in a tabular format to reconcile beginning balances as previously reported to beginning balances as restated.

Furthermore, this Statement addresses how information that is affected by a change in accounting principle or error correction should be presented in required supplementary information (RSI) and supplementary information (SI). For periods that are earlier than those included in the basic financial statements, information presented in RSI or SI should be restated for error corrections, if practicable, but not for changes in accounting principles.

Beginning of year net position has been restated as follows:

Net position, July 1, 2021, as originally reported	\$ (9,135,105)
ERROR CORRECTION (Note 1)	<u>(5,958,526)</u>
Net position, July 1, 2021, as restated	<u>\$ (15,093,631)</u>

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

2. CASH AND INVESTMENTS

Cash and investments at June 30, 2022 consisted of the following:

	Governmental Funds	Proprietary Activities	Governmental Activities Total	Fiduciary Activities	Total
Cash in County Treasury	\$ 69,276,824	\$ 1,117,709	\$ 70,394,533	\$ 237,562	\$ 70,632,095
Cash on hand and in banks	358,013	-	358,013	-	358,013
Cash in revolving fund	6,575	-	6,575	-	6,575
Cash with fiscal agent	-	170,026	170,026	-	170,026
Totals	<u>\$ 69,641,412</u>	<u>\$ 1,287,735</u>	<u>\$ 70,929,147</u>	<u>\$ 237,562</u>	<u>\$ 71,166,709</u>

Policies and Practices

The District is authorized under California Government Code to make direct investments in local agency bonds, notes, or warrants within the State; U.S. Treasury instruments; registered State warrants or treasury notes; securities of the U.S. Government, or its agencies; bankers acceptances; commercial paper; certificates of deposit placed with commercial banks and/or savings and loan companies; repurchase or reverse repurchase agreements; medium term corporate notes; shares of beneficial interest issued by diversified management companies, certificates of participation, obligations with first priority security; and collateralized mortgage obligations.

Cash in Bank and Revolving Funds

Cash balances held in banks and revolving funds are insured up to \$250,000 by the Federal Depository Insurance Corporation. All cash held by the financial institution is fully insured or collateralized.

Cash with Fiscal Agent

Cash with Fiscal Agent represents funds held by third parties for the payment of dental and vision claims through the internal service fund.

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

2. CASH AND INVESTMENTS (CONTINUED)

Cash in County Treasury

County pool investments consist of District cash held by the Humboldt County Treasury that is invested in the county investment pool. The fair value of the District's investment in the pool is reported in the financial statements at amounts that are based upon the District's pro-rata share of the fair value provided by the County Treasurer for the entire portfolio (in relation to the amortized cost of that portfolio). The County Treasurer has not posted the accrued interest for fiscal years 2020-21 and 2021-22 resulting in differences between the actual cash balances in the Humboldt County Treasury compared to the District-reported balances. The weighted average maturity of the pool is not determinable at this time. The pool is rated AAA by Standard and Poor's.

Deposits - Custodial Credit Risk

The District limits custodial credit risk by ensuring uninsured balances are collateralized by the respective financial institution. Cash balances held in banks are insured up to \$250,000 by the Federal Deposit Insurance Corporation (FDIC) and are collateralized by the respective financial institution. At June 30, 2022, the carrying amount of the District's bank balances have an uninsured balance of \$60,706 and the remaining bank balances were insured or collateralized.

Interest Rate Risk

The District does not have a formal investment policy that limits cash and investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates. At June 30, 2022, the District had no significant interest rate risk related to cash and investments held.

Credit Risk

The District does not have a formal investment policy that limits its investment choices other than the limitations of state law.

Concentration of Credit Risk

The District does not place limits on the amount it may invest in anyone issuer. At June 30, 2022, the District had no concentration of credit risk.

EUREKA CITY SCHOOLS

NOTES TO BASIC FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

3. INTERFUND TRANSACTIONS

Transactions between funds of the District are recorded as interfund transfers, except for the Self-Insurance Fund activity which is recorded as income and expenditures of the Self-Insurance Fund and the General Fund, respectively.

The unpaid balances at year end, as a result of such transactions, are shown as due to and due from other funds.

Interfund Receivables/Payables

As of June 30, 2022, the interfund receivable and payable balances were as follows:

	Interfund Receivables	Interfund Payables
Major Fund		
General Fund	\$ 52,577	\$ -
Nonmajor Fund		
Child Development Fund	-	41,742
Cafeteria Fund	-	10,835
Total	<u>\$ 52,577</u>	<u>\$ 52,577</u>

Interfund Transfers

Interfund transfers consist of operating transfers from funds receiving revenue to funds through which the resources are to be expended.

Interfund transfers for the fiscal year were as follows:

Transfer from General Fund to Child Development Fund to cover operating costs.	\$ 73,595
Transfer from General Fund to Cafeteria Fund to cover operating costs.	49,485
Transfer from County Schools Facilities Fund to Building Fund to replenish bond costs.	<u>3,033,778</u>
Total Transfers	<u>\$ 3,156,858</u>

EUREKA CITY SCHOOLS

NOTES TO BASIC FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

4. CAPITAL ASSETS

Capital asset activity for the year ended June 30, 2022 is shown below:

	Balance July 1, 2021	Prior Year Restatement	Restatement Amount	Additions	Deletions	Balance June 30, 2022
Non-depreciable:						
Land	\$ 1,095,638	\$ -	\$ 1,095,638	\$ -	\$ -	\$ 1,095,638
Work in Progress	2,369,299	-	2,369,299	14,346,446	11,956	16,703,789
Depreciable:						
Improvement of sites	14,787,745	-	14,787,745	73,684	21,420	14,840,009
Buildings	106,201,308	-	106,201,308	126,432	26,916	106,300,824
Equipment	6,208,323	-	6,208,323	443,214	226,570	6,424,967
Totals, at cost	130,662,313	-	130,662,313	14,989,776	286,862	145,365,227
Less accumulated depreciation:						
Improvement of sites	(6,323,292)	-	(6,323,292)	(596,708)	(21,420)	(6,898,580)
Buildings	(46,947,150)	(5,958,526)	(52,905,676)	(3,286,801)	(14,920)	(56,177,557)
Equipment	(4,414,217)	-	(4,414,217)	(315,923)	(226,570)	(4,503,570)
Total accumulated depreciation	(57,684,659)	(5,958,526)	(63,643,185)	(4,199,432)	(262,910)	(67,579,707)
Governmental activities capital assets, net	\$ 72,977,654	\$ (5,958,526)	\$ 67,019,128	\$ 10,790,344	\$ 23,952	\$ 77,785,520

Depreciation expense was charged to governmental activities for the year ended June 30, 2022 as follows:

Instruction	\$ 3,000,336
Instructional Library, Media and Technology	104,241
School Site Administration	212,757
Home-to-School Transportation	119,787
Food Services	224,495
Ancillary Services	395,562
All Other General Administration	78,913
Centralized Data Processing	1,832
Plant Services	61,510
Total Depreciation	<u>\$ 4,199,432</u>

EUREKA CITY SCHOOLS**NOTES TO BASIC FINANCIAL STATEMENTS****FOR THE FISCAL YEAR ENDED JUNE 30, 2022****5. LONG-TERM LIABILITIES**

The changes in the District's long-term obligations during the year consisted of the following:

	Balance			Balance	Amounts
	July 1, 2021	Additions	Deductions	June 30, 2022	Due Within One Year
General Obligation Bonds	\$ 70,669,932	\$ 18,000,000	\$ 3,305,000	\$ 85,364,932	\$ 3,510,000
Accreted Interest	18,052,728	1,762,535	-	19,815,263	-
Net Pension Liability	44,154,862	-	20,931,869	23,222,993	-
Note Payable	-	463,733	-	463,733	19,322
Net OPEB Liability	12,881,593	-	2,941,229	9,940,364	-
Compensated Absences	197,140	-	5,607	191,533	-
Totals	<u>\$ 145,956,255</u>	<u>\$ 20,226,268</u>	<u>\$ 27,183,705</u>	<u>\$ 138,998,818</u>	<u>\$ 3,529,322</u>

Payments on the General Obligation Bonds are made by the Bond Interest and Redemption Fund. Payments for compensated absences, pensions, and OPEB liabilities are paid for by the funds for which the employees worked. Payments on the note payable are paid for by the General Fund.

General Obligation Bonds

At an election held on March 5, 2002, the District received authorization through Measures S and T to issue \$43,160,000 in bonds. The bonds are general obligations of the District, and Humboldt County is obligated to annually levy ad valorem taxes for the payment of the interest and the principal of the bonds. Bond proceeds will be used to repair schools, and to modernize and renovate the District's facilities.

On August 21, 2002, the District issued \$21,602,605 of Measure S, Series 2002 bonds. The interest rate ranges from 3.00% to 5.72%. The final maturity date is August 1, 2027.

On August 21, 2002, the District issued \$6,496,987 of Measure T, Series 2002 bonds. The interest rate ranges from 2.00% to 10.00%. The final maturity date is August 1, 2027.

On December 8, 2005, the District issued \$10,912,384 of Measure S, Series 2005 bonds. The interest rate ranges from 3.50% to 6.00%. The final maturity date is August 1, 2043.

On December 8, 2005, the District issued \$4,087,956 of Measure T, Series 2005 bonds. The interest rate ranges from 3.00% to 6.00%. The final maturity date is August 1, 2036.

In August 2012, the District issued at par \$18,090,000 of 2012 General Obligation Refunding Bonds, Series 2012 for the purpose of refunding a portion of the District's outstanding Election of 2002 General Obligation Bonds, Measure S, Series 2002. The 2012 General Obligation Refunding Bonds bear interest an interest rate of 3.2% and will be repaid in level principal amounts, with the final payment due August 1, 2025.

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

5. LONG-TERM LIABILITIES (CONTINUED)

General Obligation Bonds (continued)

Economic Gain

The economic gain or difference between the present value of the old debt service requirements and the present value of the new debt service requirements, discounted at the effective interest rate and adjusted for additional cash paid was \$1,780,220.

In August 2012, the District issued at par \$5,130,000 of 2012 General Obligation Refunding Bonds, Series 2012 for the purpose of refunding a portion of the District's outstanding Election of 2002 General Obligation Bonds, Measure T, Series 2002. The 2012 General Obligation Refunding Bonds bear interest an interest rate of 3.1% and will be repaid in level principal amounts, with the final payment due August 1, 2024.

The economic gain or difference between the present value of the old debt service requirements and the present value of the new debt service requirements, discounted at the effective interest rate and adjusted for additional cash paid was \$324,510.

Although the advance refundings resulted in the recognition of an accounting loss of \$170,706 for the year ended June 30, 2013, the District in effect reduced its aggregate debt service payments by \$2.7 million over the next 11 years and obtained an economic gain of \$2.1 million.

In August 2015, the District issued "Measure S" General Obligation Bonds, Election of 2014, Series 2015, in the aggregate principal amount of \$25,000,000, to provide funds to finance improvements to facilities and educational technology in the District's facilities. Proceeds of the Bonds will also be used to pay costs of issuance of the Bonds. The Bonds are the first series issued pursuant to the authorization by District voters on November 4, 2014, to issue up to \$49,750,000 principal amount of bonds. The Measure S General Obligation Bonds bear interest an interest rate in the range of 2% to 5% and will be repaid in level principal amounts, with the final payment due August 1, 2045.

In July 2020, the District issued "Measure S" General Obligation Bonds, Election of 2014, Series 2020, in the aggregate principal amount of \$24,750,000, to provide funds to finance improvements to facilities and educational technology in the District's facilities. Proceeds of the Bonds will also be used to pay costs of issuance of the Bonds. The Bonds are the second series issued pursuant to the authorization by District voters on November 4, 2014, to issue up to \$49,750,000 principal amount of bonds. The Measure S General Obligation Bonds bear interest an interest rate in the range of 2.5% to 4% and will be repaid in level principal amounts, with the final payment due August 1, 2049.

In March 2022, the District issued "Measure T" General Obligation Bonds, Election of 2020, Series 2022, in the aggregate principal amount of \$18,000,000, to provide funds to finance the acquisition, construction, modernization, and equipping of District sites and facilities and to pay the costs of issuing the Bonds. The Bonds are the first and only series issued pursuant to the authorization by District voters on March 3, 2020, to issue up to \$18,000,000 aggregate principal amount of general obligation bonds. The Measure T General Obligation Bonds bear interest at an interest rate in the range of 3% to 4% and will be repaid in level principal amounts, with the final payment due August 1, 2049.

EUREKA CITY SCHOOLS**NOTES TO BASIC FINANCIAL STATEMENTS****FOR THE FISCAL YEAR ENDED JUNE 30, 2022****5. LONG-TERM LIABILITIES (CONTINUED)****General Obligation Bonds (continued)**

The annual payments required to amortize the Measure S, Series 2002 bonds outstanding as of June 30, 2022, are as follows:

Year Ended June 30,	Principal	Interest	Total
2023	\$ -	\$ -	\$ -
2024	-	-	-
2025	-	-	-
2026	-	-	-
2027	-	-	-
2028	597,605	1,842,395	2,440,000
Totals	<u>\$ 597,605</u>	<u>\$ 1,842,395</u>	<u>\$ 2,440,000</u>

The annual payments required to amortize the Measure T, Series 2002 bonds outstanding as of June 30, 2022, are as follows:

Year Ended June 30,	Principal	Interest	Total
2023	\$ -	\$ -	\$ -
2024	-	-	-
2025	-	-	-
2026	72,468	607,532	680,000
2027	-	-	-
2028	74,518	775,481	849,999
Totals	<u>\$ 146,986</u>	<u>\$ 1,383,013</u>	<u>\$ 1,529,999</u>

EUREKA CITY SCHOOLS**NOTES TO BASIC FINANCIAL STATEMENTS****FOR THE FISCAL YEAR ENDED JUNE 30, 2022****5. LONG-TERM LIABILITIES (CONTINUED)****General Obligation Bonds (continued)**

The annual payments required to amortize the Measure S, Series 2005 bonds outstanding as of June 30, 2022, are as follows

Year Ended June 30,	Principal	Interest	Total
2023	\$ 10,000	\$ 225	\$ 10,225
2024	-	-	-
2025	-	-	-
2026	-	-	-
2027	835,711	1,509,289	2,345,000
2028-2032	2,992,145	7,327,855	10,320,000
2033-2037	3,281,968	11,293,033	14,575,001
2038-2042	2,581,415	14,113,586	16,695,001
2043-2044	521,147	4,083,877	4,605,024
Totals	<u>\$ 10,222,386</u>	<u>\$ 38,327,865</u>	<u>\$ 48,550,251</u>

The annual payments required to amortize the Measure T, Series 2005 bonds outstanding as of June 30, 2022, are as follows:

Year Ended June 30,	Principal	Interest	Total
2023	\$ 135,000	\$ 23,738	\$ 158,738
2024	145,000	17,438	162,438
2025	155,000	10,688	165,688
2026	160,000	3,600	163,600
2027	311,832	563,168	875,000
2028-2032	1,061,728	2,868,271	3,929,999
2033-2037	984,395	4,345,575	5,329,970
Totals	<u>\$ 2,952,955</u>	<u>\$ 7,832,478</u>	<u>\$ 10,785,433</u>

EUREKA CITY SCHOOLS

NOTES TO BASIC FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

5. LONG-TERM LIABILITIES (CONTINUED)

General Obligation Bonds (continued)

The annual payments required to amortize the Measure S, Series 2012 refunding bonds outstanding as of June 30, 2022, are as follows:

Year Ended June 30,	Principal	Interest	Total
2023	\$ 1,745,000	\$ 203,960	\$ 1,948,960
2024	1,865,000	142,160	2,007,160
2025	2,000,000	81,520	2,081,520
2026	1,030,000	16,480	1,046,480
Totals	<u>\$ 6,640,000</u>	<u>\$ 444,120</u>	<u>\$ 7,084,120</u>

The annual payments required to amortize the Measure T, Series 2012 refunding bonds outstanding as of June 30, 2022, are as follows:

Year Ended June 30,	Principal	Interest	Total
2023	\$ 545,000	\$ 40,378	\$ 585,378
2024	585,000	23,173	608,173
2025	305,000	4,727	309,727
Totals	<u>\$ 1,435,000</u>	<u>\$ 68,278</u>	<u>\$ 1,503,278</u>

EUREKA CITY SCHOOLS**NOTES TO BASIC FINANCIAL STATEMENTS****FOR THE FISCAL YEAR ENDED JUNE 30, 2022****5. LONG-TERM LIABILITIES (CONTINUED)****General Obligation Bonds (continued)**

The annual payments required to amortize the Measure S, Series 2015 bonds outstanding as of June 30, 2022, are as follows:

Year Ended June 30,	Principal	Interest	Total
2023	\$ 225,000	\$ 888,025	\$ 1,113,025
2024	265,000	878,225	1,143,225
2025	305,000	866,825	1,171,825
2026	345,000	853,825	1,198,825
2027	390,000	839,125	1,229,125
2028-2032	2,655,000	3,966,794	6,621,794
2033-2037	4,090,000	3,368,106	7,458,106
2038-2042	6,245,000	2,150,925	8,395,925
2043-2046	6,925,000	576,700	7,501,700
Totals	<u>\$ 21,445,000</u>	<u>\$ 14,388,550</u>	<u>\$ 35,833,550</u>

The annual payments required to amortize the Measure S, Series 2020 bonds outstanding as of June 30, 2022, are as follows:

Year Ended June 30,	Principal	Interest	Total
2023	\$ 850,000	\$ 860,106	\$ 1,710,106
2024	285,000	841,656	1,126,656
2025	55,000	834,856	889,856
2026	80,000	832,156	912,156
2027	105,000	828,456	933,456
2028-2032	970,000	4,047,381	5,017,381
2033-2037	1,890,000	3,765,781	5,655,781
2038-2042	3,065,000	3,315,988	6,380,988
2043-2047	6,425,000	2,771,055	9,196,055
2048-2050	10,200,000	629,400	10,829,400
Totals	<u>\$ 23,925,000</u>	<u>\$ 18,726,835</u>	<u>\$ 42,651,835</u>

EUREKA CITY SCHOOLS**NOTES TO BASIC FINANCIAL STATEMENTS****FOR THE FISCAL YEAR ENDED JUNE 30, 2022****5. LONG-TERM LIABILITIES (CONTINUED)****General Obligation Bonds (continued)**

The annual payments required to amortize the Measure T, Series 2022 bonds outstanding as of June 30, 2022, are as follows:

Year Ended June 30,	Principal	Interest	Total
2023	\$ -	\$ 627,659	\$ 627,659
2024	650,000	677,050	1,327,050
2025	755,000	652,200	1,407,200
2026	475,000	627,600	1,102,600
2027	185,000	614,400	799,400
2028-2032	1,355,000	2,930,400	4,285,400
2033-2037	2,265,000	2,573,000	4,838,000
2038-2042	3,445,000	2,006,400	5,451,400
2043-2047	4,985,000	1,170,000	6,155,000
2048-2050	3,885,000	185,550	4,070,550
Totals	<u>\$ 18,000,000</u>	<u>\$ 12,064,259</u>	<u>\$ 30,064,259</u>

Energy Conservation Assistance Act Loan

The District entered into a loan agreement with the California Energy Commission for energy efficiency measures. The District has received the funding in fiscal year June 30, 2022. The District will make its first payment in December 2022 and will continue to make principal only payments every December and June until June 2033.

Year Ended June 30,	Principal	Interest	Total
2023	\$ 19,322	\$ -	\$ 19,322
2024	38,644	-	38,644
2025	38,644	-	38,644
2026	38,644	-	38,644
2027	38,644	-	38,644
2028-2032	193,223	-	193,223
2033-2034	96,612	-	96,612
Totals	<u>\$ 463,733</u>	<u>\$ -</u>	<u>\$ 463,733</u>

EUREKA CITY SCHOOLS

NOTES TO BASIC FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

6. EMPLOYEE RETIREMENT SYSTEMS

Qualified employees are covered under multiple-employer defined benefit pension plans maintained by agencies of the State of California. Certificated employees are members of the State Teachers' Retirement System (STRS), and classified employees are members of the California Public Employees' Retirement System (CalPERS).

Plan Description

California Public Employees' Retirement System (CalPERS)

The District contributes to the School Employer Pool under the California Public Employees' Retirement System (CalPERS), a cost-sharing multiple-employer public employee retirement system defined benefit pension plan administered by CalPERS. The plan provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Benefit provisions are established by state statutes, as legislatively amended, within the Public Employees' Retirement Law. CalPERS issues a separate annual comprehensive financial report that includes financial statements and required supplementary information. Copies of the CalPERS annual comprehensive financial report may be obtained from the CalPERS Headquarters, 400 Q Street, Sacramento, California 95811.

State Teachers' Retirement System (STRS)

The District contributes to the State Teachers' Retirement System (STRS), a cost-sharing, multiple-employer, public employee retirement system defined benefit pension plan administered by STRS. The plan provides retirement and disability benefits and survivor benefits to beneficiaries. Benefit provisions are established by state statutes, as legislatively amended, within the State Teachers' Retirement Law. STRS issues a separate annual comprehensive financial report that includes financial statements and required supplementary information. Copies of the STRS annual comprehensive financial report may be obtained from the STRS Headquarters, 100 Waterfront Place, West Sacramento, California 95605.

The Plans' provisions and benefits in effect at June 30, 2022, are summarized as follows:

	CalPERS		CalSTRS	
	Prior to January 1, 2013	On or after January 1, 2013	Prior to January 1, 2013	On or after January 1, 2013
Hire date				
Benefit formula	2% @ 55	2% @ 62	2% @ 60	2% @ 62
Benefit vesting schedule	5 years service	5 years service	5 years service	5 years service
Benefit payments	monthly for life	monthly for life	monthly for life	monthly for life
Retirement age	55	62	60	62
Monthly benefits, as a % of eligible compensation	2.0%	2.0%	2.0%	2.0%
Required employee contribution rates	7%	7%	10.25%	10.205%
Required employer contribution rates	22.910%	22.910%	16.92%	16.92%

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

6. EMPLOYEE RETIREMENT SYSTEMS (CONTINUED)

Contributions

CalPERS

Section 20814(c) of the California Public Employees' Retirement Law requires that the employer contribution rates for all public employers be determined on an annual basis by the actuary and shall be effective on the July 1 following notice of a change in the rate. Funding contributions for the Plan are determined annually on an actuarial basis as of June 30 by CalPERS. The actuarially determined rate is the estimated amount necessary to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability. The District is required to contribute the difference between the actuarially determined rate and the contribution rate of employees.

STRS

Required member, employer and state contribution rates are set by the California Legislature and Governor and detailed in Teachers' Retirement Law. Contribution rates are expressed as a level percentage of payroll using the entry age normal actuarial cost method.

For the year ended June 30, 2022, the contributions reported as deferred outflows of resources related to pensions recognized as part of pension expense for each Plan were as follows:

	CalPERS	STRS	Total
Contributions - employer	\$ 2,193,377	\$ 2,966,959	\$ 5,160,336
On behalf contributions - state	-	1,780,063	1,780,063
Total	<u>\$ 2,193,377</u>	<u>\$ 4,747,022</u>	<u>\$ 6,940,399</u>

Pension Liabilities, Pension Expenses and Deferred Outflows/Inflows of Resources Related to Pensions

As of June 30, 2022, the District's reported net pension liabilities for its proportionate share of the net pension liability of the Plans' of:

	Proportionate Share of Net Pension Liability
CalPERS	\$ 10,627,115
STRS	12,595,878
Total Net Pension Liability	<u>\$ 23,222,993</u>

EUREKA CITY SCHOOLS

NOTES TO BASIC FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

6. EMPLOYEE RETIREMENT SYSTEMS (CONTINUED)

The District's net pension liability for each Plan is measured as the proportionate share of the net pension liability. The net pension liability of each of the Plans is measured as of June 30, 2021, and the total pension liability for each Plan used to calculate the net pension liability was determined by an actuarial valuation as of June 30, 2020 rolled forward to June 30, 2021 using standard update procedures. The District's proportion of the net pension liability was based on a projection of the District's long-term share of contributions to the pension plan relative to the projected contributions of all participating employers, actuarially determined. The District's proportionate share of the net pension liability for the Plan as of June 30, 2020 and 2021 was as follows:

Measurement			
Dates	Fiscal Year	CalPERS	STRS
June 30, 2020	2020-21	0.05447%	0.02832%
June 30, 2021	2021-22	0.05226%	0.02768%
Change - Increase (Decrease)		-0.00221%	-0.00064%

For the year ended June 30, 2022, the District recognized pension expense of (\$7,964,189). At June 30, 2022, the District reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	CalPERS		STRS		Total	
	Deferred Outflows of Resources	Deferred Inflows of Resources	Deferred Outflows of Resources	Deferred Inflows of Resources	Deferred Outflows of Resources	Deferred Inflows of Resources
Pension contributions subsequent to measurement date	\$ 2,193,377	\$ -	\$ 4,747,022	\$ -	\$ 6,940,399	\$ -
Difference between proportionate share of aggregate employer contributions and actual contributions for 2020-21	246,074	522,885	234,947	477,093	481,021	999,978
Changes of Assumptions	238,441	-	8,528,174	-	8,766,615	-
Differences between Expected and Actual Experience	978,473	18,789	163,173	2,506,673	1,141,646	2,525,462
Change in employer's proportion and differences between the employer's contributions and the employer's proportionate share of contributions	65,353	625,128	-	1,495,632	65,353	2,120,760
Net differences between projected and actual investment earnings on pension plan investments	-	3,090,164	-	8,185,392	-	11,275,556
Total	\$ 3,721,718	\$ 4,256,966	\$ 13,673,316	\$ 12,664,790	\$ 17,395,034	\$ 16,921,756

EUREKA CITY SCHOOLS

NOTES TO BASIC FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

6. EMPLOYEE RETIREMENT SYSTEMS (CONTINUED)

The amounts reported as deferred outflows of resources related to contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the fiscal year ended June 30, 2023. Other amounts reported as deferred inflows and outflows of resources related to pensions will be recognized as pension expense as follows:

Year Ended June 30	CalPERS	STRS	Total Deferred Outflows/ (Inflows) of Resources
2023	\$ (240,775)	\$ (1,183,897)	\$ (1,424,672)
2024	(711,786)	(527,780)	(1,239,566)
2025	(960,391)	(827,436)	(1,787,827)
2026	(815,673)	(1,422,963)	(2,238,636)
2027	-	246,521	246,521
Thereafter	-	(22,941)	(22,941)
Total	<u>\$ (2,728,625)</u>	<u>\$ (3,738,496)</u>	<u>\$ (6,467,121)</u>

Actuarial Assumptions

The total pension liabilities in the June 30, 2020 actuarial valuations were determined using the following actuarial assumptions:

	CalPERS	STRS
Valuation Date	June 30, 2020	June 30, 2020
Measurement Date	June 30, 2021	June 30, 2021
Actuarial Cost Method	Entry-Age Normal Cost	Entry-Age Normal Cost
Actuarial Assumptions		
Discount Rate	7.15%	7.10%
Inflation	2.50%	2.75%
Payroll Growth Rate	2.75%	3.50%
Projected Salary Increase	Varies by Entry Age and Service	Varies by Entry Age and Service
Investment Rate of Return ⁽¹⁾	7.15%	7.10%
Mortality	Derived using CalPERS' Membership Data for all Funds	Derived using STRS' Membership Data for all Funds

⁽¹⁾ Net of pension plan investment expenses, including inflation

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

6. EMPLOYEE RETIREMENT SYSTEMS (CONTINUED)

The mortality table used was developed based on CalPERS-specific data. The table includes 15 years of mortality improvements using the Society of Actuaries Scale 90% of scale MP 2016. For more details on this table, please refer to the December 2017 experience study report (based on CalPERS demographic data from 1997 to 2015) that can be found on the CalPERS website.

STRS changed the mortality assumptions based on the July 1, 2015 through June 30, 2018, experience study adopted by the board in January 2020. STRS uses a generational mortality assumption, which involves the use of a base mortality table and projection scales to reflect expected annual reductions in mortality rates at each age, resulting in increases in life expectancies each year into the future. The base mortality tables are STRS custom tables derived to best fit the patterns of mortality among our members. The projection scale was set equal to 110% of the ultimate improvement factor from the Mortality Improvement Scale (MP-2019) table issued by the Society of Actuaries.

Discount Rate

CalPERS

The discount rate used to measure the total pension liability for the Plan was 7.15%. The projection of cash flows used to determine the discount rate assumed that contributions from Plan members will be made at the current member contribution rates and that contributions from employers will be made at statutorily required rates, actuarially determined. Based on those assumptions, the Plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on Plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class.

In determining the long-term expected rate of return, CalPERS took into account both short-term and long-term market return expectations as well as the expected pension fund cash flows. Using historical and forecasted information for all the funds' asset classes, expected compound (geometric) returns were calculated over the short-term (first 10 years) and the long-term (11+ years) using a building-block approach. Using the expected nominal returns for both short-term and long-term, the present value of benefits was calculated for each fund. The expected rate of return was set by calculating the rounded single equivalent expected return that arrived at the same present value of benefits for cash flows as the one calculated using both short-term and long-term returns. The expected rate of return was then set equal to the single equivalent rate calculated above and adjusted to account for assumed administrative expenses.

EUREKA CITY SCHOOLS

NOTES TO BASIC FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

6. EMPLOYEE RETIREMENT SYSTEMS (CONTINUED)

Asset Class	Assumed Asset Allocation	Real Return Years 1 - 10 ^(a)	Real Return Years 11+ ^(b)
Public Equity	50.0%	4.80%	5.98%
Fixed Income	28.0%	1.00%	2.62%
Inflation Assets	0.0%	0.77%	1.81%
Private Equity	8.0%	6.30%	7.23%
Real Assets	13.0%	3.75%	4.93%
Liquidity	1.0%	0.00%	-0.92%
	<u>100.0%</u>		

^(a) An expected inflation of 2.00% used for this period

^(b) An expected inflation of 2.92% used for this period

STRS

The discount rate used to measure the total pension liability was 7.10%, which was unchanged from prior fiscal year. The projection of cash flows used to determine the discount rate assumed that contributions from plan members and employers are made at statutory contribution rates in accordance with the rate increases actuarially determined. Projected inflows from investment earnings were calculated using the long-term assumed investment rate of return of 7.10% and assume that contributions, benefit payments and administrative expenses occur midyear. Based on those assumptions, the Plan's fiduciary net position was projected to be available to make all projected future benefit payments to current plan members. Therefore, the long-term assumed investment rate of return was applied to all periods of projected benefit payments to determine the total pension liability.

The long-term investment rate of return assumption was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. The best-estimate ranges were developed using capital market assumptions from STRS investment staff and investment consultants as inputs to the process.

The actuarial investment rate of return assumption was adopted by the board in January 2020 in conjunction with the most recent experience study. For each current and future valuation, STRS' independent consulting actuary (Milliman) reviews the return assumption for reasonableness based on the most current capital market assumptions. Best estimates of expected 20-year geometrically linked real rates of return and the assumed asset allocation for each major asset class as of the June 30, 2021 measurement date, are summarized in the following table:

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

6. EMPLOYEE RETIREMENT SYSTEMS (CONTINUED)

Asset Class	Assumed Asset Allocation	Long-Term Expected Real Rate of Return ^(a)
Public Equity	42.0%	4.80%
Real Estate	15.0%	3.60%
Private Equity	13.0%	6.30%
Fixed Income	12.0%	1.30%
Risk Mitigating Strategies	10.0%	1.80%
Inflation Sensitive	6.0%	3.30%
Cash/Liquidity	2.0%	-0.40%
Total	100%	

^(a) 20-year average

Sensitivity of the Proportionate Share of the Net Pension Liability to Changes in the Discount Rate

The following presents the District's proportionate share of the net pension liability for each Plan, calculated using the discount rate for each Plan, as well as what the District's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage point lower or 1-percentage point higher than the current rate:

CalPERS			
	Discount Rate - 1% (6.15%)	Current Discount Rate (7.15%)	Discount Rate + 1% (8.15%)
Plan's Net Pension Liability/(Asset)	\$ 17,918,808	\$ 10,627,115	\$ 4,573,445
STRS			
	Discount Rate - 1% (6.10%)	Current Discount Rate (7.10%)	Discount Rate + 1% (8.10%)
Plan's Net Pension Liability/(Asset)	\$ 25,640,700	\$ 12,595,878	\$ 1,768,925

Pension Plan Fiduciary Net Position

Detailed information about each pension plan's fiduciary net position is available in the separately issued CalPERS and STRS annual comprehensive financial reports available on the CalPERS' and STRS' websites.

Payable to the Pension Plan

As of June 30, 2022, the District had no outstanding required contributions to the pension plans.

EUREKA CITY SCHOOLS

NOTES TO BASIC FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

7. OTHER POSTEMPLOYMENT BENEFITS

General Information about the OPEB Plan

Plan description. The plan is a single-employer defined benefit plan administered by the District. The District pays for monthly health and dental benefits to employees who have reached the age of 55, qualify for retirement and have a combined years of service and age greater than 70. As of June 30, 2022, 62 retirees met these eligibility requirements.

Benefits provided. Access to health and dental insurance is available to retirees age 55 to 65 at the retiree's own expense.

	<u>Certificated</u>	<u>Classified</u>	<u>Management</u>
Benefit types provided	Medical, dental, and vision	Medical, dental, and vision	Medical, dental, and vision
Duration of Benefits	To age 65	To age 65	To age 65
Required Service	10 years*	15 years**	10 years*
Minimum Age	55*	55**	55***
Dependent Coverage	Yes	Yes	Yes
District Contribution %	100%	100%	100%
District Cap	None	Same as active employees	None

* For employees with a first day of paid service on or after July 1, 2018, age at retirement plus length of service must be at least 85 for 100% benefit. For less than 85, the benefit percent equals age plus service. For employees with a first day of paid service prior to July 1, 2018, age at retirement plus length of service must be at least 80 for 100% benefit. For less than 80, the benefit percent equals age plus service.

** Age at retirement plus length of service must be at least 70.

*** Age at retirement plus length of service must be at least 70.

The Plan has no assets, does not issue financial statements, and is not a trust.

Employees covered by benefit terms. As of the June 30, 2021 valuation, the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefit payments	62
Inactive employees entitled to but not yet receiving benefit payments	-
Active employees	353
Total	<u>415</u>

EUREKA CITY SCHOOLS

NOTES TO BASIC FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

7. OTHER POSTEMPLOYMENT BENEFITS (CONTINUED)

Net OPEB Liability

The District's net OPEB liability was measured as of June 30, 2021, and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation as of June 30, 2021.

Actuarial assumptions. The total OPEB liability in the June 30, 2021 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement, unless otherwise specified:

Salary Increases	2.75% per year
Inflation	2.50% per year
Investment rate of return	2.16% per year net of expenses based on the Bond Buyer 20 Bond Index
Healthcare cost trend rates	4.00% per year
Mortality Assumptions	
Certificated	2020 CalSTRS Mortality
Classified	2017 CalPERS Mortality for Miscellaneous and Schools Employees 2017 CalPERS Retiree Mortality for Miscellaneous and Schools Employees
Experience Studies	
Certificated	2020 CalSTRS 2.0% @ 60 Rates 2020 CalSTRS 2.0% @ 62 Rates
Classified	2017 CalPERS 2.0% @ 55 Rates for Schools Employees 2017 CalPERS 2.0% @ 62 Rates for Schools Employees

Changes in the Net OPEB Liability

	Total OPEB Liability (a)	Plan Fiduciary Net Position (b)	Net OPEB Liability (a) - (b)
Balances at June 30, 2020 Measurement Date	\$ 12,881,593	\$ -	\$ 12,881,593
Changes for the year:			
Service cost	1,488,026	-	1,488,026
Interest	286,715	-	286,715
Contributions - employer	-	1,150,496	(1,150,496)
Changes of assumptions	360,847	-	360,847
Benefit payments	(1,150,496)	(1,150,496)	-
Experience (gains)/losses	(3,890,571)	-	(3,890,571)
Expected minus actual payments	(35,750)	-	(35,750)
Net changes	(2,941,229)	-	(2,941,229)
Balances at June 30, 2021 Measurement Date	\$ 9,940,364	\$ -	\$ 9,940,364

EUREKA CITY SCHOOLS

NOTES TO BASIC FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

7. OTHER POSTEMPLOYMENT BENEFITS (CONTINUED)

Sensitivity of the net OPEB liability to changes in the discount rate and healthcare cost trend rates. The following presents the net OPEB liability of the District, as well as what the District's net OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (1.16 percent) or 1-percentage-point higher (3.16 percent) than the current discount rate:

	1% Decrease (1.16%)	Discount Rate (2.16%)	1% Increase (3.16%)
Net OPEB liability	\$ 10,550,679	\$ 9,940,364	\$ 9,352,458

Sensitivity of the net OPEB liability to changes in the healthcare cost trend rates. The following presents the net OPEB liability of the District, as well as what the District's net OPEB liability would be if it were calculated using healthcare cost trend rates that are 1-percentage-point lower (3.0 percent) or 1-percentage-point higher (5.0 percent) than the current healthcare cost trend rates:

	1% Decrease (3.0%)	Healthcare Cost Trend Rates (4.0%)	1% Increase (5.0%)
Net OPEB liability	\$ 8,947,425	\$ 9,940,364	\$ 11,112,981

OPEB plan fiduciary net position. The plan has no assets.

OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB

For the year ended June 30, 2022, the District recognized OPEB expense of (\$2,551,745). At June 30, 2022, the District reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 162,844	\$ 3,922,374
Changes of assumptions	1,216,243	131,539
Net difference between projected and actual earnings on OPEB plan investments	-	-
Deferred contributions	763,562	-
Total	<u>\$ 2,142,649</u>	<u>\$ 4,053,913</u>

EUREKA CITY SCHOOLS

NOTES TO BASIC FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

7. OTHER POSTEMPLOYMENT BENEFITS (CONTINUED)

The District will recognize the contributions made subsequent to the measurement date in the next fiscal year. In addition, future recognition of these deferred resources is shown below:

Year ended June 30	Total Deferred Outflows/(Inflows) of Resources
2023	\$ (237,611)
2024	(237,611)
2025	(237,611)
2026	(237,611)
2027	(237,611)
Thereafter	(1,486,771)
Total	<u>\$ (2,674,826)</u>

Payable to the OPEB Plan

At June 30, 2022, the District had no outstanding amount of contributions to the OPEB plan required for the year ended June 30, 2022.

8. FUND BALANCE

Fund balances are reported in accordance with GASB Statement No. 54, which redefined how fund balances of the governmental funds are presented in the financial statements. The following schedule is a summary of the components of the ending fund balance by fund type at June 30, 2022:

	General Fund	Building Fund	All Non-Major Funds	Total
Nonspendable:				
Revolving Cash	\$ 5,435	\$ -	\$ 1,140	\$ 6,575
Stores	81,036	-	48,971	130,007
Total Nonspendable	<u>86,471</u>	<u>-</u>	<u>50,111</u>	<u>136,582</u>
Restricted for:				
Expanded Learning Opportunities Program	567,661	-	-	567,661
Educator Effectiveness, FY 2021-22	775,414	-	-	775,414
Lottery: Instructional Materials	273,781	-	-	273,781
Special Ed: Dispute Prevention and Dispute Resolution	59,184	-	-	59,184
Special Ed: Learning Recovery Support	332,909	-	-	332,909
Special Education Early Intervention Preschool Grant	274,827	-	-	274,827
Child Nutrition: Kitchen Infrastructure Upgrade Funds	117,403	-	-	117,403
Child Nutrition: Food Service Staff Training Funds	17,965	-	-	17,965

(continued)

EUREKA CITY SCHOOLS

NOTES TO BASIC FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

8. FUND BALANCE (CONTINUED)

	General Fund	Building Fund	All Non-Major Funds	Total
Learning Communities for School Success Program	\$ 106,597	\$ -	\$ -	\$ 106,597
Classified School Employee Professional Development				
Block Grant	27,917	-	-	27,917
A-G Access/Success Grant	162,618	-	-	162,618
A-G Learning Loss Mitigation Grant	60,965	-	-	60,965
Expanded Learning Opportunities (ELO) Grant	943,786	-	-	943,786
Student Activity Funds	-	-	358,013	358,013
Adult Education Program	-	-	22,991	22,991
Child Nutrition: School Programs	-	-	284,427	284,427
State School Facilities Projects	-	-	32,870	32,870
Other Restricted Local	498,376	36,903,402	115,019	37,516,797
Total Restricted	4,219,403	36,903,402	813,320	41,936,125
Committed:				
Other Commitments	-	-	4,911,120	4,911,120
Total Committed	-	-	4,911,120	4,911,120
Assigned to:				
Routine Maintenance	1,790,330	-	-	1,790,330
Special Education	1,193,553	-	-	1,193,553
Equipment Replacement	596,777	-	-	596,777
Chromebook/Technology	1,224,000	-	-	1,224,000
Solar Investment	3,500,000	-	-	3,500,000
Neighborhood School	350,000	-	-	350,000
OPEB Trust	7,381,013	-	-	7,381,013
Excess Salary	472,848	-	-	472,848
Supplemental/Concentration	3,165,460	-	-	3,165,460
School Site Block Grant	386,089	-	-	386,089
State Lottery	457,329	-	-	457,329
Retiree Benefit	134,093	-	-	134,093
Adult Education	-	-	78,228	78,228
Child Development	-	-	7,124	7,124
Deferred Maintenance	-	-	2,121	2,121
Capital Outlay	-	-	17,239	17,239
Total Assigned	20,651,492	-	104,712	20,756,204
Unassigned:				
Reserve for Economic Uncertainties	3,352,138	-	-	3,352,138
Total Unassigned	3,352,138	-	-	3,352,138
Total Fund Balances	\$ 28,309,504	\$ 36,903,402	\$ 5,879,263	\$ 71,092,169

EUREKA CITY SCHOOLS
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

9. JOINT POWERS AGREEMENTS

The District is a member with other school districts in Joint Powers Authorities (JPAs). North Coast Schools Insurance Group provides workers' compensation and property and liability insurance benefits.

The following is a summary of the latest financial information available for the JPA:

	NCSIG <u>June 30, 2021</u>
Total assets	\$ 5,868,879
Total liabilities	880,826
Net position	4,988,053
Total revenues	7,589,521
Total expenses	7,157,261
Change in net position	432,260

Each member of the JPAs has an ongoing financial responsibility in the event of the JPA's total liabilities exceed its total assets.

The relationship between Eureka City Schools and the Joint Powers Authorities is such that they are not a component unit of the District for financial reporting purposes. Financial statements for the JPA are available from the JPA.

10. EXCESS OF EXPENDITURES OVER APPROPRIATIONS

The District incurred unanticipated expenditures in excess of appropriations in expenditure classifications for which the budget was not revised.

Excess of expenditures over appropriations for the year ended June 30, 2022 were as follows:

	<u>Excess Expenditures</u>
General Fund	
Classified salaries	\$ 45,652

The excess is not in accordance with Education Code 42600. The excess General Fund classified salaries expenditures is due to additional summer school support services provided that were not originally budgeted for.

11. SUBSEQUENT EVENTS

The District's management evaluated its June 30, 2022 financial statements for subsequent events through March 24, 2023, the date the financial statements were available to be issued. Management is not aware of any subsequent events that would require recognition or disclosure in the financial statements.

REQUIRED SUPPLEMENTARY INFORMATION

EUREKA CITY SCHOOLS

**SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE – BUDGET (NON-GAAP) AND ACTUAL**

GENERAL FUND

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	Budget		Actual	Variance with Final Budget Favorable (Unfavorable)
	Original	Final		
REVENUES				
LCFF sources	\$ 39,199,778	\$ 40,324,233	\$ 40,360,750	\$ 36,517
Federal revenue	5,585,885	12,794,212	12,320,733	(473,479)
Other state revenues	6,730,443	8,137,125	8,196,274	59,149
Other local revenues	2,992,884	3,286,247	3,344,190	57,943
Total revenues	<u>54,508,990</u>	<u>64,541,817</u>	<u>64,221,947</u>	<u>(319,870)</u>
EXPENDITURES				
Certificated salaries	18,070,366	18,214,401	18,002,592	211,809
Classified salaries	7,865,371	9,092,961	9,138,613	(45,652)
Employee benefits	14,153,424	14,737,017	14,521,744	215,273
Books and supplies	2,560,743	4,260,341	2,939,561	1,320,780
Services and other operating expenditures	6,949,862	9,667,531	4,975,274	4,692,257
Capital outlay	1,130,051	1,117,266	770,215	347,051
Other outgo	2,530,545	2,409,585	2,288,192	121,393
Total expenditures	<u>53,260,362</u>	<u>59,499,102</u>	<u>52,636,191</u>	<u>6,862,911</u>
Excess (deficiency) of revenues over expenditures	<u>1,248,628</u>	<u>5,042,715</u>	<u>11,585,756</u>	<u>6,543,041</u>
OTHER FINANCING SOURCES (USES)				
Operating transfers out	(280,466)	(178,561)	(123,080)	55,481
Total other financing sources (uses)	<u>(280,466)</u>	<u>(178,561)</u>	<u>(123,080)</u>	<u>55,481</u>
Net change in fund balances	968,162	4,864,154	11,462,676	6,598,522
Fund balances, July 1, 2021	16,846,828	16,846,828	16,846,828	-
Fund balances, June 30, 2022	<u>\$ 17,814,990</u>	<u>\$ 21,710,982</u>	<u>\$ 28,309,504</u>	<u>\$ 6,598,522</u>

EUREKA CITY SCHOOLS

SCHEDULE OF CHANGES IN THE DISTRICT'S NET OPEB LIABILITY AND RELATED RATIOS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	2022*	2021*	2020*	2019*	2018*
Total OPEB liability					
Service cost	\$ 1,488,026	\$ 1,176,486	\$ 913,998	\$ 933,991	\$ 908,994
Interest	286,715	407,620	415,414	414,598	377,891
Recognized experience (gains)/losses	(3,926,321)	-	290,364	-	-
Changes of assumptions	360,847	900,642	140,069	(190,663)	-
Expected minus actual benefit payments	-	(361,005)	(83,900)	-	-
Benefit payments	(1,150,496)	(961,393)	(947,214)	(1,221,793)	(1,174,801)
Net change in total OPEB liability	(2,941,229)	1,162,350	728,731	(63,867)	112,084
Total OPEB liability - beginning	12,881,593	11,719,243	10,990,512	11,054,379	10,942,295
Total OPEB liability - ending (a)	\$ 9,940,364	\$ 12,881,593	\$ 11,719,243	\$ 10,990,512	\$ 11,054,379
Plan fiduciary net position					
Contributions - employer	\$ 1,150,496	\$ 961,393	\$ 947,214	\$ 1,221,793	\$ 1,174,801
Benefit payments	(1,150,496)	(961,393)	(947,214)	(1,221,793)	(1,174,801)
Net change in plan fiduciary net position	-	-	-	-	-
Plan fiduciary net position - beginning	-	-	-	-	-
Plan fiduciary net position - ending (b)	\$ -	\$ -	\$ -	\$ -	\$ -
District's net OPEB liability - ending (a) - (b)	\$ 9,940,364	\$ 12,881,593	\$ 11,719,243	\$ 10,990,512	\$ 11,054,379
Plan fiduciary net position as a percentage of the total OPEB liability	0.0%	0.0%	0.0%	0.0%	0.0%
Covered-employee payroll	\$ 28,020,848	\$ 23,145,226	\$ 23,406,227	\$ 24,577,289	\$ 22,983,778
District's net OPEB liability as a percentage of covered-employee payroll	35.5%	55.7%	50.1%	44.7%	48.1%

* GASB 75 requires presentation of the 10-year history of changes in the Net OPEB Liability. Since this is the fifth year of implementation, only results for fiscal years 2018 through 2022 are shown in this table.

EUREKA CITY SCHOOLS

SCHEDULE OF PROPORTIONATE SHARE OF THE NET PENSION LIABILITY

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

CalPERS	June 30, 2014 ⁽¹⁾	June 30, 2015 ⁽¹⁾	June 30, 2016 ⁽¹⁾	June 30, 2017 ⁽¹⁾	June 30, 2018 ⁽¹⁾	June 30, 2019 ⁽¹⁾	June 30, 2020 ⁽¹⁾	June 30, 2021 ⁽¹⁾
Proportion of the net pension liability (asset)	0.05261%	0.05343%	0.05354%	0.05245%	0.05469%	0.05563%	0.05447%	0.05226%
Proportionate share of the net pension liability (asset)	\$ 5,972,131	\$ 7,876,117	\$ 10,574,031	\$ 12,522,018	\$ 14,580,882	\$ 16,211,680	\$ 16,714,007	\$ 10,627,115
Covered payroll ⁽²⁾	\$ 5,368,032	\$ 5,877,623	\$ 5,479,169	\$ 5,981,244	\$ 6,202,248	\$ 7,056,569	\$ 9,854,430	\$ 6,774,627
Proportionate Share of the net pension liability (asset) as a percentage of covered payroll	111.25%	134.00%	192.99%	209.35%	235.09%	229.74%	169.61%	156.87%
Plan fiduciary net position as a percentage of the total pension liability (asset)	83.38%	79.43%	73.90%	71.87%	70.85%	70.05%	70.00%	80.97%
Proportionate share of aggregate employer contributions ⁽³⁾	\$ 631,871	\$ 696,322	\$ 760,947	\$ 928,947	\$ 1,120,250	\$ 1,391,626	\$ 2,039,867	\$ 1,552,067
STRS	June 30, 2014 ⁽¹⁾	June 30, 2015 ⁽¹⁾	June 30, 2016 ⁽¹⁾	June 30, 2017 ⁽¹⁾	June 30, 2018 ⁽¹⁾	June 30, 2019 ⁽¹⁾	June 30, 2020 ⁽¹⁾	June 30, 2021 ⁽¹⁾
Proportion of the net pension liability (asset)	0.03270%	0.03326%	0.03037%	0.02931%	0.02900%	0.02876%	0.02832%	0.02768%
Proportionate share of the net pension liability (asset)	\$ 19,111,756	\$ 22,391,293	\$ 24,563,550	\$ 27,107,052	\$ 26,655,233	\$ 25,978,718	\$ 27,440,855	\$ 12,595,878
Covered payroll ⁽²⁾	\$ 13,533,390	\$ 12,775,499	\$ 12,909,730	\$ 13,543,139	\$ 13,684,023	\$ 14,719,567	\$ 17,163,703	\$ 16,781,342
Proportionate Share of the net pension liability (asset) as a percentage of covered payroll	141.22%	175.27%	190.27%	200.15%	194.79%	176.49%	159.88%	75.06%
Plan fiduciary net position as a percentage of the total pension liability (asset)	76.52%	74.02%	70.04%	69.46%	70.99%	72.56%	71.82%	87.21%
Proportionate share of aggregate employer contributions ⁽³⁾	\$ 1,201,765	\$ 1,370,811	\$ 1,624,044	\$ 1,954,275	\$ 2,227,759	\$ 2,517,046	\$ 2,771,938	\$ 2,839,403

⁽¹⁾ Historical information is required only for measurement periods for which GASB 68 is applicable.

⁽²⁾ Covered payroll is the payroll on which contributions to a pension plan are based.

⁽³⁾ The Plan's proportionate share of aggregate contributions may not match the actual contributions made by the employer during the measurement period. The Plan's proportionate share of aggregate contributions is based on the Plan's proportion of fiduciary net position as well as any additional side fund (or unfunded liability) contributions made by the employer during the measurement period.

EUREKA CITY SCHOOLS
SCHEDULE OF PENSION CONTRIBUTIONS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

CalPERS	Fiscal Year 2014-15 ⁽¹⁾	Fiscal Year 2015-16 ⁽¹⁾	Fiscal Year 2016-17 ⁽¹⁾	Fiscal Year 2017-18 ⁽¹⁾	Fiscal Year 2018-19 ⁽¹⁾	Fiscal Year 2019-20 ⁽¹⁾	Fiscal Year 2020-21 ⁽¹⁾	Fiscal Year 2021-22 ⁽¹⁾
Contractually required contribution ⁽²⁾	\$ 631,871	\$ 696,322	\$ 760,947	\$ 928,947	\$ 1,120,250	\$ 1,391,626	\$ 2,039,867	\$ 1,552,067
Contributions in relation to the contractually required contribution ⁽²⁾	(696,469)	(764,748)	(926,277)	(1,124,498)	(1,391,946)	(1,547,809)	(1,559,437)	(2,193,377)
Contribution deficiency (excess)	<u>\$ (64,598)</u>	<u>\$ (68,426)</u>	<u>\$ (165,330)</u>	<u>\$ (195,551)</u>	<u>\$ (271,696)</u>	<u>\$ (156,183)</u>	<u>\$ 480,430</u>	<u>\$ (641,310)</u>
Covered payroll ⁽³⁾	\$ 5,368,032	\$ 5,877,623	\$ 5,479,169	\$ 5,981,244	\$ 6,202,248	\$ 7,056,569	\$ 9,854,430	\$ 6,774,627
Contributions as a percentage of covered payroll ⁽³⁾	11.771%	11.847%	13.888%	15.531%	18.062%	19.721%	20.700%	22.910%
STRS	Fiscal Year 2014-15 ⁽¹⁾	Fiscal Year 2015-16 ⁽¹⁾	Fiscal Year 2016-17 ⁽¹⁾	Fiscal Year 2017-18 ⁽¹⁾	Fiscal Year 2018-19 ⁽¹⁾	Fiscal Year 2019-20 ⁽¹⁾	Fiscal Year 2020-21 ⁽¹⁾	Fiscal Year 2021-22 ⁽¹⁾
Contractually required contribution ⁽²⁾	\$ 1,201,765	\$ 1,370,811	\$ 1,624,044	\$ 1,954,275	\$ 2,227,759	\$ 2,517,046	\$ 2,771,938	\$ 2,839,403
Contributions in relation to the contractually required contribution ⁽²⁾	(2,162,347)	(1,633,129)	(1,972,809)	(2,267,791)	(2,554,142)	(2,671,888)	(2,443,012)	(2,966,959)
Contribution deficiency (excess)	<u>\$ (960,582)</u>	<u>\$ (262,318)</u>	<u>\$ (348,765)</u>	<u>\$ (313,516)</u>	<u>\$ (326,383)</u>	<u>\$ (154,842)</u>	<u>\$ 328,926</u>	<u>\$ (127,556)</u>
Covered payroll ⁽³⁾	\$ 13,533,390	\$ 12,775,499	\$ 12,909,730	\$ 13,543,139	\$ 13,684,023	\$ 14,719,567	\$ 17,163,703	\$ 16,781,342
Contributions as a percentage of covered payroll ⁽³⁾	8.880%	10.730%	12.580%	14.430%	16.280%	17.100%	16.150%	16.920%

⁽¹⁾ Historical information is required only for measurement periods for which GASB 68 is applicable.

⁽²⁾ Employers are assumed to make contributions equal to the contractually required contributions. However, some employers may choose to make additional contributions towards their side fund or their unfunded liability. Employer contributions for such plans exceed the contractually required contributions. CalPERS has determined that employer obligations referred to as "side funds" do not conform to the circumstances described in paragraph 120 of GASB 68, therefore are not considered separately financed specific liabilities.

⁽³⁾ Covered payroll is the payroll on which contributions to a pension plan are based.

EUREKA CITY SCHOOLS
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. PURPOSE OF SCHEDULES

A - Schedule of Revenues, Expenditures, and Changes in Fund Balance – Budget and Actual

The District employs budget control by object codes and by individual appropriation accounts. Budgets are prepared on the modified accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America as prescribed by the Governmental Accounting Standards Board. The budgets are revised during the year by the Board of Trustees to provide for revised priorities. Expenditures cannot legally exceed appropriations by major object code. The originally adopted and final revised budgets for the General Fund are presented as Required Supplementary Information. The basis of budgeting is the same as GAAP.

B - Schedule of the Changes in the District's Net OPEB Liability and Related Ratios

Benefit changes. There were no changes to benefits.

Changes of assumptions. The investment rate of return changed from 2.20% to 2.16%. Inflation rate assumption decreased from 2.63% to 2.50%.

Fiscal year 2018 was the first year of implementation, therefore only five years are shown.

Actuarial cost method	Entry age normal (EAN) cost method
Amortization method	Level percentage of pay
Amortization period	12.5 years
Asset valuation method	There are no plan assets
Inflation	2.50% per year
Healthcare cost trend rates	4.00% per year
Salary increases	2.75% per year
Investment rate of return	2.16% per year net of expenses
Retirement age	Minimum retirement age of 55
Mortality	
Certificated	2020 CalSTRS Mortality
Classified and Miscellaneous	2017 CalPERS Retiree and Active Mortality for Miscellaneous and Schools Employees

EUREKA CITY SCHOOLS

NOTES TO REQUIRED SUPPLEMENTARY INFORMATION

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. PURPOSE OF SCHEDULES (continued)

C - Schedule of Proportionate Share of the Net Pension Liability

This schedule presents information on the District's proportionate share of the net pension liability (NPL), the Plans' fiduciary net position and, when applicable, the State's proportionate share of the NPL associated with the District. In the future, as data becomes available, ten years of information will be presented.

Changes in Assumptions

There were no changes in the assumptions used in the calculation of both the PERS and STRS collective net pension liabilities.

Changes in Benefit Terms

There were no changes in benefit terms since the previous valuations for both CalPERS and CalSTRS.

Fiscal year 2015 was the first year of implementation, therefore only eight years are shown.

D - Schedule of Pension Contributions

If an employer's contributions to the plan are actuarially determined or based on statutory or contractual requirements, the employer's actuarially determined contribution to the pension plan (or, if applicable, its statutorily or contractually required contribution), the employer's actual contributions, the difference between the actual and actuarially determined contributions (or statutorily or contractually required), and a ratio of the actual contributions divided by covered-employee payroll. In the future, as data becomes available, ten years of information will be presented.

Fiscal year 2015 was the first year of implementation, therefore only eight years are shown.

	<u>CalPERS</u>	<u>STRS</u>
Valuation Date	June 30, 2020	June 30, 2020
Measurement Date	June 30, 2021	June 30, 2021
Actuarial Cost Method	Entry-Age Normal Cost	Entry-Age Normal Cost
Actuarial Assumptions		
Discount Rate	7.15%	7.10%
Inflation	2.50%	2.75%
Payroll Growth Rate	2.75%	3.50%
Projected Salary Increase	Varies by Entry Age and Service	Varies by Entry Age and Service
Investment Rate of Return ⁽¹⁾	7.15%	7.10%
Mortality	Derived using CalPERS' Membership Data for all Funds	Derived using STRS' Membership Data for all Funds

⁽¹⁾ Net of pension plan investment expenses, including inflation

SUPPLEMENTARY INFORMATION

EUREKA CITY SCHOOLS
COMBINING BALANCE SHEET
ALL NON-MAJOR FUNDS

JUNE 30, 2022

	Student Activity Fund	Adult Education Fund	Child Development Fund	Cafeteria Fund	Deferred Maintenance Fund	Capital Facilities Fund	County School Facilities Fund	Special Reserve Fund for Capital Outlay Projects	Bond Interest and Redemption Fund	Totals
ASSETS										
Cash and cash equivalents	\$ 358,013	\$ 98,205	\$ -	\$ 1,000	\$ 2,121	\$ 84,277	\$ -	\$ 13,275	\$ 4,911,120	\$ 5,468,011
Receivables	-	9,522	95,406	402,310	-	1,424	32,870	3,964	-	545,496
Stores inventory	-	-	-	48,971	-	-	-	-	-	48,971
Total assets	<u>\$ 358,013</u>	<u>\$ 107,727</u>	<u>\$ 95,406</u>	<u>\$ 452,281</u>	<u>\$ 2,121</u>	<u>\$ 85,701</u>	<u>\$ 32,870</u>	<u>\$ 17,239</u>	<u>4,911,120</u>	<u>\$ 6,062,478</u>
LIABILITIES AND FUND BALANCES										
Liabilities										
Accounts payable	\$ -	\$ 6,368	\$ 12,762	\$ 19,261	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 38,391
Due to other funds	-	-	41,742	10,835	-	-	-	-	-	52,577
Unearned revenue	-	-	4,460	87,787	-	-	-	-	-	92,247
Total liabilities	<u>-</u>	<u>6,368</u>	<u>58,964</u>	<u>117,883</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>183,215</u>
Fund balances										
Nonspendable	-	140	-	49,971	-	-	-	-	-	50,111
Restricted	358,013	22,991	29,318	284,427	-	85,701	32,870	-	-	813,320
Committed	-	-	-	-	-	-	-	-	4,911,120	4,911,120
Assigned	-	78,228	7,124	-	2,121	-	-	17,239	-	104,712
Total fund balances	<u>358,013</u>	<u>101,359</u>	<u>36,442</u>	<u>334,398</u>	<u>2,121</u>	<u>85,701</u>	<u>32,870</u>	<u>17,239</u>	<u>4,911,120</u>	<u>5,879,263</u>
Total liabilities and fund balances	<u>\$ 358,013</u>	<u>\$ 107,727</u>	<u>\$ 95,406</u>	<u>\$ 452,281</u>	<u>\$ 2,121</u>	<u>\$ 85,701</u>	<u>\$ 32,870</u>	<u>\$ 17,239</u>	<u>\$ 4,911,120</u>	<u>\$ 6,062,478</u>

EUREKA CITY SCHOOLS

COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE

ALL NON-MAJOR FUNDS

JUNE 30, 2022

	Student Activity Fund	Adult Education Fund	Child Development Fund	Cafeteria Fund	Deferred Maintenance Fund	Capital Facilities Fund	County School Facilities Fund	Special Reserve Fund for Capital Outlay Projects	Bond Interest and Redemption Fund	Totals
REVENUES										
Federal revenue	\$ -	\$ -	\$ 18,000	\$ 2,502,817	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,520,817
Other state revenues	-	301,934	531,643	149,658	-	-	-	14,400	-	997,635
Other local revenues	532,268	53,499	13,890	129,578	-	706	7,023	1,340	4,141,431	4,879,735
Total revenues	532,268	355,433	563,533	2,782,053	-	706	7,023	15,740	4,141,431	8,398,187
EXPENDITURES										
Certificated salaries	-	167,074	171,784	-	-	-	-	-	-	338,858
Classified salaries	-	34,927	166,011	907,273	-	-	-	-	-	1,108,211
Employee benefits	-	93,270	192,415	669,952	-	-	-	-	-	955,637
Books and supplies	264,638	11,248	23,320	1,129,226	-	-	-	-	-	1,428,432
Services and other operating expenditures	193,682	49,225	58,265	37,855	-	-	-	-	-	339,027
Capital outlay	-	-	-	-	-	-	-	241,120	-	241,120
Other outgo	-	21,913	26,329	81,534	-	-	-	-	-	129,776
Debt Service:										
Principal retirement	-	-	-	-	-	-	-	-	3,305,000	3,305,000
Interest	-	-	-	-	-	-	-	-	2,120,639	2,120,639
Total expenditures	458,320	377,657	638,124	2,825,840	-	-	-	241,120	5,425,639	9,966,700
Excess (deficiency) of revenues over expenditures	73,948	(22,224)	(74,591)	(43,787)	-	706	7,023	(225,380)	(1,284,208)	(1,568,513)
OTHER FINANCING SOURCES (USES)										
Operating transfers in	-	-	73,595	49,485	-	-	-	-	-	123,080
Operating transfers out	-	-	-	-	-	-	(3,033,778)	-	-	(3,033,778)
Other financing sources	-	-	-	-	-	-	-	1,500	1,970,421	1,971,921
Total other financing sources (uses)	-	-	73,595	49,485	-	-	(3,033,778)	1,500	1,970,421	(938,777)
Net change in fund balances	73,948	(22,224)	(996)	5,698	-	706	(3,026,755)	(223,880)	686,213	(2,507,290)
Fund balances, July 1, 2021	284,065	123,583	37,438	328,700	2,121	84,995	3,059,625	241,119	4,224,907	8,386,553
Fund balances, June 30, 2022	\$ 358,013	\$ 101,359	\$ 36,442	\$ 334,398	\$ 2,121	\$ 85,701	\$ 32,870	\$ 17,239	\$ 4,911,120	\$ 5,879,263

EUREKA CITY SCHOOLS

ORGANIZATION

JUNE 30, 2022

Eureka City Schools, a political subdivision of the state of California, was established on November 2, 1908. There were no changes in the boundaries of the District during the year. The District operates one pre-school, four elementary schools, two middle schools, one comprehensive high school, one necessary small high school and one continuation high school.

GOVERNING BOARD

<u>Name</u>	<u>Office</u>	<u>Term Expires December</u>
Lisa Olliver	President	2022
Susan Johnson	Member	2024
Mario Fernandez	Member	2022
Mike Duncan	Member	2024
Jessica Rebholtz	Board Clerk	2022

ADMINISTRATION

Fred Van Vleck, Ed.D.
Superintendent

Paul Ziegler
Assistant Superintendent of Business Services

Gary Storts
Assistant Superintendent of Education Services

Renae M. Will
Director of Personnel Services and Public Affairs

Lisa Claussen
Director of Student Services

EUREKA CITY SCHOOLS

SCHEDULE OF AVERAGE DAILY ATTENDANCE

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	Second Period Report	Annual Report
Elementary:		
TK through Third	862.03	860.93
Fourth through Sixth	580.26	579.71
Seventh through Eighth	584.66	583.11
Subtotal Elementary	<u>2,026.95</u>	<u>2,023.75</u>
Secondary:		
Ninth through Twelfth	1,135.23	1,124.41
Continuation Education	49.46	48.62
Subtotal Secondary	<u>1,184.69</u>	<u>1,173.03</u>
District Totals	<u><u>3,211.64</u></u>	<u><u>3,196.78</u></u>

See the accompanying notes to supplementary information.

EUREKA CITY SCHOOLS**SCHEDULE OF INSTRUCTIONAL TIME****FOR THE FISCAL YEAR ENDED JUNE 30, 2022**

Grade Level	Standard Minutes Requirement	2021-22 Actual Minutes	Instructional Days	Status
Kindergarten	36,000	57,309	180	In compliance
Grade 1	50,400	57,309	180	In compliance
Grade 2	50,400	57,309	180	In compliance
Grade 3	50,400	57,309	180	In compliance
Grade 4	54,000	57,309	180	In compliance
Grade 5	54,000	57,309	180	In compliance
Grade 6	54,000	64,341	180	In compliance
Grade 7	54,000	64,341	180	In compliance
Grade 8	54,000	64,341	180	In compliance
Grade 9	64,800	68,235	180	In compliance
Grade 10	64,800	68,235	180	In compliance
Grade 11	64,800	68,235	180	In compliance
Grade 12	64,800	68,235	180	In compliance

See the accompanying notes to supplementary information.

EUREKA CITY SCHOOLS

SCHEDULE OF CHARTER SCHOOLS

FOR FISCAL YEAR ENDED JUNE 30, 2022

Charter School ID Number	Charter Schools Chartered by the District	Included in the District Financial Statements, or Separate Report
1884	Pacific View Charter 2.0	Separately Reported

EUREKA CITY SCHOOLS
RECONCILIATION OF ANNUAL FINANCIAL AND BUDGET
REPORT WITH AUDIT FINANCIAL STATEMENTS
FOR FISCAL YEAR ENDED JUNE 30, 2022

There were no adjustments made to any of the funds of the District.

EUREKA CITY SCHOOLS

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

Assistance Listing Number	Grantor and Program Title	Pass-Through Entity Identifying Number	Federal Expenditures
<u>U.S. Department of Education</u>			
<i>Passed through California Department of Education</i>			
<u>Special Education Cluster</u>			
84.027	Special Education: ARP IDEA Part B, Sec. 611, Local Assistance Entitlement	15638	\$ 140,173
84.027	Special Education: ARP IDEA Part B, Sec.611, Local Assistance Private School Individual Service Plans (ISPs)	10169	474
84.027	Special Ed: IDEA Basic Local Assistance Entitlement, Part B, Sec 611	13379	686,360
84.027	Special Ed: IDEA Local Assistance, Part B, Sec 611, Private School ISPs	10115	2,543
84.173	Special Ed: IDEA Preschool Grants, Part B, Sec 619 (Age3-4-5)	13430	1,267
	Subtotal Special Education Cluster		<u>830,817</u>
<u>Education Stabilization Fund Cluster</u>			
84.425	Elementary and Secondary School Emergency Relief (ESSER) Fund	15536	* 94,954
84.425	Elementary and Secondary School Emergency Relief II (ESSER II) Fund	15547	* 2,235,121
84.425	Elementary and Secondary School Emergency Relief III (ESSER III) Fund	15559	* <u>5,228,783</u>
	Subtotal Education Stabilization Fund Cluster		<u>7,558,858</u>
<u>Title I Cluster</u>			
84.010	ESSA: Title I, Part A, Basic Grants Low-Income and Neglected	14329	1,823,211
84.010	ESEA: ESSA School Improvement (CSI) Funding for LEAs	15438	<u>168,775</u>
	Subtotal Title I Cluster		<u>1,991,986</u>
<u>Title III Cluster</u>			
84.365	ESSA: Title III, Immigrant Student Program	15146	10,331
84.365	ESEA (ESSA): Title III, English Learner Student Program	14346	<u>35,104</u>
	Subtotal Title III Cluster		<u>45,435</u>
84.048	Carl D. Perkins Career and Technical Education: Secondary, Section 131	14894	51,273
84.060	Indian Education	10011	103,606
84.196	ESEA (ESSA): Education for Homeless Children and Youth, Subtitle VII-B McKinney-Vento Act	14332	105,324
84.367	ESSA: Title II, Part A, Supporting Effective Instruction Local Grants	14341	203,306
84.358	ESEA (ESSA): Title V, Part B, Rural & Low Income School Program (aka REAP)	14356	53,748
84.424	ESSA: Title IV, Part A, Student Support and Academic Enrichment Grants	15396	95,237
84.126	Department of Rehabilitation: Workability II, Transitions Partnership Program	10006	119,000
N/A	Elementary and Secondary School Counseling Act	N/A	<u>470,786</u>
	Total U.S. Department of Education		<u>11,629,376</u>

* Tested as major program.

(continued)

EUREKA CITY SCHOOLS

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

Assistance Listing Number	Grantor and Program Title	Pass-Through Entity Identifying Number	Federal Expenditures
<u>U.S. Department of Agriculture</u>			
<i>Passed through California Department of Education</i>			
10.555	Child Nutrition: Meal Supplements in National School Lunch Program	13755	* \$ 2,073,201
10.582	Child Nutrition: Fresh Fruit and Vegetable Program	14968	* 18,571
10.555	School Lunch Program - Nonmonetary Assistance	13755	* 155,317
	Subtotal Child Nutrition Cluster		<u>2,247,089</u>
10.579	Child Nutrition: NSLP Equipment Assistance Grants	14906	1,311
10.558	Child Nutrition: CACFP Claims - Centers and Family Day Care	13393	409,733
N/A	National Wildlife In-Lieu	N/A	<u>601</u>
	Total U.S. Department of Agriculture		<u>2,658,734</u>
<u>Federal Communications Commission (FCC)</u>			
32.009	Emergency Connectivity Fund (ECF) Program	N/A	<u>693,126</u>
	Total Federal Communications Commission (FCC)		<u>693,126</u>
<u>U.S. Department of Health and Human Services</u>			
<i>Passed through California Department of Education</i>			
93.575	Child Development: ARP California State Preschool Program One-time Stipend		<u>18,000</u>
	Total U.S. Department of Health and Human Services		<u>18,000</u>
<u>U.S. Department of the Treasury</u>			
<i>Passed through California Department of Education</i>			
21.019	Coronavirus Relief Fund (CRF): Learning Loss Mitigation	25516	<u>199</u>
	Total U.S. Department of the Treasury		<u>199</u>
	Total Federal Programs		<u>\$ 14,999,435</u>

* Tested as major program.

EUREKA CITY SCHOOLS

SCHEDULE OF FINANCIAL TRENDS AND ANALYSIS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	Adopted Budget 2022/23	Actuals 2021/22	Actuals 2020/21	Actuals 2019/2020
<u>General Fund</u>				
Revenues and Other Financing Sources	\$ 64,728,895	\$ 64,221,947	\$ 54,718,953	\$ 47,532,334
Expenditures	57,736,053	52,636,191	46,195,829	45,956,829
Other Uses and Transfers Out	306,741	123,080	269,231	415,075
Total Outgo	58,042,794	52,759,271	46,465,060	46,371,904
Change in Fund Balance	6,686,101	11,462,676	8,253,893	1,160,430
Ending Fund Balance	\$ 34,995,605	\$ 28,309,504	\$ 16,846,828	\$ 8,592,935
Available Reserves	\$ 2,915,521	\$ 3,352,138	\$ 3,315,291	\$ 3,600,830
Designated for Economic Uncertainties	\$ 2,915,521	\$ 3,352,138	\$ 3,315,291	\$ 3,600,830
Unassigned Fund Balance	\$ -	\$ -	\$ -	\$ -
Available Reserves as a Percentage of Total Outgo	5.0%	6.4%	7.1%	7.8%
<u>All Funds</u>				
Total Long-Term Debt	\$ 135,469,496	\$ 138,998,818	\$ 145,956,255	\$ 118,768,599
Actual Daily Attendance at P-2 (Exclusive of Adult ADA)	3,402	3,212	3,450	3,439

The General Fund balance has increased by \$20,876,999 over the past three years. The fiscal year 2022-23 budget projects an increase of \$6,686,101. For a district this size, the State of California recommends available reserves of at least 3% of total General Fund expenditures, transfers out, and other uses be maintained. For the year ended June 30, 2022, the District has met this requirement.

The District has incurred operating surpluses in each of the past three years, and anticipates an operating surplus in fiscal year 2022-23.

Total long-term liabilities have increased by \$20,230,219 over the past two years due to the accreted interest on Capital Appreciation Bonds and issuance of new bonds.

Average daily attendance has decreased by 227 over the past two years. An increase is projected for the 2022-23 fiscal year.

EUREKA CITY SCHOOLS
NOTES TO THE SUPPLEMENTARY INFORMATION
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. PURPOSE OF SCHEDULES

Schedule of Average Daily Attendance

Average daily attendance is a measurement of the number of pupils attending classes of the District. The purpose of attendance accounting from a fiscal standpoint is to provide the basis on which apportionments of state funds are made to school districts. This schedule provides information regarding the attendance of students at various grade levels and in different programs.

Schedule of Instructional Time

This schedule presents information on the amount of instructional time offered by the District and whether the District complied with the provisions of Education Code Sections 46201 through 46206. Districts must maintain their instructional minutes at the State's standard requirements as required by Education Code Section 46201(b).

Schedule of Charter Schools

This schedule provides information for the California Department of Education to monitor financial reporting by Charter Schools.

Reconciliation of Annual Financial and Budget Report with Audited Financial Statements

This schedule provides information necessary to reconcile the Annual Financial and Budget Report to the audited financial statements.

Schedule of Expenditures of Federal Awards

The accompanying schedule of expenditures of federal awards includes federal grant activity of the District and is presented under the modified accrual basis of accounting. The April 2022 Edition of Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements of Federal Awards (Uniform Guidance) requires a disclosure of the financial activities of all federally funded programs. This schedule was prepared to comply with the Uniform Guidance and state requirements. Therefore, some amounts presented in this schedule may differ from amounts used in the preparation of the general purpose financial statements. The District has elected not to use the 10-percent de minimis indirect cost rate allowed under the Uniform Guidance.

EUREKA CITY SCHOOLS

NOTES TO THE SUPPLEMENTARY INFORMATION

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. PURPOSE OF SCHEDULES (CONTINUED)

The schedule below provides a reconciliation between revenues reported on the Statement of Revenues, Expenditures, and Changes in Fund Balances, and the related expenditures reported on the Schedule of Expenditures of Federal Awards.

	Assistance Listing Number	Amount
Total Federal Revenues From the Statement of Revenues, Expenditures, and Changes in Fund Balance		\$ 14,841,550
Reconciling items		
Creative Learning and Access in Northern California for Innovative Education (CLANCIE)	84.351C	16,859
Department of Rehabilitation: Workability II, Transitions Partnership Program	84.126	(14,291)
Food Distribution - Commodities	10.555	155,317
Total Schedule of Expenditures of Federal Awards		<u>\$ 14,999,435</u>

Schedule of Financial Trends and Analysis

This schedule discloses the District's financial trends by displaying past years' data along with current year budget information. These financial trend disclosures are used to evaluate the District's ability to continue as a going concern for a reasonable period of time.

2. EARLY RETIREMENT INCENTIVE PROGRAM

Education Code Section 14502 requires certain disclosure in the financial statements of districts which adopt Early Retirement Incentive Programs pursuant to Education Code Section 22714 and 44929. For the fiscal year ended June 30, 2022, the District did not adopt such a program.

OTHER INDEPENDENT AUDITOR’S REPORTS



James Marta & Company LLP

Certified Public Accountants

Accounting, Auditing, Consulting and Tax

INDEPENDENT AUDITOR'S REPORT ON STATE COMPLIANCE

Board of Trustees
Eureka City Schools
Eureka, California

Report on Compliance

Qualified Opinion

We have audited the Eureka City Schools (the "District") compliance with the requirements specified in the 2021-22 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting applicable to the District's state program requirements identified below for the year ended June 30, 2022.

Basis for Qualified Opinion on Compliance with State Laws and Regulations

As described in Finding **2022-02** in the accompanying Schedule of Audit Findings and Questioned Costs, Eureka City Schools did not comply with requirements regarding Independent Study. Compliance with such requirements is necessary, in our opinion, for Eureka City Schools to comply with state laws and regulations applicable to that program.

Qualified Opinion on Compliance with State Laws and Regulations

In our opinion, except for the noncompliance described in the Basis for Qualified Opinion paragraph, Eureka City Schools complied, in all material respects, with the state laws and regulations referred to above for the year ended June 30, 2022.

Unmodified Opinion on Each of the Other State Programs

In our opinion, Eureka City Schools complied, in all material respects, with the other applicable state compliance requirements referred to above for the year ended June 30, 2022. In our opinion, Eureka City Schools complied, in all material respects, with the laws and regulations of the state programs noted in the table below for the year ended June 30, 2022.

Basis for Opinion

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS), the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States, and the 2021-22 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion. Our audit does not provide a legal determination of the District's compliance with the compliance requirements referred to above.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the District's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, Government Auditing Standards, and the 2021-22 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting will always detect a material noncompliance when it exists. The risk of not detecting a material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the District's compliance with the requirements of the state programs as a whole.

In performing an audit in accordance with GAAS, Government Auditing Standards, and the 2021-22 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit;
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the District's compliance with the compliance requirements referred to above and performing such other procedures as we consider necessary in the circumstances;
- Obtain an understanding of the District's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the 2021-22 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting, but not for the purpose of expressing an opinion on the effectiveness of the District's internal controls over compliance. Accordingly, we express no such opinion; and
- Select and test transactions and records to determine the District's compliance with the state laws and regulations applicable to the following items:

Local Education Agencies Other Than Charter Schools	
Description	Procedures Performed
Attendance	Yes
Teacher Certification and Misassignments	Yes
Kindergarten Continuance	Yes
Independent Study	Yes
Continuation Education	No, see below
Instructional Time	Yes
Instructional Materials	Yes
Ratio of Administrative Employees to Teachers	Yes
Classroom Teacher Salaries	Yes

Local Education Agencies Other Than Charter Schools

Description	Procedures Performed
Early Retirement Incentive	No, see below
Gann Limit Calculation	Yes
School Accountability Report Card	Yes
Juvenile Court Schools	No, see below
Middle or Early College High Schools	No, see below
K-3 Grade Span Adjustment	Yes
Transportation Maintenance of Effort	Yes
Apprenticeship: Related and Supplemental Instruction	No, see below
Comprehensive School Safety Plan	Yes
District of Choice	No, see below

School Districts, County Offices of Education, and Charter Schools

Description	Procedures Performed
California Clean Energy Jobs Act	Yes
After/Before School Education and Safety Program	
General Requirements	Yes
After School	Yes
Before School	No, see below
Proper Expenditure of Education Protection Account Funds	Yes
Unduplicated Local Control Funding Formula Pupil Counts	Yes
Local Control and Accountability Plan	Yes
Independent Study-Course Based	No, see below
Immunizations	No, see below
Educator Effectiveness	Yes
Expanded Learning Opportunities Grant (ELO-G)	Yes
Career Technical Education Incentive Grant	Yes
In-Person Instruction Grant	Yes

Charter Schools

Description	Procedures Performed
Attendance	No, see below
Mode of Instruction	No, see below
Nonclassroom-Based Instruction/Independent Study	No, see below
Determination of Funding for Nonclassroom-Based Instruction	No, see below
Annual Instructional Minutes - Classroom Based	No, see below
Charter School Facility Grant Program	No, see below

We did not perform any procedures related to Continuation Education because ADA reported for the program was not material.

We did not perform any procedures related to Early Retirement Incentive, Juvenile Court Schools, Middle or Early College High Schools, Apprenticeship: Related and Supplemental Instruction, District of Choice, the Before portion of the After/Before School Education and Safety Program, and Independent Study -Course Based because the District did not offer these programs in the current year.

We did not perform any procedures related to Immunizations as none of the District's schools appeared on the lists of schools that did not submit immunization assessment reports to the California Department of Public Health or those that reported combined conditional admission and overdue rates greater than 10 percent in kindergarten and in 7th grade.

We did not perform any procedures related to Charter Schools Attendance, Mode of Instruction, Nonclassroom-Based Instruction/Independent Study, Determination of Funding for Nonclassroom-Based Instruction, Annual Instructional Minutes-Classroom Based, and Charter School Facility Grant Program because the charter school that the District sponsors (Pacific View Charter 2.0) is reported separately.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identify during the audit.

Other Matters

The results of our auditing procedures disclosed instances of noncompliance, which are described in the accompanying Schedule of Findings and Questioned Costs as items **2022-002**.

Government Auditing Standards requires the auditor to perform limited procedures on the District's response to the noncompliance findings identified in our audit and described in the accompanying schedule of findings and questioned costs. The District's response was not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

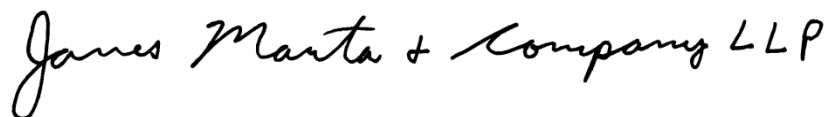
Report on Internal Control over Compliance

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance on a timely basis. A material weakness in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that a material noncompliance with a compliance requirement will not be prevented, or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention from those charged with governance.

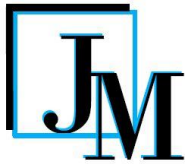
Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. We identified a deficiency in internal control that we consider to be a significant deficiency, described in the accompanying schedule of findings and recommendations: **2022-02**. However, material weaknesses or other significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the 2021-22 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting. Accordingly, this report is not suitable for any other purpose.



James Marta & Company LLP
Certified Public Accountants
Sacramento, California
March 24, 2023



James Marta & Company LLP

Certified Public Accountants

Accounting, Auditing, Consulting, and Tax

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON
COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE
WITH GOVERNMENT AUDITING STANDARDS**

INDEPENDENT AUDITOR'S REPORT

Board of Trustees
Eureka City Schools
Eureka, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of Eureka City Schools as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise Eureka City Schools' basic financial statements, and have issued our report thereon dated March 24, 2023.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered District's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the district's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

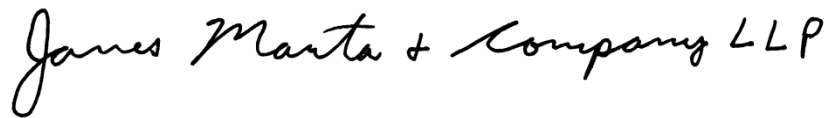
Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. We did identify a deficiency in internal control that we consider to be a material weakness, described in the accompanying schedule of findings and recommendations: **2022-01**. We also identified a deficiency in internal control that we consider to be a significant deficiency, described in the accompanying schedule of findings and recommendations: **2022-02**. However, other material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Compliance and Other Matters

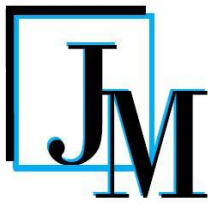
As part of obtaining reasonable assurance about whether District's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the district's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the district's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink that reads "James Marta & Company LLP". The signature is written in a cursive, flowing style.

James Marta & Company LLP
Certified Public Accountants
Sacramento, California
March 24, 2023



James Marta & Company LLP
Certified Public Accountants

Accounting, Auditing, Consulting and Tax

**REPORT ON COMPLIANCE FOR EACH MAJOR FEDERAL PROGRAM; REPORT ON
INTERNAL CONTROL OVER COMPLIANCE; AND REPORT ON SCHEDULE OF
EXPENDITURES OF FEDERAL AWARDS REQUIRED BY THE UNIFORM GUIDANCE**

INDEPENDENT AUDITOR'S REPORT

Board of Education
Eureka City Schools
Eureka, California

Report on Compliance for Each Major Federal Program

Opinion on Each Major Federal Program

We have audited Eureka City Schools (the "District") compliance with the types of compliance requirements identified as subject to audit in the April 2022 Edition of the *OMB Compliance Supplement* that could have a direct and material effect on each of the District's major federal programs for the year ended June 30, 2022. The District's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, the District complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2022.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*); and the audit requirements of the April 2022 Edition of the Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the District and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of the District's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules and provisions of contracts or grant agreements applicable to the District's federal programs.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the District's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material, if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the District's compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the District's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the District's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Report on Internal Control Over Compliance

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

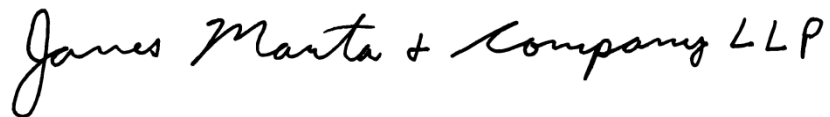
Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Report on Schedule of Expenditures of Federal Awards Required by the Uniform Guidance

We have audited the financial statements of Eureka City Schools as of and for the year ended June 30, 2022, and have issued our report thereon dated March 24, 2023, which contained an unmodified opinion on those financial statements. Our audit was performed for the purpose of forming an opinion on the financial statements as a whole. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by the Uniform Guidance and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the financial statements as a whole.

A handwritten signature in black ink that reads "James Marta & Company LLP". The signature is written in a cursive, flowing style.

James Marta & Company LLP
Certified Public Accountants
Sacramento, California
March 24, 2023

FINDINGS AND RECOMMENDATIONS

EUREKA CITY SCHOOLS
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

Section I – Summary of Auditor’s Results

Financial Statements

Type of auditor’s report issued: Unmodified

Internal control over financial reporting:

Material weakness(es) identified? X Yes No

Significant deficiency(ies) identified not considered to be material weakness(es)? Yes X None reported

Noncompliance material to financial statements noted? Yes X No

Federal Awards

Type of auditor’s report issued on compliance for major programs: Unmodified

Internal control over major programs:

Material weakness(es) identified? Yes X No

Significant deficiency(ies) identified not considered to be material weaknesses? Yes X None reported

Any audit findings disclosed that are required to be reported in accordance with Uniform Guidance, Section 200.516(a)? Yes X No

Identification of major programs:

<u>CFDA Numbers</u>	<u>Name of Federal Program or Cluster</u>
84.425	Education Stabilization Fund (ESF) Cluster
10.555, 10.582	Child Nutrition Cluster

Dollar threshold used to distinguish between Type A and Type B programs: \$750,000

Auditee qualified as low-risk auditee? X Yes No

State Awards

Type of auditor’s report issued on compliance for state programs: Qualified

Internal control over state programs:

Material weakness(es) identified? Yes X No

Significant deficiency(ies) identified not considered to be material weaknesses? X Yes None reported

EUREKA CITY SCHOOLS
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

Section II – Financial Statement Findings

2022-01 MATERIAL WEAKNESS – INTERNAL CONTROL – FIXED ASSETS

Criteria

The GASB Statement 34 reporting model requires the following financial statements and related information:

- Management Discussion & Analysis (MD&A) as Required Supplementary Information
- Basic Financial Statements:
 - Government-wide Financial Statements
 - Fund Financial Statements
 - Notes to the Financial Statements
- Required Supplementary Information Other Than MD&A

Condition

While auditing the capital asset schedule, we noted the following:

- The beginning balance of the accumulated depreciation on the capital asset schedule does not tie out to the prior year audited financial statements.
- Accumulated depreciation and depreciation expense was not properly calculated.

Effect

The capital assets in the prior year were under depreciated by \$5,958,526 which overstated assets and net position by \$5,958,526. The current year depreciation is overstated by \$2,403,522.

Cause

The capital assets schedule was not properly maintained and reconciled.

Fiscal Impact

The financial statements are restated to reduce fixed asset and net position by \$5,958,526 to account for the error in the prior year capital assets. The current year's errors were corrected and fairly presented in the adjustment's column.

Repeat Finding

No.

Recommendation

We recommend that the district maintain a capital assets schedule, updating it throughout the year and have a process of review by another individual separate from the individual preparing and maintaining the schedule.

Corrective Action Plan

The District has transferred its assets from an excel spreadsheet to an asset management software that will ensure depreciation is calculated correctly. The fixed asset schedule will be updated regularly by the Principal Account Technician and reviewed annually by the Director of Fiscal Services.

EUREKA CITY SCHOOLS
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

Section III – Federal Award Findings and Questioned Costs

No matters were reported.

EUREKA CITY SCHOOLS
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

Section IV – State Award Findings and Questioned Costs

**2022-02 SIGNIFICANT DEFICIENCY - INTERNAL CONTROL -INDEPENDENT STUDY
(40000)**

Criteria

California Education Code, Section 51747.5 (b) – A local educational agency may claim apportionment credit for independent study only to the extent of the time value of pupil or student work products, as personally judged in each instance by a certificated teacher.

California Education Code, Section 51747 (6) - A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the pupil upon completion.

Condition

In our testing sample of 31 students, it was found that one school site that offered the program, Washington Elementary, did not consistently retain signed agreements, work samples and attendance records.

Effect

The District is not in compliance with state requirements.

Cause

The school site was not aware of the requirement to retain supporting documentation.

Fiscal Impact

The District performed a self audit to determine the full impact of the error. Loss of 3.25 days for Grades TK-3 and 4.22 days for Grades 4-6. For a fiscal impact of \$36,049 for TK-3 and \$43,002 for Grade 4-6 for a total of \$79,051.

Repeat Finding

Not a repeat finding.

Recommendation

The District should ensure all sites are aware and are implementing program guidelines appropriately to ensure compliance with state requirements.

Corrective Action Plan

The District will provide training to necessary staff to ensure program guidelines are implemented at the sites to ensure compliance with all state requirements. District staff will conduct periodic reviews to ensure compliance with program guidelines.

EUREKA CITY SCHOOLS

SCHEDULE OF PRIOR AUDIT FINDINGS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

2021-01 Significant Deficiency – Internal Control – Foundation Fund (30000)

Criteria

The California School Accounting Manual (CSAM) and the Education Code Section 41031 require local education agencies use a Foundation Private-Purpose Trust Fund (Fund 73) to account separately for gifts or bequests that benefit individuals under which neither principal nor income may be used for purposes that support the District's own programs.

Condition

The District did not set up Fund 73 to account for the trust fund activities. The cash balance as the end of the fiscal year was still reported in the county treasury as Student Body Fund (Fund 95). Additionally, prior to the implementation of GASB 84, the District reported both the trust fund and student body activities within Fund 95.

Recommendation

We recommend that the District familiarize themselves and comply with the requirements of the CSAM and the Education Code Section 41031 and formally set up Fund 73.

Status

Implemented.

EUREKA CITY SCHOOLS SUMMARY OF AUDIT RESULTS JUNE 30, 2022

Presented by
Jesse Deol CPA, ARM



Agenda

- Communication with Those Charged with Governance
- June 30, 2022, Eureka City Schools Financial Information and Auditor's Report
- Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance
- State Compliance Letter
- Federal Compliance Letter



Scope of the Engagement

- Financial Audit
 - Governmental activities
 - Major funds
 - Aggregate remaining funds
 - Notes to the financial statements
 - Required supplementary information (limited procedures)
 - Supplementary information

COMMUNICATION WITH THOSE CHARGED WITH GOVERNANCE



Professional standards require that we provide you with information related to our audit of the District.

This information is summarized as follows:

- Responsibilities and Opinion
 - Financial statements are the responsibility of management
 - Our responsibility is to express an audit opinion
 - We issued an unmodified opinion (the best an auditor can give)



Planning and Communication

- Worked closely with Eureka City Schools
 - Preliminary inquiries
 - Scope of the audit
 - Timing of audit



Report to You - Interactions with Management



Management Consultations
with Other Independent
Accountants:

✓ None



Disagreements with
Management of Difficulties
Encountered:

✓ None



Management
Representations:

✓ Received

Report To You

Qualitative Aspects Of Accounting Practices

- Significant Accounting Policies and Changes in Those Policies:
 - We do not expect the standards to have any significant impact on the District.
 - Management Judgments and Accounting Estimates
 - Collectability of accounts receivable
 - Net Pension and OPEB Liabilities



Audit Procedures

- An Audit is more than just assurance regarding the fairness of presenting financial statements. An Audit involves gaining an understanding of the organization's systems and controls.
 - Understanding – systems, policies and procedures
 - Tests of control
 - Gathering other audit evidence, review of details, performing test calculations.
 - Review of accounting methods and reporting

Results of the Audit

Consideration Area	Result
Planned Scope and Timing	Staff availability during the agreed upon field work dates
Findings Identified in Performing the Audit	<p>2022-01 Material Weakness- Internal Control – Fixed Assets</p> <p>2022-02 Significant Deficiency – Internal Control – Independent Study</p>
Significant Adjustments or Disclosures Not Reflected in the Financial Statements	None

FINANCIAL STATEMENTS WITH INDEPENDENT AUDITOR'S REPORT



Independent Auditor's Report

- The audit process is a process of accountability to the Board and the Public
- Pages 1-3 of the Audited Financial Statements
 - Unmodified Opinion (Page 1) – the best opinion that we can provide
 - Emphasis of Matter
 - As described in Note 1 Error Correction on the Independent Auditor Report, the District's capital assets were overstated
 - GASB, Statement, No.100 has been implemented to ensure proper presentation and restatement of prior period net position for the reporting period ending June 30, 2022
 - Our opinion is not modified with respect to this matter.



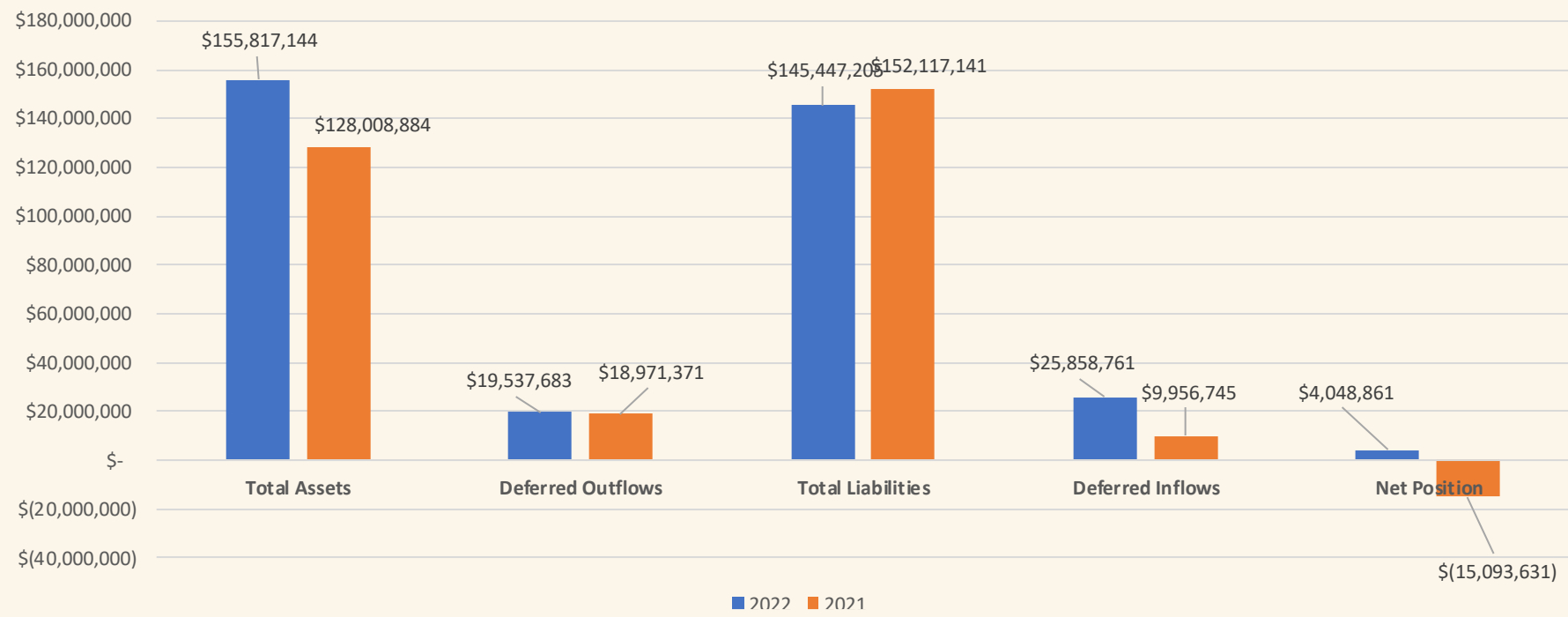
Management Discussion and Analysis

- Pages 4-12
 - It addresses the financial highlights, important trends and the issues the District is facing.
 - This is an excellent resource for you to assess how the District is doing.

Summary Statement of Net Position

- ↑ Total Assets up \$27.8M
- ↑ Deferred Outflows up \$566K
- ↓ Liabilities down (\$6.7M)
- ↑ Deferred inflows up \$15.9M
- ↑ Net Position up \$19.1M

Statement of Net Position



Summary Statement of Net Position

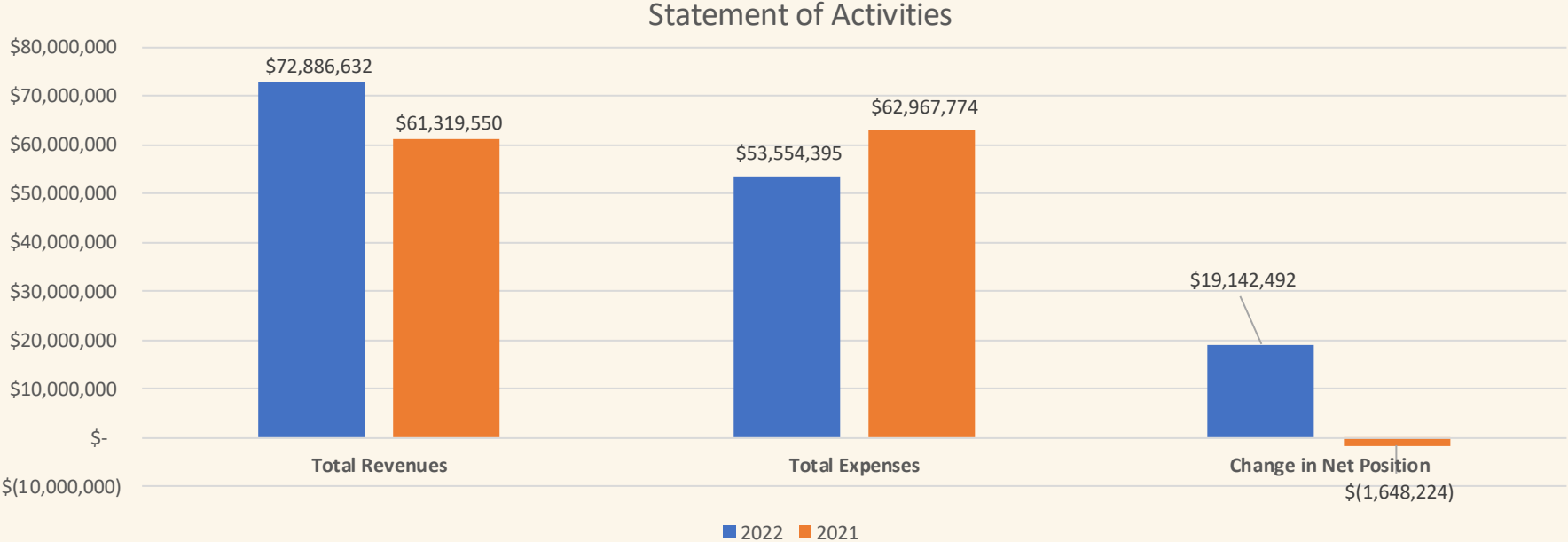
	2022	(As restated) 2021	Increase/ (Decrease)
<u>Assets</u>			
Cash	\$ 70,929,147	\$ 50,444,615	\$ 20,484,532
Receivables	6,972,470	10,499,106	(3,526,636)
Stores Inventory	130,007	46,035	83,972
Capital Assets, Net	77,785,520	67,019,128	10,766,392
Total Assets	155,817,144	128,008,884	27,808,260
<u>Deferred Outflows</u>	19,537,683	18,971,371	566,312
<u>Liabilities</u>			
Other Liabilities	6,448,387	6,160,886	287,501
Long-term Debt Outstanding	138,998,818	145,956,255	(6,957,437)
Total Liabilities	145,447,205	152,117,141	(6,669,936)
<u>Deferred Inflows</u>	25,858,761	9,956,745	15,902,016
<u>Net Position</u>			
Net Investment in Capital Assets			
- Net of Related Debt	9,508,727	8,202,169	1,306,558
Restricted	41,936,125	40,343,480	1,592,645
Unrestricted	(47,395,991)	(63,639,280)	16,243,289
Total Net Position	\$ 4,048,861	\$ (15,093,631)	\$ 19,142,492

Summary Statement of Activities

↑ Revenues up \$11.6M

↓ Expenses down (\$9.4M)

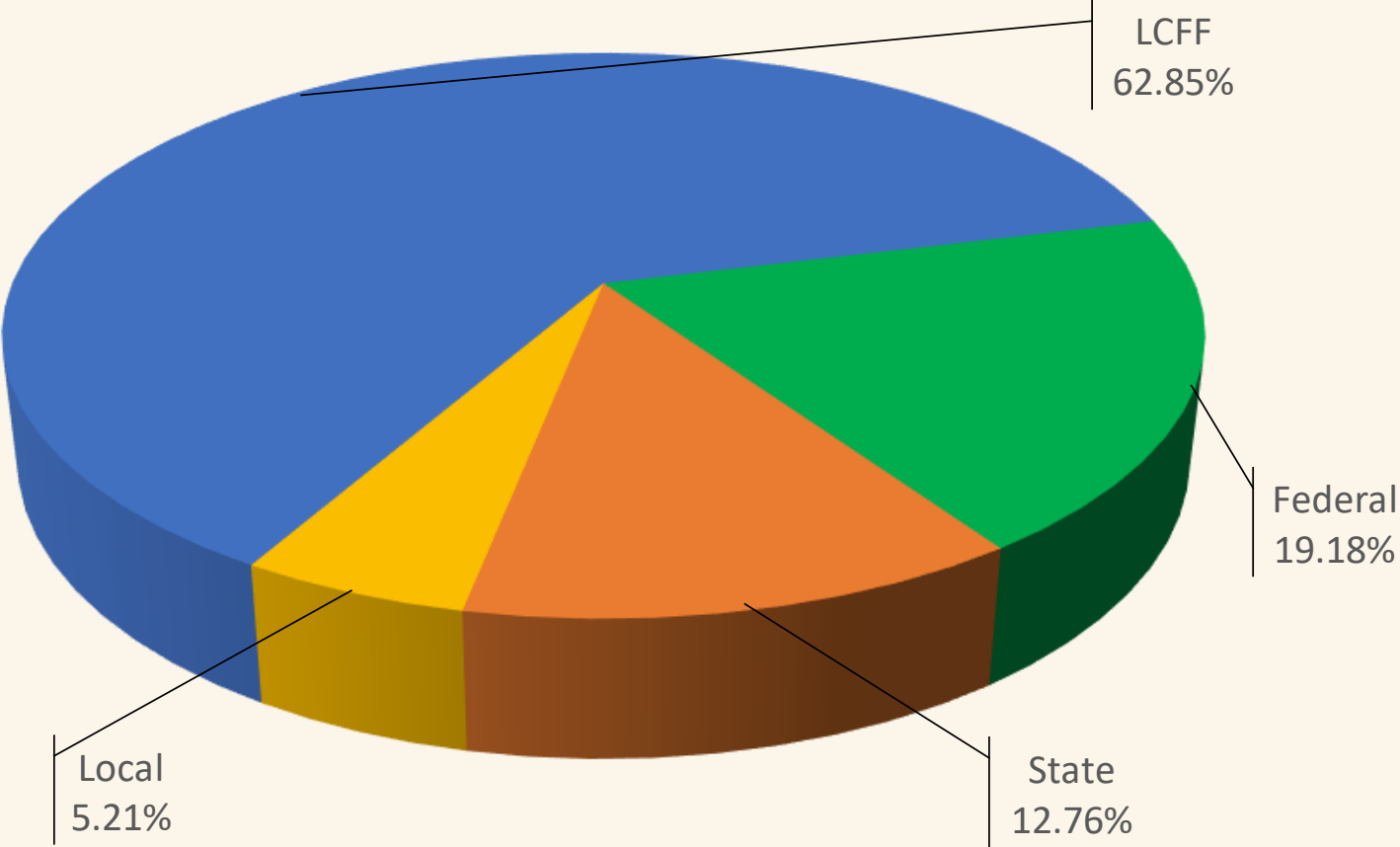
↑ Net position up \$20.8M



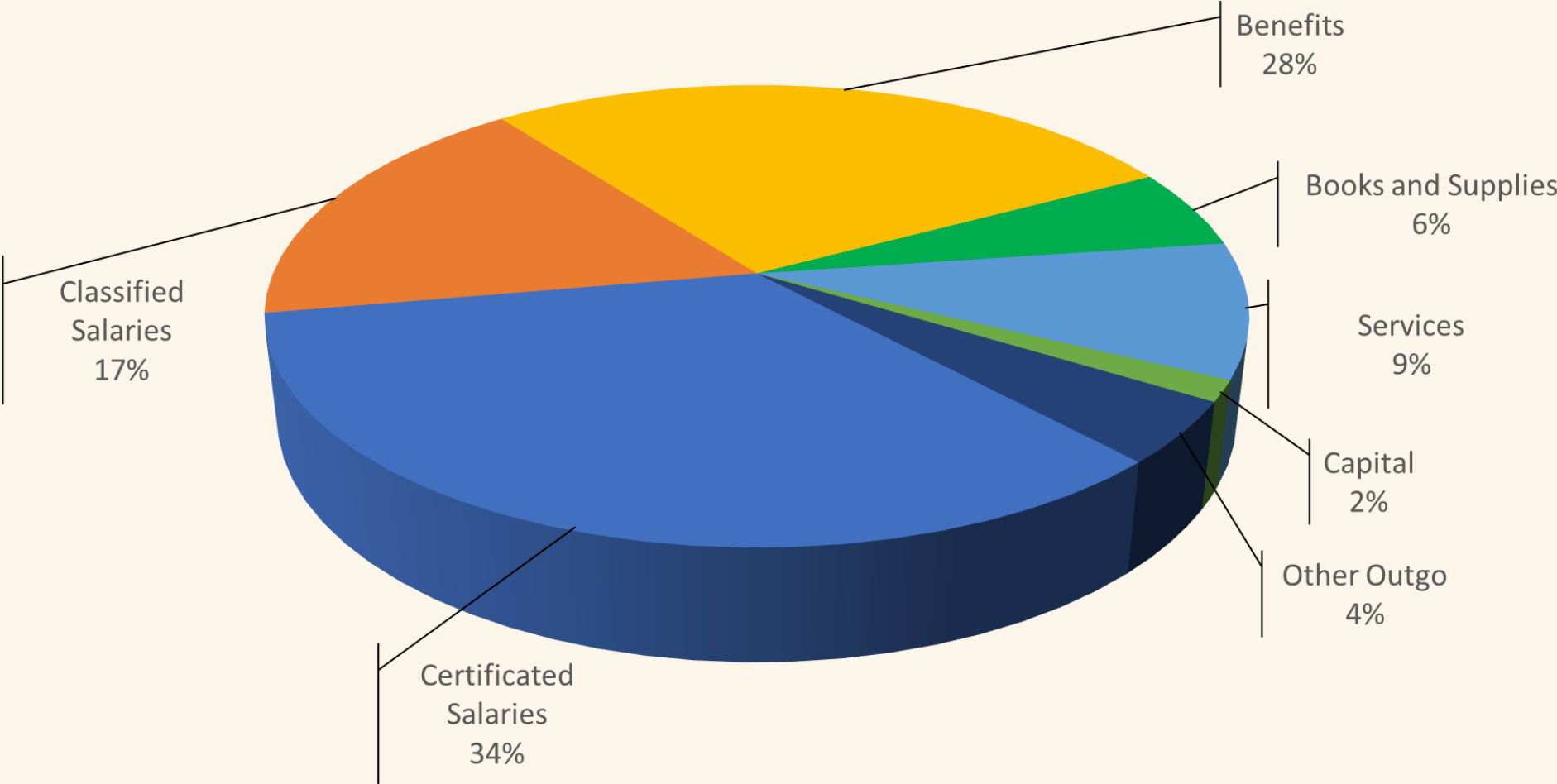
Summary Statement of Activities

	2022	2021	Increase/ (Decrease)
Program Revenues:			
Charges for Services	\$ 598,441	\$ 823,183	\$ (224,742)
Operating Grants and Contributions	25,703,750	17,748,060	7,955,690
Capital Grants and Contributions	25,791	25,791	-
Total Program Revenues	<u>26,327,982</u>	<u>18,597,034</u>	<u>7,730,948</u>
General Revenues:			
Taxes Levied	21,298,731	20,437,786	860,945
Federal and State Aid	24,219,011	21,454,098	2,764,913
Interest and Investment Earnings	451,777	435,298	16,479
Interagency	49,776	59,278	(9,502)
Miscellaneous	349,610	336,056	13,554
Total General Revenues	<u>46,368,905</u>	<u>42,722,516</u>	<u>3,646,389</u>
Program Expenses:			
Instruction	25,692,021	32,569,532	(6,877,511)
Instruction-Related Services	5,784,016	6,633,730	(849,714)
Pupil Services	8,158,846	8,250,052	(91,206)
General Administration	3,986,748	4,477,021	(490,273)
Community Services	840,370	759,810	80,560
Plant Services	1,696,468	5,519,998	(3,823,530)
Ancillary Services	2,003,187	698,033	1,305,154
Interest on Long-Term Liabilities	2,939,993	1,937,702	1,002,291
Other Outgo	2,452,746	2,121,896	330,850
Total Expenses	<u>53,554,395</u>	<u>62,967,774</u>	<u>(9,413,379)</u>
Change in Net Position	<u>\$ 19,142,492</u>	<u>\$ (1,648,224)</u>	<u>\$ 20,790,716</u>

2021-22 General Fund Revenues



2021-22 General Fund Expenses



Financial Trends and Analysis

Reserves – 6.4%

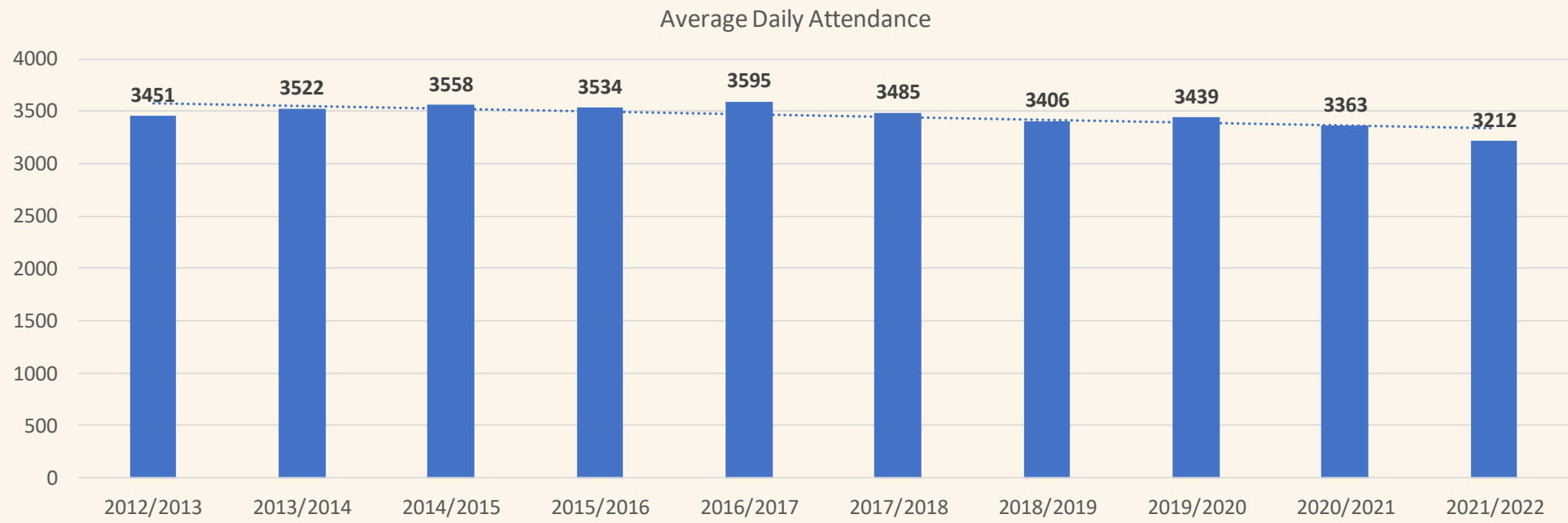
Three-year trend:

↑ LTD – down (\$6.9M)

↑ ADA – down 151

	Adopted Budget 2022/23	Actuals 2021/22	Actuals 2020/21	Actuals 2019/2020
<u>General Fund</u>				
Revenues and Other Financing Sources	\$ 64,728,895	\$ 64,221,947	\$ 54,718,953	\$ 47,532,334
Expenditures	57,736,053	52,636,191	46,195,829	45,956,829
Other Uses and Transfers Out	306,741	123,080	269,231	415,075
Total Outgo	58,042,794	52,759,271	46,465,060	46,371,904
Change in Fund Balance	6,686,101	11,462,676	8,253,893	1,160,430
Ending Fund Balance	\$ 34,995,605	\$ 28,309,504	\$ 16,846,828	\$ 8,592,935
Available Reserves	\$ 2,915,521	\$ 3,352,138	\$ 3,315,291	\$ 3,600,830
Designated for Economic Uncertainties	\$ 2,915,521	\$ 3,352,138	\$ 3,315,291	\$ 3,600,830
Unassigned Fund Balance	\$ -	\$ -	\$ -	\$ -
Available Reserves as a Percentage of Total Outgo	5.0%	6.4%	7.1%	7.8%
<u>All Funds</u>				
Total Long-Term Debt	\$ 135,469,496	\$ 138,998,818	\$ 145,956,255	\$ 118,768,599
Actual Daily Attendance at P-2 (Exclusive of Adult ADA)	3,402	3,212	3,450	3,439

Average Daily Attendance

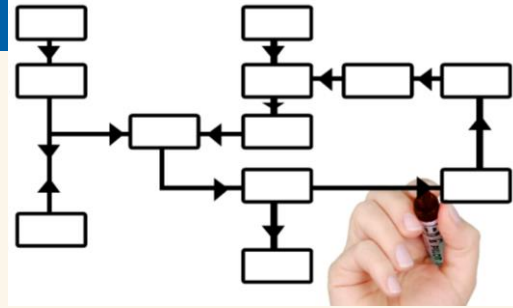


Three Corresponding Communications



Independent Auditor's Report
on Compliance with State Laws
and Regulations

- ✓ Qualified Opinion
- ✓ 2022-02 Significant
Deficiency – Independent
Study



Report on Internal Control Over
Financial Reporting and
Compliance (in accordance with
Government Accounting
Standards)

- ✓ 2022-01 Material Weakness–
Fixed Assets



Report on Compliance for Each
Major Federal Program and Report
on Internal Control Over
Compliance Required by the
Uniform Guidance

- ✓ No matters were reported

2022-01 Material Weakness— Internal Control — Fixed Assets

- While auditing the capital asset schedule, we noted:
 - The beginning balance of the accumulated depreciation on the capital asset schedule does not tie out to the prior year audited financial statements
 - Accumulated depreciation and depreciation expense was not properly calculated.
- Capital assets in the prior year were under depreciated by \$5.9M, which overstated assets and net position by \$5.9M. The current year depreciation is overstated by \$2.4M.
- Fiscal Impact: the financial statements are restated to reduce fixed asset and net position by \$5.9M to account for the error in the prior year capital asset. The current year's errors were corrected and fairly presented in the adjustment's column.
- The District has transferred its assets from an excel spreadsheet to an asset management software that will ensure depreciation is calculated correctly. The fixed asset schedule will be updated regularly by the Principal Account Technician and reviewed annually by the Director of Fiscal Services.

2022-02 Significant Deficiency – Internal Control – Independent Study

- In our testing sample, we found Washington Elementary did not consistently retain signed agreements, work samples and attendance records.
- Cause: The school site was not aware of the requirement to retain supporting documentation.
- Fiscal Impact: The District performed a self audit to determine the full impact of the error. Loss of 3.25 days for Grades TK-3 and 4.22 days for Grades 4-6. For a fiscal impact of \$36,049 for TK-3 and \$43,002 for Grade 4-6 for a total of \$79,051.
- Corrective Action Plan: The District will provide training to necessary staff to ensure program guidelines are implemented at the sites to ensure compliance with all state requirements. District staff will conduct periodic reviews to ensure compliance with program guidelines.

Conclusion

- The financial condition of the District has improved.
- We would like to thank Paul Ziegler, Mario da Costa, and the District staff for their assistance during the audit process.

QUESTIONS?

Jesse Deol, CPA, ARM
Partner
(916) 993-9494
jdeol@jpmcpa.com



AGENDA ITEM

Agenda Title: Receipt of the Measure S 2021–2022 Bond Financial and Performance Audit Report
Meeting Date: March 30, 2023
Item: Discussion/Action

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to receive and accept the Measure S Bond Financial & Performance Audit Report for the fiscal year ended June 30, 2022.

Note: The attachments are pending and will be added to the Board item after they have been received.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Because the passage of Measure S required only 55% of the vote in accordance with Proposition 39 (Article XIII of the California State Constitution), the District is required to establish a citizens' bond oversight committee and to conduct an annual financial and performance audit.

STRATEGIC PLAN/PRIORITY AREA:

Applied to the "Fiscal Integrity of the District" portion of the Strategic Plan

HISTORY *(list previous staff or board action(s) with dates if possible)*

The 2021-22 Measure S Financial and Performance audit report was originally agendized for the March 9, 2023, Board meeting. The item was pulled from the agenda due to ongoing issues with the County of Humboldt Audit-Controller Department's delay in balancing 2020-21 cash accounts, which in turn impacted James Marta & Co.'s ability to timely complete the audit report.

The audit is an annual requirement.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

Cost for fiscal year ended June 30, 2022 bond audit is \$5,900.

WHO *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

ATTACHMENTS:

Description

- ▣ 2021-22 Measure S Audit Report
- ▣ Presentation



EUREKA CITY SCHOOLS
MEASURE S
GENERAL OBLIGATION BONDS

BUILDING FUND

COUNTY OF HUMBOLDT
EUREKA, CALIFORNIA

FINANCIAL AND PERFORMANCE AUDIT

FOR THE FISCAL YEAR ENDED
JUNE 30, 2022

JAMES MARTA & COMPANY LLP
CERTIFIED PUBLIC ACCOUNTANTS

701 HOWE AVENUE, E3
SACRAMENTO, CA

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(916) 993-9489 FAX
WWW.JPMCPA.COM

EUREKA CITY SCHOOLS
MEASURE S GENERAL OBLIGATION BONDS
BUILDING FUND
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James Marta & Company LLP

Certified Public Accountants

Accounting, Auditing, Consulting, and Tax

INDEPENDENT AUDITOR'S REPORT

Citizen's Oversight Committee
and Governing Board
Eureka City Schools
Eureka, California

Report on the Financial Statements

Opinions

We have audited the Balance Sheet of Eureka City Schools (the District), Measure S General Obligation Bonds Building Fund (the Fund), and the related statement of revenues, expenditures, and changes in fund balance as of and for the fiscal year ended June 30, 2022, and the related notes to the financial statements as listed in the table of contents.

In our opinion, the fund financial statements referred to above present fairly, in all material respects, the financial position of the Eureka City Schools Measure S General Obligation Bond Fund (the Fund) as of June 30, 2022 and the results of its operations the fiscal year then ended in conformity with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

The District's management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

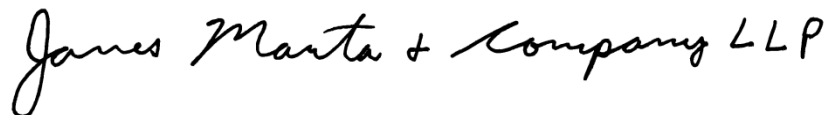
We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control–related matters that we identified during the audit.

Other Matters

As discussed in Note 1, the financial statements referred to above present only the individual Measure S General Obligation Bond Building Fund and are not intended to present fairly the financial position and results of operations of the District in conformity with generally accepted accounting principles generally accepted in the United States of America.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated March 24, 2023 on our consideration of the District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the District's internal control over financial reporting and compliance.

A handwritten signature in black ink that reads "James Marta & Company LLP". The signature is written in a cursive, flowing style.

James Marta & Company LLP
Certified Public Accountants
Sacramento, California
March 24, 2023

BASIC FINANCIAL STATEMENTS

EUREKA CITY SCHOOLS
MEASURE S GENERAL OBLIGATION BONDS
BUILDING FUND
BALANCE SHEET
JUNE 30, 2022

ASSETS

Cash and cash equivalents	\$ 19,264,136
Receivables	<u>520,819</u>
Total assets	<u><u>\$ 19,784,955</u></u>

**LIABILITIES AND
FUND BALANCES**

Liabilities	
Accounts payable	<u>\$ 681,939</u>
Total liabilities	<u>681,939</u>
Fund balance	
Restricted for Bond Measure S Projects	<u>19,103,016</u>
Total fund balance	<u>19,103,016</u>
Total liabilities and fund balance	<u><u>\$ 19,784,955</u></u>

The accompanying notes are an integral part of these financial statements.

EUREKA CITY SCHOOLS

MEASURE S GENERAL OBLIGATION BONDS

BUILDING FUND

**STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCE**

FOR THE FISCAL YEAR ENDED JUNE 30, 2022

REVENUES

Other local revenues	\$ 256,112
Total revenues	<u>256,112</u>

EXPENDITURES

Classified salaries	13,155
Employee benefits	3,517
Books and supplies	80,126
Services and other operating expenditures	17,336
Capital outlay	<u>13,978,441</u>
Total expenditures	<u>14,092,575</u>
Excess (deficiency) of revenues over expenditures	<u>(13,836,463)</u>

OTHER FINANCING SOURCES (USES)

Operating transfers in	<u>3,033,778</u>
Total other financing sources (uses)	<u>3,033,778</u>
Net change in fund balance	(10,802,685)
Fund balances, July 1, 2021	<u>29,905,701</u>
Fund balances, June 30, 2022	<u><u>\$ 19,103,016</u></u>

The accompanying notes are an integral part of these financial statements.

EUREKA CITY SCHOOLS
MEASURE S GENERAL OBLIGATION BONDS
BUILDING FUND
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. REPORTING ENTITY

The accounting policies of the Measure S General Obligation Bonds Building Fund (the Fund) of Eureka City Schools conform to accounting principles generally accepted in the United States of America as prescribed by the Governmental Accounting Standards Board (GASB) and the American Institute of Certified Public Accountants. The fund accounts for financial transactions in accordance with the policies and procedures of the California School Accounting Manual.

Eureka City Schools (the "District") is a public educational agency operating under the applicable laws and regulations of the State of California. It is governed by a five-member Governing Board elected by registered voters of the District, which comprises an area in Humboldt County. The District was established in 1908 and serves students in grades Transitional Kindergarten through twelve.

On August 27, 2015, the District issued Measure S, Series 2015 General Obligation Bonds (the "Bonds") in the aggregate principal amount of \$25,000,000 for the purpose of financing improvements to facilities and educational technology in the District's facilities and to pay certain costs of issuance associated therewith. The Bonds represent the first series of bonds issued under the Authorization.

On July 7, 2020, the District issued Measure S, Series 2020 General Obligation Bonds (the "Bonds") in the aggregate principal amount of \$24,750,000 for the purpose of upgrading and repairing school facilities of the District and to pay certain costs of issuance associated therewith. The Series 2020 were the second and final series of bonds under the Authorization and are issued on a parity basis with all outstanding general obligation bonds of the District.

The Bonds were authorized at an election within the District held on November 4, 2014 (the "Election") at which at least fifty-five percent of the registered voters voting on the proposition voted to authorize the issuance and sale of \$49,750,000 aggregate principal amount of general obligation bonds of the District (the "Authorization"). Because the Bond required only 55% of the vote in accordance with Proposition 39 (Article XIII of the California State Constitution), the District was required to establish a citizen's bond oversight committee and to conduct a financial and performance audit.

The Committee's oversight goals include ensuring expenditures are within the language of the ballot measure. The citizens' oversight committee must include, among others, representation of a bona fide taxpayers association, a business organization and a senior citizens organization. No District employees or vendors are allowed to serve on the citizens' oversight committee.

EUREKA CITY SCHOOLS
MEASURE S GENERAL OBLIGATION BONDS
BUILDING FUND
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

A. REPORTING ENTITY (CONTINUED)

The fund financial statements presented are for the Measure S General Obligation Bonds Building Fund. Since this is just one component of the District, these financial statements are not intended to be a complete presentation of the District's financial position or results of operations. Accordingly, these fund statements do not include a government wide financial statement, management discussion and analysis, or related organizational disclosures. The audited financial statements of Eureka City Schools include the Measure S General Obligation Bond Building Fund activities, related debt and disclosures, as well as the management discussion and analysis.

B. FUND ACCOUNTING

The accounts of the District are organized on the basis of funds, each of which is considered to be a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity or retained earnings, revenues, and expenditures or expenses, as appropriate. District resources are allocated to and accounted for in individual funds based upon the purpose for which they are to be spent and the means by which spending activities are controlled.

The proceeds from the sale of general obligation bonds and the subsequent expenditure of the bond funds are accounted for in the Building fund of the District. Any premium received from the sale of the bonds is deposited in the Bond Interest and Redemption Fund of the District.

C. ACCOUNTING POLICIES

The District prepares its financial statements in accordance with generally accepted accounting principles as prescribed by the Governmental Accounting Standards Board (GASB) and the American Institute of Certified Public Accountants (AICPA) and complies with the policies and procedures of the Department of Education's *California School Accounting Manual*.

D. MEASUREMENT FOCUS AND BASIS OF ACCOUNTING

Basis of accounting refers to when revenues and expenditures are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of measurement made, regardless of the measurement focus applied.

The financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. On a modified accrual basis, revenue is recorded in the fiscal year in which the resources are measurable and become available. "Available" means the resources will be collected within the current fiscal year or are expected to be collected soon enough thereafter to be used to pay liabilities of the current fiscal year. For the District, "available" means collectible within the current period or within 60 days after year-end.

EUREKA CITY SCHOOLS
MEASURE S GENERAL OBLIGATION BONDS
BUILDING FUND
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

D. MEASUREMENT FOCUS AND BASIS OF ACCOUNTING (CONTINUED)

Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

E. BUDGETS AND BUDGETARY ACCOUNTING

Annual budgets are adopted on a basis consistent with accounting principles generally accepted in the United States of America for all governmental funds. By state law, the District's governing board must adopt a final budget no later than July 1 in accordance with State law. A public hearing must be conducted to receive comments prior to adoption. The District's governing board satisfied these requirements.

F. ENCUMBRANCES

Encumbrance accounting is used in all budgeted funds to reserve portions of applicable appropriations for which commitments have been made. Encumbrances are recorded for purchase orders, contracts, and other commitments when they are written. Encumbrances are liquidated when the commitments are paid. All encumbrances are liquidated at June 30.

G. DEPOSITS AND INVESTMENTS

The District is considered to be an involuntary participant in an external investment pool as the District is required to deposit all receipts and collections of monies with their County Treasurer (Education Code Section 41001). The County is authorized to deposit cash and invest excess funds by California Government Code Section 53648 et seq.

The District is authorized under California Government Code to make direct investments in local agency bonds, notes, or warrants within the State; U.S. Treasury instruments; registered State warrants or treasury notes; securities of the U.S. Government, or its agencies; bankers acceptances; commercial paper; certificates of deposit placed with commercial banks and/or savings and loan companies; repurchase or reverse repurchase agreements; medium term corporate notes; shares of beneficial interest issued by diversified management companies; certificates of participation; obligations with first priority security; and collateralized mortgage obligations.

Investments with original maturities greater than one year are stated at fair value. Fair value is estimated based on quoted market prices at year-end. All investments not required to be reported at fair value are stated at cost or amortized cost.

EUREKA CITY SCHOOLS
MEASURE S GENERAL OBLIGATION BONDS
BUILDING FUND
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

H. CAPITAL AND LONG-TERM DEBT (CONTINUED)

The accounting and reporting treatment applied to the capital assets and long-term liabilities associated with the General Obligation Bond Building Fund is accounted for on a spending or “financial flow” measurement focus. This means that only current assets and liabilities are generally included on the balance sheet. The reported fund balance is considered a measure of “available spendable resources”. Thus, the capital assets and long-term liabilities associated with the Measure S General Obligation Bond Building Fund are accounted for in the basic financial statements of the District.

I. FUND BALANCE – GOVERNMENTAL FUNDS

As of June 30, 2022, fund balances of the Measure S General Obligation Bond Building Fund are classified as restricted. Restricted funds can only be spent for specific purposes because of constitutional provisions or enabling legislation or because of constraints that are externally imposed by creditors, grantors, contributors, or the laws or regulations of other governments.

J. USE OF ESTIMATES

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

2. CASH AND INVESTMENTS

Cash and investments as of June 30, 2022 consist of \$19,264,136 cash in the county treasury.

A. Policies and Practices

The District is authorized under California Government Code to make direct investments in local agency bonds, notes, or warrants within the State: U.S. Treasury instrument; registered State warrants or treasury notes; securities of the U.S. Government, or its agencies; bankers acceptances; commercial paper; certificates of deposit placed with commercial banks and/or savings and loan companies; repurchase or reverse repurchase agreement; medium term corporate notes; shares of beneficial interest issued by diversified management companies, certificates of participation, obligations with first priority security, and collateralized mortgage obligations.

EUREKA CITY SCHOOLS
MEASURE S GENERAL OBLIGATION BONDS
BUILDING FUND
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

2. CASH AND INVESTMENTS (CONTINUED)

B. Cash in County Treasury

County pool investments consist of District cash held by the Humboldt County Treasury that is invested in the county investment pool. The fair value of the District's investment in the pool is reported in the financial statements at amounts that are based upon the District's pro-rata share of the fair value provided by the County Treasurer for the entire portfolio (in relation to the amortized cost of that portfolio). The County Treasurer has not posted the accrued interest for fiscal years 2020-21 and 2021-22 resulting in differences between the actual cash balances in the Humboldt County Treasury compared to the District-reported balances. The weighted average maturity of the pool is not determinable at this time. The pool is rated AAA by Standard and Poor's.

C. Investment Risks

Interest Rate Risk. Interest rate risk is the risk that changes in market interest rate will adversely affect the fair value of an investment. Generally, as the length of the maturity of an investment increases, the greater the sensitivity of its fair value to changes in market interest rates. The District manages its exposure to interest rate risk by investing in the County Treasury that purchases a combination of shorter term and longer term investments and by timing cash flows from maturities so that a portion of the portfolio is maturing or coming close to maturity evenly over time as necessary to provide the cash flow and liquidity needed for operations.

EUREKA CITY SCHOOLS
MEASURE S GENERAL OBLIGATION BONDS
BUILDING FUND
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

3. MEASURE S GENERAL OBLIGATION BONDS

The authorized issuance amount of the bonds is \$49,750,000. On August 27, 2015, the District issued Measure S General Obligation Bonds (the “Bonds”) in the aggregate principal amount of \$25,000,000 for the purpose of financing the improvements to facilities and educational technology in the District’s facilities and to pay costs of issuance of the Bonds. See table below of how the proceeds of the bonds were applied.

Sources of Funds

Principal Amount of Bonds	\$ 25,000,000
Net Original Issue Premium	854,246
Total Sources	<u>\$ 25,854,246</u>

Uses of Funds

Deposited to Building Fund	\$ 24,665,000
Deposited to Debt Service Fund	762,110
Cost of Issuance	427,136
Total Uses	<u>\$ 25,854,246</u>

The bonds carry interest rates ranging from 2.0% to 5.0% and mature through August 1, 2045.

EUREKA CITY SCHOOLS
MEASURE S GENERAL OBLIGATION BONDS
BUILDING FUND
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

3. MEASURE S GENERAL OBLIGATION BONDS (CONTINUED)

On July 7, 2020, the District issued Measure S General Obligation Bonds (the “Bonds”) in the aggregate principal amount of \$24,750,000 for the purpose of financing the improvements to facilities and educational technology in the District’s facilities and to pay costs of issuance of the Bonds. See table below of how the proceeds of the bonds were applied.

Sources of Funds

Principal Amount of Bonds	\$ 24,750,000
Net Original Issue Premium	2,295,273
Total Sources	<u>\$ 27,045,273</u>

Uses of Funds

Deposited to Building Fund	\$ 24,550,000
Deposited to Debt Service Fund	2,095,243
Cost of Issuance	400,030
Total Uses	<u>\$ 27,045,273</u>

The bonds carry interest rates ranging from 2.5% to 4.0% and mature through August 1, 2049. The Bonds are payable from the proceeds of *ad valorem* property taxes which the Board of Supervisors of Humboldt County are obligated to levy and collect on all taxable property in the District for the payment of principal and interest on the Bonds when due.

EUREKA CITY SCHOOLS
MEASURE S GENERAL OBLIGATION BONDS
BUILDING FUND
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

4. COMMITMENTS AND CONTINGENCIES

As of June 30, 2022, the Building Fund had the following commitments with respect to unfinished capital projects:

Project Name	Initial Committed Balance	Expenditures to Date	Committed Balance at June 30, 2022
EHS Gym	\$ 24,193,000	\$ 12,968,399	\$ 11,224,601
EHS Science Building	9,979,680	136,094	9,843,586
	<u>\$ 34,172,680</u>	<u>\$ 13,104,493</u>	<u>\$ 21,068,187</u>

5. SUBSEQUENT EVENTS

District management evaluated its June 30, 2022 financial statements for subsequent events through March 24, 2023, the date these financial statements were available to be issued. Management is not aware of any subsequent events that would require recognition or disclosure in the financial statements.

SUPPLEMENTARY INFORMATION

EUREKA CITY SCHOOLS
MEASURE S GENERAL OBLIGATION BONDS
FULL TEXT OF BOND MEASURE

**THE EUREKA CITY SCHOOLS CLASSROOM REPAIR, TECHNOLOGY, & JOB TRAINING
BOND MEASURE**

Upon the passage of Measure S, Eureka City Schools shall be authorized to issue bonds in the aggregate amount of \$49.75 million, bearing interest at rates not exceeding the statutory limit, for the purpose of funding the following school facilities projects:

Classroom Repair, Technology and Job Training for Eureka City Schools

Goal and Purpose: To upgrade every school site and help improve education by: upgrading career/job training classrooms; investing in technology/science labs; repairing aging classrooms; qualifying local schools for matching state funds; and constructing/acquiring facilities, classrooms, sites and equipment.

Classroom and Facility Repair:

- Upgrade fire alarm systems and fire sprinkler systems to meet current codes
- Replace/upgrade existing security systems
- Correct earthquake safety deficiencies where found to be necessary
- Repair, replace and expand fencing, doors, locks, exterior lighting and other barriers to provide increased security for students and staff
- Upgrade emergency communication systems, including warning and public address systems
- Improve, expand or construct safer student pick-up and drop off areas
- Repair and/or replace outdated heating and ventilation systems
- Repair and/or replace drainage, sewer, gas, electrical, irrigation and water systems
- Repair and/or replace leaking roofs, gutters and downspouts
- Repair, renovate, upgrade, improve build and/or replace pavement, sidewalks, outdoor structures, fields, facilities and landscape areas at physical education facilities, sports and athletic facilities, playfields and playgrounds
- Repair and/or replace deteriorated walls, ceilings, doors, windows, cabinets, interior and exterior building finishes
- Repair, renovate or improve site restroom facilities
- Construct classrooms, restrooms, nurses offices, staff work areas at existing sites and furnish and equip such buildings
- Repair, upgrade or reconfigure site grounds and facilities to accommodate projects on this project list
- Construct access improvements for disabled persons, as required by state and federal law
- Carry out necessary deferred maintenance projects
- Repair, add and/or replace school activity signage
- Repair, add and/or replace school furniture and equipment
- Replace aging portable classroom buildings, and furnish and equip such buildings
- Abate and demolish any school buildings that are deemed unsafe and/or not fit for modernization
- Install energy efficient mechanical, electrical and lighting systems
- Replace and/or improve single-paned windows
- Install power generation equipment to reduce energy/utility costs
- Improve insulation, weatherproofing and roofs
- Implement water conservation systems
- Improve, modernize, expand or construct multi-use buildings, including kitchen facilities and central kitchen

EUREKA CITY SCHOOLS

MEASURE S GENERAL OBLIGATION BONDS

FULL TEXT OF BOND MEASURE

Upgrade career/job training classrooms in our middle and high school campuses allowing us to improve instructional methods, and integrate modern technology:

- Repair and/or replace deteriorated walls, ceilings, doors, windows, cabinets, interior and exterior building finishes
- Repair and/or replace leaking roofs, gutters and downspouts
- Replace aging portable classroom buildings, and furnish and equip such buildings
- Repair, replace or purchase new shop and classroom furniture and equipment
- Install energy efficient mechanical, electrical and lighting systems
- Replace and/or improve single-paned windows

Integrate modern technology into daily student learning to improve current instructional methods:

- Provide and maintain upgraded technology, data and communication equipment
- Upgrade and expand wireless systems, telecommunications, internet and network connections
- Upgrade and replace computers, hardware and software systems
- Install updated wiring and infrastructure to accommodate modern technology

The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, surveys, construction management, relocation assistance, staff training expenses and customary contingency and escalation for unforeseen design and construction costs. In addition to the listed projects, the project list also includes the payment of the costs of preparation of all facility planning, permit fees, and temporary housing of dislocated District activities caused by bond projects. The upgrading of technology infrastructure includes, but is not limited to, computers, LCD projectors, printers, portable interface devices, servers, switches, routers, modules, sound projection systems, digital whiteboards, document projectors, upgrade VOIP, call manager and network security/firewall and other miscellaneous equipment and software.

The District Board of Trustees certifies that it has evaluated safety, class size reduction, and information technology needs in developing this list.

The bond proceeds will be used only for the purposes specified in Article XIII A, section 1(b)(3) of the California Constitution, and not for any other purposes, including teacher and administrator salaries and other school operating expenses.

Approval of the bond measure does not guarantee that the school facility projects proposed for construction will be funded beyond the local revenues generated by the measure. Certain of the District's proposed projects assume the receipt of matching State funds, which could be subject to appropriation by the State Legislature or approval of a statewide bond measure. Reduction in state funds may result in a subsequent reduction in funding of projects provided for herein.

EUREKA CITY SCHOOLS
MEASURE S GENERAL OBLIGATION BONDS
FULL TEXT OF BOND MEASURE

The District Board of Trustees will conduct an annual independent performance audit to ensure that the bond funds have been expended only on the specific projects authorized. The District Board of Trustees will also conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been expended for the above-stated school facilities projects. The District will deposit the proceeds of the bonds in a separate account. The District's chief business official shall issue an annual report to the Board of Trustees, which shall contain the amount of funds collected and expended as well as the status of the above-stated school facilities projects.

Additionally, the District Board of Trustees shall appoint a citizen's oversight committee. The membership requirements and procedures for such committee shall be established by the Board of Trustees in accordance with the requirements of law.

OTHER INDEPENDENT AUDITOR'S REPORTS



James Marta & Company LLP

Certified Public Accountants

Accounting, Auditing, Consulting, and Tax

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON
COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE
WITH GOVERNMENT AUDITING STANDARDS**

INDEPENDENT AUDITOR'S REPORT

Citizen's Oversight Committee
and Governing Board
Eureka City Schools
Eureka, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the fund financial statements of the Measure S General Obligation Bonds Building Fund of Eureka City Schools (the "District"), as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the Measure S General Obligation Bonds Building Fund financial statements, and have issued our report thereon dated March 24, 2023.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the District's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Measure S General Obligation Bond Building Fund's internal control. Accordingly, we do not express an opinion on the effectiveness of Measure S General Obligation Bond Building Fund internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

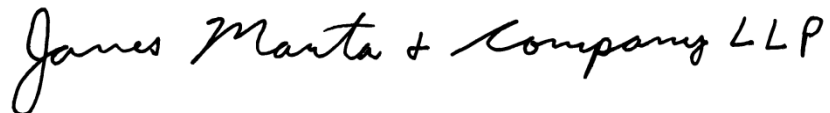
Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Measure S General Obligation Bond Building Fund financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink that reads "James Marta & Company LLP". The signature is written in a cursive, flowing style.

James Marta & Company LLP
Certified Public Accountants
Sacramento, California
March 24, 2023



James Marta & Company

Certified Public Accountants

Accounting, Auditing, Consulting, and Tax

**INDEPENDENT AUDITOR'S REPORT
ON MEASURE S BOND PERFORMANCE**

Citizen's Oversight Committee
and Governing Board Measure S
General Obligation Bonds Building Fund
Eureka City Schools
Eureka, California

We have audited the performance audit of the Measure S General Obligation Bonds Building Fund of the Eureka City Schools (the "District") as of and for the fiscal year ended June 30, 2022, and have issued our report thereon dated March 24, 2023. Our audit was made in accordance with auditing standards generally accepted in the United States of America and, accordingly, included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

Management's Responsibility

The design, implementation and maintenance of internal controls relevant to the financial process and compliance with the requirements of state laws and regulations is the responsibility of management.

Our responsibility is to determine that the District complied with the Measure S General Obligation Bonds in accordance with Appendix A of the 2021-22 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting.

We conducted our audit of performance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and Appendix A of the 2021-22 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objects. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The results of the procedures performed indicate that the District complied with the requirements identified in Appendix A of the K-12 Local Education Agencies and State Compliance Reporting for the Measure S General Obligation Bond funds for the year ended June 30, 2022.

Objectives

The objectives of our performance audit was to determine that the District expended the Measure S General Obligation Bond funds for the year ended June 30, 2022 only for purposes approved by voters and only for specific projects adopted by the District's Board of Trustees, in accordance with the requirements of Proposition 39, as specified by Section 1(b)(3)C.

Scope of the Audit

The scope of our performance audit covered the fiscal year ended June 30, 2022. The expenditures included all account and project codes associated with the bond projects. Expenditures before July 1, 2021 and after June 30, 2022 were not reviewed as they were not within the scope of our audit.

Methodology

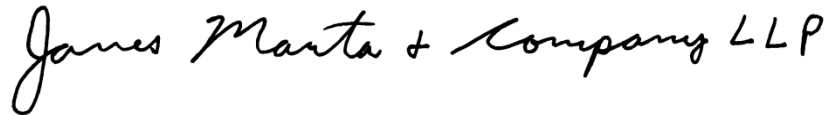
1. We obtained the general ledger for the fiscal year ended June 30, 2022.
2. We selected expenditures to ensure compliance with Proposition 39 and Measure S General Obligation Bond funding.
3. We verified the mathematical accuracy of the expenditures included in the Measure S General Obligation Bond Fund detailed general ledger for the fiscal year ended June 30, 2022.
4. We verified that the funds were generally expended for the construction, renovation, furnishing and equipping of school facilities constituting authorized bond projects.
5. Solely to assist us in planning and completing our performance audit, we obtained an understanding of the internal controls of the District.
6. We selected a sample of bond expenditures and performed the following:
 - a. Reviewed the invoices, contracts, warrant copies and other supporting documents to verify the funds were spent in accordance with list of projects defined in the full Measure S bond text.
 - b. For any expenditures that were subject to the bid process, we reviewed supporting documentation to verify that all applicable bid process requirements were satisfied.
 - c. We verified that any change orders for the selected projects were approved by the Board of Trustees.
7. We verified that funds used to pay the salaries of district employees were allowable per opinion 04-110 issued November 9, 2004 by the State of California Attorney General.

Conclusion

Based on the procedures performed, we found that the Eureka City Schools has properly accounted for the expenditures of Measure S General Obligation Bond Fund. Further, it was noted that the funds were not used for salaries of school administrators or other operating expenditures. Our audit does not provide a legal determination on the District's compliance with specific requirements.

Purpose of this Report

The purpose of this report is solely to describe the scope of our performance audit and the results of that testing. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's compliance. This report is intended solely for the information and use of management and Governing Board of Eureka City Schools, others within the entity, and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in black ink that reads "James Marta & Company LLP". The signature is written in a cursive, flowing style.

James Marta & Company LLP
Certified Public Accountants
Sacramento, California
March 24, 2023

EUREKA CITY SCHOOLS MEASURE S AND MEASURE T GO BONDS SUMMARY OF AUDIT RESULTS JUNE 30, 2022

Presented by
Jesse Deol CPA, ARM



Background

- Proposition 39 provided for schools to reduce from two-thirds to 55% majority vote.
- Local School Construction Bonds Act of 2000 (Education code 15264-15276) require certain accountability measures including the formation of a Citizens' Bond Oversight Committee and Independent Financial and Performance Audits.



Measure S

- To finance improvements to facilities and educational technology in the District's facilities and to pay certain costs of issuance associated therewith.
- Authorized at an election on November 4, 2014, where 57.39% of the voters authorized the issuance and sale of \$49,750,000 bonds.
 - Series 2015 issued on August 27, 2015 for \$25,000,000
 - Series 2020 issued on July 7, 2020 for \$24,750,000

Measure S

- The Series 2015 bonds carry interest rates ranging from 2.0% to 5.0% and mature through August 1, 2045.
- The Series 2020 bonds carry interest rates ranging from 2.5% to 4.0% and mature through August 1, 2049.

Series 2015

Sources of Funds

Principal Amount of Bonds	\$ 25,000,000
Net Original Issue Premium	854,246
Total Sources	<u>\$ 25,854,246</u>

Uses of Funds

Deposited to Building Fund	\$ 24,665,000
Deposited to Debt Service Fund	762,110
Cost of Issuance	427,136
	<u>\$ 25,854,246</u>

Series 2020

Sources of Funds

Principal Amount of Bonds	\$ 24,750,000
Net Original Issue Premium	2,295,273
Total Sources	<u>\$ 27,045,273</u>

Uses of Funds

Deposited to Building Fund	\$ 24,550,000
Deposited to Debt Service Fund	2,095,243
Cost of Issuance	400,030
	<u>\$ 27,045,273</u>

Measure T

- To finance the acquisition, construction, modernization, and equipping of District sites and facilities and to pay certain costs of issuance associated therewith.
- Authorized at an election on March 3, 2020, where at least 55% of the voters authorized the issuance and sale of \$18,000,000 bonds.
 - Series 2022 issued on March 2, 2022 for \$18,000,000

Measure T

- The Series 2022 bonds carry interest rates ranging from 3.0% to 4.0% and mature through August 1, 2049.

Sources of Funds

Principal Amount of Bonds	\$ 18,000,000
Net Original Issue Premium	<u>2,111,531</u>
Total Sources	<u><u>\$ 20,111,531</u></u>

Uses of Funds

Deposited to Building Fund	\$ 17,790,000
Deposited to Debt Service Fund	1,970,421
Cost of Issuance	<u>351,110</u>
Total Uses	<u><u>\$ 20,111,531</u></u>

COMMUNICATION WITH THOSE CHARGED WITH GOVERNANCE



Professional standards require that we provide you with information related to our audit of the District's Measure S and Measure T Bonds.

This information is summarized as follows:

- Responsibilities and Opinion
 - Financial statements are the responsibility of management
 - Our responsibility is to express an audit opinion
 - We issued an unmodified opinion (the best an auditor can give)



Planning and Communication

- Worked closely with Eureka City Schools.
 - Preliminary inquiries
 - Scope of the audit
 - Timing of audit



Report to You - Interactions with Management



Management Consultations
with Other Independent
Accountants:

✓ None



Disagreements with
Management of Difficulties
Encountered:

✓ None



Management
Representations:

✓ Received

Report To You

Qualitative Aspects Of Accounting Practices

- Significant Accounting Policies and Changes in Those Policies:
- Management Judgments and Accounting Estimates



Audit Procedures

- Attests to the fairness of the financial statements
 - Includes review of controls
 - Testing of transactions
 - Comparison to contracts

Results of the Audit

Consideration Area	Result
Planned Scope and Timing	Staff availability during the agreed upon field work dates
Findings Identified in Performing the Audit	None
Significant Adjustments or Disclosures Not Reflected in the Financial Statements	None

FINANCIAL STATEMENTS WITH INDEPENDENT AUDITOR'S REPORT



Independent Auditor's Report

The audit process is a process of accountability to the Board and the Public

- Pages 1-2 of the Audited Financial Statements
 - Measure S: Unmodified Opinion (Page 1) – the best opinion that we can provide
 - Measure T: Unmodified Opinion (Page 1) – the best opinion that we can provide



Measure S Balance Sheet

ASSETS	
Cash and cash equivalents	\$ 19,264,136
Receivables	<u>520,819</u>
Total assets	<u>\$ 19,784,955</u>
LIABILITIES AND FUND BALANCES	
Liabilities	
Accounts payable	<u>\$ 681,939</u>
Total liabilities	<u>681,939</u>
Fund balance	
Restricted for Bond Measure S Projects	<u>19,103,016</u>
Total fund balance	<u>19,103,016</u>
Total liabilities and fund balance	<u>\$ 19,784,955</u>

Measure S

Financial Results

REVENUES

Other local revenues	\$ 256,112
Total revenues	<u>256,112</u>

EXPENDITURES

Classified salaries	13,155
Employee benefits	3,517
Books and supplies	80,126
Services and other operating expenditures	17,336
Capital outlay	<u>13,978,441</u>
Total expenditures	<u>14,092,575</u>
Excess (deficiency) of revenues over expenditures	<u>(13,836,463)</u>

OTHER FINANCING SOURCES (USES)

Operating transfers in	<u>3,033,778</u>
Total other financing sources (uses)	<u>3,033,778</u>
Net change in fund balance	(10,802,685)
Fund balances, July 1, 2021	<u>29,905,701</u>
Fund balances, June 30, 2022	<u>\$ 19,103,016</u>

Measure T Balance Sheet

ASSETS

Cash and cash equivalents	\$ 17,790,000
Receivables	<u>10,386</u>
Total assets	<u>\$ 17,800,386</u>

LIABILITIES AND FUND BALANCES

Liabilities	
Accounts payable	<u>\$ -</u>
Total liabilities	<u>-</u>
Fund balance	
Restricted for Bond Measure T Projects	<u>17,800,386</u>
Total fund balance	<u>17,800,386</u>
Total liabilities and fund balance	<u>\$ 17,800,386</u>

Measure T

Financial Results

REVENUES	
Other local revenues	<u>\$ 10,386</u>
Total revenues	<u>10,386</u>
OTHER FINANCING SOURCES (USES)	
Other sources	<u>17,790,000</u>
Total other financing sources (uses)	<u>17,790,000</u>
Net change in fund balance	17,800,386
Fund balances, July 1, 2021	<u>-</u>
Fund balances, June 30, 2022	<u><u>\$ 17,800,386</u></u>

Performance Audit

- Most school improvement projects use numerous funding sources.
- The District must have a system in place to systematically allocate, track and expend these sources
- Objectives: To determine the bond funds are spent in accordance with approved purposes only.
- Scope: All expenditures from July 1, 2021 to June 30, 2022
- Report to the Citizens' Bond Oversight Committee.



Performance Audit

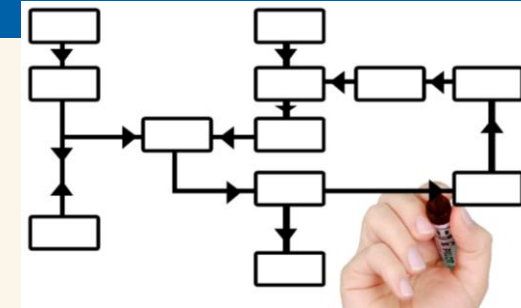
- Methodology:
 - Selected a majority of expenditures
 - Verified mathematical accuracy
 - Verified expenditures in accordance with full bond text
 - Obtained an understanding of internal controls
 - Traced expenditures to supporting documents
 - Reviewed the bid process
 - Verified any change orders
- Conclusion: All expenditures in accordance with bond measure

Two Corresponding Communications



Report on Bond Performance

✓ No matters were reported



Report on Internal Control Over Financial Reporting and Compliance (in accordance with Government Accounting Standards)

✓ No matters were reported

Conclusion

- The District is expending the funds in accordance with the provisions of Measure S and Measure T.
- We would like to thank Paul Ziegler, Mario da Costa, and the District staff for their assistance during the audit process.

QUESTIONS?

Jesse Deol, CPA, ARM
Partner
(916) 993-9494
jdeol@jpmcpa.com



AGENDA ITEM

Agenda Title: Receipt of the Measure T 2021–2022 Bond Financial and Performance Audit Report
Meeting Date: March 30, 2023
Item: Discussion/Action

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to receive and accept the Measure T Bond Financial & Performance Audit Report for the fiscal year ended June 30, 2022.

Note: The attachments are pending and will be added to the Board item after they have been received.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Because the passage of Measure T required only 55% of the vote in accordance with Proposition 39 (Article XIII of the California State Constitution), the District is required to establish a citizens' bond oversight committee and to conduct an annual financial and performance audit.

STRATEGIC PLAN/PRIORITY AREA:

Applied to the "Fiscal Integrity of the District" portion of the Strategic Plan

HISTORY *(list previous staff or board action(s) with dates if possible)*

The 2021-22 Measure T Financial and Performance audit report was originally agendized for the March 9, 2023, Board meeting. The item was pulled from the agenda due to ongoing issues with the County of Humboldt Audit-Controller Department's delay in balancing 2020-21 cash accounts, which in turn impacted James Marta & Co.'s ability to timely complete the audit report.

The audit is an annual requirement.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

Cost for fiscal year ended June 30, 2022 bond audit is \$3,500.

WHO *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

ATTACHMENTS:

Description

- ▣ 2021-22 Measure T Audit Report
- ▣ Presentation



EUREKA CITY SCHOOLS
MEASURE T
GENERAL OBLIGATION BONDS

BUILDING FUND

COUNTY OF HUMBOLDT
EUREKA, CALIFORNIA

FINANCIAL AND PERFORMANCE AUDIT

FOR THE FISCAL YEAR ENDED
JUNE 30, 2022

JAMES MARTA & COMPANY LLP
CERTIFIED PUBLIC ACCOUNTANTS

701 HOWE AVENUE, E3
SACRAMENTO, CA

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EUREKA CITY SCHOOLS
MEASURE T GENERAL OBLIGATION BONDS
BUILDING FUND
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James Marta & Company LLP

Certified Public Accountants

Accounting, Auditing, Consulting, and Tax

INDEPENDENT AUDITOR'S REPORT

Citizen's Oversight Committee
and Governing Board
Eureka City Schools
Eureka, California

Report on the Financial Statements

Opinions

We have audited the Balance Sheet of Eureka City Schools (the District), Measure T General Obligation Bonds Building Fund (the Fund), and the related statement of revenues, expenditures, and changes in fund balance as of and for the fiscal year ended June 30, 2022, and the related notes to the financial statements as listed in the table of contents.

In our opinion, the fund financial statements referred to above present fairly, in all material respects, the financial position of the Eureka City Schools Measure T General Obligation Bond Fund (the Fund) as of June 30, 2022 and the results of its operations the fiscal year then ended in conformity with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

The District's management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

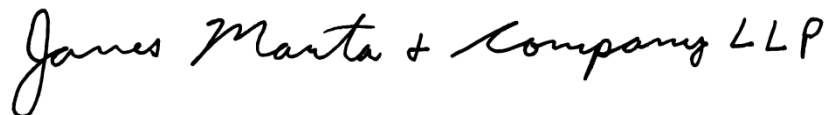
We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Other Matters

As discussed in Note 1, the financial statements referred to above present only the individual Measure T General Obligation Bond Building Fund and are not intended to present fairly the financial position and results of operations of the District in conformity with generally accepted accounting principles generally accepted in the United States of America.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated March 24, 2023 on our consideration of the District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the District's internal control over financial reporting and compliance.

A handwritten signature in black ink that reads "James Marta & Company LLP". The signature is written in a cursive, flowing style.

James Marta & Company LLP
Certified Public Accountants
Sacramento, California
March 24, 2023

BASIC FINANCIAL STATEMENTS

EUREKA CITY SCHOOLS
MEASURE T GENERAL OBLIGATION BONDS
BUILDING FUND
BALANCE SHEET
JUNE 30, 2022

ASSETS

Cash and cash equivalents	\$ 17,790,000
Receivables	<u>10,386</u>
Total assets	<u><u>\$ 17,800,386</u></u>

**LIABILITIES AND
FUND BALANCES**

Liabilities	
Accounts payable	<u>\$ -</u>
Total liabilities	<u>-</u>
Fund balance	
Restricted for Bond Measure T Projects	<u>17,800,386</u>
Total fund balance	<u>17,800,386</u>
Total liabilities and fund balance	<u><u>\$ 17,800,386</u></u>

The accompanying notes are an integral part of these financial statements.

EUREKA CITY SCHOOLS
MEASURE T GENERAL OBLIGATION BONDS
BUILDING FUND
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCE
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

REVENUES

Other local revenues	\$ 10,386
Total revenues	<u>10,386</u>

OTHER FINANCING SOURCES (USES)

Other sources	<u>17,790,000</u>
Total other financing sources (uses)	<u>17,790,000</u>
Net change in fund balance	17,800,386
Fund balances, July 1, 2021	<u>-</u>
Fund balances, June 30, 2022	<u><u>\$ 17,800,386</u></u>

The accompanying notes are an integral part of these financial statements.

EUREKA CITY SCHOOLS
MEASURE T GENERAL OBLIGATION BONDS
BUILDING FUND
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. REPORTING ENTITY

The accounting policies of the Measure T General Obligation Bonds Building Fund (the Fund) of Eureka City Schools conform to accounting principles generally accepted in the United States of America as prescribed by the Governmental Accounting Standards Board (GASB) and the American Institute of Certified Public Accountants. The fund accounts for financial transactions in accordance with the policies and procedures of the California School Accounting Manual.

Eureka City Schools (the "District") is a public educational agency operating under the applicable laws and regulations of the State of California. It is governed by a five-member Governing Board elected by registered voters of the District, which comprises an area in Humboldt County. The District was established in 1908 and serves students in grades Transitional Kindergarten through twelve.

On March 2, 2022, the District issued Measure T, Series 2022 General Obligation Bonds (the "Bonds") in the aggregate principal amount of \$18,000,000 for the purpose of financing the acquisition, construction, modernization, and equipping of District sites and facilities and to pay the costs of issuance associated therewith. The Bonds represent the first and only series of bonds issued under the Authorization.

The Bonds were authorized at an election within the District held on March 3, 2020 (the "Election") at which at least fifty-five percent of the registered voters voting on the proposition voted to authorize the issuance and sale of \$18,000,000 aggregate principal amount of general obligation bonds of the District (the "Authorization"). Because the Bond required only 55% of the vote in accordance with Proposition 39 (Article XIII of the California State Constitution), the District was required to establish a citizen's bond oversight committee and to conduct a financial and performance audit.

The Committee's oversight goals include ensuring expenditures are within the language of the ballot measure. The citizens' oversight committee must include, among others, representation of a bona fide taxpayers association, a business organization and a senior citizens organization. No District employees or vendors are allowed to serve on the citizens' oversight committee.

EUREKA CITY SCHOOLS
MEASURE T GENERAL OBLIGATION BONDS
BUILDING FUND
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

A. REPORTING ENTITY (CONTINUED)

The fund financial statements presented are for the Measure T General Obligation Bonds Building Fund. Since this is just one component of the District, these financial statements are not intended to be a complete presentation of the District's financial position or results of operations. Accordingly, these fund statements do not include a government wide financial statement, management discussion and analysis, or related organizational disclosures. The audited financial statements of Eureka City Schools include the Measure T General Obligation Bond Building Fund activities, related debt and disclosures, as well as the management discussion and analysis.

B. FUND ACCOUNTING

The accounts of the District are organized on the basis of funds, each of which is considered to be a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity or retained earnings, revenues, and expenditures or expenses, as appropriate. District resources are allocated to and accounted for in individual funds based upon the purpose for which they are to be spent and the means by which spending activities are controlled.

The proceeds from the sale of general obligation bonds and the subsequent expenditure of the bond funds are accounted for in the Building fund of the District. Any premium received from the sale of the bonds is deposited in the Bond Interest and Redemption Fund of the District.

C. ACCOUNTING POLICIES

The District prepares its financial statements in accordance with generally accepted accounting principles as prescribed by the Governmental Accounting Standards Board (GASB) and the American Institute of Certified Public Accountants (AICPA) and complies with the policies and procedures of the Department of Education's *California School Accounting Manual*.

D. MEASUREMENT FOCUS AND BASIS OF ACCOUNTING

Basis of accounting refers to when revenues and expenditures are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of measurement made, regardless of the measurement focus applied.

The financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. On a modified accrual basis, revenue is recorded in the fiscal year in which the resources are measurable and become available. "Available" means the resources will be collected within the current fiscal year or are expected to be collected soon enough thereafter to be used to pay liabilities of the current fiscal year. For the District, "available" means collectible within the current period or within 60 days after year-end.

EUREKA CITY SCHOOLS
MEASURE T GENERAL OBLIGATION BONDS
BUILDING FUND
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

D. MEASUREMENT FOCUS AND BASIS OF ACCOUNTING (CONTINUED)

Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

E. BUDGETS AND BUDGETARY ACCOUNTING

Annual budgets are adopted on a basis consistent with accounting principles generally accepted in the United States of America for all governmental funds. By state law, the District's governing board must adopt a final budget no later than July 1 in accordance with State law. A public hearing must be conducted to receive comments prior to adoption. The District's governing board satisfied these requirements.

F. ENCUMBRANCES

Encumbrance accounting is used in all budgeted funds to reserve portions of applicable appropriations for which commitments have been made. Encumbrances are recorded for purchase orders, contracts, and other commitments when they are written. Encumbrances are liquidated when the commitments are paid. All encumbrances are liquidated at June 30.

G. DEPOSITS AND INVESTMENTS

The District is considered to be an involuntary participant in an external investment pool as the District is required to deposit all receipts and collections of monies with their County Treasurer (Education Code Section 41001). The County is authorized to deposit cash and invest excess funds by California Government Code Section 53648 et seq.

The District is authorized under California Government Code to make direct investments in local agency bonds, notes, or warrants within the State; U.S. Treasury instruments; registered State warrants or treasury notes; securities of the U.S. Government, or its agencies; bankers acceptances; commercial paper; certificates of deposit placed with commercial banks and/or savings and loan companies; repurchase or reverse repurchase agreements; medium term corporate notes; shares of beneficial interest issued by diversified management companies; certificates of participation; obligations with first priority security; and collateralized mortgage obligations.

Investments with original maturities greater than one year are stated at fair value. Fair value is estimated based on quoted market prices at year-end. All investments not required to be reported at fair value are stated at cost or amortized cost.

EUREKA CITY SCHOOLS
MEASURE T GENERAL OBLIGATION BONDS
BUILDING FUND
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

H. CAPITAL AND LONG-TERM DEBT (CONTINUED)

The accounting and reporting treatment applied to the capital assets and long-term liabilities associated with the General Obligation Bond Building Fund is accounted for on a spending or “financial flow” measurement focus. This means that only current assets and liabilities are generally included on the balance sheet. The reported fund balance is considered a measure of “available spendable resources”. Thus, the capital assets and long-term liabilities associated with the Measure T General Obligation Bond Building Fund are accounted for in the basic financial statements of the District.

I. FUND BALANCE – GOVERNMENTAL FUNDS

As of June 30, 2022, fund balances of the Measure T General Obligation Bond Building Fund are classified as restricted. Restricted funds can only be spent for specific purposes because of constitutional provisions or enabling legislation or because of constraints that are externally imposed by creditors, grantors, contributors, or the laws or regulations of other governments.

J. USE OF ESTIMATES

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

2. CASH AND INVESTMENTS

Cash and investments as of June 30, 2022 consist of \$17,790,000 cash in the county treasury.

A. Policies and Practices

The District is authorized under California Government Code to make direct investments in local agency bonds, notes, or warrants within the State: U.S. Treasury instrument; registered State warrants or treasury notes: securities of the U.S. Government, or its agencies; bankers acceptances; commercial paper; certificates of deposit placed with commercial banks and/or savings and loan companies; repurchase or reverse repurchase agreement; medium term corporate notes; shares of beneficial interest issued by diversified management companies, certificates of participation, obligations with first priority security, and collateralized mortgage obligations.

EUREKA CITY SCHOOLS
MEASURE T GENERAL OBLIGATION BONDS
BUILDING FUND
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

2. CASH AND INVESTMENTS (CONTINUED)

B. Cash in County Treasury

County pool investments consist of District cash held by the Humboldt County Treasury that is invested in the county investment pool. The fair value of the District's investment in the pool is reported in the financial statements at amounts that are based upon the District's pro-rata share of the fair value provided by the County Treasurer for the entire portfolio (in relation to the amortized cost of that portfolio). The County Treasurer has not posted the accrued interest for fiscal years 2020-21 and 2021-22 resulting in differences between the actual cash balances in the Humboldt County Treasury compared to the District-reported balances. The weighted average maturity of the pool is not determinable at this time. The pool is rated AAA by Standard and Poor's.

C. Investment Risks

Interest Rate Risk. Interest rate risk is the risk that changes in market interest rate will adversely affect the fair value of an investment. Generally, as the length of the maturity of an investment increases, the greater the sensitivity of its fair value to changes in market interest rates. The District manages its exposure to interest rate risk by investing in the County Treasury that purchases a combination of shorter term and longer term investments and by timing cash flows from maturities so that a portion of the portfolio is maturing or coming close to maturity evenly over time as necessary to provide the cash flow and liquidity needed for operations.

EUREKA CITY SCHOOLS
MEASURE T GENERAL OBLIGATION BONDS
BUILDING FUND
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

3. MEASURE T GENERAL OBLIGATION BONDS

The authorized issuance amount of the bonds is \$18,000,000. On March 2, 2022, the District issued Measure T General Obligation Bonds (the “Bonds”) in the aggregate principal amount of \$18,000,000 for the purpose of financing the acquisition, construction, modernization, and equipping of District sites and facilities and to pay the costs of issuance associated therewith. See table below of how the proceeds of the bonds were applied.

Sources of Funds

Principal Amount of Bonds	\$ 18,000,000
Net Original Issue Premium	2,111,531
Total Sources	<u>\$ 20,111,531</u>

Uses of Funds

Deposited to Building Fund	\$ 17,790,000
Deposited to Debt Service Fund	1,970,421
Cost of Issuance	351,110
Total Uses	<u>\$ 20,111,531</u>

The bonds carry interest rates ranging from 3.0% to 4.0% and mature through August 1, 2049. The Bonds are payable from the proceeds of *ad valorem* property taxes which the Board of Supervisors of Humboldt County are obligated to levy and collect on all taxable property in the District for the payment of principal and interest on the Bonds when due.

EUREKA CITY SCHOOLS
MEASURE T GENERAL OBLIGATION BONDS
BUILDING FUND
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

4. COMMITMENTS AND CONTINGENCIES

As of June 30, 2022, the Building Fund have no commitments.

5. SUBSEQUENT EVENTS

District management evaluated its June 30, 2022 financial statements for subsequent events through March 24, 2023, the date these financial statements were available to be issued. Management is not aware of any subsequent events that would require recognition or disclosure in the financial statements.

SUPPLEMENTARY INFORMATION

EUREKA CITY SCHOOLS
MEASURE T GENERAL OBLIGATION BONDS
FULL TEXT OF BOND MEASURE

The following is the full proposition presented to the voters by the Eureka City Schools.

“Eureka City Schools High School Emergency Repair/Student Safety Measure. To repair unsafe school buildings, storm drains, fields and facilities; improve campus, student and teacher safety/disabled accessibility; acquire, construct, repair sites, equipment/high school/continuing education facilities; qualify for emergency State matching funds, shall Eureka City Schools’ measure authorizing \$18,000,000 in bonds at legal rates, levying \$17/\$100,000 assessed value (\$1,100,000 annually) while bonds are outstanding, be adopted, requiring annual independent audits, citizens’ oversight and all funds spent locally?”

PROJECT LIST

The Board of Education of the Eureka City Schools is committed to retaining and attracting quality teachers in local schools by providing safe, secure, upgraded facilities. To that end, the Board evaluated the imminent danger to students’ health and safety caused by the failure of a storm drain system and its consequential facility damages, as well as safety issues, class size reduction, basic repairs, computer and information technology in developing the types of projects to be funded by this measure as described below. The District conducted an independent structural engineering study as well as had an assessment performed by the Public Works Department of the City of Eureka of the repairs required by the failure of the storm drainage pipelines. The Board has prioritized key health and safety needs so that the most critical repairs are addressed.

In approving this Project List, the Board of Education determines that the District must:

- (i) Repair sections of Eureka High School which present life/hazard and imminent health and safety risks to teachers, students and staff, families and members of the public; and
- (ii) Improve accessibility to the Eureka High School campus for disabled persons; and
- (iii) Prevent dangerous sinkholes which create imminent health and safety risks to students and high school teachers and staff; and
- (iv) Upgrade facilities to meet current seismic safety standards; and
- (v) Apply for emergency State matching funds to offset the costs of stadium repairs; and
- (vi) Adhere to specific fiscal accountability safeguards:
 - (a) All expenditures subject to annual independent financial audits.
 - (b) No money taken by the State. All funds stay local.
 - (c) All expenditures reviewed by an independent citizen oversight committee to ensure that funds are spent only as authorized.

The Project List includes the following types of upgrades and improvements at District schools, facilities and sites:

IMPROVE STUDENT HEALTH AND SAFETY
Emergency School Repair Projects Funded By Money That Cannot Be Taken By Sacramento

Goals and Purposes: Portions of the Eureka High School campus have been compromised by the failure of the District’s storm drainage infrastructure, creating dangerous sink holes, denying safe access to facilities by persons with disabilities, and undermining the safety of hillside and adjacent facilities. This measure will correct present life/hazard and imminent health and safety risks to students and staff.

EUREKA CITY SCHOOLS

MEASURE T GENERAL OBLIGATION BONDS

FULL TEXT OF BOND MEASURE

This measure will restore certain fields for student use, allowing Eureka High School to provide physical education programs which help students stay out of trouble, focus, perform well in school, and stay away from gangs and drugs.

This measure will permit Eureka High School to be used effectively as an emergency evacuation site as California experiences more volatile wildfires and unpredictable PG&E outages.

- Repair and upgrade failed storm drainage system.
- Fill sinkholes for student safety and prevent future sinkholes from developing.
- Improve access to school facilities for students with disabilities.
- Install new lighting for student safety.
- Repair fields, track and ancillary buildings damaged by the storm drain failure.
- Replace deteriorating pipes.
- Restore and upgrade career technical training facilities.
- Improve facilities to meet current seismic safety standards.

In addition to the projects listed above, the repair and renovation of existing school facilities may include, but not be limited to, some or all of the following: add or renovate restrooms; repair and replace electrical, plumbing, heating, ventilation and air conditioning systems; upgrade of facilities for energy efficiencies; repair and replace worn-out and deteriorated roofs, windows, walls, floors, doors and drinking fountains; upgrade wiring and electrical systems; upgrade or construct classroom and support facilities including physical education, career technical training facilities, buildings, swing space; repair and replace fire alarms, emergency communications and security systems; improve facilities to satisfy ADA requirements; resurface or replace asphalt, broken concrete, concrete flatwork, and improve hard courts, turf, track and fields, and storm water collection, irrigation and drainage systems and campus landscaping; install signage, improve pathways and fencing; expand parking and drop-off areas; improve all site utilities; acquire land; upgrade or replace interior and exterior painting, floor covering (including carpets), portable classrooms and school facades; demolition; upgrade food service areas, and school cafeterias; construct various forms of storage and support spaces; repair, upgrade and install interior and exterior lighting systems; construct, acquire or improve playgrounds, play structures, athletic fields, stadiums, bleachers, concession areas, tracks and facilities to support student health, fitness and safety, lockers, and other facilities serving District students; replace outdated security fences and security systems (including access control systems), add or upgrade parking lots, including accessible stalls. In addition to the listed projects stated above, the Project List also includes the acquisition of a variety of instructional, maintenance and operational equipment, including and interim funding incurred to advance fund projects from the Project List; payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by construction projects. The upgrading of technology infrastructure includes, but is not limited to, network rewiring, cabling, computers, mobile interface devices, data centers, switches, routers, modules, and sound projection systems, wireless technology systems, acquire miscellaneous IT and instructional equipment. The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans and construction documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of portable classrooms and existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and

EUREKA CITY SCHOOLS

MEASURE T GENERAL OBLIGATION BONDS

FULL TEXT OF BOND MEASURE

operationally efficient campuses. Necessary on-site and off-site improvements, site preparation and restoration may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation or drainage systems, traffic signals, sewer or utility lines, trees and landscaping, relocating fire access roads, road widening, and acquiring any necessary easements, licenses, permits or rights of way to the property. The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, legal fees and similar planning costs, connection fees, permit fees, program/project management, staff training expenses and a customary contingency for unforeseen design and construction costs. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to bond projects. Bond proceeds shall only be expended for the types of projects and purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

Fiscal Accountability: This measure requires a clear system of accountability, including a project list detailing how the money will be used, a citizen's oversight committee, and independent audits to ensure money is spent properly.

In accordance with Education Code Section 15272, the Board of Education will appoint a citizens' oversight committee and conduct annual independent audits to assure that funds are spent only on district projects and for no other purpose. The expenditure of bond money on these projects is subject to stringent financial accountability requirements. By law, performance and financial audits will be performed annually, and all bond expenditures will be monitored by an independent citizens' oversight committee to ensure that funds are spent as promised and specified. The citizens' oversight committee must include, among others, representation of a bona fide taxpayers association, a business organization and a senior citizens organization. No district employees or vendors are allowed to serve on the citizens' oversight committee.

No Administrator Salaries: proceeds from the sale of the bonds authorized by this proposition shall be used only for the acquisition, construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, and not for any other purpose, including teacher and school administrator salaries and other operating expenses.

OTHER INDEPENDENT AUDITOR’S REPORTS



James Marta & Company LLP

Certified Public Accountants

Accounting, Auditing, Consulting, and Tax

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON
COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE
WITH GOVERNMENT AUDITING STANDARDS**

INDEPENDENT AUDITOR'S REPORT

Citizen's Oversight Committee
and Governing Board
Eureka City Schools
Eureka, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the fund financial statements of the Measure T General Obligation Bonds Building Fund of Eureka City Schools (the "District"), as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the Measure T General Obligation Bonds Building Fund financial statements, and have issued our report thereon dated March 24, 2023.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the District's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Measure T General Obligation Bond Building Fund's internal control. Accordingly, we do not express an opinion on the effectiveness of Measure T General Obligation Bond Building Fund internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

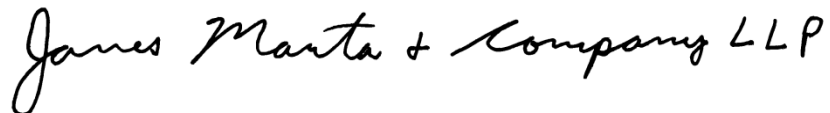
Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Measure T General Obligation Bond Building Fund financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink that reads "James Marta & Company LLP". The signature is written in a cursive, flowing style.

James Marta & Company LLP
Certified Public Accountants
Sacramento, California
March 24, 2023



James Marta & Company
Certified Public Accountants

Accounting, Auditing, Consulting, and Tax

**INDEPENDENT AUDITOR'S REPORT
ON MEASURE T BOND PERFORMANCE**

Citizen's Oversight Committee
and Governing Board Measure T
General Obligation Bonds Building Fund
Eureka City Schools
Eureka, California

We have audited the performance audit of the Measure T General Obligation Bonds Building Fund of the Eureka City Schools (the "District") as of and for the fiscal year ended June 30, 2022, and have issued our report thereon dated March 24, 2023. Our audit was made in accordance with auditing standards generally accepted in the United States of America and, accordingly, included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

Management's Responsibility

The design, implementation and maintenance of internal controls relevant to the financial process and compliance with the requirements of state laws and regulations is the responsibility of management.

Our responsibility is to determine that the District complied with the Measure T General Obligation Bonds in accordance with Appendix A of the 2021-22 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting.

We conducted our audit of performance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and Appendix A of the 2021-22 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objects. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The results of the procedures performed indicate that the District complied with the requirements identified in Appendix A of the K-12 Local Education Agencies and State Compliance Reporting for the Measure T General Obligation Bond funds for the year ended June 30, 2022.

Objectives

The objectives of our performance audit was to determine that the District expended the Measure T General Obligation Bond funds for the year ended June 30, 2022 only for purposes approved by voters and only for specific projects adopted by the District's Board of Trustees, in accordance with the requirements of Proposition 39, as specified by Section 1(b)(3)C.

Scope of the Audit

The scope of our performance audit covered the fiscal year ended June 30, 2022. The expenditures included all account and project codes associated with the bond projects. Expenditures before July 1, 2021 and after June 30, 2022 were not reviewed as they were not within the scope of our audit.

Methodology

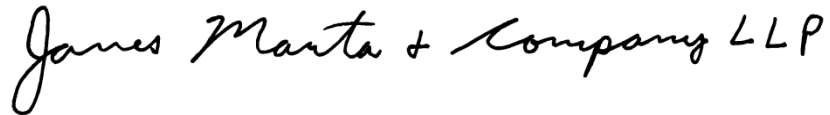
1. We obtained the general ledger for the fiscal year ended June 30, 2022.
2. We selected expenditures to ensure compliance with Proposition 39 and Measure T General Obligation Bond funding.
3. We verified the mathematical accuracy of the expenditures included in the Measure T General Obligation Bond Fund detailed general ledger for the fiscal year ended June 30, 2022.
4. We verified that the funds were generally expended for the construction, renovation, furnishing and equipping of school facilities constituting authorized bond projects.
5. Solely to assist us in planning and completing our performance audit, we obtained an understanding of the internal controls of the District.
6. We selected a sample of bond expenditures and performed the following:
 - a. Reviewed the invoices, contracts, warrant copies and other supporting documents to verify the funds were spent in accordance with list of projects defined in the full Measure T bond text.
 - b. For any expenditures that were subject to the bid process, we reviewed supporting documentation to verify that all applicable bid process requirements were satisfied.
 - c. We verified that any change orders for the selected projects were approved by the Board of Trustees.
7. We verified that funds used to pay the salaries of district employees were allowable per opinion 04-110 issued November 9, 2004 by the State of California Attorney General.

Conclusion

Based on the procedures performed, we found that the Eureka City Schools has properly accounted for the expenditures of Measure T General Obligation Bond Fund. Further, it was noted that the funds were not used for salaries of school administrators or other operating expenditures. Our audit does not provide a legal determination on the District's compliance with specific requirements.

Purpose of this Report

The purpose of this report is solely to describe the scope of our performance audit and the results of that testing. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's compliance. This report is intended solely for the information and use of management and Governing Board of Eureka City Schools, others within the entity, and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in black ink that reads "James Marta & Company LLP". The signature is written in a cursive, flowing style.

James Marta & Company LLP
Certified Public Accountants
Sacramento, California
March 24, 2023

EUREKA CITY SCHOOLS MEASURE S AND MEASURE T GO BONDS SUMMARY OF AUDIT RESULTS JUNE 30, 2022

Presented by
Jesse Deol CPA, ARM



Background

- Proposition 39 provided for schools to reduce from two-thirds to 55% majority vote.
- Local School Construction Bonds Act of 2000 (Education code 15264-15276) require certain accountability measures including the formation of a Citizens' Bond Oversight Committee and Independent Financial and Performance Audits.



Measure S

- To finance improvements to facilities and educational technology in the District's facilities and to pay certain costs of issuance associated therewith.
- Authorized at an election on November 4, 2014, where 57.39% of the voters authorized the issuance and sale of \$49,750,000 bonds.
 - Series 2015 issued on August 27, 2015 for \$25,000,000
 - Series 2020 issued on July 7, 2020 for \$24,750,000

Measure S

- The Series 2015 bonds carry interest rates ranging from 2.0% to 5.0% and mature through August 1, 2045.
- The Series 2020 bonds carry interest rates ranging from 2.5% to 4.0% and mature through August 1, 2049.

Series 2015

Sources of Funds

Principal Amount of Bonds	\$ 25,000,000
Net Original Issue Premium	854,246
Total Sources	<u>\$ 25,854,246</u>

Uses of Funds

Deposited to Building Fund	\$ 24,665,000
Deposited to Debt Service Fund	762,110
Cost of Issuance	427,136
	<u>\$ 25,854,246</u>

Series 2020

Sources of Funds

Principal Amount of Bonds	\$ 24,750,000
Net Original Issue Premium	2,295,273
Total Sources	<u>\$ 27,045,273</u>

Uses of Funds

Deposited to Building Fund	\$ 24,550,000
Deposited to Debt Service Fund	2,095,243
Cost of Issuance	400,030
	<u>\$ 27,045,273</u>

Measure T

- To finance the acquisition, construction, modernization, and equipping of District sites and facilities and to pay certain costs of issuance associated therewith.
- Authorized at an election on March 3, 2020, where at least 55% of the voters authorized the issuance and sale of \$18,000,000 bonds.
 - Series 2022 issued on March 2, 2022 for \$18,000,000

Measure T

- The Series 2022 bonds carry interest rates ranging from 3.0% to 4.0% and mature through August 1, 2049.

Sources of Funds

Principal Amount of Bonds	\$ 18,000,000
Net Original Issue Premium	<u>2,111,531</u>
Total Sources	<u><u>\$ 20,111,531</u></u>

Uses of Funds

Deposited to Building Fund	\$ 17,790,000
Deposited to Debt Service Fund	1,970,421
Cost of Issuance	<u>351,110</u>
Total Uses	<u><u>\$ 20,111,531</u></u>

COMMUNICATION WITH THOSE CHARGED WITH GOVERNANCE



Professional standards require that we provide you with information related to our audit of the District's Measure S and Measure T Bonds.

This information is summarized as follows:

- Responsibilities and Opinion
 - Financial statements are the responsibility of management
 - Our responsibility is to express an audit opinion
 - We issued an unmodified opinion (the best an auditor can give)



Planning and Communication

- Worked closely with Eureka City Schools.
 - Preliminary inquiries
 - Scope of the audit
 - Timing of audit



Report to You - Interactions with Management



Management Consultations
with Other Independent
Accountants:

✓ None



Disagreements with
Management of Difficulties
Encountered:

✓ None



Management
Representations:

✓ Received

Report To You

Qualitative Aspects Of Accounting Practices

- Significant Accounting Policies and Changes in Those Policies:
- Management Judgments and Accounting Estimates



Audit Procedures

- Attests to the fairness of the financial statements
 - Includes review of controls
 - Testing of transactions
 - Comparison to contracts

Results of the Audit

Consideration Area	Result
Planned Scope and Timing	Staff availability during the agreed upon field work dates
Findings Identified in Performing the Audit	None
Significant Adjustments or Disclosures Not Reflected in the Financial Statements	None

FINANCIAL STATEMENTS WITH INDEPENDENT AUDITOR'S REPORT



Independent Auditor's Report

The audit process is a process of accountability to the Board and the Public

- Pages 1-2 of the Audited Financial Statements
 - Measure S: Unmodified Opinion (Page 1) – the best opinion that we can provide
 - Measure T: Unmodified Opinion (Page 1) – the best opinion that we can provide



Measure S Balance Sheet

ASSETS	
Cash and cash equivalents	\$ 19,264,136
Receivables	<u>520,819</u>
Total assets	<u>\$ 19,784,955</u>
LIABILITIES AND FUND BALANCES	
Liabilities	
Accounts payable	<u>\$ 681,939</u>
Total liabilities	<u>681,939</u>
Fund balance	
Restricted for Bond Measure S Projects	<u>19,103,016</u>
Total fund balance	<u>19,103,016</u>
Total liabilities and fund balance	<u>\$ 19,784,955</u>

Measure S

Financial Results

REVENUES

Other local revenues	\$ 256,112
Total revenues	<u>256,112</u>

EXPENDITURES

Classified salaries	13,155
Employee benefits	3,517
Books and supplies	80,126
Services and other operating expenditures	17,336
Capital outlay	<u>13,978,441</u>
Total expenditures	<u>14,092,575</u>
Excess (deficiency) of revenues over expenditures	<u>(13,836,463)</u>

OTHER FINANCING SOURCES (USES)

Operating transfers in	<u>3,033,778</u>
Total other financing sources (uses)	<u>3,033,778</u>
Net change in fund balance	(10,802,685)
Fund balances, July 1, 2021	<u>29,905,701</u>
Fund balances, June 30, 2022	<u>\$ 19,103,016</u>

Measure T Balance Sheet

ASSETS

Cash and cash equivalents	\$ 17,790,000
Receivables	<u>10,386</u>
Total assets	<u><u>\$ 17,800,386</u></u>

LIABILITIES AND FUND BALANCES

Liabilities	
Accounts payable	<u>\$ -</u>
Total liabilities	<u>-</u>
Fund balance	
Restricted for Bond Measure T Projects	<u>17,800,386</u>
Total fund balance	<u>17,800,386</u>
Total liabilities and fund balance	<u><u>\$ 17,800,386</u></u>

Measure T

Financial Results

REVENUES	
Other local revenues	<u>\$ 10,386</u>
Total revenues	<u>10,386</u>
OTHER FINANCING SOURCES (USES)	
Other sources	<u>17,790,000</u>
Total other financing sources (uses)	<u>17,790,000</u>
Net change in fund balance	17,800,386
Fund balances, July 1, 2021	<u>-</u>
Fund balances, June 30, 2022	<u><u>\$ 17,800,386</u></u>

Performance Audit

- Most school improvement projects use numerous funding sources.
- The District must have a system in place to systematically allocate, track and expend these sources
- Objectives: To determine the bond funds are spent in accordance with approved purposes only.
- Scope: All expenditures from July 1, 2021 to June 30, 2022
- Report to the Citizens' Bond Oversight Committee.



Performance Audit

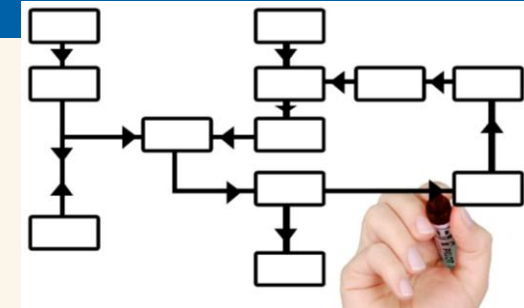
- Methodology:
 - Selected a majority of expenditures
 - Verified mathematical accuracy
 - Verified expenditures in accordance with full bond text
 - Obtained an understanding of internal controls
 - Traced expenditures to supporting documents
 - Reviewed the bid process
 - Verified any change orders
- Conclusion: All expenditures in accordance with bond measure

Two Corresponding Communications



Report on Bond Performance

✓ No matters were reported



Report on Internal Control Over Financial Reporting and Compliance (in accordance with Government Accounting Standards)

✓ No matters were reported

Conclusion

- The District is expending the funds in accordance with the provisions of Measure S and Measure T.
- We would like to thank Paul Ziegler, Mario da Costa, and the District staff for their assistance during the audit process.

QUESTIONS?

Jesse Deol, CPA, ARM
Partner
(916) 993-9494
jdeol@jpmcpa.com



AGENDA ITEM

Agenda Title: Resolution #22-23-017; Adopting Level 1 Developer Fee Justification Study
Meeting Date: March 30, 2023
Item: Discussion/Action

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve Resolution #22-23-017; Adopting Level 1 Developer Fee Justification Study.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Education Code § 17620 and Government Code § 66000 *et seq.* authorize the governing board of any school district to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities in order to maintain the existing level of service.

STRATEGIC PLAN/PRIORITY AREA:

Subject does not apply to a Strategic Plan Priority Area

HISTORY *(list previous staff or board action(s) with dates if possible)*

The Board last discussed Developer Fees at the November 17, 2022, meeting. At that time, due to changes in pertinent sections of Government Code and subsequent Assembly Bills, and uncertainty regarding the applicable standards and requirements that applied to a school district conducting an impact fee nexus study, the Governing Board rescinded Resolution Numbers 21-22-08 and 21-22-030, thereby resolving the procedural uncertainty, and preserving the district's ability to consider adopting a Level I Developer Fee Justification study in the future.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

Based on the Study's findings, Eureka City Schools is not currently justified under law to levy Developer Fees, and is therefore legally unable to levy Developer Fees at this time. The cost to prepare the Developer Fee Justification Study was \$7,400.

WHO*(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

ATTACHMENTS:

Description

- ▣ Resolution #22-23-017
- ▣ Developer Fee Justification Study

RESOLUTION NO. 22-23-017

**BEFORE THE GOVERNING BOARD OF EUREKA
CITY SCHOOLS**

HUMBOLDT, COUNTY, CALIFORNIA

**RESOLUTION OF THE BOARD OF TRUSTEES OF EUREKA CITY
SCHOOLS FINDING THAT THERE IS NO JUSTIFICATION
SUPPORTING THE IMPOSITION OF DEVELOPER FEES**

WHEREAS, Education Code section 17620 authorizes school districts to levy a fee, charge or dedication against any new construction within its boundaries for the purpose of funding the construction or reconstruction of school facilities (“Developer Fees”); and,

WHEREAS, pursuant to the authority of Government Code section 65995, subdivision (b)(3), Developer Fees have presently been established by the State Allocation Board (“SAB”) in the amount of \$4.79 per square foot for residential development and \$0.78 per square foot for commercial/industrial development; and

WHEREAS, as a condition of the imposition and collection of Developer Fees, a school district must establish that there is a reasonable relationship or “nexus” between the following: (1) the use of the fees and the type of developments on which the fees are imposed; (2) the need for the facilities and the types of development upon which the fees are imposed; and (3) the amount of the fees and the cost of the facilities that are attributable to the developments on which the fees are imposed (collectively the “Nexus Criteria”); and

WHEREAS, the governing board (“Board”) of Eureka City Schools has caused a study to be prepared by King Consulting entitled “Developer Fee Justification Study” and dated March 30, 2023 (incorporated herein by reference and hereinafter referred to as the “Study”), which studies the Nexus Criteria as applied to Eureka City Schools; and,

WHEREAS, the Study examined the court-created and statutory (Government Code section 66001) requirements to identify if a Developer Fee was justified as applied to Eureka City Schools at the time of the Study; and

WHEREAS, there are various State facilities funding programs that require a participating school district to levy Developer Fees to the extent justified under law in order to be eligible for certain facilities funding; and

WHEREAS, one such State facilities funding program is provided for in Education Code Section 17375 and California Code of Regulation Title 2 Section 1860 (TK Facilities), which establish a State program to provide funding to school districts to construct new school facilities or retrofit existing school facilities, for the purpose of providing full-day kindergarten, transitional kindergarten classrooms, and preschool classrooms; and

WHEREAS, the Board commissioned the Study to determine whether, and to what extent, levying Developer Fees is justified under the law; and

WHEREAS, the Study is being used as an examination of the present moment in time of Eureka City School's student housing need, and the assumptions utilized therein may change in the future; and

WHEREAS, the Study concluded that a fee imposition was not justified under law as applied to Eureka City Schools at the time of the Study.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF EUREKA CITY SCHOOLS DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

Section 1. The Board incorporates herein by reference, approves and adopts the Study entitled Developer Fee Justification Study, dated March 30, 2023, and prepared by King Consulting, which documents and examines the Nexus Criteria as applied to Eureka City Schools.

Section 2. Based on the Study's findings, Eureka City Schools is not currently justified under law to levy Developer Fees, and is therefore legally unable to levy Developer Fees at this time.

Section 3. Nothing contained in or expressed in this Resolution shall be construed to affect or restrict Eureka City School's future authority to adopt or increase Developer Fees, enter into agreements with developers, or otherwise adopt or impose, to the extent permitted by law, additional fees, to fully mitigate the impact of residential and/or commercial/ industrial development upon Eureka City School's school facilities.

ADOPTED, SIGNED AND APPROVED this 30th day of March, 2023.

BOARD OF TRUSTEES OF THE
EUREKA CITY SCHOOLS DISTRICT

By Mike Duncan, President of
the Board of Trustees of the
Eureka City Schools District

By Susan Johnson, Clerk of the
Board of Trustees of the Eureka
City Schools District

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, Susan Johnson, Clerk, Board of Trustees of the Eureka City Schools District, do hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees of the Eureka City Schools District at a meeting thereof held on the 30th day of March, 2023, at which meeting a quorum of such Board was present and acting throughout and for which notice and an agenda was prepared and posted as required by law, and that such Resolution was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk of the Board of Trustees
of the Eureka City Schools
District



Developer Fee Justification Study

Eureka City Schools

March 30, 2023

Prepared for:
Eureka City Schools
2100 J St.
Eureka, CA 95501-3055
707-441-2400

Prepared by:
King Consulting
2901 35th St.
Sacramento, CA 95817
916.706.3538
www.kinginc.com

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EXECUTIVE SUMMARY

Eureka City Schools (ECS, “the District”) serves the City of Eureka, California and surrounding areas of unincorporated Humboldt County. The District serves a total of 3,580 TK-12th grade students at four elementary schools, two middle schools, one comprehensive high school and one continuation high school.

In February 2022, the State Allocation Board’s biennial inflation adjustment changed the maximum fee to \$4.79 per square foot for residential construction and \$0.78 per square foot for commercial/industrial construction. The following Developer Fee Justification Study analyzes the District’s eligibility for imposition of developer fees and concludes that the District is not justified in collecting statutory Level I residential and statutory commercial/industrial fees on future development. This is based on the following analysis:

- The District’s total enrollment at its school sites in 2022-23 was 3,580 students;
 - This includes 1,377 TK-5 students and 2,203 6th-12th students.
- The District’s total enrollment is projected to be 3,582 in 2027-28;
 - This includes 1,406 TK-5 students and 2,176 6th-12th students.
- Based on State loading standards, the District has a classroom capacity of 4,327 students;
 - This includes 1,800 for TK-5 students and 2,527 for 6th-12th students.
- This study finds the District is not justified to collect the statutory Level I Developer Fee, as the District currently does not exceed its capacity at grades TK-12th grades, and that it is likely that it will continue to have sufficient permanent capacity to house students generated from new residential development through the 2027-28 school year;
- The City of Eureka estimates a total of 320 units may be constructed within the District over the next 20 years. Humboldt County was contacted but was unable to confirm an estimate of units that may be constructed within the District over the next 20 years.
- It is estimated that the weighted average square footage of new homes will be 1,333 square feet;
- Student generation rates, based on total housing units within the District compared to 2022-23 enrollment, are 0.231 TK-12th grade students per unit;
- The 320 new units are projected to generate 74 TK-12th grade students for the District to house;
- The District has the capacity in its permanent facilities to house 745 additional students. Until such time as more than 745 students would be generated, it is not currently projected that there will be any additional cost to house those students.
- Each square foot of residential construction will currently create a school facility cost of \$0.00 per square foot of new residential construction, given the existing capacity identified above.
- Each square foot of commercial/industrial construction will likewise currently create a school facility cost of \$0.00 per square foot of new commercial/industrial construction.
- The District is not justified to adopt statutory Level I Developer Fees, currently capped at \$4.79 per square foot for residential construction and \$0.78 per square foot for commercial/industrial construction.

DEVELOPER FEES: BACKGROUND

School districts are continually evaluating the condition of their capital facilities and identifying whether construction of new facilities and/or improvements to existing facilities are necessary to sufficiently house their student body. Districts may use various sources of funds for these capital facility projects, including Developer Fees, State program funds, redevelopment funds, certificates of participation, sale of capital assets, and mitigation measures. In September 1986, the Governor signed into law Assembly Bill 2926 (Chapter 887/Statutes 1986), which granted school district governing boards the authority to impose developer fees. This authority is codified in Education Code Section 17620, et seq. which states in part "...the governing board of any school district is authorized to levy a fee, charge, dedication or other requirement against any construction within the boundaries of the district for the purpose of funding for the construction or reconstruction of school facilities."

School districts were provided a mechanism to assist in funding with the adoption of the Mitigation Fee Act (Government Code Section 66000 et seq.). This act governs the imposition of fees by a district as a condition of approval of a development project. In order to impose such a fee, a reasonable connection must exist between the new development and the construction and/or improvement of school facilities for which the fees are to be assessed. The objective of this Study is to provide a rigorous basis for such findings.

Level I fees (also known as statutory fees) are adjusted every two years according to the inflation rate for Class B construction as determined by the State Allocation Board. With the passage of SB50 in 1998, a cap was placed on the amount that could be charged under the Level I fee calculation. The law allowed for adjustments of the cap as noted in Government Code Section 65995(b)(3), which specifies in part that "...fees shall be increased every two years, according to the adjustment for inflation set forth in the statewide cost index for Class B Construction, as determined by the State Allocation Board at its February meeting, which increase shall be effective as of the date of that meeting."

Level II developer fees are outlined in Government Code Section 65995.5 and allow a school district to impose a higher fee on residential construction only if certain conditions can be met and a study conducted to provide justification for the higher residential fee per square foot.

As of February 2022, Government Code Section 65995 authorizes school districts to collect Developer Fees on future development of no more than \$4.79 per square foot for residential construction and \$0.78 for commercial/industrial construction (Level I fees).

The District has prepared and will adopt this impact fee nexus study ("Study") which demonstrates the District's lack of justification to implement the District's Developer Fee through valid methods of calculation outlined in this Study. In making the findings required in Government Code Section 66001 and as done in the final pages of this Study, the District demonstrates its compliance with the Mitigation Fee Act.

Specifically, this Study has been prepared for the purpose of identifying the impact of projected future development on the school facilities of the District, and determining the extent to which a nexus exists between the impact of said developments and the need for school facilities and the cost of school facilities from said developments. This Study also considers the ability of the District's current facilities to accommodate the impact of demand from projected new development and seeks to identify the actual

costs associated with meeting the increased facilities needs that result from new residential and commercial/industrial development.

Recent legislation expounded the parameters of attached and detached living areas which are attached or detached from the primary single-family or multifamily dwelling unit (generally referred to as Accessory Dwelling Units (ADUs), and Junior Accessory Dwelling Units (JADUs)). Whether these types of dwelling units are called casitas, granny flats, in-law units, accessory units, or converted living space, these constructed areas are intended to provide an area for living and sleeping – whether the facilities and provisions for living, sleeping, eating, cooking, and sanitation are within that living space or within (or adjacent to) the attached single-family or multifamily dwelling unit. The District recognizes that students are generated from these types of living areas.

As noted above, in February 2022, the State Allocation Board (“SAB”) adjusted the amount of statutory School Fees for TK-12 school districts from \$4.08 to \$4.79 per square foot of residential construction and from \$0.66 to \$0.78 per square foot of chargeable covered and enclosed space for commercial/industrial construction pursuant to Education Code section 17620, et seq., and Government Code section 65995, et seq. The purpose of this Study is to provide the District’s Board of Education with the required information to make the necessary findings set forth in Government Code sections 66001, et seq., and 65995, et seq., in order to assess the implementation of statutory School Fees.

The content of this Study will show that Eureka City Schools is not justified in levying the statutory maximum Level I Developer Fee.

LEGISLATIVE HISTORY

State legislation, specifically AB 2926 and AB 1600, provides guidelines, procedures, and restrictions on the levy of School Fees for school facilities. Certain provisions of this legislation and history are summarized below:

AB 2926

AB 2926 was enacted by the State in 1986. Among other things, AB 2926 added various sections to the Government Code which authorize school districts to levy School Fees on new residential and commercial/industrial developments in order to pay for school facilities. In addition, AB 2926 provides for the following:

1. No city or county can issue a building permit for a development project unless such School Fees have been paid.
2. School Fees for commercial/industrial development must be supported by the finding that such School Fees "are reasonably related and limited to the needs for schools caused by the development."
3. School Fees for 1987 were limited to \$1.50 per square foot on new residential construction and \$0.25 per square foot for new commercial/industrial construction.
4. Every year, School Fees are subject to annual increases based on the Statewide cost index for Class B construction, as determined by the SAB at its January meeting (This provision was changed to every other year by AB181).

The provisions of AB 2926 have since been expanded and revised by AB 1600.

AB 1600

AB 1600, which created Sections 66000 et seq. of the Government Code, was enacted by the State in 1987. AB 1600 requires that all public agencies satisfy the following requirements when establishing, increasing or imposing a fee as a condition of approval for a development project.

1. Determine the purpose of the fee.
2. Identify the facilities to which the fee will be put.
3. Determine that there is a reasonable relationship between the need for public facilities and the type of development on which a fee is imposed.
4. Determine that there is a reasonable relationship between the amount of the fee and the public facility or portion of the public facility attributable to the development on which the fee is imposed.
5. Determine that there is a reasonable relationship between the amount of the fee and the public facility or portion of the public facility attributable to the development on which the fee is imposed.
6. Provide an annual accounting of any portion of the fee remaining unexpended, whether committed or uncommitted, in the School District's accounts five or more years after it was collected.

In other words, AB 1600 limits the ability of a school district to levy School Fees unless (i) there is a need for the School Fee revenues generated and (ii) there is a nexus or relationship between the need for School Fee revenues and the type of development project on which the School Fee is imposed. (The requirements of AB 1600 were clarified with the passage in 2006 of AB 2751, which codifies the findings of *Shapell Industries vs. Milpitas Unified School District*.) The Study will provide information necessary to establish whether such a nexus exists between School Fees and residential development.

AB 181

AB 181, enacted by the State in 1989, made significant changes in several State Codes, including Sections 53080 et seq. of the Government Code which was re-codified as Sections 17620 et seq. of the Education Code on January 1, 1998. Changes in Section 53080 included additional requirements and procedures for imposing School Fees and other conditions on new development. Specifically, AB 181 imposes more stringent nexus requirements on school districts that wish to levy School Fees on commercial/industrial ("CID"), as follows:

1. In order to levy a School Fee on CID, a formal study must be conducted to determine the impact of "the increased number of employees anticipated to result" from new CID on the "cost of providing school facilities within the School District".
2. Only that portion of the School Fee justified by the "nexus findings" contained in this study may be levied. Nexus findings must be made on an individual project basis or on the basis of categories of CID and must "utilize employee generation estimates that are based on commercial/industrial factors within the school district."
3. Categories to be evaluated may include, but are not limited to, office, retail, transportation, communications and utilities, light industrial, heavy industrial, research and development, and warehouse uses.

4. Starting in 1990, maximum School Fees for residential and CID will be subject to increases every two (2) years rather than annually.
5. An appeals procedure shall be established whereby the levy of School Fees on a commercial/industrial project may be appealed to the governing board of a school district. Grounds for an appeal must include, but are not limited to, improper project classification by commercial/industrial category, or the application of improper or inaccurate employee or student generation factors to the project.

In summary, AB 181 establishes additional requirements which must be satisfied by school districts prior to their levying School Fees on CID.

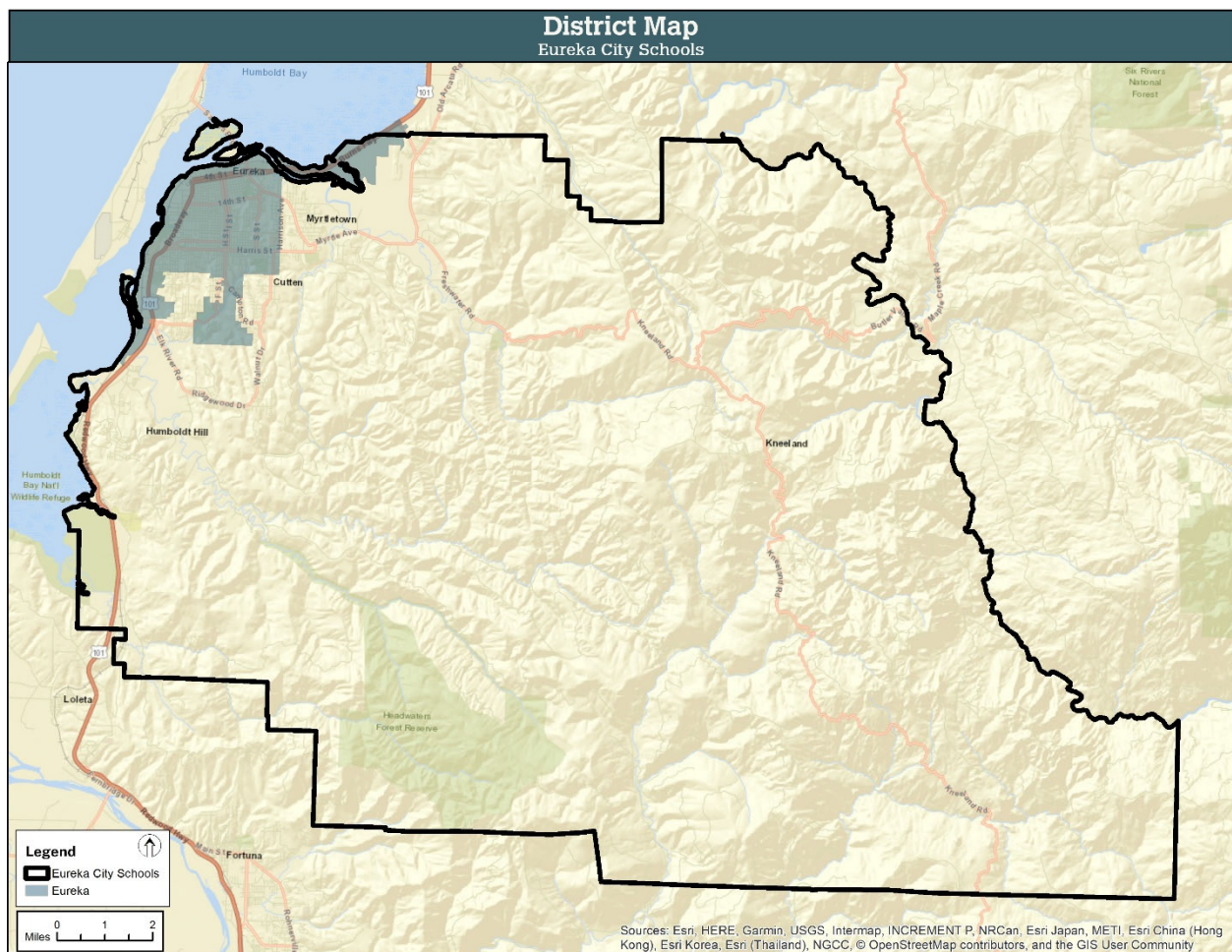
DEVELOPER FEE JUSTIFICATION: RESIDENTIAL DEVELOPMENT

Projected Residential Development

The number of future units to be constructed within the boundaries of the District was determined based on information provided by the jurisdictions served by the District (City of Eureka, and County of Humboldt).

Eureka City Schools serves the City of Eureka, California and surrounding areas of unincorporated Humboldt County. The District serves TK-12th grade students at four elementary schools, two middle schools, one comprehensive high school, one continuation high school. Figure 1 provides the location of the District's Boundary.

Figure 1. Eureka City Schools Boundary



Residential development generates students for the District to accommodate in facilities, new and/or renovated. Therefore, it is imperative to research residential development to project growth and associated student generation within the District.

According to the City of Eureka, 320 units may be constructed within the District over the next 20 years. The County of Humboldt was unable to provide an estimate of units, and therefore units for the Humboldt County were identified based on a combination of percentage of acreage the ECS occupies within the County and projected units provided by the County Housing element to meet the County's assigned housing need, with the assumption that these sites will be developed over the course of 20 years and multiple cycles of Housing Element updates. This analysis of development in the area served by the District, estimates a total of 482 units. However, the County would not validate this methodology or confirm the number of units based on this methodology, and so this study conservatively excludes these units from the calculations.

The 320 projected units provided by the City of Eureka are included in the calculations for student generation impact to District facilities.

Student Generation Rates

Student Generation Rates were calculated by King Consulting for the District through an analysis that consisted of cross referencing the District's current enrollment data against residential data from the United States Census Bureau.

The average number of students generated by each housing unit provides a student generation rate or "yield factor". The number of students emanating from new housing units within the District's boundaries was assessed for the District by comparing the total number of housing units in the District boundary according to the 2021 American Community Survey Census to the school District's current enrollment for 2022-23. The household total of 15,474 when compared to the student enrollment of 3,580, not including the Charter School, results in a student generation rate of 0.231. The student generation rate is multiplied by the number of estimated units that might be built over the next 20 years, which results in expected students generated. Table 1 outlines the result of the analysis.

Table 1. Student Generation Rates and Students Generated

Projected Number of Units	Student Generation Rate	Expected Students Generated
320	0.231	74

Projected School Facilities Needs

To calculate the needs generated by students from new development, the District must analyze the number of new units to be constructed, the square footage of those units, and, utilizing the student generation rate, the number of students to be generated by those developments. Once this analysis is completed, the per pupil cost to accommodate those students can be calculated. Therefore, the average square footage, as supplied by the City of Eureka, is multiplied by the number of units expected to be constructed. Humboldt County was contacted but unable to provide an estimate. These calculations are shown in Table 2.

Table 2. Housing Units and Calculation of Square Footage

Total Projected Housing Units	Average Square Footage	Total Projected Square Footage
320	1,333	426,560

Facility Capacity and Enrollments

The District's capacity calculation utilizes State loading standards of 25 pupils per TK-5th grade classroom and 27 pupils per 6th-12th grade classroom. The District's existing capacity was evaluated and compared to student enrollment to determine if available capacity exists to house students generated by new residential and commercial development.

Based on State loading standards, the District's school facilities have capacity to accommodate 1,800 TK-5th grade students, 2,527 6th-12th grade students.

The District's 2022-23 California Longitudinal Pupil Achievement Data System (CALPADS) enrollment is 3,580 students. To accurately assess the suitability of the District's existing capacity to accommodate future enrollments, an enrollment projection was prepared. This projection was prepared using standard "cohort survival" methodology based on an average of the last four years of CALPADS enrollment data. This method calculates future District enrollment growth based on an average of historical enrollment changes as cohorts advance from grade to grade each year. The enrollment projection includes students generated from new residential development.

Table 3 outlines the capacity vs. the current and projected enrollments, noting unused capacity at the end of the five-year projection period.

Table 3. District Capacities and Enrollments

School Level	Capacity	2022-23 Enrollments	Projected 2027-28 Enrollments	Unused Capacity
TK-5th Grade	1,800	1,377	1,406	394
6th-12th Grade	2,527	2,203	2,176	351
Total	4,327	3,580	3,582	745

As demonstrated by Table 3, Eureka City Schools has available capacity to house students generated by projected new residential development at its school facilities. The District does not exceed its capacity in any grades and will not exceed its capacity throughout the five-year enrollment projection period.

Cost per Student

The cost per student to construct or reconstruct new school facilities within Eureka City Schools is \$89,928 as shown in Table 4. Construction costs were provided by Van Pelt Construction Services based on records of past and present projects in recent new construction school projects in the Northern California region (Appendix A). These costs will be needed any time ECS must plan to construct new facilities due to students generated from development to a level above its available capacity. However, at the current time when the District has available capacity in its permanent buildings, this cost will be reflected as \$0.00.

Table 4. Cost per Student for New Construction

Grade Level	Facilities Cost per Student (New Construction)
K-5	\$77,998
6-8	\$94,763
9-12	\$104,198
Weighted Average $((\\$77,998*6)+(\\$94,763*3)+(\\$104,198*4))/13$	\$89,928

Residential Fee Calculation

To show a reasonable relationship exists between the construction of new housing units and the need for additional school facilities, it must be shown that each square foot of new assessable residential space would currently create a school facility cost impact on the District.

As shown, the District does have available capacity to house projected new students generated from development. New students generated will not create a need for new classrooms or create a need to extend the useful life of existing classrooms and ancillary spaces. As District facilities age, they become incompatible with the evolving pace of educational technology, changing school security standards, and fall into disrepair. At this time, it is not projected that the District needs to perform significant new construction and reconstruction to adequately serve students in the future and bring all facilities up to an adopted level of service as identified in Government Code Section 66001(g).

To calculate the facility needs generated by students from new development to justify the collection of a Level I Developer Fee, the Developer Fee Justification Study must correlate:

1. The total amount of projected new housing units expected to be built within the District;
2. The approximate number of students that will be generated by the new housing units, and;
3. The estimated cost to provide the necessary school facilities for that number of new students.

The total amount of new housing units projected to be built within the District is 320 units. These units, based on the student generation rate, will generate approximately 74 new TK-12th grade students, all of whom will be housed based on projected enrollment totals and available capacity. Because of available capacity, the cost to house 74 TK-12th grade students in existing permanent facilities is **\$0 (Unhoused Students x Cost Per Student)**. As outlined in Table 2, the total square footage projected to be constructed

is 426,560. The residential fee is generated by dividing the total cost to house students in permanent facilities by the total projected square footage, as shown in Table 5.

Table 5. Residential Fee Calculation

Total Costs	Total Square Footage	Residential Fee
\$0.00	426,560	\$0.00

Based on the residential fee calculation, Eureka City Schools is not justified in collecting residential developer fees.

DEVELOPER FEE JUSTIFICATION: COMMERCIAL/INDUSTRIAL PROJECTS

California Assembly Bill 181 provides that a district “must determine the impact of the increased number of employees anticipated to result from commercial/industrial development upon the cost of providing school facilities within the district. For the purposes of making this determination, the study shall utilize employee generation estimates that are based on commercial and industrial factors within the district, as calculated on either an individual project or categorical basis”. However, Assembly Bill 530 modified the requirements of AB 181 by allowing the use of a set of statewide employee generation factors. These factors are identified in the San Diego Association of Governments report, “San Diego Traffic Generators”. This study has become the standard in the industry for the calculation of the commercial/industrial fees.

Overview of Methodology

The construction of commercial/industrial buildings within a community generates new employees and, therefore, new residents for a school district. The link between creating new jobs and student enrollment has been acknowledged by the State Allocation Board and in statute. The Legislature has also determined that if there is more impact than can be mitigated by residential fees, and some of this impact is caused by commercial/industrial development, then commercial/industrial development can also be charged fees. As shown above, the District is justified to collect a higher residential fee than the current statutory level.

To determine the nexus relationships identified in AB 181 of commercial/industrial development, several factors must be analyzed to calculate the facilities cost per square foot of this development. Assembly Bill 530 allows for the use of state-wide employee generation factors, specifically those derived from a report entitled San Diego Traffic Generators published by the San Diego Association of Governments (SANDAG) in 1990. This report demonstrates the number of employees generated per square foot of commercial/industrial development, by category. Table 6 displays these categories and the number of employees generated for each square foot of space. An average employees/square foot value is then determined for ECS based on these categories.

These categories are explained in detail in the original SANDAG report. While many of the categories are self-explanatory, some are specifically defined in the original report:

- Commercial offices include “standard” offices and “large/high-rise” offices.
- Corporate offices are distinguished by typically accommodating a single corporate tenant rather than a combination of multiple tenants in one building.
- Community shopping centers are defined as covering 10-30 acres with total building square footage of 100,000-300,000 square feet, with at least one major store and at least one detached restaurant.
- Neighborhood shopping centers are defined as covering less than 10 acres with less than 100,000 square feet of total buildings.
- Industrial/business parks are distinguished from industrial parks by having at least 25% of their area designated for commercial uses.

Table 6. Commercial/Industrial Employee Generation Factors

Development Category	Employees/Square Foot
Agriculture	0.00031
Banks	0.00282
Commercial Offices	0.00478
Community Shopping Centers	0.00109
Corporate Offices	0.00268
Industrial Parks	0.00168
Industrial/Business Parks	0.00221
Lodging	0.00155
Medical Offices	0.00427
Neighborhood Shopping Centers	0.00362
Scientific R&D	0.00304
Average	0.00255

Additional data is used to determine the base school facility impact incurred to the District by commercial/industrial development. The calculations for the commercial/industrial cost impact per square foot also consider the percent of employees in the District who also live in the District, the number of households per employee, the students generated per household, and the modernization cost for each student. Data for percent of employees living in the District and households per employee are sourced from The United States Census Bureau's 2021 American Community Survey. The average of students generated per household was previously shown in Table 1.

The average employees per square foot from Table 6 is multiplied by the percent of employees who live in the District to account only for employees whose children will impact the District's schools. The resulting number of employees living in the District is then multiplied by the number of households per employee to determine how many households are represented by the increased number of employees due to new commercial/industrial development. With this number of households calculated, they are multiplied by the student generation rate to determine the number of students generated from the households. Finally, this number of students is multiplied by the cost per student from the residential calculations to demonstrate the cost to the District created by the need to house students generated from the construction of each square foot of commercial/industrial development. In this case, unless more than 745 students would be generated, the cost is \$0.00. Table 7 only shows each input number that is multiplied together in this sequence, rather than every resulting product. Should the cost per student become more than \$0.00 in the future, this fee could change.

Table 7. Commercial/Industrial Base Cost per Square Foot (Except Mini-Storage)

Employees/ Square Foot	% Employees Living in District	Households per Employee	TK-12 Students per Household	Cost per Student	Commercial/Industrial Cost per Square Foot
0.00255	47.9	0.966	0.230	\$0	\$0

It is important to note the mini-storage category of commercial development as an exception to the rates in Table 6. This type of development has a much lower impact than all other categories of commercial/industrial development, with only 0.00006 employees generated per square foot. Table 8 demonstrates the base cost per square foot for mini-storage development only.

Table 8. Mini-Storage Base Cost per Square Foot

Employees/ Square Foot	% Employees Living in District	Households per Employee	TK-12 Students per Household	Cost per Student	Commercial/Industrial Cost per Square Foot
0.00006	47.9	0.966	0.230	\$0	\$0

Eureka City Schools is therefore justified in collecting commercial/industrial developer fees at a rate of \$0.00, which does not exceed, the current statutory Level I fee \$0.78; mini-storage development also has a calculated fee of \$0.00. Therefore, the District is not justified to collect a statutory fee per square foot of new commercial/industrial construction, including for mini-storage.

SUMMARY AND FINDINGS

This study finds that Eureka City Schools is not justified in the collection of statutory developer fees per square foot of both residential and commercial/industrial construction. The District should not move forward with adopting the new fees at this time.

This justification is based on the following conclusions of the study:

- The District 's projected enrollment does not exceed its available capacity to house its students, so each student generated will not create a cost to the District to provide new school facilities;
- Residential development will generate 0.230 TK-12th grade students per unit for the District to house;
 - The District's cost for students generated from residential development is currently \$0.00 per square foot;
- Commercial/Industrial calculations also indicate no cost to house pupils that would be generated from local housing as a result of residents moving into the District;
 - This facilities cost for students generated from commercial/residential development is currently \$0.00 per square foot.
- The District does not meet the criteria to impose the statutory developer fee.

Due to these factors, the District should not proceed with adopting the statutory Level I Developer Fees.

ADMINISTRATION OF THE FEES

Administrative Requirements

The District must maintain a special account for developer fees collected and any interest which accrues from the fees collected.

Reporting Requirements

Government Code sections 66006 and 66001 require, annually within 180 days of the end of each fiscal year, that the District make available to the public certain information and adopt prescribed findings relative to Developer Fees adopted pursuant to Education Code section 17620 and Government Code section 65995.

For the fifth fiscal year following the first deposit into the fund, and every five years thereafter, the District is required to make additional findings with respect to that portion of the fund remaining unexpended, whether committed or uncommitted.

This accounting will identify a description of the fee and its amount as well as a beginning and ending fund balance. Also, in the report will be the portion of the collected funds that have been expended, those remaining funds, and the purpose to which those have been and will be put to use. The report must also identify the approximate date upon which a school district anticipates receiving adequate revenue to complete any improvements required as a result of students generated from residential or commercial construction projects.

Government Code Section 66001 (a) (1): Purpose of Fees

The purpose of collecting fees on residential and commercial/industrial development is to acquire funds to construct or reconstruct school facilities for the students generated by new residential and commercial/industrial developments.

Government Code Section 66001 (a) (2): Use of Fees

Allowable uses of developer fees include construction and/or reconstruction of school facilities and/or additional permanent facilities on existing school campuses, including but not limited to the types of projects included in this Study and the District's Facility Master Plan. In addition, the District may need to purchase or lease portable classrooms to use for interim housing while permanent facilities are being constructed. Revenue from fees collected on residential and commercial/industrial development may be used to pay for any of the following:

1. Design of School Facilities;
2. Purchase of land for School Facilities;
3. Construction or reconstruction of school facilities including both classroom and instructional spaces, and ancillary supporting facilities.
4. Furniture for use in new school facilities;
5. Testing and inspection of school sites and school buildings and permit and plan check fees;
6. Interim school facilities to accommodate students generated by new development while permanent facilities are being constructed;
7. Legal and administrative costs associated with providing facilities to students generated by new development;

8. Administration of the collection of developer fees;
9. Miscellaneous purposes resulting from student enrollment growth caused by new residential development; and
10. Any other use permitted by law.

Government Code Section 66001 (a) (3): Reasonable Relationship between the Fee's Use and the Type of Development Project on which the Fee is Imposed

Future residential development will cause new families to move into the District and, consequently, generate additional students in the District. In order to continue providing facilities at the existing level of service for future students, the District, may in the future need to modernize and/or reconstruct facilities should the number of students expected to be generated ever exceed the District's available capacity. The fee's use is therefore reasonably related to the type of project upon which it is imposed.

In addition, new commercial/industrial development will cause new workers to move into the District. Because these workers will have school-age children, the District will need to provide facilities for these students. The fee, if it is justified in the future is reasonably related to the type of project upon which it is imposed.

Fees on Residential Reconstruction

Residential Reconstruction consists of voluntarily demolishing existing residential units and replacing them with new residential development. To the extent reconstruction increases the residential square footage beyond what was demolished, the increase in square footage is subject to the applicable developer fees as such construction is considered new residential development. As for the amount of square footage constructed that replaces only the previously constructed square footage the determination of the applicable fee, if any, is subject to a showing that the replacement square footage results in an increase in student enrollment and, therefore, an additional impact being placed on the School District to provide facilities for new student enrollment. Prior to the imposition of fees on Replacement Square Footage, the School District shall undertake an analysis on any future proposed projects(s) to examine the extent to which an increase in enrollment can be expected from Replacement Square Footage due to any differential in SGFs as identified in the Study for the applicable unit types between existing square footage and Replacement Square Footage. Any such fee that is calculated for the Replacement Square Footage shall not exceed the School Fee that is in effect at such time.

Reconstruction of Commercial/Industrial Square Footage

The voluntary demolition of existing commercial/industrial buildings and replacement with new residential development is a different category of Reconstruction. The School District will evaluate the impacts of Commercial/Industrial Reconstruction projects on a case-by-case basis and will make a determination of whether a fee credit is justified based on the nature of the project.

Government Code Section 66001 (a) (4): Reasonable Relationship Between the Need for the Public Facility and the Type of Project Upon Which the Fee is Imposed

As demonstrated in this Study, current District school facilities require renovation/reconstruction to continue providing the existing level of service for the next 20 years. Existing residents and residents from new development, both residential and commercial/industrial, should share in these costs. Therefore,

the need for adequate school facilities is directly related to the new residential and commercial/industrial development projects upon which the fee would be imposed if justified.

Government Code Section 66001 (b): Reasonable Relationship Between the Amount of the Fee and the Cost of the Public Facility

The State School Facility Program provides a reference for the relative cost of reconstruction/modernization projects to new construction. This report demonstrates the cost per student for new construction projects, and by using the School Facility Program grant amounts for reference, the cost per student for reconstruction/modernization projects that will need to be undertaken to ensure the District can continue to provide school facilities at the existing level of service for all future students. This report also demonstrates that the cost impact to the District per square foot of development, whether residential or commercial/industrial, is greater than the statutory developer fees.

REVENUE SOURCES/FUNDING FACILITIES

The District may also utilize other sources of funding for modernizing and/or reconstructing school facilities. These funding sources include:

State School Facility Program

Senate Bill 50 reformed the State School Building Lease-Purchase Program in August, 1998. The new program, entitled the School Facility Program, provides funding under a “grant” program once a school district establishes eligibility. Funding required from districts is a 50/50 match for new construction projects and a 60/40 match for modernization projects. While there is generally a shortfall between State funding and the District’s actual facility needs, the State monies aid in assisting the District in its facility needs.

General Obligation Bonds

School districts can, with the approval of 2/3 or 55% of voters, issue General Obligation Bonds which are paid out of property taxes.

Eureka City Schools District was most recently successful in passing Measure T in March 2020, which authorized \$18 million in bonds “To repair unsafe school buildings, storm drains, fields and facilities; improve campus, student and teacher safety/disabled accessibility; acquire, construct, repair sites, equipment/high school/continuing education facilities.” Remaining bond funds have been committed to or encumbered by projects previously identified and approved by the ECS Board of Education.

Parcel Taxes

Approval by 2/3 of the voters is required to impose taxes that are not based on the assessed value of individual parcels. The revenues from these taxes are usually minor. Parcel taxes are typically not used for capital outlay. Instead, revenue from such programs is generally used to fund curriculum, instructional enhancements, and other non-facility related expenditures.

Mello-Roos Community Facilities Districts

This alternative uses a tax on property owners within a defined area to pay long-term bonds issued for specific public improvements. Mello-Roos taxes require approval from 2/3 of the voters in an election.

RECOMMENDATIONS

This Study recommends at this time that Eureka City Schools does not levy the statutory fee authorized by Government Code Section 65995 on new residential development, currently capped at \$4.79 per square foot. This Study also recommends that Eureka City Schools does not levy the statutory fee authorized by Government Code Section 65995, currently capped at \$0.78 per square foot on all categories of commercial/industrial development.

These recommendations are based on the findings that residential and commercial/industrial development do not currently create a school facility cost for Eureka City Schools.

SOURCES

California Basic Educational Data System. California State Department of Education. October Enrollments, 2022-23.

California State Department of Education. California Public School Directory.

California State Department of Finance. Population Research Division.

Kenyon, Cristin. Principal Planner. City of Eureka.

Office of Public School Construction. Leroy F. Greene School Facilities Act, 1998.

Richardson, Michael. Supervising Planner. County of Humboldt

San Diego Association of Governments. Traffic Generators, January 1990.

United States Census Bureau, 2021 American Community Survey.

Van Vleck, Ed. D, Dr. Fred. Superintendent. Eureka City Schools.

Ziegler, Paul. Assistant Superintendent, Business Services. Eureka City Schools.

ATTACHMENT B

ANNUAL ADJUSTMENT TO SCHOOL FACILITY PROGRAM GRANTS

State Allocation Board Meeting, February 23, 2022

Grant Amount Adjustments

New Construction	SFP Regulation Section	Adjusted Grant Per Pupil Effective 1-1-21	Adjusted Grant Per Pupil Effective 1-1-22
Elementary	1859.71	\$12,628	\$14,623
Middle	1859.71	\$13,356	\$15,466
High	1859.71	\$16,994	\$19,679
Special Day Class – Severe	1859.71.1	\$35,484	\$41,090
Special Day Class – Non-Severe	1859.71.1	\$23,731	\$27,480
Automatic Fire Detection/Alarm System – Elementary	1859.71.2	\$15	\$17
Automatic Fire Detection/Alarm System – Middle	1859.71.2	\$20	\$23
Automatic Fire Detection/Alarm System – High	1859.71.2	\$34	\$39
Automatic Fire Detection/Alarm System – Special Day Class – Severe	1859.71.2	\$63	\$73
Automatic Fire Detection/Alarm System – Special Day Class – Non-Severe	1859.71.2	\$45	\$52
Automatic Sprinkler System – Elementary	1859.71.2	\$212	\$245
Automatic Sprinkler System – Middle	1859.71.2	\$252	\$292
Automatic Sprinkler System – High	1859.71.2	\$262	\$303
Automatic Sprinkler System – Special Day Class – Severe	1859.71.2	\$668	\$774
Automatic Sprinkler System – Special Day Class – Non-Severe	1859.71.2	\$448	\$519

ATTACHMENT B

ANNUAL ADJUSTMENT TO SCHOOL FACILITY PROGRAM GRANTS

State Allocation Board Meeting, February 23, 2022

Grant Amount Adjustments

Modernization	SFP Regulation Section	Adjusted Grant Per Pupil Effective 1-1-21	Adjusted Grant Per Pupil Effective 1-1-22
Elementary	1859.78	\$4,808	\$5,568
Middle	1859.78	\$5,085	\$5,888
High	1859.78	\$6,658	\$7,710
Special Day Class - Severe	1859.78.3	\$15,325	\$17,746
Special Day Class – Non-Severe	1859.78.3	\$10,253	\$11,873
State Special School – Severe	1859.78	\$25,543	\$29,579
Automatic Fire Detection/Alarm System – Elementary	1859.78.4	\$156	\$181
Automatic Fire Detection/Alarm System – Middle	1859.78.4	\$156	\$181
Automatic Fire Detection/Alarm System – High	1859.78.4	\$156	\$181
Automatic Fire Detection/Alarm System – Special Day Class – Severe	1859.78.4	\$430	\$498
Automatic Fire Detection/Alarm System – Special Day Class – Non-Severe	1859.78.4	\$288	\$334
Over 50 Years Old – Elementary	1859.78.6	\$6,680	\$7,735
Over 50 Years Old – Middle	1859.78.6	\$7,065	\$8,181
Over 50 Years Old – High	1859.78.6	\$9,248	\$10,709
Over 50 Years Old – Special Day Class – Severe	1859.78.6	\$21,291	\$24,655
Over 50 Years Old – Special Day Class – Non-Severe	1859.78.6	\$14,237	\$16,486
Over 50 Years Old – State Special Day School – Severe	1859.78.6	\$35,483	\$41,089

AGENDA ITEM

Agenda Title: Adoption of the 2022-23 Transportation Services Plan

Meeting Date: March 30, 2023

Item: Discussion/Action

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to adopt the 2022-23 Transportation Services Plan.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

As a condition of receiving transportation apportionments under Education Code Section 41850.1, a qualifying local educational agency (LEA) is required to develop a plan that describes the transportation services it will offer to its students, and how it will prioritize planned transportation services for pupils in transitional kindergarten, kindergarten, and any of grades 1 to 6, inclusive, and pupils who are low income. The plan is to be developed in consultation with a variety of specified stakeholders. The plan must be adopted by the LEA's governing Board before April 1, 2023, and updated by April 1 each year thereafter.

STRATEGIC PLAN/PRIORITY AREA:

Subject does not apply to a Strategic Plan Priority Area

HISTORY *(list previous staff or board action(s) with dates if possible)*

Not applicable.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

Based on the funding formula set forth in Ed Code Section 41850.1, the district projects receiving \$143,135.36 in additional 2022-23 transportation revenue.

WHO *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

ATTACHMENTS:

Description

- ▣ Transportation Services Plan

Eureka City Schools Transportation Services Plan 2022-23

Transportation Services:

1. Enter description of transportation services offered to pupils, and how it will prioritize planned transportation services for pupils in transitional kindergarten, kindergarten, and any of grades 1 - 6 inclusive and pupils who are low income. Plan may provide for the LEA to partner with municipally owned transit system to provide services to middle and high school students. An LEA may provide no-cost transit passes to students.

Eureka City Schools (ECS) currently offers free home to school transportation to all students who meet two conditions. First, they must attend their School of Residence. Second, they must live outside of the established Non-Transportation Zones for their Schools of Residence. The Non-Transport Zone extends approximately 2 miles from the respective Schools of Residence.

Eureka City Schools also provides a Transportation Hardship Request process for students who either attend a school other than their School of Residence, or who reside within the Non-Transportation Zone. Barring other mitigating circumstances, ECS will prioritize Transportation Hardship Requests for pupils in transitional kindergarten, kindergarten, and any of grades 1 to 6, inclusive, as well as unduplicated pupils, which includes pupils who come from low income households. Unduplicated pupils are students who are English learners, meet income or categorical eligibility requirements for free or reduced-price meals under the National School Lunch Program, or are foster youth.

The district's ability to accommodate hardship requests is in great part contingent on the number of drivers available to take on additional routes. Eureka City Schools, like many districts across the state and the nation, is dealing with a severe shortage of bus drivers. This shortage persists despite the recent adoption of a School Bus Driver Incentive and Retention program, which provides signing and retention bonuses and other compensation enhancements to qualifying drivers and applicants. At the time the Transportation Services Plan is being developed, ECS has five full-time bus drivers. It requires a minimum nine full-time drivers to adequately cover the routes the district traditionally offers.

2. Enter description of LEA's transportation services that would be accessible to pupils with disabilities, and homeless children and youth.

Eureka City Schools offers transportation services in the least restrictive environment to all pupils with disabilities in accordance with students' Individual Education Plans (IEP). Students identified as being homeless are transported based on student needs in order for the students to maintain continuity of enrollment at their school of origin.

3. Enter description of how unduplicated pupils, would be able to access available home-to-school transportation at no-cost to the pupils.

Eureka City Schools currently offers free home to school transportation to all students who qualify by living within their school of attendance boundaries, and who reside outside the Non-Transportation Zones.

As referenced previously, ECS will prioritize Transportation Hardship Requests for unduplicated pupils, which includes English learners, foster youth, and those students who meet income or categorical eligibility requirements for free or reduced-price meals under the National School Lunch Program.

Consultations:

Enter description of the required plan consultation with classified staff, teachers, school administrators, regional local transit authorities, local air pollution control districts and air quality management districts, parents, pupils and other stakeholders.

Eureka City Schools hosted a meeting on March 16, 2023, to gather input concerning transportation services from all interested stakeholders.

In addition, the district consulted with a wide variety of stakeholders, and provided several options for input regarding the transportation plan. The list of meetings and consultations includes the following:

- February 27, 2023, and follow-up March 9, 2023: Consultation with North Coast Unified Air Quality Management District
- March 13, 2023: LCAP stakeholder meeting, which included classified staff, teachers, parents, and administrators

- March 15, 2023: Consultation with Humboldt Transit Authority
- March 15, 2023: California School Employee Association (classified employees)
- March 20, 2023: Eureka Teachers Association (certificated bargaining unit)
- March 21, 2023: District English Learners Advisory Council (DELAC) meeting

The district also posted information to its website announcing opportunities to provide input and comment for the plan by attending the March 16 stakeholders meeting, providing an email link, and announcing the March 30, 2023, Board meeting review of the plan. Facebook announcements were also aired internally and to the community at large, highlighting the same opportunities for comment.

PROJECTED FUNDING

Revenue Calculation

Total 2021-22 Transportation Expenses (Function 3600)	879,653.93
Less Capital Outlay (object 6XXX, Function 3600)	-
Less Nonagency Expenditures (Goal 7110,7150, Function 3600)	-
Estimated 60% Reimbursement	527,792.36
Less 2021-22 Transportation add-on (from LCFF Calculator)	384,657.00

Total Revenue (Object 8590, Resource 0000)

143,135.36

2022/23 Budgeted Expenditures and Other Financing Uses

2000-2999 - Classified Salaries	462,067.00
3000-3999 - Employee Benefits	278,513.00
4000-4999 - Books and Supplies	181,706.00
5000-5999 - Services and other Operating Expenditures	61,524.00
6000-6999 - Capital Outlay	-
7000-7999 - Other Outgo	-

Total 2022/23 Budgeted Expenditures

983,810.00

Board Approval Date: (must be on or before April 1, 2023)

The Transportation plan and revenue calculations were developed in accordance with Education Code Sections 39800.1 and 41850.1.

EDUCATION CODE - EDC

TITLE 2. ELEMENTARY AND SECONDARY EDUCATION [33000 - 65001] (Title 2 enacted by Stats. 1976, Ch. 1010.)

DIVISION 3. LOCAL ADMINISTRATION [35000 - 45500] (Division 3 enacted by Stats. 1976, Ch. 1010.)

PART 23.5. TRANSPORTATION [39800 - 40090.5] (Part 23.5 added by Stats. 1999, Ch. 646, Sec. 14.)

CHAPTER 1. Transportation Services [39800 - 39860] (Chapter 1 added by Stats. 1999, Ch. 646, Sec. 14.)

ARTICLE 1. General Provisions [39800 - 39809.5] (Article 1 added by Stats. 1999, Ch. 646, Sec. 14.)

39800.1. (a) As a condition of receiving apportionments under Section 41850.1, a local educational agency shall develop a plan describing the transportation services it will offer to its pupils, and how it will prioritize planned transportation services for pupils in transitional kindergarten, kindergarten, and any of grades 1 to 6, inclusive, and pupils who are low income. The plan shall be adopted by the local educational agency's governing board on or before April 1, 2023, and updated by April 1 each year thereafter. The plan shall include the following components:

(1) A description of the local educational agency's transportation services that would be accessible to pupils with disabilities and homeless children and youth, as defined pursuant to the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.).

(2) A description of how unduplicated pupils, as defined in subdivision (b) of Section 42238.02, would be able to access available home-to-school transportation at no cost to the pupils.

(b) (1) The plan shall be developed in consultation with classified staff, teachers, school administrators, regional local transit authorities, local air pollution control districts and air quality management districts, parents, pupils, and other stakeholders.

(2) The plan shall be presented and adopted by the governing board of the local educational agency in an open meeting with the opportunity for in-person and remote public comment.

(c) The plan may provide for the local educational agency to partner with a municipally owned transit system to provide service pursuant to this section to middle school and high school pupils.

(d) Nothing in a local educational agency's plan shall preclude a local educational agency from providing no-cost transit passes to pupils.

(e) For purposes of this section, "local educational agency" means a school district or a county office of education. (Added by Stats. 2022, Ch. 52, Sec. 14. (AB 181) Effective June 30, 2022.)

EDUCATION CODE - EDC

TITLE 2. ELEMENTARY AND SECONDARY EDUCATION [33000 - 65001] (*Title 2 enacted by Stats. 1976, Ch. 1010.*)

DIVISION 3. LOCAL ADMINISTRATION [35000 - 45500] (*Division 3 enacted by Stats. 1976, Ch. 1010.*)

PART 24. SCHOOL FINANCE [41000 - 43052] (*Part 24 enacted by Stats. 1976, Ch. 1010.*)

CHAPTER 5. Foundation Program [41760.2 - 41972] (*Chapter 5 enacted by Stats. 1976, Ch. 1010.*)

ARTICLE 10. Allowances for Transportation [41850 - 41851.1] (*Article 10 repealed (by Sec. 18.7) and added by Stats. 1983, Ch. 498, Sec. 18.9.*)

41850.1. (a) (1) Commencing with the 2022–23 fiscal year and for each fiscal year thereafter, the Superintendent shall apportion to each school district and county superintendent of schools that provides pupil transportation services, a transportation allowance equal to 60 percent of the home-to-school transportation expenditures reported by the school district or county superintendent of schools, as determined by its Function 3600 entry in the Standardized Account Code Structure (SACS) report, consistent with the definition in the California School Accounting Manual, for the prior year, excluding capital outlay and nonagency expenditures. This allowance shall be reduced by the amount of the transportation add-on computed for the prior fiscal year under paragraph (1) of subdivision (h) of Section 42238.02 and adjusted under paragraph (3) of subdivision (h) of Section 42238.02 for a school district or subparagraph (A) of paragraph (2) of subdivision (e) of Section 2574 and adjusted under subparagraph (C) of paragraph (2) of subdivision (e) of Section 2574 for a county superintendent of schools. If this reduction results in an amount less than zero, the transportation allowance under this section shall be zero.

(2) Home-to-school transportation expenditures reported for a school district with two component school districts under a common administration board pursuant to Section 35110 shall be divided among the component school districts in proportion to the transportation add-on amounts computed pursuant to paragraph (1) of subdivision (h) of Section 42238.02.

(3) For reorganized school districts, the prior fiscal year home-to-school transportation expenditures for purposes of paragraph (1) shall be determined as follows:

(A) A new school district shall be credited with the amount of eligible home-to-school transportation expenditures reported by each former school district before the reorganization. A new school district shall not be credited with eligible home-to-school transportation expenditures reported by divided school districts before the reorganization.

(B) An acquiring school district shall be credited with the amount of eligible home-to-school transportation expenditures it reported before the reorganization, plus the amount of eligible home-to-school transportation expenditures reported by each former school district before the reorganization. A new school district shall not be credited with eligible home-to-school transportation expenditures reported by divided school districts before the reorganization.

(C) The remaining portion of a divided school district shall be credited with eligible home-to-school transportation expenditures it reported before the reorganization.

(D) If the reorganization includes a former school district that has been wholly included in more than one new or acquiring school districts, the amount of eligible home-to-school transportation expenditures shall be determined in a manner consistent with the adjustments made to the transportation add-on specified in paragraph (1) of subdivision (h) of Section 42238.02 pursuant to subdivision (c) of Section 35735.

(b) A local educational agency shall be subject to audits required by Section 41020 with respect to this section, including adoption of the transportation plan pursuant to Section 39800.1. The Controller shall include instructions appropriate to the enforcement of this section in the audit guide required by subdivision (a) of Section 14502.1.

(c) The department shall annually collect and publish transportation data from each local educational agency providing pupil transportation services and that receives an apportionment pursuant to this section. The data shall encompass ridership, miles driven, expenditure details, the number of pupils transported, the demographic characteristics of pupils transported, including race, ethnicity, and socioeconomic status, and other data facilitating comparisons among local educational agencies. The department shall determine the specific data elements in consultation with the Legislature and with local experts, including the County Office Fiscal Crisis and Management Assistance Team established pursuant to Section 42127.8.

(d) As used in this section, "local educational agency" means a school district or county office of education that is providing school transportation services.

(e) School districts and county offices of education that provide transportation services by means of a joint powers agreement, a cooperative pupil transportation program, or a consortium shall receive transportation allowances pursuant to this section.

(Amended by Stats. 2022, Ch. 571, Sec. 16. (AB 185) Effective September 27, 2022.)

AGENDA ITEM

Agenda Title: After School Education and Safety & Expanded Learning Program Update
Meeting Date: March 30, 2023
Item: Discussion

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to receive a report about the After School Education and Safety (ASES) Program and Expanded Learning Opportunities Program (ELOP).

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

This presentation is part of a series of presentations about District programs. The intent is to keep the members of the Governing Board well informed of programs

STRATEGIC PLAN/PRIORITY AREA:

This item does not apply to a strategic plan/priority area.

HISTORY *(list previous staff or board action(s) with dates if possible)*

ECS was first awarded an ASES grant for the 2007-2008 school year as an extension of the 21st Century Community Learning Centers grant. The Expanded Learning Program was first approved for ECS on 10/27/2022. We currently operate both of these programs at our four elementary sites, and both middle school sites.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

22/23 ASES Allocation \$757,637.00

22/23 ELO-P Allocation \$2,035,957.00

WHO *(list the name of the contact person(s), job title, and site location)*

Assistant Superintendent, Gary Storts, Educational Services

ATTACHMENTS:

Description

- ▣ After School Education and Safety & Expanded Learning Program Report

Eureka City Schools

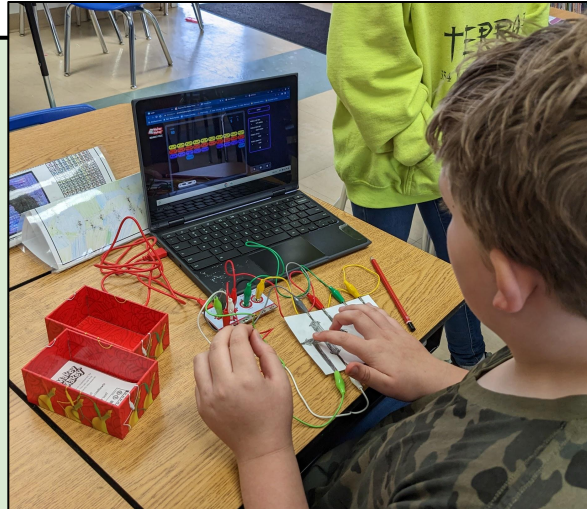
Expanded Learning Programs

Assistant Superintendent, Gary Storts

PRESENTATION TO ECS BOARD OF TRUSTEES March 2023



March 30, 2023



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Funding

21/22 ELO-P Carryover \$567,660.00

22/23 ASES Allocation \$757,637.00

22/23 ELO-P Allocation \$2,035,957.00

\$3,361,254.00 TOTAL (ASES, ELO-P regular school year and summer school)



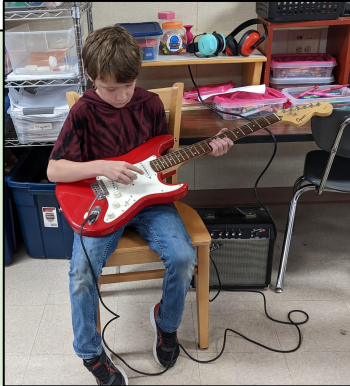
Mission of Expanding Learning Programs

- Align with regular school day
- Provide extended learning
- Provide safe environment
- Build social skills and relationships
- Ensure active engagement



Required Program Elements

- Educational program, specifically literacy including tutoring and homework assistance
- Educational enrichment opportunities
- Meals and snacks provided to students at all sites



March 30, 2023



Page 6 of 14

Measurable Outcomes

- Increases in academic performance
- Increases in homework completion
- Increases in pro-social behavior



March 30, 2023

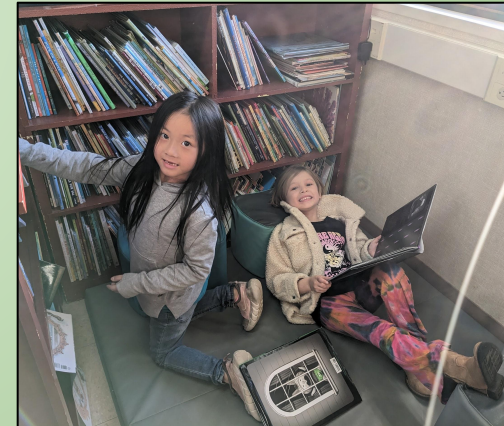


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Current Enrollment

Site	TK/K	1-5	6-8	Total	Waitlist
Alice Birney	20	116	NA	136	22
Grant	13	91	NA	104	18
Lafayette	29	95	NA	124	1
Washington	32	159	NA	191	32
Winship	NA	NA	75	75	0
Zane	NA	NA	103	103	0
Total	94	461	178	733	73

March 30, 2023



Site	19/20 ASES Only	22/23 ASES/ELO	Increase with ELO
Alice Birney	TK/K = 14 1-5 = 82 Total = 96	TK/K = 23 1-5 = 126 Total = 149	55%
Grant	TK/K = 12 1-5 = 85 Total = 97	TK/K = 14 1-5 = 101 Total = 115	19%
Lafayette	TK/K = 16 1-5 = 76 Total = 92	TK/K = 35 1-5 = 119 Total = 154	67%
Washington	TK/K = 10 1-5 = 82 Total = 92	TK/K = 34 1-5 = 173 Total = 207	125%
Winship	*32 (split funding)	81	150%
Zane	95	113	19%
Total Students Served	504	819	62%

March 30, 2023

**Increase in
students served
from ASES only
to ASES + ELO
funding**



Page 9 of 14

Staff information

Site	ECS Coordinator	ECS Lead Assistant	Other ECS Assistants
Alice Birney	Tina Toomata	Ashtyn Scott	6 staff working 3-4 hours 1 staff working 1.5 hours 1 staff working 1 hour
Grant	Salvadore Sousa	Ashley Montero Cabrera	5 staff working 3-4 hours 1 staff working 1.5 hours
Lafayette	Catrina Scheffler	Allison Marsh	7 staff working 3-4 hours 1 staff working 2 hours
Washington	Felise Lalica	Shaunte Spears	8 staff working 3-4 hours 2 staff working 2 hours 2 staff working 1.5 hours
Winship	June Bricco	Victoria Collins	3 staff working 3 hours
Zane	Nicki Spelick	George Cramer	3 staff working 3 hours

Alice Birney's Extended Learning Opportunities Program

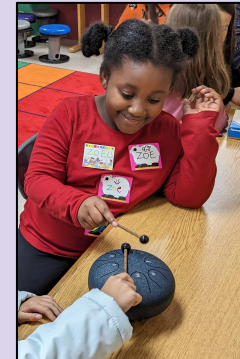
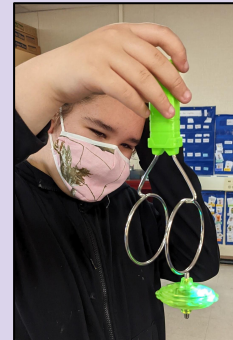
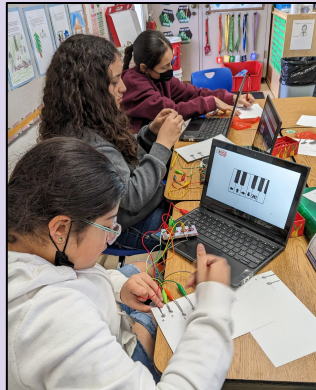
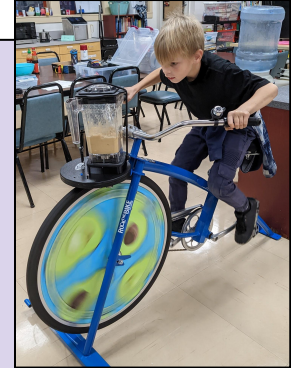
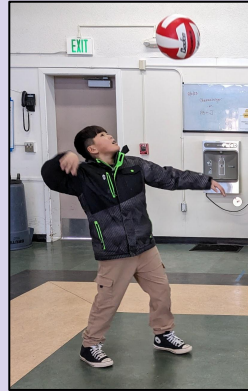
will ensure students grow academically and socially-emotionally through the use of active activities, hands-on activities and outdoor educational activities that reflect our cultural backgrounds.



March 30, 2023

Lafayette's Expanded Learning Program

will provide a safe and enriching environment for all students that supports their social emotional skills and academic progress through the use of various hands-on activities and opportunities with a focus on STEAM education and fitness.



Zane's Expanded Learning Program

will support students' academic and social emotional needs by providing students with academic as well as enrichment focused on student relationships and community building opportunities based on student interests.

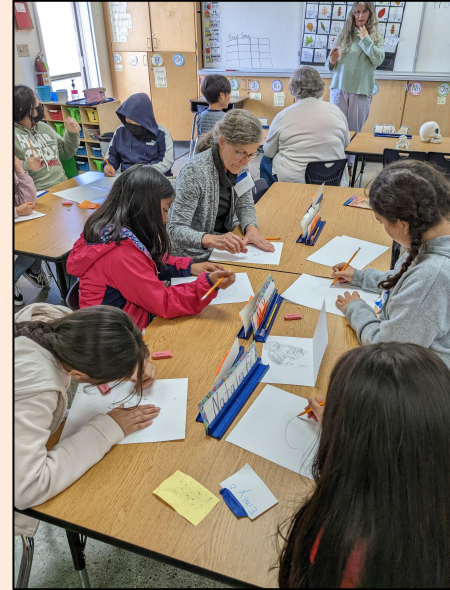


Exciting community partnerships

Alice Birney - Retired teacher, Marjorie Fay, has provided a 6 week Swim Club where she and other volunteers take a group of 24 third through fifth grade students to the Arcata Community Pool for 1 hour swim lessons every Friday.

Lafayette - Local artist and author, Maureen McGarry, along with retired volunteers provide a 1 hour art class every Tuesday for multilingual students. This class is attended by 15 students in grades 2-5 who speak Hmong and Spanish. This 8 month art class is provided by the Boys and Girls Club and Ink for People. Lafayette's EL intervention teacher also attends the class with the students. The class will culminate with a book written by the students.

Grant - Trinidad Coastal Land Trust will do a presentation on Friday, 3/17 on local wildlife. They will be presenting to 4th graders and engaging them in different activities. Students will be learning about the different coastal wildlife at Trinidad beach. A field trip will follow for those that would like to attend Monday, March 20th.



AGENDA ITEM

Agenda Title: Annual Indian Education Public Hearing

Meeting Date: March 30, 2023

Item: Discussion

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to receive public feedback on the Title VI, Indian Education grant.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Title VI grantees are required to plan services and activities based on information gathered through the needs assessment and in open consultation with stakeholder's through public hearings.

STRATEGIC PLAN/PRIORITY AREA:

This item does not apply to a strategic plan/priority area.

HISTORY *(list previous staff or board action(s) with dates if possible)*

This is an annual public hearing.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

There is no cost associated with this item.

WHO *(list the name of the contact person(s), job title, and site location)*

Gary Storts, Assistant Superintendent, Educational Services

AGENDA ITEM

Agenda Title: Discussion of Guaranteed Maximum Price (GMP) for the EHS Albee Stadium Increment #1 Project
Meeting Date: March 30, 2023
Item: Discussion

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to discuss the Guaranteed Maximum Price for the EHS Albee Stadium Increment #1 Project.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

As part of the lease leaseback process, the Guaranteed Maximum Price is the maximum amount the District will pay the contractor on a project, regardless of the project's actual cost to the contractor. The contractor calculates labor and materials costs, plus a percentage of those costs for profit, the total of which determines the project's GMP. The total cost of the project for the District may come in less than the GMP, but it will not exceed it.

STRATEGIC PLAN/PRIORITY AREA:

Priority Area 19: New and Modernized Facilities

HISTORY *(list previous staff or board action(s) with dates if possible)*

The Governing Board approved the updated lease leaseback with Wahlund Construction, Inc./Sequoia Construction Specialties at the March 31, 2022 Board meeting.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

To be determined.

WHO *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

AGENDA ITEM

Agenda Title: Lincoln Campus Facility Usage

Meeting Date: March 30, 2023

Item: Discussion

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to discuss potential future usage of the Lincoln Campus.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

In processing the Eureka City Schools' School Facility Program (SFP) application for modernization funding at Lincoln Elementary, the Office of Public School Construction (OPSC) requested supporting documentation in order to complete processing of the funding application.

The existing modernization for the site is for the Lincoln Elementary School, but according to the CDE California School Directory, Lincoln Elementary was closed in 2008, and the site currently houses Zoe Barnum High School. OPSC has requested that the District either submit documentation showing that the District's governing body intends to reopen the site at the K-6 grade level and use it as a school for at least the next five years, and indicate where Zoe Barnum students will be relocated, or reestablish the eligibility for Zoe Barnum High based on the Zoe Barnum High enrollment for either the school year that Zoe Barnum High was relocated to the site or for the 2018/2019 school year, whichever is higher. Eligibility for Lincoln is based on 283 K-6 pupils, and eligibility for Zoe Barnum is based on 81 9-12 pupils.

STRATEGIC PLAN/PRIORITY AREA:

Priority Area 19: New and Modernized Facilities

HISTORY *(list previous staff or board action(s) with dates if possible)*

Eureka City Schools submitted a SAB 50-04 funding application for a modernization reimbursement project for Lincoln Elementary on June 28, 2019. The modernization work was accomplished in three phases, with reimbursement funding requested for Phases 2 and 3. Contracts for Phase 2 and 3 were awarded on January 27, 2015, and

December 29, 2015, respectively.

The Lincoln site modernization project was designed to accommodate elementary students as stated in Addendum 1 of the DSA plan approval application, based on a projected need for additional elementary capacity, due in part to the new transitional kindergarten requirement.

At the time the funding application was submitted, the Lincoln Elementary campus was being utilized by Zoe Barnum High students due to lack of capacity caused by health and safety issues at the Zoe Barnum High campus. The District foresaw the need to move the Zoe Barnum students in closer proximity to the High School campus at some point in the future, which in turn would allow elementary students to be housed at the Lincoln campus.

HOW MUCH*(list the revenue amount \$ and/or the expense amount \$)*

Based on estimated eligibility in the 2019 Modernization Project Analysis performed by Schreder & Associates, potential state funding contribution for the Lincoln modernization project ranges from \$1,112,246 to \$2,819,276.

WHO*(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

ATTACHMENTS:

Description

- OPSC Letter

March 14, 2023

Dr. Fred Van Vleck
District Representative
Eureka City Schools School District
2100 J Street
Eureka, CA 95501

RE: 4-Day Letter for Modernization Funding – Response Required by March 20, 2023

Dear Dr. Van Vleck:

The Office of Public School Construction (OPSC) is processing the District's School Facility Program (SFP) application for modernization funding at Lincoln Elementary, application number 57/75515-00-012.

In the course of our review, OPSC has determined that supporting documentation and/or information is needed in order for OPSC to complete the processing of your District's application. In order for the District to maintain its date in line for processing, the District must respond to the following issues within **4 business days** from the date of this letter.

Project Documents and Responses

As OPSC no longer sends physical copies of application processing letters, all project documents have been uploaded to the OPSC Online system. District responses may be submitted electronically through the OPSC Online system. This application has already been created and may be accessed here:

<https://www.webapps.dgs.ca.gov/OPSC/OPSCOnline/appmanagement/2259>.

Additional information about the OPSC Online system is included in this letter.

Extensions

If the District has any questions regarding the application and/or this letter, including if additional time to respond to this letter is needed, please contact me. In the event the District is unable to meet OPSC response deadlines and/or due dates as a result of a State of Emergency declared by the Governor, the District may submit a request of extension here: <https://tinyurl.com/ufrq6wm>.

Direct Apportionments

Pursuant to the State Allocation Board (SAB) action on September 21, 2022, the application will receive an Apportionment upon approval by the SAB pursuant to SFP Regulation Section 1859.90. Applications processed in accordance with Regulation Section 1859.90, are not subject to requests to participate in the Priority Funding Process and *will not* receive an Unfunded Approval. At such time the project is presented to the SAB for Apportionment, plan approval from the California Department of Education (CDE) and The Division of the State Architect (DSA) must be valid.

Modernization Eligibility

The existing modernization for this site is for the Lincoln Elementary School, but according to the CDE California School Directory, Lincoln Elementary was closed in 2008 and that site currently houses Zoe Barnum High School.

The District must either:

- Submit documentation showing that the District's governing body intends to reopen the site at the K-6 grade level and use it as a school for at least the next five years, or
- Re-establish the eligibility for Zoe Barnum High based on the original site diagram submitted for Lincoln Elementary (copy attached) and the Zoe Barnum High enrollment for either the school year that Zoe Barnum High was relocated to this site or for the 2018/2019 school year, whichever is higher.

For any revisions to the *Application for Funding (Form SAB 50-04)*, a completed original form must be re-signed and dated by both the District Representative and Architect of Record, using the latest version of the Form SAB 50-04 with a Revision date of 05/20.

Form SAB 50-04**Pupil Grants May Exceed Baseline (Section 2)**

The pupil grants requested in Section 2(a) of the *Application for Funding (Form SAB 50-04)* are based on the eligibility established for Lincoln Elementary. If the District reestablishes eligibility for the site as Zoe Barnum High, the District must revise its pupil grant request on the Form SAB 50-04 based on the re-established Zoe Barnum High Eligibility.

50 Years or Older Building Funding (Section 2.b.)

The District has requested 254 50 Year or Older Pupil Grants. If the District reestablishes eligibility for the site as Zoe Barnum High, the number of available 50 Year or Older Pupil Grants will be limited to the number of pupil grants available once eligibility for this site has been reestablished as Zoe Barnum Continuation High.

Construction Contract Dates (Section 17)

The District has indicated two construction contract dates, January 25, 2015 and December 29, 2015, but the Division of the State Architect plan approval, issued November 2, 2010, would have expired after November 2, 2014. It appears that the two contract dates provided are for Phase 2 and Phase 3 of this project. Please provide documentation for Phase 1 of the project as further evidence that this project is compliant with the Field Act, and revise the Form SAB 50-04 to include the Phase 1 contract date.

OPSC Online Application System

The District is advised that the OPSC Online System has been enhanced to allow applicants to more efficiently and easily complete and submit applications and responses online, with no hard copy required. The District is encouraged to respond to

this 15-day letter using the OPSC Online System by submitting a revised Application for Funding (Form SAB 50-04) and/or uploading required supporting documentation as needed. Access to the OPSC Online System is found on OPSC's website as follows:

- Go to "Resources"
- Click on "[Online Application Tools for School Construction Projects](#)"
- Under the "Online Applications and Tools" header, click on "[OPSC Online Application](#)" and sign in

If you do not have an account for OPSC Online, send a request by emailing OPSCOnlineSupport@dgs.ca.gov. A [User Guide](#) has been created to help navigate the online platform and may be accessed from OPSC's website in the Online Application Tools for School Construction Projects page. Additionally, any questions can be directed to myself, or the Project Manager assigned to your County.

As an alternative and to ensure that all responses are received and recorded, OPSC has established an Electronic Mail Submission process. Should you prefer, you may submit your response to the following email address:

OPSCApplicationReviewTeam@dgs.ca.gov

Please include me in the carbon copy (cc) line of the email. Other recipients may be included as well.

Hard copy responses are not required; however, if you do choose to send a response by mail, **please be sure to write, "Response to 15-Day Letter" as well as my name on both the envelope and the cover letter.** Should you have any questions concerning this matter or need additional information, you may contact me at Hannah.Konnoff@dgs.ca.gov or (279) 946-8443, or my supervisor at Kevin.Fok@dgs.ca.gov or (279) 946-8456.

Sincerely,

Hannah Konnoff

Electronically signed. March 14, 2023.

Hannah Konnoff
Project Manager
Office of Public School Construction

Enclosure

cc: Tamara Caspar, Jack Schreder & Associates
Kevin Fok, OPSC Program Services Supervisor
File: Correspondence – 57/75515-00-012

AGENDA ITEM

Agenda Title: Consideration of Request from Eureka High School Athletic Boosters
Meeting Date: March 30, 2023
Item: Discussion

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to discuss a request from the Eureka High School Athletic Boosters to serve alcohol at a future fundraising event.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

See attached.

STRATEGIC PLAN/PRIORITY AREA:

Subject does not apply to a Strategic Plan Priority Area

HISTORY *(list previous staff or board action(s) with dates if possible)*

Not applicable.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

None.

WHO *(list the name of the contact person(s), job title, and site location)*

Fred Van Vleck, Ed.D., Superintendent

ATTACHMENTS:

Description

- ▣ Request from EHS Boosters

March 17, 2023

Dear Eureka City Schools Board and Administration,

With the final days of Jay Willard Gymnasium coming to a close, the Eureka High Athletic Boosters is excited to be a part of presenting to the public a final opportunity to share in the history of the building that brought much symbolism and meaning to so many generations.

As part of our three day event, proposed for April 28 - 30, we would like to host a dinner event in the gym on Saturday, April 29, for adults over the age of 21 to include alcohol. We would obtain proper licensing and insurance coverage for this one-time event and therefore are requesting your enthusiastic consent and endorsement.

We look forward to being able to continue to support our athletes in the new gym but before we do so, we also wish to pay tribute to past history of a structure that represents decades of memories and symbolism for so many.

Due to the need to acquire necessary permits and insurance, as well as the importance to advertise and promote our event, we would appreciate your thoughtful consideration and response at the earliest possible convenience.

If we can answer any questions, please don't hesitate to reach out to:

Event Coordinator- Shayna Matteoli (707) 496-4563

Secretary- Karen Hammer (707) 599-8428

EHS Athletic Boosters- eurekahighboosters@gmail.com

AGENDA ITEM

Agenda Title: Information Only: Review of Proposed Dates for Board Meetings - 2024

Meeting Date: March 30, 2023

Item:

ATTACHMENTS:

Description

- ▣ 1st Review - Proposed Board Meeting Dates - 2024

EUREKA CITY SCHOOLS

Governing Board Meeting Dates

Proposed 2024 Dates Reviewed by Cabinet: March 1, 2023
Proposed Dates Sent to Executive for Conflict Check: March 6, 2023

Board's 1st Review: March 30, 2023

Tentative Date for Board Adoption: December 14, 2023

All Meetings Begin at 6:30 p.m. (Regular Session)

BOARD MEETING DATES – 2024
January 11, 2024
February 1, 2024
February 15, 2024
March 14, 2024
April 4, 2024
May 2, 2024
May 23, 2024
June 25, 2024 (Tuesday)*
June 27, 2024**
August 8, 2024
August 29, 2024
September 19, 2024
October 10, 2024
October 24, 2024
November 14, 2024
December 12, 2024***

* Regular Meeting: Public Hearing on Budget/LCAP

** Regular Meeting: Adoption of Budget/LCAP

*** Regular Meeting: Organization Meeting

Board Adopted: TBA

AGENDA ITEM

Agenda Title: Information Only: April 2023 - Review of CDE Calendar of Events
Meeting Date: March 30, 2023
Item: Information Only

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

April 2023

Autism Awareness Month

The CDE encourages you to annually recognize April as Autism Awareness Month.

Mathematics and Statistics Awareness Month

The CDE encourages you to annually recognize April as Mathematics and Statistics Awareness Month.

National Bilingual/Multilingual Learner Advocacy Month

The CDE encourages you to annually recognize April as National Bilingual/Multilingual Learner Advocacy Month. By House Resolution 690, from Congressman Mike Honda, every April is recognized as National Bilingual/Multilingual Learner Advocacy Month.

National Child Abuse Prevention Month

The CDE encourages you to annually recognize April as National Child Abuse Prevention Month.

National Poetry Month

The CDE encourages you to annually recognize April as National Poetry Month.

Public Schools Month

The CDE encourages you to annually recognize April as Public Schools Month.

School Library Month

The CDE encourages you to annually recognize April as School Library Month.

Autism Awareness Day (4/2/2023)

The CDE encourages you to annually recognize April 2 as Autism Awareness Day.

International Children's Book Day (4/2/2023)

The CDE encourages you to annually recognize April 2 as International Children's Book Day. Founded in 1967, the day is observed on or around Hans Christian Andersen's birthday. Activities include writing competitions, announcements of book awards, and events with authors of children's literature.

Passover Begins** (4/5/2023)

Passover begins at sundown on Wednesday, April 5, 2023.

California Poppy Day (4/6/2023)

Section 37222.12 of the California Education Code states: (a) April 6 of each year is designated and set aside as California Poppy Day, a day with special significance under Section 37222. (b) On California Poppy Day, all public schools and educational institutions are encouraged to conduct exercises honoring the California Poppy, including instruction about native plants, particularly the California Poppy, and the economic and aesthetic value of wildflowers; promoting responsible behavior toward our natural resources and a spirit of protection toward them; and emphasizing the value of natural resources and conservation of natural resources.

World Health Day (4/7/2023)

The CDE encourages you to annually recognize April 7 as World Health Day.

Easter* (4/9/2023)

Easter is celebrated on Sunday, April 9, 2023. Easter always falls on the first Sunday after the Paschal Full Moon, the first full moon after the vernal equinox.

Last Day of Passover** (4/13/2023)

The final days of Passover 2023 begin before sunset on April 12 and end after nightfall on April 13.

Thomas Jefferson's Birthday (4/13/2023)

Every year, the President shall issue a proclamation (1) calling on officials of the United States government to display the flag of the United States on all government buildings on April 13; and (2) inviting the people of the United States to observe April 13 in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of Thomas Jefferson's birthday (36 United States Code 141).

Week of the Young Child

The CDE encourages you to recognize April 15–21, 2023 as the Week of the Young Child. The purpose of the Week of the Young Child is to focus public attention on the needs of young children and their families and to recognize the early childhood programs and services that meet those needs.

National Environmental Education Week

The CDE encourages you to recognize April 16–22, 2023 as National Environmental Education Week. National Environmental Education Week, held annually on the week that Earth Day is celebrated, is the nation's largest celebration of environmental education, inspiring environmental learning and stewardship among K-12 students.

National Librarian Day (4/16/2023)

The CDE encourages you to annually recognize April 16 as National Librarian Day.

Holocaust Remembrance Day (Yom HaShoah)* (4/17/2023–4/18/2023)

The CDE encourages you to recognize April 17–18, 2023 as Holocaust Remembrance Day (Yom HaShoah). Holocaust Remembrance Day (Yom HaShoah) in Israel begins the evening of April 17, 2023 and ends the evening of April 18, 2023.

Public School Volunteer Week

The CDE encourages you to recognize April 17–21, 2023 as Public School Volunteer Week. Public School Volunteer Week provides a yearly opportunity for schools and families to honor and highlight the powerful contributions parents and caregivers provide at school and home to support student success. Public School Volunteer Week is held annually during the third week of April.

John Muir Day (4/21/2023)

From California Education Code Section 37222.11: (a) April 21 of each year is designated and set apart as John Muir Day, a day having special significance pursuant to Section 37222. (b) On John Muir Day, all public schools and educational institutions are encouraged to conduct exercises stressing the importance that an ecologically sound natural environment plays in the quality of life for all of us, and emphasizing John Muir's significant contributions to the fostering of that awareness and the indelible mark he left on the State of California.

Earth Day (4/22/2023)

The CDE encourages you to annually recognize April 22 as Earth Day.

End of Ramadan, Eid-al-Fitr** (4/22/2023)

At the end of the month of fasting, Muslims celebrate with observance of the holiday Eid al-Fitr, “the Festival of Breaking the Fast.”

Administrative Professionals Week

The CDE encourages you to recognize April 23–29, 2023 as Administrative Professionals Week. Administrative Professionals Week is celebrated in the last full week of April each year.

National Library Week

The CDE encourages you to celebrate April 23–29, 2023 as National Library Week. First sponsored in 1958, National Library Week is a national observance sponsored by the American Library Association and libraries across the country each April. It is a time to celebrate the contributions of our nation's libraries and librarians and to promote library use and support. All types of libraries—school, public, academic, and special—participate.

Genocide Remembrance Day (4/24/2023)

The CDE encourages you to recognize April 24, 2023 as Genocide Remembrance Day, honoring the many contributions that survivors of genocide have made to this country.

Administrative Professionals Day (4/26/2023)

The CDE encourages you to recognize April 26, 2023 as Administrative Professionals Day. Administrative Professionals Day is celebrated on the Wednesday of Administrative Professionals Week, which is on the last full week of April.

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Information only.

STRATEGIC PLAN/PRIORITY AREA:

Subject does not apply to a Strategic Plan Priority Area

HISTORY *(list previous staff or board action(s) with dates if possible)*

Not applicable.

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

Not applicable.

WHO *(list the name of the contact person(s), job title, and site location)*

Not applicable.

AGENDA ITEM

Agenda Title: Information Only: Meaningful Board Report (Future Annual Items)
Meeting Date: March 30, 2023
Item: Information Only

WHAT *(the board is asked to discuss, receive, approve, or adopt)*

Attached: Future Agenda Items

WHY *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

STRATEGIC PLAN/PRIORITY AREA:

HISTORY *(list previous staff or board action(s) with dates if possible)*

HOW MUCH *(list the revenue amount \$ and/or the expense amount \$)*

WHO *(list the name of the contact person(s), job title, and site location)*

ATTACHMENTS:

Description

- ▣ MBR - 2023

Meaningful Board Report

Governance | Future Board Agenda Items



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Board Meeting	<u>Superintendent's Office / Setting Direction & Governance</u> Fred Van Vleck, Ed.D.	<u>Educational Services / Student Learning & Achievement</u> Gary Storts	<u>Personnel Services</u> Renae Will	<u>Business Services Finance & Facilities</u> Paul Ziegler	<u>Student Services Special Education</u> Lisa Claussen
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Jan, 12, 2023	<p>Routine Revisions to Governance Handbook (Annual) (updated President/Clerk, etc.) - Moved to After March 14th Spec Mtg</p> <p>Sup's Eval Process - Submit Goals to Board (usually due by 2nd mtg in January -- check w/Fred)</p> <p>CDE Recognitions - Informational (for the following month)</p> <p>Info Item: MBR</p>	<p>4th Quarter Williams Uniform Complaints report</p> <p>SPSA Approval 2022-2023 (significant budget changes) Grant - Moved to February Meeting</p> <p>LCAP Board Update</p> <p>Approval of SARC-needs to be done prior to Feb 1st</p>	Distrib. Qualified Teachers	<p>State Budget Update (Depends on timing/release of State Budget - may move to Special Mtg or February Mtg)</p> <p>Enrollment Update</p> <p>IRS mileage and per diem rates</p>	<p>Approval of WestEd MOU for Healthy Kids Survey - moved from December 2022 mtg to January 2023</p> <p>Approval of MOU Foster Youth Regional Liaison Between Humboldt County Office of Education and Eureka City Schools (District) for 2022-2023 school year</p> <p>Approval of the 2022-2023 Tobacco-Use Prevention Education Grant Award Notification (Moved from Ed Services for previous years to Student Services forthcoming) - PENDING</p>
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Meaningful Board Report

Governance | Future Board Agenda Items



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					Attachment from Sheri Jensen on Thursday, January 5, 2023
Possible special meeting in January <u>Scheduled:</u> January 5th, 17th, 19th	Biennial (2023) or if new board member, revisit protocols, vision, and strategic plan prioritization				
Feb. 2, 2023	CDE Recognitions - Informational (for the following month) Info Item: MBR	SPSA Approval 2022-2023 (significant budget changes)-Grant - Moved from January meeting to February Meeting Common Core State Standards moved California Standards Tests (CAST - science only) LCAP Update	Classified Employee of the Year awards	Transportation Department Auditor's Report (Moved from December 15, 2022)	Pre-school programs (moved from January)

Meaningful Board Report

Governance | Future Board Agenda Items



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Note: No 2nd Meeting in February in 2023					
March 9, 2023	<p>Sup's Eval Process - Submit Goals to Board (moved from 2nd Feb Mtg)</p> <p>CDE Recognitions - Informational (for the following month)</p> <p>Info Item: MBR</p>	<p>Safe School Plans (moved from 2nd Feb Mtg)</p> <p>Instructional Coaches annual report and update Positive Prevention Plus (moved from 2nd Feb Mtg)</p> <p>LCAP Update</p> <p>Updated Con App (Spring) - Check w/Jen</p> <p>District Instructional Site Visit Update</p>	<p>Certificated non-re-elects/ layoffs</p>	<p>Technology infrastructure (Moved from 2nd February 2023 mtg)</p> <p>Second Interim</p> <p>Auditor selection (if needed) contracts good thru June 30, 2025</p>	<p>Special Education Program</p>
March 30, 2023 Reception in Room 114	<p>Board Meeting Dates for Following Year - Board Review</p> <p>Routine Revisions to Governance Handbook (Annual) (updated President/Clerk, etc.) - Moved from January to After March 14th Spec</p>	<p>After-School Education and Safety Program (ASES)</p> <p>LCAP Update-all survey responses</p> <p>1st Quarter Williams Uniform Complaints report</p> <p>Title VI-Indian Ed</p>	<p>Newly hired, newly permanent certificated, and newly permanent classified employee recognition</p>		

Meaningful Board Report

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	Mtg Info Item: MBR	Public Hearing-Prior to Part II of Grant			
April 26, 2023 (Wednesday)	First Meeting in April: Specification of Election Order Reso – not needed until 2024 for Areas 2 & 4 and in <u>2026 for Areas 1, 3, 5</u> CDE Recognitions - Informational (for the following month) Info Item: MBR	AVID Advancement via Individual Determination Visual and performing art Adult Education program LCAP Update		Long-term Facility Planning Update	Moved from January: Update on Student Wellness (per BP 5030) [added May 2017 - to be done every three years]
May 11, 2023	CDE Recognitions - Informational (for the following month) Info Item: MBR	Annual CTE Report (Career and technology plan for secondary schools including continuation HS and dual enrollment) LCAP Update DELAC update Recommendation for ELA 6-8	Certificated Employee of the Year	Enrollment Update Food Services Department Governor's May Revise (Depending on timing/release of budget - may move to first June Mtg)	

Meaningful Board Report

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June 1, 2023	Board Rec - to Outgoing Student Board Rep - if applicable. CDE Recognitions - Informational (for the following month) Study session athletics -? Info Item: MBR	District instructional norms Individual school bell schedule/ instructional minutes LCAP update Final approval ELA 6-8	Retired employee recognition School Calendar 2024-25 (Lincoln's BD Resolution required - Micalyn)	Proposed Budget	Marshall Family Resource Center report CDE Child Development Contracts
June 22, 2023	Info Item: MBR	Public hearing for LCAP Add: Covid-19 Written Report (LCAP) Annual Application of Con App (moved to August 27, 2020) SPSA-Title I Schools Sonoma MOU for induction (moved to August 6, 2020)		Public Hearing for Budget EPA Public Notice	-Added: IDT Agreement (updated)
June 27, 2023		LCAP adoption		Budget Adoption	

Meaningful Board Report

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(Tuesday)					
August 3, 2023	Report out to Bd on Community Outreach Fund (per Supt Contract) Micalyn - Finalize spreadsheet. REMINDER: Schedule Biennial (every other year) Training for Board - 2023, 2025 CDE Recognitions - Informational (for the following month) Info Item: MBR	MOU-City of Eureka ASES Sonoma MOU for induction Dual Enrollment MOU (part 1) 2nd Quarter Williams Uniform Complaints report Title VI GAN			Ratify MOU w/EPD
August 24, 2023	Biennial Notice for Conflict of Interest Code [Next: 2024, 2026] Info Item: MBR	Dual Enrollment MOU (part 2) Strategic Plan Outcomes Development Strategic Plan ASES GAN	Employee evaluation status report	Annual Application of ConApp	

Meaningful Board Report

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		CM NGSS			
Sept. 14, 2023	<p>Sup's Eval Process - Provide Update to Board on Goals</p> <p>Apple Pins - Send email reminder out to Principals that Apple Pin Awards accepted anytime throughout the year. (No longer solicited.)</p> <p>CDE Recognitions - Informational (for the following month)</p> <p>Info Item: MBR</p>	<p>1st Mtg - Strategic Plan Outcomes (this item will come before the Development of SP item, in October)</p> <p>LCAP update</p> <p>Update/Revise LCAP- Local Indicators -Late in 2022</p> <p>PUBLIC HEARING: Sufficiency of Instructional Materials</p> <p>Physical Fitness Test Results</p> <p>Per BP 6152.1: Annual report on student data related to placement and advancement in the mathematics courses at EHS (added 4.28.16) - Previously Occured in Oct/Nov/Dec - as</p>		<p>End of Summer Maintenance Project Report</p> <p>Certification of Unaudited Actuals Financial Report</p>	<p>Beginning of school year report on enrollment * interdistrict transfer update</p>

Meaningful Board Report

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		of 2023, moved to Sept.			
Oct. 5, 2023	CDE Recognitions - Informational (for the following month) Community School Update Info Item: MBR	2nd Meeting - Development/ Approval of the Strategic Plan Report to Board on English Learner progress (as per BP 6174(g) Click HERE Report on Federal Program Monitoring Findings CAASPP results			
Oct. 26, 2023	Info Item: MBR	American Indian Heritage Month (Nov) Career and Technical Education Advisory Committee 3rd Quarter Williams Uniform Complaints report Perfect score on the CAASPP -	Newly hired employees/ newly tenured teachers/ new permanent Classified employee recognition	Equipment Replacement Needs	

Meaningful Board Report

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		recognition Update California Science Tests (CAST - science only)			
Nov. 16, 2023	Notice of Scheduling Organizational Mtg (Consent) [Micalyn - Notify County Supt of mtg date/time] CDE Recognitions - Informational (for the following month) Info Item: MBR	LCAP update LCFF/CA Dashboard William's Settlement Follow-up-letter from HCOE			
Organizational Meeting Dec. 14, 2023	Clerk to President's position Nominate Clerk Nominate representative to cast vote for CC on SD Organization 2024 Board dates	Con App (Fall) - Jeanette to confirm new timeline placement		First Interim budget report Budget development calendar Auditor's Report Application to continue participation in	Approval of West Ed MOU for Healthy Kids Survey

Meaningful Board Report

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	<p>Annual review BP/AR</p> <p>Supt's Eval (Closed Session)</p> <p>Share MBBR (Study Session or email out?)</p> <p>Annual Review of BP/AR 5116.1 (Intradistrict Open Enrollment)</p> <p>Annual Review of BP/AR 6145 (Extracurricular and co-curricular activities)</p> <p>Biannual sexual harassment and Brown Act training (required in 2023, 2025)</p> <p>Prepare Doc for Board re: Yearly Stipend - confirm what meetings were attended v. absent (Jan-Dec)</p> <p>Sup's Eval Process</p>			categorical programs (?)	
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	- Provide update to Board on Status of Yearly Goals To-Date Info Item: MBR				
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