



TYPE: Regular Board Meeting

DATE: 3/9/2023 **TIME:** 6:00 PM **CODE:** Simulcast via Zoom Teleconferencing

LOCATION: Assembly Hall 1935 Bohemian Highway, Occidental, CA 95465 and Via Zoom Telecon

Closed session begins at 6 pm; open session begins at 7 pm. All documents relating to the following agenda items are available for public review in the Administrative Office of the Harmony Union School District during office hours at least 72 hours prior to the scheduled Board meeting. The Harmony District Board of Education meetings are open to the public, except for certain subjects that are addressed in closed session in accordance with the Ralph M. Brown Act. If anyone wishes to attend and requires special accommodations due to a handicapping condition, as outlined in the Americans with Disabilities Act, please contact the superintendent at least two working days prior to the meeting.

1.0 Call to Order

2.0 Pledge of Allegiance

3.0 Approval of the Agenda

4.0 Public Comment

- 4.1 For Closed Session: Members of the public may address the Board briefly on matters not on the agenda and are within the subject matter jurisdiction of the Board. Please state your name and address. In accordance with Board Policy 9323, speakers are to keep comments concise and limited to three minutes. The Public Comment item will be limited to a total of 20 minutes, absent approval to extend by the Board President. If there are several people who share the same issue, please chose one as your representative, and that person may be given additional time, if necessary. The Board values public comment, but by the Brown Act the Board shall not act upon, respond to, or comment on the merits of any item presented. The Board may ask clarifying questions of the presenter or refer the presenter to the District procedures. Members of the public may address the Board regarding items on the agenda at the time the item appears on the agenda. The Board President may move any agenda item to a different place on the agenda in order to accommodate the public or improve the flow of the meeting. Info

5.0 Closed Session

- 5.1 With respect to every item of business to be discussed in closed session Gov. Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATOR Name of Agency Negotiator: Matthew Morgan Name of organization representing employees: CSEA Info/Action
- 5.2 With respect to every item of business to be discussed in closed session Gov. Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATOR Name of Agency Negotiator: Matthew Morgan Name of organization representing employees: HUTA Info/Action
- 5.3 With respect to every item of business to be discussed in closed session pursuant to Gov. Code Section 54957.6: Update on Anticipated Litigation items Info

6.0 Reconvene to Open Session

- 6.1 Report out on action taken during closed session, if any Info

7.0 Communication

- A) Reports

- 7.1 HUTA Report
- 7.2 ARK Report
- 7.3 Pathways Director Report
- 7.4 Student Report
- 7.5 Board Member Reports
- 7.6 Superintendent/Principal's Report

B) Public Comment

7.7 For Open Session: Members of the public may address the Board briefly on matters not on the agenda and are within the subject matter jurisdiction of the Board. Please state your name and address. In accordance with Board Policy 9323, speakers are to keep comments concise and limited to three minutes. The Public Comment item will be limited to a total of 20 minutes, absent approval to extend by the Board President. If there are several people who share the same issue, please chose one as your representative, and that person may be given additional time, if necessary. The Board values public comment, but by the Brown Act the Board shall not act upon, respond to, or comment on the merits of any item presented. The Board may ask clarifying questions of the presenter or refer the presenter to the District procedures. Members of the public may address the Board regarding items on the agenda at the time the item appears on the agenda. The Board President may move any agenda item to a different place on the agenda in order to accommodate the public or improve the flow of the meeting.

C) Correspondence

8.0 Consent Agenda Action

- 8.1 Vendor Warrants Action
- 8.2 Approve the Consent Agenda Action

9.0 Information/Correspondence/Discussion

- 9.1 Enrollment Report Info
- 9.2 Discussion of school mascot and colors Info/Action
- 9.3 Discussion: Advocate with West County Transportation Agency to apply for the federal grants for electric buses through a letter or identify another way to advocate for zero particulate emissions transportation. Info/Action
- 9.4 Discussion: Battery Backup/Generator Info
- 9.5 Discussion of Covid masking policy Info
- 9.6 School to be in session on emergency days April 21 and April 24 due to use of emergency days for power outages. Info/Action

A) Board Member Development

10.0 Action Items

- 10.1 Consideration of District's 2nd Interim Report of Budget and Financial Progress for the 2022-23 school year Action

- 10.2 Second reading and adoption of new board policy and updates: Sept 2022 Info/Action
 BP 3515.3 District Police/Security Department AR 3515.3 District
 Police/Security Department BP 4118 Dismissal/Suspension/Disciplinary
 Action AR 4118 Dismissal/Suspension/Disciplinary Action BP 4119.1 Civil
 and Legal Rights BP 4219.1 Civil and Legal Rights BP 4319.1 Civil and Legal
 Rights BP 4140 Bargaining Units BP 4240 Bargaining Units BP 4340
 Bargaining Units AR 4161.2 Personal Leaves AR 4261.2 Personal Leaves AR
 4361.2 Personal Leaves AR 4161.5 Military Leave AR 4261.5 Military Leave
 AR 4361.5 Military Leave BP 4216 Probationary/Permanent Status BP 4218
 Dismissal/Suspension/Disciplinary Action AR 4218
 Dismissal/Suspension/Disciplinary Action BP 4218.1
 Dismissal/Suspension/Disciplinary Action (Merit System) BP 6146.1 High
 School Graduation Requirements Fill in Blanks AR 6146.1 High School
 Graduation Requirements Delete AR Yes No BP 6158 Independent Study AR
 6158 Independent Study BP 6164.2 Guidance/Counseling Services BP 6178
 Career Technical Education AR 6178 Career Technical Education BP 6200
 Adult Education AR 6200 Adult Education BP 7110 Facilities Master Plan BP
 7150 Site Selection and Development AR 7150 Site Selection and
 Development
- 10.3 Consideration of and Possible Action on Resolution 2022-23-6 Regarding Action
 Certificated Reduction in Force (1.0 F.T.E. – Layoff)
- 10.4 Layoff Classified Position: Business Services Technician (formerly Data Action
 Systems Technician)
- 10.5 Consideration of adopting transitional kindergarten age requirements to Action
 turning 4 by September 1 (mandatory age requirement at 2025-26)
- 10.6 Consideration of updated Cal OSHA Covid Safety Plan Action
- 10.7 Consideration and approval of Potential Change Order#59 ADA Parking Lot Action
 and Drop Off CCD#10
- 10.8 Consideration of security contract Info/Action

11.0 Next Board Meeting

12.0 Adjournment

Agendas have been posted at the Harmony School public bulletin board and the Harmony Union School District Website at www.harmonyusd.org.



Meeting Date: 3/9/2023 - 6:00 PM

Category: Public Comment

Type: Info

Subject:

4.1 For Closed Session: Members of the public may address the Board briefly on matters not on the agenda and are within the subject matter jurisdiction of the Board. Please state your name and address. In accordance with Board Policy 9323, speakers are to keep comments concise and limited to three minutes. The Public Comment item will be limited to a total of 20 minutes, absent approval to extend by the Board President. If there are several people who share the same issue, please chose one as your representative, and that person may be given additional time, if necessary. The Board values public comment, but by the Brown Act the Board shall not act upon, respond to, or comment on the merits of any item presented. The Board may ask clarifying questions of the presenter or refer the presenter to the District procedures.

Members of the public may address the Board regarding items on the agenda at the time the item appears on the agenda. The Board President may move any agenda item to a different place on the agenda in order to accommodate the public or improve the flow of the meeting.

Strategic Plans:

Policy:

Enclosure

File Attachment:

Description:

Background Information:

Fiscal Implications:

Recommendation:

Approvals:


Recommended
By:

Matthew Morgan - Superintendent/Principal




Harmony Union School District

AGENDA ITEM

| | |
|--------------------------------|--|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Closed Session |
| Type: | Info/Action |
| Subject: | 5.1 With respect to every item of business to be discussed in closed session Gov. Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATOR Name of Agency Negotiator: Matthew Morgan Name of organization representing employees: CSEA |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: | |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | - |
| Approvals: | Recommended By:  Matthew Morgan - Superintendent/Principal |




| | |
|--------------------------------|--|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Closed Session |
| Type: | Info/Action |
| Subject: | 5.2 With respect to every item of business to be discussed in closed session Gov. Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATOR Name of Agency Negotiator: Matthew Morgan Name of organization representing employees: HUTA |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: | |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | - |
| Approvals: | Recommended By:  Matthew Morgan - Superintendent/Principal |



Harmony Union School District

AGENDA ITEM

| | |
|--------------------------------|--|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Closed Session |
| Type: | Info |
| Subject: | 5.3 With respect to every item of business to be discussed in closed session pursuant to Gov. Code Section 54957.6: Update on Anticipated Litigation items |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: | |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | none- discussion only |
| Approvals: | Recommended By:  Matthew Morgan - Superintendent/Principal |



Harmony Union School District

AGENDA ITEM

| | |
|--------------------------------|--|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Reconvene to Open Session |
| Type: | Info |
| Subject: | 6.1 Report out on action taken during closed session, if any |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: | |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | |

Approvals:

Recommended
By:

Matthew Morgan - Superintendent/Principal



Harmony Union School District

AGENDA ITEM

Meeting Date: 3/9/2023 - 6:00 PM

Category: Reports

Type: Info

Subject: 7.1 HUTA Report

Strategic Plans:

Policy:

Enclosure

File Attachment:

Description:

**Background
Information:**

Fiscal Implications:

Recommendation:

Approvals:



Meeting Date: 3/9/2023 - 6:00 PM

Category: Reports

Type: Info

Subject: 7.2 ARK Report

Strategic Plans:

Policy:

Enclosure

File Attachment:

Description:

**Background
Information:**

Fiscal Implications:

Recommendation:

Approvals:

Recommended
By:

A handwritten signature in black ink that reads "Matthew Morgan".

Matthew Morgan - Superintendent/Principal



Harmony Union School District

AGENDA ITEM

| | |
|--------------------------------|--|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Reports |
| Type: | Info |
| Subject: | 7.3 Pathways Director Report |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: |  2022 CSSP with attachments.pdf |
| |  230309 PCS HUSD Board.pdf |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | |
| Approvals: | |

Comprehensive School Safety Plan

**2022-2023
School Year**

School: Pathways Charter School
CDS Code: 49707306120588
District: Harmony Union Elementary: Pathways Charter School
Address: 150 Professional Center Dr., Ste. C
Rohnert Park, Ca, 94928-2148
Date of Adoption: March 8, 2023
Date of Update: February 25, 2023
Date of Review:
- with Staff January 30, 2023
- with Law Enforcement TBD
- with Fire Authority TBD

Approved by:

| Name | Title | Signature | Date |
|-------------------|-------------------------------|-----------|------|
| Susan Takami | Executive Director | | |
| Kegan Donlan | Board Member | | |
| Michele Blaisdell | Principal, Marin | | |
| Andriana Sierra | Center Manager, Marin | | |
| Jill Dorsey | Principal, Solano/Napa | | |
| Alyssa Payne | Center Manager, Solano / Napa | | |
| Christine Bendik | Principal, Sonoma | | |
| Sue West | Center Manager, Sonoma | | |
| April Pirenian | HR / Fiscal Coordinator | | |

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Pathways Charter School's mission is to facilitate student growth, foster a team approach, and build strong relationships with a commitment to the vision that all students benefit from personalized attention to their educational needs. Pathways Charter School (PCS) provides a rigorous standards-based program utilizing a variety of instructional delivery models and a team approach to empower students to become educated, participating citizens in today's world.

In order for PCS to fulfill our mission we must provide a safe school and define what this means. The "Safe Schools: A Planning Guide for Action" provided by California State Department of Education states, "Safe schools are orderly and purposeful places where students and staff are free to learn and teach without the threat of physical violence or psychological harm. They are characterized by sensitivity and respect for all individuals, an environment of nonviolence, clear behavioral expectations, disciplinary policies that are consistently and fairly administered, students' affiliation and bonding to the school, support and recognition for positive behavior, and a sense of community on the school campus. Safe schools also are characterized by proactive security procedures, established emergency response plans, timely maintenance, cleanliness, and a nice appliance of the campus and classrooms."

It is the right of all students to attend campuses which are safe, secure, and peaceful (California Constitution, Article 1, Section 28 (c): Right to Safe Schools).

It is the policy and objective of Pathways Charter School to make every reasonable effort to conduct all operations as safely and efficiently as possible. It is the responsibility of the Executive Director to oversee the administration of the Comprehensive School Safety Plan.

The purpose of our Comprehensive School Safety Plan is:

- Create, promote, and communicate safety awareness and wellness in our daily work routines.
- Serve as a focal point and provide a comfortable, productive environment where employees, students, and parents feel at ease expressing concerns, issues or suggestions regarding safety and wellness.

Procedures that PCS will follow to ensure the health and safety of pupils and staff:

- This School Safety Plan is specific to our learning center sites and main office.
- The Board of Directors will review this plan annually at a regularly scheduled Board Meeting prior to the March 1 deadline of each school year.
- During the hiring process for all potential employees, PCS will conduct a criminal background check with the Department of Justice prior to finalizing the hire.
- PCS will conduct an annual safety drill and safety training at least one regional staff meeting of each school year. Emergency escape route maps are located throughout the office indicating escape routes out of the nearest doors. We have adequate escape routes and doors, and routes are easy to locate.
- Staff is instructed to contact 911 for any emergency situation. With the exception of the front door, all doors to the office(s) remain locked during school office hours.
- The PCS Child Abuse and Neglect Reporting Policy is provided to each employee upon hire and annually after that, at the start of the school year in the staff handbook. Further, every employee is required to complete an online Mandated Reporter Training (School Personnel Training Module) through an online platform.
- The Discrimination and Harassment Policy is provided to each employee upon hire and annually after that, at the start of the school year. This policy is located in the PCS Employee Handbook.

Last amended: 02/28/23

The Executive Director shall review Department of Justice reports on prospective employees, contractors, and volunteers to determine whether an employee may be employed in accordance with Education Code Section 44237, 44830.1 or 45125.1, except with respect to her or himself, in which case the President of the Charter School Board will review. The Executive Director shall monitor compliance with this policy and report to the Board of Directors.

Last amended: 02/25/23

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

BACKGROUND: According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

(CDE School Safety Plan Compliance Checklist guidance: Include Board policy and site-specific steps.)

REPORTING PROCEDURES

PCS is committed to the safety of all students and creating an environment free from all forms of abuse. PCS is committed to high standards and compliance with EC 32282. All school staff actively monitor the safety and welfare of all students and all school district employees are mandated reporters. Staff members understand their responsibility as childcare custodians and immediately report all cases of known and suspected child abuse to Child Protective Services and the school principal.

Child abuse must be reported when one who is a legally mandated reporter "...has knowledge of or observes a child in his or her professional capacity, or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse or neglect..." (PC 11166[a]). "Reasonable suspicion" occurs when "it is objectively reasonable for a person to entertain such a suspicion based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his or her training and experience, to suspect child abuse" (PC 11166[a][1]). Although wordy, the intent of this definition is clear: if you suspect, report.

Reports must be made immediately, or as soon as practically possible, by phone. A written report must be forwarded within 36 hours of receiving the information regarding the incident (PC 11166[a]). The written report must be submitted on a Department of Justice form (SS 8572), which can be obtained in the school office or at www.ag.ca.gov/childabuse.

When a case of child abuse becomes apparent or is suspected, the employee having knowledge of the abuse is to report the abuse to the police department and to Child Protective Services immediately, by phone, and to complete a written "Suspected Child Abuse Report" as soon as possible but no later than the required three days (36 hours). Plans are developed to assure ongoing monitoring of the student. School staff members work closely with police and Child Protective Services with follow up actions as needed. Considerable effort is made to maintain the confidentiality of the student and employee in all cases of child abuse reporting. Copies of all written reports are maintained in the school office.

The board recognizes the seriousness of incidents of childhood molestation and abuse and underscores state and federal regulations through this board action.

- Teachers must accept responsibility as mandated child abuse reporters to be employed with Pathways. In signing their yearly contract, the teacher acknowledges that he or she has received information regarding child abuse reporting obligations and procedures as specified in Penal Code section 11164.
- Incidents relating to allegations of Pathways' teachers involved in the sexual abuse or molestation of children will be immediately investigated.

EDUCATIONAL TEAM INTERACTION

Pathways Charter School (“PCS” or “School”) values the professional working relationship that is developed between members of the educational team (student, parent/guardian, and teacher). Furthermore, PCS recognizes its responsibility to make and enforce all rules and regulations governing student, parent, and staff behavior to bring about the safest and most effective learning environment possible.

STAFF/STUDENT INTERACTION

Purpose: It is the purpose of this policy to provide additional specificity to the standards of conduct embodied in current school ethics-related rules and regulations so that all members of the educational team of the school will better understand the prohibitions and behavior boundaries incumbent upon them.

The rules of conduct set forth in this policy are not intended to serve as an exhaustive list of requirements, limitations, or prohibitions on educational team members’ conduct and activities established by School. Rather, they are intended to:

- a. Alert educational team members to some of the more sensitive and often problematic matters involved in faculty/staff-student relationships;
- b. Specify boundaries related to potentially sexual situations and conduct that are contrary to accepted norms of behavior and in conflict with duties and responsibilities of educational team members; and
- c. Provide educational team members with clear guidance in conducting themselves in a manner that reflects high standards of professionalism.

It is important for PCS to maintain a school-wide culture in which students, families, and staff understand their responsibility to report misconduct without fearing retaliation from students, staff, or administration. In order to prevent abuse and/or exploitation, students and staff must know that the administration will support them when they report possible misconduct.

Although this policy gives clear direction regarding appropriate conduct between educational team members, staff, and students, each staff member is obligated to avoid situations that could prompt suspicion by parents, students, colleagues, or school leaders. One helpful standard that can be quickly applied when assessing whether your conduct is appropriate is to ask yourself, “Would I be doing this if the student’s family, or my colleagues or family, were standing next to me?”

Boundaries

For the purposes of this policy, the term “boundaries” is defined as acceptable professional behavior by staff members while interacting with a student. Trespassing the boundaries of a student/teacher relationship is deemed an abuse of power and a betrayal of public trust.

Acceptable and Unacceptable Behaviors

Some activities may seem innocent from a staff member’s perspective, but can be perceived as flirtation or sexual insinuation from a student or parent point of view. The objective of the following lists of acceptable and unacceptable behaviors is not to restrain positive relationships between staff and students, but to prevent relationships that could lead to, or may be perceived as, sexual misconduct.

Staff must understand their own responsibility for ensuring that they do not cross the boundaries as written in this policy. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this policy thoroughly and apply the lists of acceptable and unacceptable behaviors to their daily activities. Although good-natured, heartfelt interaction with students certainly fosters learning, student/staff interactions must always be guided by appropriate boundaries regarding activities, locations, and intentions.

Acceptable and Recommended Behaviors

Disaster Plan (See Appendix C-F)

BACKGROUND: According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(B) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.). The disaster procedures shall also include, but not be limited to, both of the following:

(i) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A school district or county office of education may work with the Office of Emergency Services and the Alfred E. Alquist Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(I) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff.

(II) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once each school quarter in elementary schools and at least once a semester in secondary schools.

(III) Protective measures to be taken before, during, and following an earthquake.

(IV) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(ii) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The school district or county office of education shall cooperate with the public agency in furnishing and maintaining the services as the school district or county office of education may deem necessary to meet the needs of the community.

(CDE School Safety Plan Compliance Checklist guidance: Use the Standardized Emergency Management System (SEMS) as detailed in the California Emergency Services Act 8607 and the supporting California Code of Regulations.)

INTRODUCTION

Public Employees are Disaster Service Workers

Under Government Code 3100, all school personnel are Disaster Service Workers. Staff is required to assist as needed throughout the disaster until they are released by Emergency Command Center personnel. During a declared disaster, school employees are required by law to serve as disaster service workers and cannot leave their school site until formally released. Certificated employees risk losing their teaching credentials. Classified employees may be charged with a misdemeanor. It is strongly recommended for all staff to develop a plan with your family with this in mind.

EARTHQUAKES AND FIRE SAFETY

Earthquake Procedure

In a major quake, you may experience gentle shaking at first and then more violent shaking within a few seconds. You may find it difficult to maintain your balance or it may even knock you off your feet. Or, you may be shaken by a sudden and violent jolt. It may be difficult or impossible to move from one room to the next. Within seconds, you'll feel the shaking stop.

Don't Panic:

- Remain calm and reassure students or staff.
- Act decisively; your action will set the tone for others around you.

If you are indoors when shaking starts:

- "DROP, COVER AND HOLD ON." If you are not near a strong table or desk, drop to the floor against an interior wall and cover your head and neck with your arms or stand in a doorway and direct students to do the same.
- Stay away from windows, bookcases, cabinets, outside walls and other heavy objects until the shaking stops.

Fire Emergency Procedure

In case of fire, the individual who discovers the fire shall assume these responsibilities:

- Call the Fire Department by dialing 911 and pulling the nearest fire alarm switch.
- If police or paramedics are needed, tell the 911 operator.
- If there isn't an alarm, be sure to tell everyone in the office.
- Clear everyone from the immediate area.
- Attempt to put out the fire with an extinguisher if possible, but do not jeopardize your safety to fight it.
- Close, but do not lock all doors leading to the fire areas to contain the fire.
- Have everyone exit the building; staff to check restrooms, test cells, etc.
- Assist disabled or injured persons while exiting.

Employees shall follow these safety guidelines:

- Do not panic; listen for instructions.
- Exit quietly and quickly.
- Touch doors before opening. Do not open hot doors. Do not break windows. If you cannot exit an area, stuff a jacket or coat under the door and cover air vents to prevent the entry of smoke. **STAY LOW TO THE FLOOR.**
- Do not assist fire-fighting personnel unless asked to do so.
- Do not attempt to salvage items or retrieve purses, coats, or other personal belongings.

Evacuation plans shall be posted in conspicuous locations throughout each building.

GUIDELINES FOR PEOPLE WITH DISABILITIES IN EMERGENCIES

Evacuation of people with disabilities will be given high priority in all emergencies. In an emergency situation, it is important that staff are familiar with the needs of people with disabilities. Whenever possible, people with disabilities will be positioned near a doorway for an easier exit.

The following guidelines are important to follow:

- People with disabilities should prepare for an emergency ahead of time by instructing a co-worker or supervisor on how to assist in the event of any emergency.
- If assistance is not immediately available, people with disabilities should remain near the stairwell landing or in the elevator lobby. Rescue personnel will first check all exit corridors and stairwells for those trapped. They should continue to call for help until rescued.
- Individuals, who cannot speak loudly, or with voice / speech impairments, should carry a whistle or have other means of attracting attention of others.
- Leave school materials in the room to avoid wasting time.
- Wait for rescue and remain calm.
- **DO NOT** re-enter a building until permitted by emergency personnel.

First Aid Kit & Fire Extinguishers

First Aid kits are available at the administrative office and at each learning center site where students and staff gather. The first aid kit contains medical supplies needed in case of minor accidents. Please report to your supervisor if the kit needs more supplies.

Fire extinguishers are accessible at the administrative office and learning centers. Please report to your supervisor if you need a new fire extinguisher or need to charge your existing one. Fire extinguishers are inspected annually by an outside company that provides this service.

Remember to notify your supervisor, the Executive Director, and the HR Coordinator immediately if you have any work-related accident or injury.

Driving a Vehicle as Part of One's Job

Some positions require that an employee drives to or between various sites during working hours. All drivers must, at all times, have a valid California drivers' license and possess at least the minimum of automobile insurance as required by PCS. If, at any time, an employee's license or insurance is terminated, revoked, cancelled or suspended, they must notify the school immediately and refrain from driving a motor vehicle until their license and/or insurance is reinstated.

Unless approval has been granted by the Executive Director, no employee shall transport a student or student's parent during working hours.

All drivers are expected to follow California's laws while driving on school business, including obeying speed limits and observing rules of the road. Moving violations, parking tickets, and accidents are an employee's responsibility and the Charter School will not reimburse for fines, tickets, or traffic school that are imposed as consequences of driving behaviors.

Site-Specific

Each learning center has a site-specific evacuation zone. Evacuation maps are posted at every site including for people with disabilities. Incident Command maps are in each folder in classrooms and the Center Manager's office at each site.

This Comprehensive Safety Plan has been developed in accordance with the intent of AB 1747 (Rodriguez), passed by the California State Legislature and signed into law in 2017-18, and in full compliance with the corresponding language required in AB 1747 as referenced in California Education Code Sections 47605.(b) (5) (F), 44237, and 32282.

Last amended: 02/25/23

Public Agency Use of School Buildings for Emergency Shelters

The Charter School leases office space from a private corporation and is not able to establish a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

BACKGROUND: According to the Education Code (EC § 32282)

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

No student is involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice is in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the right to initiate the procedures specified below for suspensions, before the effective date of the action. If the student's parent, guardian, or educational rights holder initiates the procedures specified below for suspensions, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the suspension and expulsion procedures described below.

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is 1) related to school activity, 2) school attendance occurring at Pathways or at any other school, or 3) a school sponsored event. A pupil may be suspended or expelled for acts that are enumerated below and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:

- a) while on school grounds;
- b) while going to or coming from school;
- c) during the lunch period, whether on or off the school campus; or
- d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

Discretionary Suspension Offenses: Students may be suspended for any of the following acts when it is determined the pupil:

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force of violence upon the person of another, except self-defense.
3. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
4. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
5. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
8. Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
9. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
10. Committed an obscene act or engaged in habitual profanity or vulgarity.
11. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.

- ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
- iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
- iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2. "Electronic Act" means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - c. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. An act of cyber sexual bullying.
 - a. For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - b. For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

24. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).

- 1. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
- 2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:
 - a. Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
- 3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:
 - a. Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b. Willfully used force or violence upon the person of another, except self-defense.
 - c. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.

s. Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

t. Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

u. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

1. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.

ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.

iii. Causing a reasonable student to experience substantial interference with his or her academic performance.

iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2. "Electronic Act" means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

i. A message, text, sound, video, or image.

ii. A post on a social network Internet Web site including, but not limited to:

a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

c. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. An act of cyber sexual bullying.

. For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

a. For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

v. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).

w. Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension.

Upon a recommendation of expulsion by the Executive Director or Executive Director's designee, the pupil and the pupil's parent/guardian or representative are invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Executive Director or designee upon either of the following determinations: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

D. Authority to Expel

As required by Education Code Section 47605(b)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled either by the neutral and impartial Charter School Board of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel to be assigned by the Board of Directors as needed. The Administrative Panel consists of at least three members who are certificated and neither a teacher of the pupil nor a member of the Charter School Board of Directors. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

E. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Executive Director or designee determines that the Pupil has committed an expellable offense.

In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the pupil makes a written request for a public hearing in open session three (3) days prior to the hearing.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the pupil. The notice shall include:

1. The date and place of the expulsion hearing;
2. A statement of specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of Pathway's disciplinary rules which relate to the alleged violation;
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the school to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student and/or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

F. Special procedures for Expulsion Hearings Involving Sexual Assault or Battery Offences

Pathways Charter School may, upon finding a good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations, which shall be examined only by the Governing Board, administrative panel, or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the accused pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board of Directors, which will make a final determination regarding the expulsion. The final decision by the Board of Directors shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Board of Directors is final.

If the Administrative Panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

I. Written Notice to Expel

The Executive Director or designee following a decision of the Board of Directors to expel, shall send written notice of the decision to expel, including the Board of Directors' adopted findings of fact, to the student or parent/guardian. This notice shall also include the following:

1. Notice of the specific offense committed by the student; and
2. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

The Executive Director or designee shall send a copy of the written notice of the decision to expel to the student's district of residence. This notice shall include the following:

1. The student's name; and
2. The specific expellable offense committed by the student

J. Disciplinary Records

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the District upon request.

K. No Right to Appeal

The pupil shall have no right of appeal from expulsion from the Charter School, as the Board of Directors' decision to expel shall be final.

L. Expelled Pupils/Alternative Education

Parents/guardians of pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. The Charter School works cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

M. Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Board of Directors at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or Pathways Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and the Charter School agree otherwise.

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent/guardian or Charter School may request a hearing.

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

v. Special Circumstances

Charter School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

The Executive Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

- a) Carries or possesses a weapon, as defined in 18 U.S.C. Section 930, to or at school, on school premises, or to or at a school function;
- b) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c) Has inflicted serious bodily injury, as defined by 20 U.S.C. Section 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

vi. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP/504 team.

vii. Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified as an individual with disabilities pursuant to IDEA and who has violated the Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if Pathways Charter School had knowledge that the student was disabled before the behavior occurred.

Pathways Charter School shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

- a) The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Pathways Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b) The parent has requested an evaluation of the child.
- c) The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

If Pathways knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEA-eligible children with disabilities, including the right to stay-put.

If Pathways Charter School had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. The Charter School shall conduct an expedited evaluation if requested by the parents; however, the student shall remain in the education placement determined by the Charter School pending the results of the evaluation.

Pathways Charter School shall not be deemed to have knowledge that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

Last amended: 2/25/23

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

BACKGROUND: According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(D) Procedures to notify staff of dangerous pupils pursuant to Section 49079.

(E) Sexual Harassment Policies (EC 212.6 [b])

BACKGROUND: According to the Education Code (EC § 32282):

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following: (E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

(CDE School Safety Plan Compliance Checklist guidance: Include complaint and investigation procedure.)

Non-discrimination Policy

TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION, AND BULLYING POLICY

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn and negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, Pathways Charter School ("PCS") prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means.

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of disability, pregnancy, gender, gender identity, gender expression, nationality, ancestry, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, childbirth or related medical conditions, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by federal, state, local law, ordinance or regulation. In addition, bullying encompasses any conduct described in the definitions set forth in this Policy. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

To the extent possible, PCS will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated, and/or bullied, and will take action to investigate, respond, address and report on such behaviors in a timely manner. PCS school staff that witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so. Moreover, PCS will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with which PCS does business, or any other individual, student, or volunteer. This policy applies to all employee, student, or volunteer actions and relationships, regardless of position or gender. PCS will promptly and thoroughly investigate any complaint of such misconduct prohibited by this Policy and take appropriate corrective action, if warranted.

Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator ("Coordinator"):

Executive Director

707-585-6513 or director@pathwayscharter.org

OR

April Pirenian

Human Resources

707-585-6514 or april.pirenian@pathwayscharter.org

DEFINITIONS

Prohibited Unlawful Harassment

- Verbal conduct such as epithets, derogatory jokes or comments or slurs Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis Retaliation for reporting or threatening to report harassment
- Deferential or preferential treatment based on any of the protected classes above.

The illustrations of harassment and sexual harassment above are not to be construed as an all inclusive list of prohibited acts under this Policy.

Prohibited Bullying

Bullying is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act. Bullying includes one or more acts committed by a student group or group of students that may constitute as sexual harassment, hate violence, or creates an intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing a reasonable pupil* or pupils in fear of harm to that pupil's or those pupils' person or property.
2. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable pupil to experience substantial interference with his or her academic performance.
4. Causing a reasonable pupil to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by PCS.

* "Reasonable pupil" is defined as a pupil, including, but not limited to, an exceptional needs pupil, who exercises care, skill and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

Cyberbullying is an electronic act that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Electronic act means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above
 - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated
 - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
3. An act of "Cyber sexual bullying" including, but not limited to: the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of "bullying," above, or a photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - a. "Cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
4. Notwithstanding the definitions of "bullying" and "electronic act" above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet

GRIEVANCE PROCEDURES

1. Reporting

All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of misconduct prohibited by this Policy, to intervene as soon as it is safe to do so, call for assistance, and report such incidents. The

4. Uniform Complaint Procedures

When harassment or bullying is based upon one of the protected characteristics set forth in this Policy, a complainant may also fill out a complaint form at any time during the process, consistent with the procedures laid out in this board policy. Please see board policy on UCP (Uniform Complaint Procedures).

5. Right of Appeal

Should the reporting individual find the Coordinator's resolution unsatisfactory, he/she may follow the Dispute Resolution Process found in Uniform Complaint Procedure Board Policy at the school's website www.pathwayscharter.org

Uniform Complaint Procedures:

Pathways Charter School's ("Charter School") policy is to comply with applicable federal and state laws and regulations. The Charter School is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this policy, persons responsible for conducting investigations shall be knowledgeable about the laws and programs which they are assigned to investigate. This complaint procedure is adopted to provide a uniform system of complaint processing for the following types of complaints:

1. Complaints of unlawful discrimination, harassment, intimidation or bullying against any protected group, including actual or perceived discrimination, on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, immigration status, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, medical condition, marital status, sex, or sexual orientation, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity; and
2. Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: Career Technical and Technical Education and Career Technical and Technical Training Programs, Foster and Homeless Youth Services, Every Student Succeeds Act / No Child Left Behind Act (2001) Programs (Titles I-VII), including improving academic achievement, compensatory education, limited English proficiency, and migrant education, Special Education Programs, and Tobacco-Use Prevention Education.
3. A complaint may also be filed alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below
 - a. "Educational activity" means an activity offered by a school, school district, charter school or county office of education that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.
 - b. "Pupil fee" means a fee, deposit or other charge imposed on pupils, or a pupil's parents or guardians, in violation of Section 49011 of the Education Code and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families' ability or willingness to pay fees or request special waivers, as provided for in *Hartzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:
 - i. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
 - ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.
 - iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.
 - c. A pupil fees complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees.
 - d. If the Charter School finds merit in a pupil fees complaint the Charter School shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the Charter School to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.
 - e. Nothing in this section shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or school districts, school, and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.

The following procedures shall be used to address all complaints which allege that the Charter School has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the Charter School. A complaint alleging unlawful discrimination, harassment, intimidation or bullying shall be initiated no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination, harassment, intimidation or bullying. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation or bullying. Pupil fee complaints shall be filed not later than one (1) year from the date the alleged violation occurred.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and date stamp. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, the Charter School staff shall assist him/her in the filing of the complaint.

Step 2: Mediation

Within three (3) days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process.

Before initiating the mediation of an unlawful discrimination, harassment, intimidation or bullying complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint. The use of mediation shall not extend the Charter School's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five (5) days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint.

A complainant's refusal to provide the Charter School's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation. The Charter School's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

Step 4: Response

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the Charter School's investigation and decision, as described in Step #5 below, within sixty (60) days of the Charter School's receipt of the complaint.

Step 5: Final Written Decision

For allegation(s) of noncompliance, please check the program or activity referred to in your complaint, if applicable:

c Special Education

c Pupil Fees

c Lactating Pupils

c No Child Left Behind Programs c Every Student Succeeds Act Prog.

c Local Control Funding Formula

c Career/Technical Education c Foster/Homeless Youth

c Tobacco-Use Prevention Education

For allegation(s) of unlawful discrimination, harassment, intimidation or bullying, please check the basis of the unlawful discrimination, harassment, intimidation or bullying described in your complaint, if applicable:

- Age
- Ancestry
- Color
- Disability (Mental or Physical)
- Ethnic Group Identification
- Medical Condition
- Gender / Gender Expression / Gender Identity
- Genetic Information National Origin Race or Ethnicity Religion
- Sex (Actual or Perceived)
- Sexual Orientation (Actual or Perceived)
- Based on association with a person or group with one or more of these actual or perceived characteristics
- Marital Status

- complaint with the immediate supervisor have failed or if not appropriate; and
2. The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. The Executive Director or designee will then investigate the facts and provide a solution or explanation;
 3. If the complaint is about the Executive Director, the complainant may file his or her complaint in a signed writing to the Chair of the Board of Directors, who will then confer with the Board of Directors and may conduct a fact-finding or authorize a third party investigator on behalf of the Board of Directors. The Chair or investigator will report his or her findings to the Board of Directors for review and action, if necessary.

This policy cannot guarantee that every problem will be resolved to the employee's satisfaction. However, the Charter School values each employee's ability to express concerns and the need for resolution without fear of adverse consequence to employment.

POLICY FOR COMPLAINTS GENERALLY

(General Complaints and Complaints by Third Parties against Employees)

This section of the policy is for use when either a complaint does not fall under other complaint procedures or a third party (non-employee) raises a complaint or concern about the Charter School generally, or a Charter School employee. If complaints cannot be resolved informally, complainants may file a written complaint with the office of the Executive Director or President of the Board of Directors (only if the complaint concerns the Executive Director) as soon as possible after the events that give rise to the complainant's concerns. The written complaint should set forth in detail the factual basis for the complaint.

In processing the complaint, the Executive Director (or designee) shall abide by the following process:

1. The Executive Director or designee shall use his or her best efforts to ascertain the facts relating to the complaint. Where applicable, the Executive Director or designee shall talk with the parties identified in the complaint or persons with knowledge of the particulars of the complaint to ascertain said facts.
2. In the event that the Executive Director (or designee) finds that a complaint is valid, the Executive Director (or designee) may take appropriate action to resolve the problem. Where the complaint is against an employee of the Charter School, the Executive Director may take disciplinary action against the employee. As appropriate, the Executive Director (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Executive Director's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors of the Charter School. The decision of the Board of Directors shall be final.

GENERAL REQUIREMENTS

1. Confidentiality: All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances, absolute confidentiality cannot be assured.
2. Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.
3. Resolution: The Board of Directors (if a complaint is about the Executive Director) or the Executive Director or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

Last amended: 02/24/23

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

BACKGROUND: According to the Education Code (EC § 32282):

- (2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

During the school day, student safety is ensured by a constant monitoring of where students are through floating staff members and clearly articulated visitation rules. Students do not leave the classrooms to use the bathrooms without letting staff know and are not to go other places on campus.

Visitors:

Staff members are vigilant about classroom and school visitors and all school guests are required to sign in at the office. If a person's presence on campus is questioned, the police department is contacted.

LEARNING CENTERS:

Rohnert Park

Drop-off locations are in the front of the learning center.

Parking is in the front and rear of the building. Students, parents and staff should be cautious of other parking vehicles at the time of drop-off and pick-up. Students who walk home should use caution when crossing Commerce Blvd.

Vallejo

Drop-off locations are in main parking lot of the building of the learning center.

Parking is in the rear of the building. Students, guardians, and staff should be cautious of the multiple bus stops along York Street, the bus terminal behind the parking lot and directly to the west, the bar on the corner of York Street, poor lighting in parking lot, and transient people passing through the parking area.

San Rafael

Drop-off locations are in the front of the learning center. Parking is in the front and rear of the building. Students, guardians, and staff should be cautious of other parking vehicles at the time off drop off and pick-up. Students who walk home should use caution crossing Redwood.

Last amended: 02/25/23

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

TEACHER AND STAFF CONDUCT

It is the policy of the school that all staff are representatives of the school and that they conduct themselves in a professional manner while on duty.

1. Certificated staff are considered "on duty" during the following situations:
 - 1.1 when meeting with a family or student in a public location (library, restaurant, etc.) for the explicit purpose of supporting learning, as per their job description.
 - 1.2 while undertaking any duty or assignment given them by school administration, such as an adjunct duty or conference attendance.
2. Classified staff are considered "on duty" during their specified hours of employment and during the performance of other assigned duties.
3. The following are some indicators of professional conduct:
 - 3.1 use of appropriate language;
 - 3.2 a manner of dress which is appropriate to the situation;
 - 3.3 use of constructive listening and speaking skills;
 - 3.4 while working with student or parent, focus on matters relating to educational mission;

REGISTRATION OF VISITORS AND GUESTS

Posting of Notice

The Executive Director or their designee shall post at every entrance a notice setting forth school hours, visitor registration location and requirements, penalties for refusing to leave the premises, and any other announcements required by the local law enforcement agency in order to pursue the arrest of persons found loitering or trespassing.

Procedures

1. Any person who is not a student of Pathways, a parent or guardian at school for drop-off, pick-up or a scheduled meeting or a Pathways officer or employee shall register his or her presence and the reason for visiting to the Executive Director or designee immediately upon entering the premises.
2. The Executive Director or designee shall provide identification to be used by all visitors at all times while on the premises. The visitor shall make this identification visible at all times.
3. All visitors registering with the Executive Director or designee, including immigration-enforcement officers (unless exigent circumstances necessitate immediate action and if the immigration officer does not possess a judicial warrant or court order that provides a basis for the visit) will provide the Executive Director or designee with their name, address, occupation, age, if less than twenty-one years-old, their purpose for entering the premises, and present proof of identity and any other information as required by law.
4. No person who furnishes the information set forth in this policy and who provides proof of identity shall be denied registration except if the Executive Director or designee has reasonable basis for concluding that the visitor's presence will or is likely to disrupt the school, its students, its teachers, or other employees or volunteers or result in damage to property or will result in the distribution or use of unlawful or controlled substances.
5. The Executive Director or designee may revoke a visitor's registration if the Executive Director or designee has reasonable basis for concluding that the visitor's presence on the premises would likely interfere or is interfering with the peaceful conduct of school activities, is interrupting classroom activities or is disrupting the school, its students, its teachers, or its other employees or volunteers.
6. Charter School employees and volunteers should at all times watch for strangers on the school premises. Employees or volunteers

Opportunity for Improvement:

Add section addressing destruction of school property

| Objectives | Action Steps | Resources | Lead Person | Evaluation |
|------------|--------------|-----------|-------------|------------|
| | | | | |

Component:

Student Conduct Code

Element:

Opportunity for Improvement:

Calibrate the Student Conduct Code section with the Student Handbook

| Objectives | Action Steps | Resources | Lead Person | Evaluation |
|------------|--------------|-----------|-------------|------------|
| | | | | |

Component:

Hate Crime Reporting Procedures

Element:

Opportunity for Improvement:

Calibrate this component with the Staff Handbook.

| Objectives | Action Steps | Resources | Lead Person | Evaluation |
|------------|--------------|-----------|-------------|------------|
| | | | | |

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Pathways Charter School Student Conduct Code

Conduct Code Procedures

See the Student Conduct Code procedures in the Student Handbook.

(K) Hate Crime Reporting Procedures and Policies

See the Hate Crime Reporting Procedures and Policies in the Staff Handbook

1. When is the bomb going to explode?
2. Where is the bomb right now?
3. What kind of bomb is it?
4. What does the bomb look like?
5. Why did you place the bomb?
6. Where are you calling from?
 - Record the exact time and length of the call.
 - Write down the exact words of the caller.
 - Listen carefully to the caller's voice and background noise.
 - After you hang up, call 9-1-1 immediately from a hard-wired telephone – do not use cell phones to report a bomb threat.

Last amended: 02/24/23

Procedures for Preventing Acts of Bullying and Cyber-bullying

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn and negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, Pathways Charter School ("PCS") prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means.

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of disability, pregnancy, gender, gender identity, gender expression, nationality, ancestry, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, childbirth or related medical conditions, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by federal, state, local law, ordinance or regulation. In addition, bullying encompasses any conduct described in the definitions set forth in this Policy. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

To the extent possible, PCS will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated, and/or bullied, and will take action to investigate, respond, address and report on such behaviors in a timely manner. PCS school staff that witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so. Moreover, PCS will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with which PCS does business, or any other individual, student, or volunteer. This policy applies to all employee, student, or volunteer actions and relationships, regardless of position or gender. PCS will promptly and thoroughly investigate any complaint of such misconduct prohibited by this Policy and take appropriate corrective action, if warranted.

Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator ("Coordinator"):

Executive Director
707-585-6513 or director@pathwayscharter.org

OR

April Pirenian
Human Resources
707-585-6514 or april.pirenian@pathwayscharter.org

"Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.

Safety Plan Review, Evaluation and Amendment Procedures

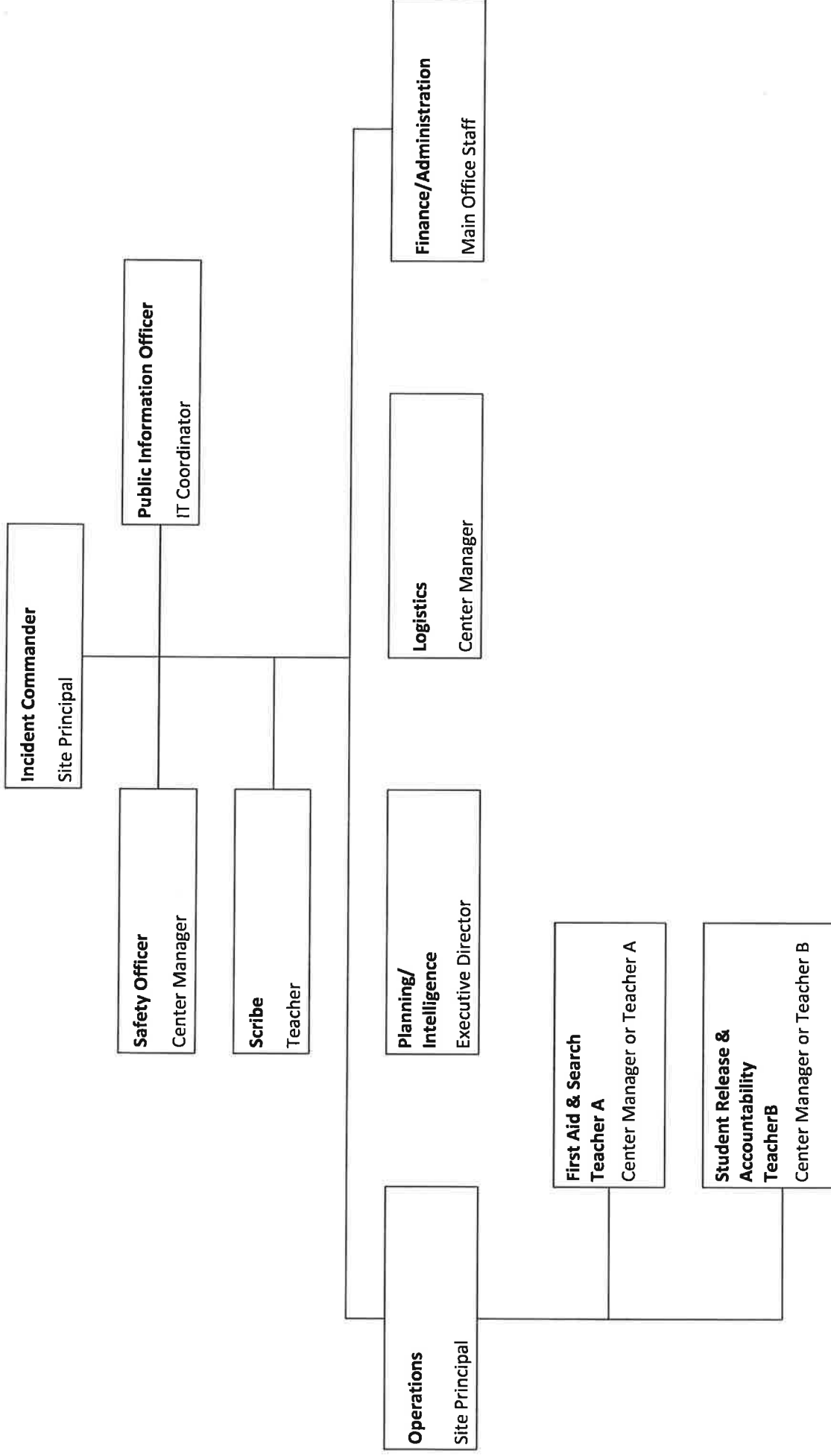
Pathways Safety Plan will be reviewed regularly as part of monthly Safety Committee meetings and Board meetings for review and approval.

Emergency Contact Numbers

Utilities, Responders and Communication Resources

| Type | Vendor | Number | Comments |
|--------------------------------|-----------------------------------|---------------|-----------------|
| Law Enforcement/Fire/Paramedic | | 911 | |
| Other | Suicide Prevention Hotline | 988 | |
| Emergency Services | | 911 | |
| School District | Sonoma County Office of Education | | |
| Public Utilities | | | |
| City Services | | | |

Pathways Charter School Incident Command System



Emergency Response Guidelines

Step One: Identify the Type of Emergency

Step 1: Identify the Type of Emergency

Step Two: Identify the Level of Emergency

Step 2: Identify the Level of Emergency

Step Three: Determine the Immediate Response Action

Step 3: Determine the Immediate Response Action

Step Four: Communicate the Appropriate Response Action

Step 4: Communicate the Appropriate Response Action

Unlawful Demonstration or Walkout

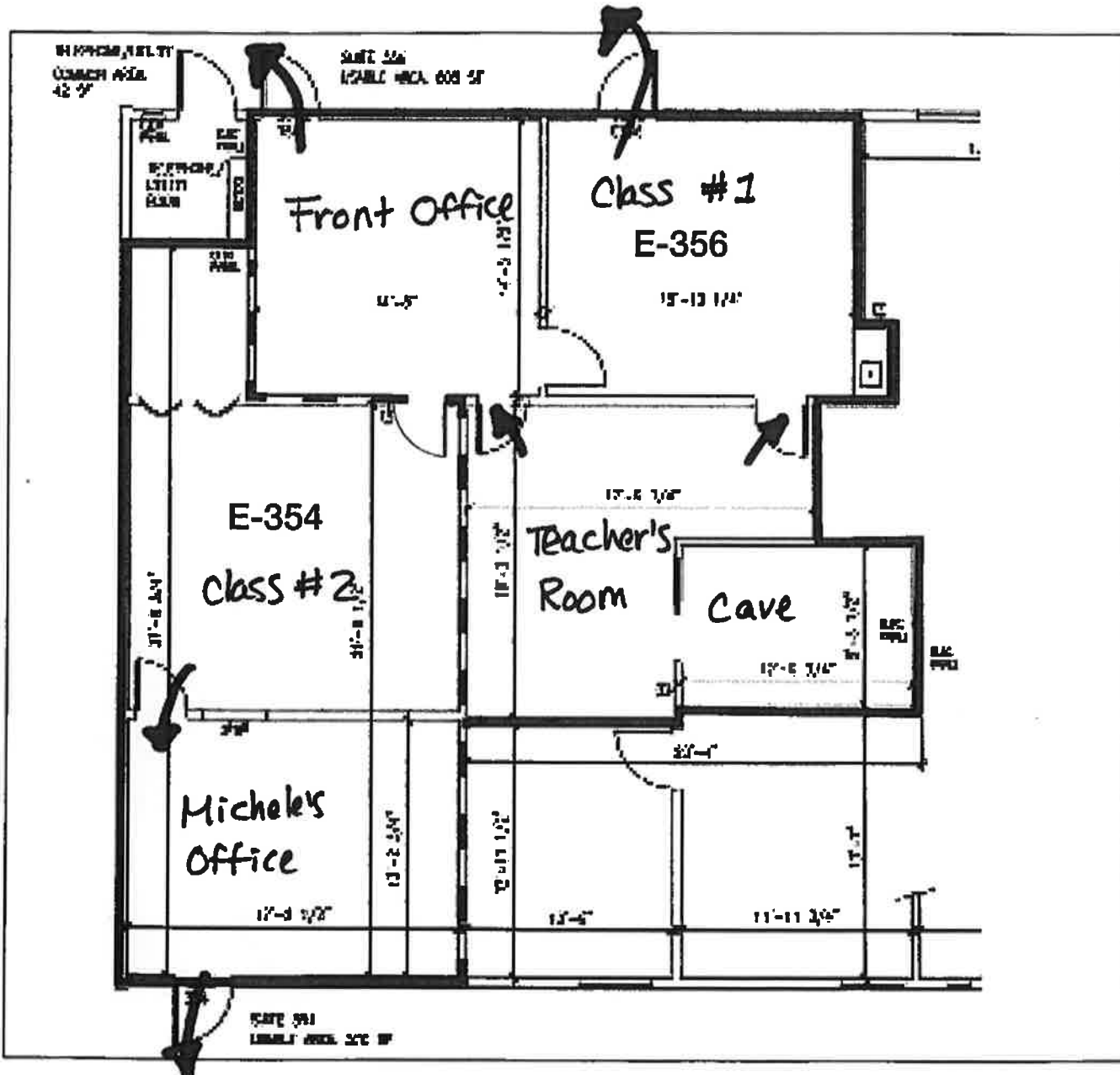
Emergency Operations

When a Learning Center needs to close or the entire school closes, staff and students need clear direction on our plans. The following four scenarios are outlined with clear definitions of how we will operate. Teachers should prepare accordingly by developing alternative lessons in the event of a Learning Center closure.

| Situation | Status | Notifications | Class Operations | Teacher Prep |
|--|---|--|---|--|
| Single Learning Center closure <i>(with at least 4+ hours notice, generally evening before)</i> | Shift Online | Regional Text alert to Staff and Staff Website banner | All regional classes run online | If a specific teacher cannot teach their class (evacuated, power etc), Principal subs using emergency sub plan |
| Single Learning Center closure <i>(with less than 4 hours notice)</i> <i>Something that impacts the actual building</i> | Shift Online | Regional Text alert to Staff and Staff Website banner | No regional on-site classes, students do emergency alternative async assignment Schoolwide online classes still held | Class teachers direct students to emergency alternative async assignment plan |
| Regionwide Emergency <i>(ex. widespread evacuation or power outages within a region)</i> | Learning Center Closure ADA day under IS | Regional Text alert to Staff and Staff Website banner | No classes held on-site or in-person Students do IS work as able | As able, teachers check on students to ensure a safe home environment, share resources, and communicate student/family health and safety needs to their supervisor |
| Schoolwide Emergency <i>(ex. widespread evacuation or power outages in multiple regions)</i> | Learning Center Closure ADA day under IS | Schoolwide Text alert to Staff and Staff Website banner | No classes held on-site or in-person Students do IS work as able | As able, teachers check on students to ensure a safe home environment, share resources, and communicate student/family health and safety needs to their supervisor |

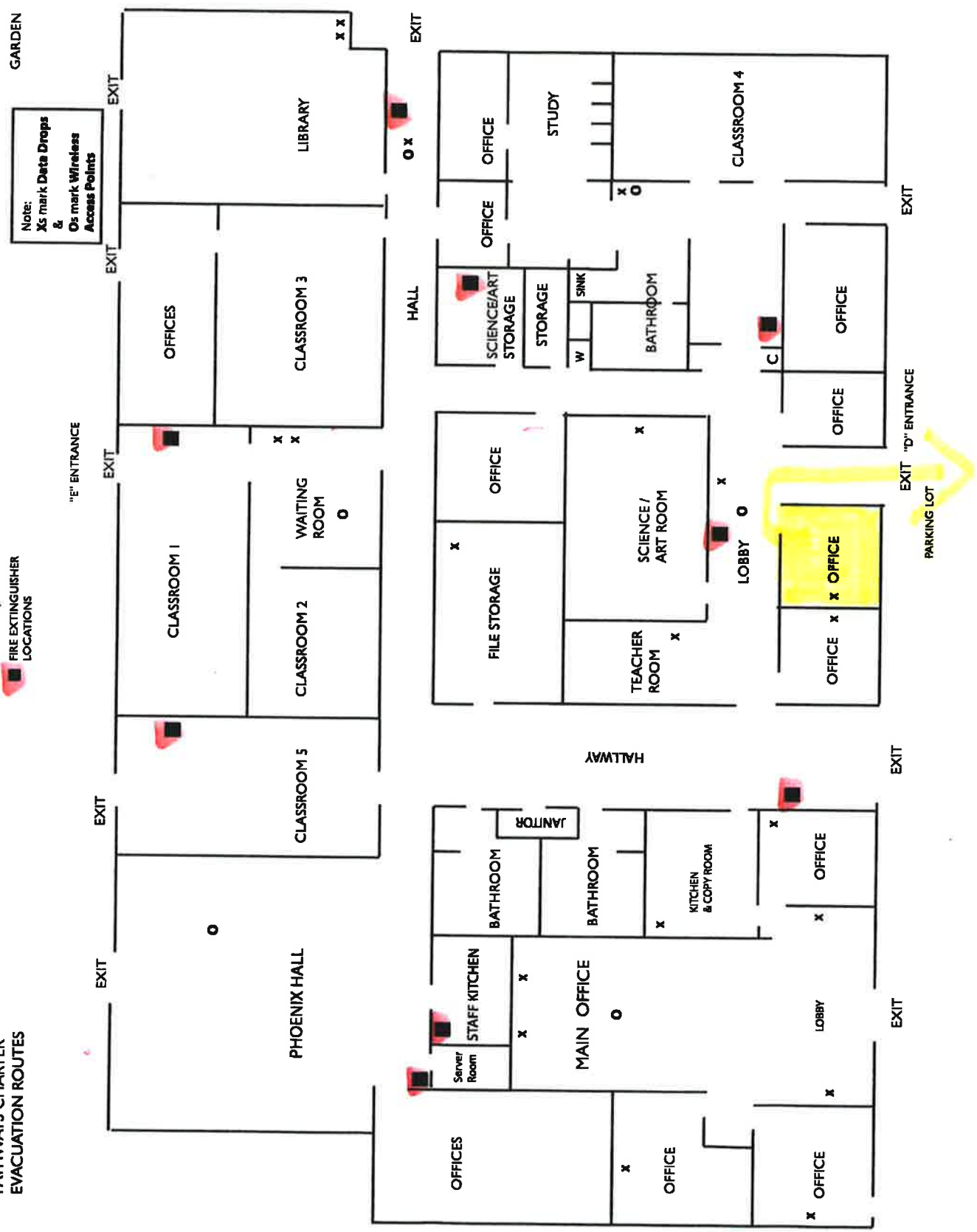
La Plaza Office Complex - 4340 Redwood Hwy., San Rafael, CA 94903

ESuite E-354/E-356 Floor Plan of Premises



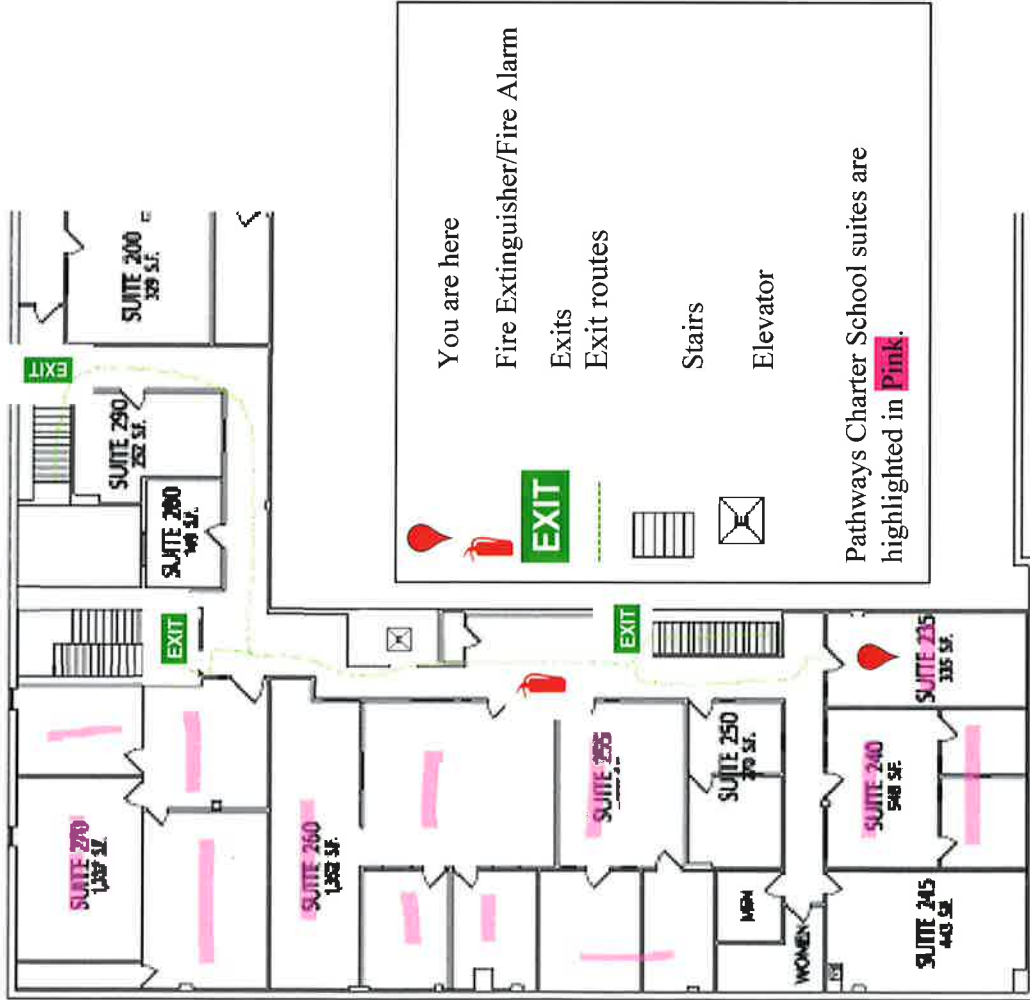
EVACUATION AREA

**PATHWAYS CHARTER
EVACUATION ROUTES**



EVACUATION PLAN- 2ND FLOOR

York Street



SECOND FLOOR PLAN -16-387 SE

Georgia Street

EVACUATION PROCEDURES

- FOLLOW POSTED EVACUATION ROUTES.
- WHEN ALARM SOUNDS, LEAVE IMMEDIATELY BY NEAREST EXIT.
- PROCEED IN ORDERLY MANNER TO ASSEMBLY POINT.
- REMAIN AT ASSEMBLY POINT UNTIL ALL-CLEAR IS GIVEN.

IN CASE OF FIRE CALL 911

IN CASE OF EMERGENCY, PULL FIRE ALARM, USE STAIRWAY FOR EXIT.

DO NOT USE ELEVATORS.

Fire alarm will sound and lights will flash. Listen for instructions.

Use CARE:

Close doors

Alert others

Report fire; call 911

Evacuate (as is safe)

PERSONS WITH DISABILITIES



SHALL CALL 911, REPORT THEIR LOCATION, PROCEED TO THE NEAREST STAIRWELL, AND AWAIT ASSISTANCE.

Pathways Charter School

Date: March 9, 2023
To: Harmony Union School District Board
From: Susan Takami, Executive Director

Re: Pathways Charter School Board Report - March 2023

Enrollment & Recruitment / Staffing

- Lottery March 20th
- Target enrollment for 2023-24 = 340
- Recruiting for Napa/Solano site
 - .5 general education/.5 special education teacher
 - 1. FTE Independent Study teacher

Pathways Board Meeting: March 8, 2023

- Approvals:
 - 2021-22 audit
 - 2022-23 revised budget
 - Second interim financial report
 - Arts, Music, and Instructional Materials Discretionary Block Grant plan
 - 2022-23 Safety Plan (attached as part of this report)
- Approved contract for Educational Consultant through June 30, 2023
 - At February 23rd Special Board Meeting: accepted Executive Director's resignation through contract end June 30th

Spring Break March 27-31



Harmony Union School District

AGENDA ITEM

Meeting Date: 3/9/2023 - 6:00 PM

Category: Reports

Type: Info

Subject: 7.4 Student Report

Strategic Plans:

Policy:

Enclosure

File Attachment:

Description:

**Background
Information:**

Fiscal Implications:

Recommendation:

Approvals:

Recommended
By:

Matthew Morgan - Superintendent/Principal



Harmony Union School District

AGENDA ITEM

| | |
|--------------------------------|--------------------------|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Reports |
| Type: | Info |
| Subject: | 7.5 Board Member Reports |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: | |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | |

Approvals:

Recommended
By:

Matthew Morgan - Superintendent/Principal



Harmony Union School District

AGENDA ITEM

| | |
|--------------------------------|---------------------------------------|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Reports |
| Type: | Info |
| Subject: | 7.6 Superintendent/Principal's Report |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: | |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | |

Approvals:

Recommended
By:

A handwritten signature in black ink that reads "Matthew Morgan".

Matthew Morgan - Superintendent/Principal



Meeting Date: 3/9/2023 - 6:00 PM

Category: Public Comment

Type: Info

Subject:

7.7 For Open Session: Members of the public may address the Board briefly on matters not on the agenda and are within the subject matter jurisdiction of the Board. Please state your name and address. In accordance with Board Policy 9323, speakers are to keep comments concise and limited to three minutes. The Public Comment item will be limited to a total of 20 minutes, absent approval to extend by the Board President. If there are several people who share the same issue, please chose one as your representative, and that person may be given additional time, if necessary. The Board values public comment, but by the Brown Act the Board shall not act upon, respond to, or comment on the merits of any item presented. The Board may ask clarifying questions of the presenter or refer the presenter to the District procedures.

Members of the public may address the Board regarding items on the agenda at the time the item appears on the agenda. The Board President may move any agenda item to a different place on the agenda in order to accommodate the public or improve the flow of the meeting.

Strategic Plans:

Policy:

Enclosure

File Attachment:

Description:

**Background
Information:**

Fiscal Implications:

Recommendation:

Approvals:

Recommended
By:

Matthew Morgan - Superintendent/Principal



Harmony Union School District

AGENDA ITEM

| | |
|--------------------------------|------------------------------------|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Consent Agenda |
| Type: | Action |
| Subject: | 8.1 Vendor Warrants |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: | |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | Approve through the consent agenda |

Approvals:

Recommended
By:

Matthew Morgan - Superintendent/Principal



Meeting Date: 3/9/2023 - 6:00 PM
Category: Consent Agenda
Type: Action
Subject: 8.2 Approve the Consent Agenda

Strategic Plans:

Policy:

Enclosure

File Attachment:

Description:

The Consent Agenda, sometimes called the Consent Calendar, is for routine items that require Board action. Board members may request that any consent item be removed for purposes of discussion, and then acted upon as a separate item.

Background Information:

Fiscal Implications:

Recommendation: That Board approves the consent agenda as shown.

Approvals:

Recommended
By:

Matthew Morgan - Superintendent/Principal



Harmony Union School District

AGENDA ITEM

| | |
|--------------------------------|---------------------------------------|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Information/Correspondence/Discussion |
| Type: | Info |
| Subject: | 9.1 Enrollment Report |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: | |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | |

Approvals:

Recommended
By:

Matthew Morgan - Superintendent/Principal



Harmony Union School District

AGENDA ITEM


| | |
|--------------------------------|---|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Information/Correspondence/Discussion |
| Type: | Info/Action |
| Subject: | 9.2 Discussion of school mascot and colors |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: | |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | Discussion only- possible action at a later meeting |

Approvals:

Recommended
By:

Matthew Morgan - Superintendent/Principal



| | |
|--------------------------------|--|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Information/Correspondence/Discussion |
| Type: | Info/Action |
| Subject: | 9.3 Discussion: Advocate with West County Transportation Agency to apply for the federal grants for electric buses through a letter or identify another way to advocate for zero particulate emissions transportation. |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: | |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | Discussion with future action |
| Approvals: | Recommended By:  Matthew Morgan - Superintendent/Principal |



Harmony Union School District

AGENDA ITEM

| | |
|--------------------------------|--|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Information/Correspondence/Discussion |
| Type: | Info |
| Subject: | 9.4 Discussion: Battery Backup/Generator |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: | |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | |

Approvals:


Recommended
By:


Matthew Morgan - Superintendent/Principal



Meeting Date: 3/9/2023 - 6:00 PM
Category: Information/Correspondence/Discussion
Type: Info
Subject: 9.5 Discussion of Covid masking policy
Strategic Plans:
Policy:
Enclosure

File Attachment:

 HUSD COVID19 Student and Family Handbook 2022-23 March.pdf

 s41579-022-00822-w.pdf

Description:

Background Information:

Fiscal Implications:

Recommendation: discussion only at this time

Approvals:

Recommended
By:

A handwritten signature in black ink that reads "Matthew Morgan".

Matthew Morgan - Superintendent/Principal



Harmony
Union School District

**STUDENT AND FAMILY
HANDBOOK FOR
COVID 19 SAFETY
2022-2023**

March 9, 2023 Update



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Overview

Harmony Union School District (HUSD) goal is to ensure a safe and healthy environment for students, reduce the risk of COVID-19 transmission among students, and the public, and quickly respond to infections when they occur. This handbook has been developed in accordance with the most recent guidance from the California Department of Public Health (CDPH), Sonoma County Department of Health Services, Sonoma County Office of Education (SCOE), HUSD Board of Trustees and HUSD Administration. It is intended to serve as a helpful resource for students and families. The protocols and practices outlined within this document are effective as of the date noted on the cover page and in the page footers.

Noteworthy Changes in this Update

- **The HUSD Volunteer Policy:** Effective September 17th the California Department of Public Health and Sonoma County's public health department will no longer require school volunteers who have not been fully vaccinated against COVID-19 to take an antigen or PCR test before volunteering.
- **Testing:** HUSD no longer provides onsite testing. HUSD will provide Over-the-Counter test kits to families for symptoms, exposures and returns from travel and vacations. Parents will be responsible for testing their child and providing results to the school for return. It is strongly recommended to keep a supply of test kits at home
- **Acceptable Tests for Symptomatic Students to Return to School:** Results from rapid antigen or *At-Home* or *Over-The-Counter* tests will now be accepted to return to school when students experience symptoms of COVID-19.
- **Acceptable tests after a positive diagnosis:** Results from Antigen *At-Home* or *Over-The-Counter* tests are accepted to return to school after testing positive for COVID-19. Follow CDPH isolation protocols.
- **Outbreak Intervention/Management:** This process will be guided by local epidemiology, with particular attention paid to concern for in-school transmission, and conducted in collaboration with CDPH and SCOE. If temporary changes to HUSD COVID-19 safety policies and protocols are warranted in these instances, HUSD Administration and/or your student's school site will closely monitor the situation as well as communicate the specific details of the required changes and their duration depending on the scope and severity of the outbreak.
- **Masking:** Strongly recommended indoors, but not required. However, Administration may require masking for some indoor situations (recent exposures or outbreaks) and events to stop secondary case spread. If masking is required, daily negative antigen tests may be used in lieu of wearing a mask for the day on which the negative test was conducted and submitted.
- **Exposure Tracing and Notification:** HUSD will continue to provide general exposure notification to students and families.
- **Isolation Protocols after Positive Diagnosis:** We have aligned with the CDPH guidance for isolation protocols and timeline for release from isolation when a student tests positive for COVID-19.

The requirements, recommendations and protocols outlined in this Student and Family COVID-19 Safety Handbook **apply to all extracurricular activities that are operated or supervised by HUSD schools as well as all activities that occur on a HUSD school site and/or include HUSD students, whether or not they occur during school hours.** Examples may include, but are not limited to, sports, band/chorus, clubs, special events, fundraisers and PTA or parent-led events/activities.

Harmony Union School District will continually monitor updates from State and County Departments of Public Health and make adjustments to these protocols accordingly to ensure we remain aligned with requirements. Therefore, this document is intended to serve as a dynamic plan that will adapt to the many changes we will encounter as the school year continues. This plan will not address every situation, but we will face new challenges as they arise with transparency, resilience and partnership as we all work together as a school community to make the rest of this school year as safe, enriching and fun as possible for every member of our HUSD community.

Please remember, your input is helpful. Parents/Guardians and students are empowered with the authority and hold the responsibility to exercise their own individual leadership in encouraging health and safety considerations in all aspects of our school programs. As such, parents/guardians and students are encouraged to respectfully share their input and perspectives about District safety protocols with District/School leadership. As District/School leaders consider whether feedback can/will lead to a change in policy or protocols, please continue to honor the HUSD COVID-19 safety protocols in place until they are changed.

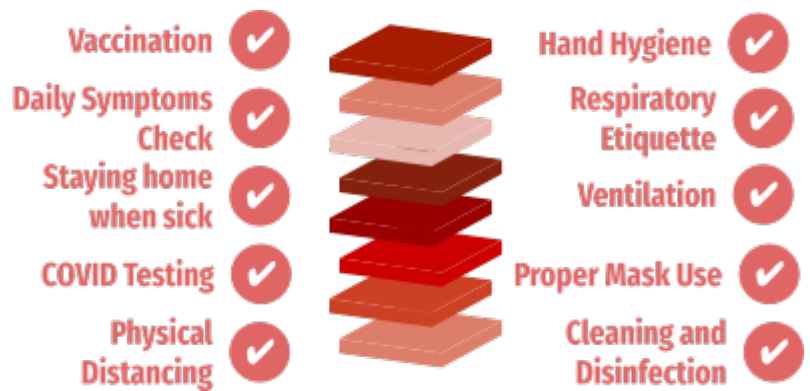
General Reminders to help us maintain a safe and healthy learning environment

Harmony Union School District is a community and minimizing the risk of COVID-19 in the school environment is a shared responsibility. Here are some general tips that are very helpful to keeping our students and schools safe:

- Check your household and your child each morning for signs of illness.
- Do NOT send your student to school if they exhibit any symptoms of COVID-19. Symptoms may appear 2-14 days after exposure to the virus. Contact your healthcare provider immediately to discuss testing for appropriate household members.
- Teach proper hand hygiene, avoiding contact with eyes, nose, and mouth, and covering coughs and sneezes.
- Teach your child not to comment or make assumptions regarding someone’s beliefs or health status based upon their choice to wear or not wear a mask.
- Talk to your child about precautions to take at school to keep themselves and others safe.
- Instruct your child to visit the school health office only if they feel sick. It is a high-risk area.

Layered Prevention Strategies

Using layered prevention measures has been the cornerstone of our COVID-19 safety plan to limit COVID-19 infections and transmission in school. When one strategy cannot be employed, the other risk mitigation strategies take on greater importance. So, as conditions change throughout the pandemic, we ask all members of our community to continue to employ layers of risk mitigation protocols as appropriate.



Preventative Measures

When To Stay Home From School ▾

Students who have symptoms of infectious illness, such as influenza (flu) or COVID-19, should stay home and contact their healthcare provider for testing and care **regardless of vaccination status. Staying home when sick is essential to keep COVID-19 infections out of schools.** If your student has a **fever of 100.4°F or higher or any symptoms of illness.** If your child has **ANY ONE** of the following [more common symptoms of COVID-19](#), they should stay home and get tested for COVID-19, get an alternative diagnosis from a medical provider or stay at home and isolate following CDPH isolation protocols.

- ★ Fever or chills
- ★ Cough
- ★ Shortness of breath or difficulty breathing
- ★ Fatigue
- ★ Muscle or body aches
- ★ Headache
- ★ New loss of taste or smell
- ★ Sore throat
- ★ Congestion or runny nose
- ★ Nausea or vomiting
- ★ Diarrhea

The presence of any of the symptoms above generally suggests a student has an infectious illness and should not attend school, regardless of whether the illness is COVID-19.

Students with chronic conditions, symptoms, or underlying health conditions may be at increased risk of severe illness and should stay home. Contact your Health Care provider.

Return to School After Experiencing Symptoms ▾

A student experiencing [symptoms of COVID-19](#), should follow the criteria for returning to school related to that diagnosis. The following are strong recommendations:

- proof of a negative test result has been submitted using the School Reentry Form (found on the home banner of your school's website or in the COVID-19 Hub on the HUSD website) **AND**
- Symptoms have improved or are resolving (lingering cough is OK) **AND**
- at least 24 hours have passed with no fever (without use of fever-reducing medications), **AND**
- no vomiting or diarrhea for at least 24 hours without use of medication
- They have not experienced any new symptoms consistent with COVID-19.

If your child was diagnosed with another illness / communicable disease, a clearance from the student's healthcare provider may be required for return to school after illness depending upon the illness. Please follow the HUSD Illness Policy.

Notify the School Immediately if COVID-19 Positive... ▾

All of the information indicated below will be kept confidential.

When a student tests positive for COVID-19...

Students who test positive for COVID-19, with or without symptoms and regardless of vaccination status, must



stay home and **isolate** for at least 5 days, beginning the day after the day the first symptoms occurred, or beginning the day following the day the test was collected if asymptomatic.

Following is an overview of the required steps to complete isolation and return to school safely.

- **Step 1: Report positive results to the school site *immediately by calling the school office.*** After contacting this office please use the [COVID Test Results Form to submit the report the positive test](#). Reporting those results to the school right away help us take timely and necessary action to respond to exposures in the school community.
- **Step 2: Isolate at home and do not participate in *any* school or community activities.** Under the most recent [CDPH guidance](#), individuals who test positive *may* end isolation after a minimum of 5 days only under the following conditions:
 - Symptoms must not be present or improving, AND
 - No fever for at least 24 hours without the use of fever-reducing medication, AND
 - No vomiting or diarrhea for at least 24 hours without use of medication, AND
 - **After 5 days have passed**, students/families can submit negative test results from an antigen test to the student's school site to end isolation. Parents/guardians **must complete a School Re-Entry Form** which is available [electronically here](#).
- **Step 3:** Once approved to return, it is strongly recommended that **your student wear a well-fitting mask around others for a total of 10 days (from symptoms onset or test date if asymptomatic) for all activities on school campuses, especially indoors.** Please note, this recommendation includes sports and extracurricular activities.

Important Points Returning to School after a Positive Diagnosis ▾

- Return to school after testing negative on day 5 or later, with a home antigen test.
- At-home tests that are FDA-approved are acceptable.
- If your student is unable to test or chooses not to test, isolation can end after Day 10 (after symptoms onset or test date if asymptomatic) .
- In all cases, if fever is present, isolation should continue for 24 hours after the until fever is gone.
- If symptoms, other than fever, are not resolving, continue to isolate and contact your health care provider.
- If your student is unable to test or chooses not to test, isolation can end after day 10.

COVID-19 Vaccination ▾

COVID-19 testing remains a powerful tool for preventing transmission of COVID-19 in the school environment. Harmony Union School District is committed to helping our school community access vaccine resources. People who are fully vaccinated against COVID-19 are at lower risk of symptomatic or severe infection. COVID-19 vaccines are safe and effective; minimize the risk of getting and spreading the virus that causes COVID-19; and help prevent serious illness if diagnosed with COVID-19. Learn more about the different COVID-19 vaccines [here](#). **Everyone 6 months and older is now eligible for COVID-19 vaccination.** For more information about vaccines or assistance finding a vaccine near you, the following are trustworthy resources:

- Centers for Disease Control and Prevention:



- [COVID-19 vaccines for children and teens](#)
- Find a COVID-19 vaccine: Search vaccines.gov, text your ZIP code to 438829, or call 1-800-232-0233 to find locations near you.
- State of California:
 - Safe Schools for All Hub (Parent Page): <https://schools.COVID19.ca.gov/>
 - California Department of Public Health: <https://www.vaccinateall58.com/>
- Sonoma County: <https://socoemergency.org/emergency/novel-coronavirus/vaccine-information/>

Preparing for Vaccination ▾

The experience of getting a COVID-19 vaccine will be very similar to the experience of getting routine vaccines. Below are some recommendations:

- Talk to your child before vaccination about [what to expect](#).
- It is not recommended you give pain relievers before vaccination to try to prevent side effects.
- Tell the doctor or nurse about any allergies your child may have.

Types of COVID-19 Testing ▾

There are two types of COVID-19 diagnostic tests that show if you are currently infected with SARS-CoV-2, the virus that causes COVID-19.

1. Molecular tests, such as [polymerase chain reaction](#) (PCR) tests which detect the genetic material of the virus.
2. Antigen tests, often referred to as "rapid tests", detect specific proteins on the surface of the virus. Antigen tests can be conducted by medical staff or over-the-counter (OTC, or "at-home tests").

PCR tests are the gold standard for COVID-19 testing. Positive results are highly accurate and considered confirmatory and are generally more accurate than at-home tests. Please note that not all of these tests are acceptable in all instances to return to school due to variances in accuracy, self-administration, etc.

How to Get Your Child Tested ▾

- You can visit **your child's regular medical provider**. Students, and families are welcome to submit test results from their own medical provider or preferred COVID-19 testing service.
- If you do not have a regular medical provider, or if you are not currently insured, here is a list of **free, confidential testing options provided by Sonoma County**: <https://socoemergency.org/emergency/novel-coronavirus/testing-and-tracing/>
- To ensure that testing is accessible to all students, **Harmony Union School District offers free Over-the-Counter COVID-19 Antigen test kits** which can be picked up in the office at **no cost**.

Response to COVID-19 Cases

Group Tracing Approach to Students Exposed to COVID-19

Harmony Union School District has adopted the [CDPH's recommended group tracing approach for students exposed to COVID-19](#) in the school environment. This framework allows for quicker and broader response to cases identified in our school as well as minimize disruption to our students' school experience when cases do arise. Prompt notification, access to testing, and proper isolation protocols layered with all of our other critical risk mitigation strategies like proper masking, diligent hand and respiratory hygiene and screening for symptoms daily will keep our schools safe, our community informed and our students in classrooms and enjoying their extracurricular activities.

Here's what that means for your student and family.

1. NOTIFICATION:

1. HUSD will notify all students who spent more than 15 cumulative minutes (within a 24-hour period) in a shared indoor airspace (e.g. a classroom, team) with someone who has tested positive of COVID-19.
2. Notifications will be sent to the families of students/ considered exposed.
3. HUSD will send notification to families within 24 business hours of learning about the positive diagnosis.

2. TESTING:

1. It is recommended that exposed students, regardless of vaccination status or prior infection, get tested for COVID-19 when you learn about the exposure and then again after 3-5 days since the last exposure.
 - i. Any FDA-approved antigen diagnostic test, PCR diagnostic test, or over-the-counter (OTC) test is acceptable. To avoid a false positive reading, PCR tests should not be taken if your student has been identified as COVID-19 positive in the last 30 days.
2. Results should be reported to the school using the COVID Test Results Form.
3. A positive result should be reported right away and the student should follow the isolation and return-to-school protocols outlined in this Handbook.
4. Students experiencing symptoms should stay home, get tested and follow the quarantine and return-to-school protocols outlined in this Handbook.

HUSD understands that testing resources are strained in our community and it can be difficult to fulfill the prescribed testing recommendations to safely remain or return to school. As such, Harmony Union School District is committed to helping our school community access testing resources to comply with these important guidelines. Here's how:

- For students or who receive a COVID-19 exposure notification, Over the Counter test kits will be stocked and available in the office free of charge for caregivers to administer testing for their child/household.
- We will continue to work with Sonoma County and community partners to promote and communicate free community testing clinics.

Important Points Returning to School after Exposure ▾

- Masking indoors for school events for 7 calendar days -OR- daily negative antigen test in lieu of masking
- Students do not need to quarantine after an exposure.
- Students may stay in school for in-person instruction after an exposure.
- Students may continue with extracurricular activities after an exposure.
- Students should stay home and get tested ASAP if symptoms develop.
- Testing is strongly recommended but not required to participate in school and school-related activities.

Health & Hygiene Practices at School

Escalated Mitigation Measures ▾

The level of risk of COVID infection is not constant, it rises and falls as the virus mutates and human behavior and environmental factors interact to increase or decrease the potential for spread the potential for harm. As such, normal mitigation measures may not be adequate to control the spread of infections. Escalated Mitigation Measures will be employed in high risk scenarios to prevent secondary case spread during school activities. HUSD must strive to provide a school environment that does not place students and staff at unreasonable risk of COVID infection. Though risk cannot be reduced to 0, it is important that the school environment does not present an burdensome level of risk to its students as their attendance is mandatory. So too, as a workplace responsible for the health and welfare of its employees, HUSD must also contain risk levels for staff. Preventing student infections both protects students from potential ill effects from the COVID virus as well as prevent student absenteeism and loss of instruction. Staff absenteeism must also be avoided to maintain appropriate staffing levels necessary for quality educational services and adequate supervision.

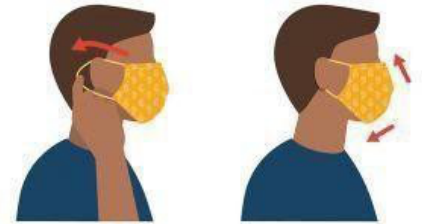
The following are scenarios that present elevated risk and may trigger Escalated Mitigation Measures: i

- Instances of significant presence of COVID-19 infections in the county. The key indicator is the Sonoma County case rates exceeding 20 cases per 100k, or equivalent measure of COVID prevalence in local or adjacent county wastewater.
- Instances of epidemiologically-linked COVID-19 outbreaks in the school. An outbreak is defined as a scenario in which:
 - >25% of all class cohorts within the school have a positive case reported in the prior 5 school days -OR-
 - >5% of school population report testing positive within a 5 day period
- Instances of a classroom cohort exposed to a positive case
 - Exposure is defined as sharing an indoor space with a COVID positive individual maskless for more than 15 minutes

In the above scenarios, the Superintendent makes the determination to require Escalated Mitigation Measures. Escalated Mitigation Measures may include the cancellation/postponement of large community, athletic events, assemblies or field trips. In addition, a declaration of Mandatory Masking or In Lieu Morning Negative COVID Test may be required. In such a situation masking may be required indoors for all students and staff. A student may be excused from the masking requirement if they are able to present a negative antigen test administered the morning of each day of required masking. The presentation of a negative Antigen test, taken the morning of the school masking day, is considered adequate evidence of reduced risk of spread posed by the student if they were to be unmasked indoors with their cohort. Masking is still **STRONGLY RECOMMENDED** during escalated mitigation measures, but a negative antigen test conducted in the morning may be used in lieu of masking for the same day.

Acceptable face coverings ▾

A face covering means: a covering made of material that covers only the nose and mouth and surrounding areas of the lower face. Research shows a KN95 masks provide better protection than surgical or cloth masks. A face covering includes a surgical mask, a medical procedure mask, a respirator worn voluntarily, or a tightly woven fabric or non-woven material covers the nose and mouth.



Unacceptable face coverings ▾

- Bandanas, gaiters, scarfs, balaclavas, turtleneck collar, masks with a single layer of fabric, Halloween or plastic masks, ski masks with holes for the nose or mouth, or masks that have a one-way valve designed for easier breathing (the valves are often a raised plastic disk about the size of a quarter, on the front or side of the mask)
- Face coverings worn by students must be appropriate and meet district dress code requirements (*e.g.* no inappropriate fabric patterns, no Halloween masks, no hate symbols, *etc.*)

Wearing face coverings correctly ▾

- Wash your hands before putting on your face covering
- Put it over your nose and mouth and secure it under your chin
- Try to fit it snugly against the sides of your face
- Make sure you can breathe easily
- Avoid touching the face-covering while it is on. If you do need to touch or adjust the face covering, wash your hands right away.



Removing face coverings correctly ▾

Be careful not to touch your eyes, nose, and mouth when removing. Wash hands immediately after removing. CDC How to Safely Wear and Take Off a Cloth Face Covering ([English](#)) ([Spanish](#))

- Untie the strings behind your head or stretch the ear loops
- Handle only by the ear loops or ties
- Fold outside corners together
- Place covering in the washing machine (learn more about [how to wash face coverings.](#))



Hand Hygiene ▾

Frequent hand hygiene is one of the most important preventative practices to help slow the spread of COVID-19 and will be encouraged at school. We ensure adequate supplies to support healthy hygiene behaviors, including soap, tissues, trash receptacles, face coverings, and hand sanitizers with at least 60 percent ethyl alcohol for and children who can safely use hand sanitizer.

Students will wash their hands frequently throughout the day. Time for hand hygiene will be encouraged throughout the day including before eating; after coughing or sneezing; after classes where there is the potential

to handle shared items, such as outside recreation, art, or shop; and before and after using the restroom.

Five steps to proper handwashing

1. Wet your hands with clean, running water (warm or cold), turn off the tap, and apply soap.
2. Lather your hands by rubbing them together with the soap. Lather the backs of your hands, between your fingers, and under your nails.
3. Scrub your hands for at least 20 seconds. Need a timer? Hum the "Happy Birthday" song from beginning to end twice.
4. Rinse your hands well under clean, running water.
5. Dry your hands using a clean towel or air dry them. You can find tips in this [Handwashing is a Family Activity](#) PDF.

How to use hand sanitizer

- Apply the hand sanitizer to the palm of one hand (read the label to learn the correct amount).
- Rub the sanitizer over all the surfaces of your hands and fingers until your hands are dry. This should take around 20 seconds.

Cough Etiquette and Other Important Health and Hygiene Practices ▾

Please help us teach your child / children these important preventative measures to reduce the spread of COVID-19 and other illnesses.

- Cough and sneeze away from other people, and into a tissue or into the crook of the elbow, throw the tissue into the trash right away and wash hands.
- Avoid touching the eyes, nose, and mouth with unwashed hands.
- Avoid close contact with anyone who is sick.



Ventilation ▾

Improving ventilation can reduce the number of virus particles in the air. We maximize, to the extent feasible, the quantity of outside air for our buildings with mechanical or natural ventilation systems. Classroom HVAC systems have been adjusted for maximum fresh air circulation. HVAC units are checked on-site routinely to ensure proper operation, which includes replacing air filters on a rotating schedule. All of our HVAC units use upgraded air filters (MERV-13 where applicable).

In addition to normal air ventilation/airflow, we have purchased advanced HEPA filtration for all of our classroom and event spaces. HUSD has had the benefit of partnering with INTRINSIC Environmental Health and Safety who have conducted a full site analysis and ventilation design plan as well as provide ongoing monitoring and maintenance since returning to in person classes in spring 2021.

Cleaning and Disinfecting ▾

Harmony Union School District custodial follows the cleaning recommendations of the CDC and Cal/OSHA with routine cleaning and disinfecting of classrooms, restrooms, and all other school site areas. This includes cleaning



high-touch surfaces such as pens, counters, tables, doorknobs, light switches, handles, stair rails, desks, keyboards, phones, toilets, faucets, and sinks at least once a day. In addition to general high-touch surface cleaning, custodial clean classrooms, restrooms and shared spaces at the end of each day and sanitize with an electrostatic sprayer each evening using a disinfectant consistent with EPA List N.

All cleaning products and supplies are EPA-approved. Further, cleaning products (e.g. disinfectants) are kept away from students and custodial is trained on proper use, application and requirements for cleaning, and disinfection.

Water Access ▾

Each site is equipped with hydration stations to refill water bottles throughout the day. Students are encouraged to bring **a personal labeled water bottle of their own from home that they do not share.**

Since January 2023, all drinking fountains have been functional for student/ use.

HUSD COVID-19 Related Health Policies and Practices

School Health Office

Parents / guardians, teachers, and staff should instruct students to visit the school health office only if they are sick or injured. The school health office is a high-risk area that should only be used if medical assistance is necessary. If the health concern is not urgent, teachers and staff will attempt to resolve the matter with first aid interventions before sending a student to the school health office.

If you or your children are feeling worried or anxious, they can sometimes present with physical symptoms (e.g., headache, abdominal pain). [Help your child learn how to deal with that anxiety](#) in a healthy way.

If a student develops symptoms at school

If a child develops symptoms at school, parents / guardians will be contacted to pick up their child within 30 minutes. If the school is unable to reach the child's parents within 5 minutes, the emergency contact will be called to pick up the child. The student cannot wait in an isolation area for the rest of the school day. As such, we ask that parents / guardians always have a plan for picking up their child as well as furnishing BEST daytime phone numbers where parent can be reached.

Care Bench ▾

Every school site has a Care Bench to isolate and care for students experiencing symptoms of COVID-19 during the school day. The care bench is separate and distinct from the nurse's office. Any symptoms or exposure related to COVID-19 should be directed to the care bench, while the nurse's office will be available for all non-COVID-19 injuries, illnesses and symptoms.

If a student develops a fever of 100.4°F or higher and/or symptoms consistent with COVID-19, your child will be placed in an isolation area and observed until they are picked up. **Students must be picked up within 30 minutes by the parent/guardian or an identified emergency contact.** Siblings and/or other household members attending school may remain at school but should closely monitor for symptoms for 14 days.

- If a student starts exhibiting symptoms, staff will assure the student is isolated from the rest of the class right away and escorted to the Care Bench for care.
- When the parent arrives to pick up their child, the school will provide information about the proper steps for a safe return to school.



- Please contact your child’s healthcare provider to schedule an appointment and/or schedule COVID-19 testing. Your child will not be allowed to return to school until he/she has been without fever for at least 24 hours AND receives negative test results for COVID-19 from an acceptable COVID-19 test or completes the appropriate isolation (if tested positive).
- Please **inform your school** as soon as possible if your child / children are diagnosed with COVID-19.

Important Note: Children who are [isolating](#) or [quarantining](#) at home cannot participate either in in-person instruction or in any extra-curricular activities (including youth sports).

Return to School After Experiencing Symptoms

If your child tested positive for COVID-19 and had symptoms...

Isolate your child best you can in your household for a minimum of 5 days. Your child who tested positive for COVID-19 and had symptoms can return as early as day 6 with a negative at-home COVID-19 test taken on day 5. Your child should be symptom free and fever-free for 24 hours without the use of fever-reducing medications. See appendix [Scenario #1](#) for step by step instructions

If your child stayed home or was sent home because of COVID-19 symptoms.

If your child stayed home or was sent home for COVID-19 symptoms, they may return to school after they test negative for COVID-19 (from a PCR test or a rapid antigen or at-home test) and/or after their healthcare provider provides an alternate diagnosis - e.g., migraine, strep throat - and their symptoms are improving and they are fever-free for 24 hours without the use of fever-reducing medications.

If students do not get tested or do not have an alternate diagnosis, they must be fever-free for 24 hours without the use of fever-reducing medications before returning to school. *Siblings and other household members attending school* may come to school wearing a mask for 10 days unless they begin to experience symptoms. All household members must follow Sonoma County Public Health’s [At Home Quarantine Guidance](#).

Food Service ▾

School meals are available and free for all HUSD students during the school day. Harmony Union School District uses a combination of outdoor and indoor spaces to safely serve students food each day. Generally, outdoor seating significantly reduces the risk of virus transmission. Therefore, with the exception of inclement weather and poor air quality days, HUSD strives to use additional spaces outside of the cafeteria/multi for mealtime to maximize ventilation.

Further, the considerations outlined below represent aggregated guidance from Sonoma County Department of Health Services, CDPH and the CDC and are intended to reduce transmission risk and minimize unmasked close contact when students are indoors during lunch.

- Including all lunch helpers, follow food safety protocols for meal preparation and service.
- Wash hands before, after and during shifts; before and after eating; after using the restroom; after handling garbage, dirty dishes/trays; and after removing gloves.
- Frequently touched surfaces are cleaned. Surfaces that come in contact with food are washed, rinsed and sanitized before and after meals. Tables are cleaned between class seatings.
- Ventilation is maximized as much as possible in food preparation/serving areas and seating areas. Windows/doors remain open (weather permitting) and Apache air scrubbers are running at all times.



- Students should wash hands and/or sanitize on their way into and out of the lunch area.
- Students should not share/trade food or drinks.

Visitor Policy ▾

Generally, Harmony Union School District tries to minimize non-essential visitors on campus. However, visitors are allowed on campus for special events. Student assemblies, parent meetings, special performances, and community events will be conducted in-person as allowed by health guidelines. School sites will communicate special events that visitors are welcome to attend. Visitors do not need to submit essential volunteer paperwork and documents but must follow all campus safety protocols.

Volunteer Policy ▾

Harmony Union School District promotes and celebrates volunteers on campus to support students. Below is our current guidance for volunteers for this school year.

Anyone interested in being an athletic, classroom, field trip, or parent volunteer, should contact the school they would like to support. Administration and teachers retain discretion to determine if they need an essential volunteer. If the school has a need for volunteers, prospective volunteers will need to complete the District's [volunteer application](#). In some cases, fingerprinting will be required. HUSD welcomes volunteers regardless of their vaccination status. Volunteers do not need to be immediate household members of a student in a given class to volunteer inside a classroom.

Volunteers do not have to provide documentation of their vaccination status or test prior to volunteering at school sites ([Click here](#) for more information). Volunteers are expected to adhere to all COVID-19 mitigation protocols including screening for symptoms before arrival to the school site as well as all regular guidelines for school volunteers.

Field Trips ▾

All students may participate in field trips regardless of vaccination status. As with overnight trips, field trips will be carefully considered on a case-by-case basis. If there is a compelling curricular reason for a field trip and it can be done within the stable classroom cohort, each school site will follow the *HUSD Classroom Field Trip Checklist*. In the event a field trip is approved, all COVID-19 mitigation strategies will be followed, including masking (when required), hand hygiene, adherence to volunteer requirements, and fidelity to classroom cohorts on the bus/car transportation and throughout the field trip as much as practicable.

Overnight Field Trips ▾

Safe and full in-person instruction is our **primary goal**. At the same time, Harmony Union School District promotes and celebrates hands-on, experiential learning opportunities and curricular-based field trips and overnight field trips for students. We believe that we can allow for these opportunities for our students without compromising our commitment to a safe school environment.

Overnight field trips will be carefully considered on a case-by-case basis. If approved, it is important to note that they could be canceled due to an updated County Health Order.

Below is our current policy for overnight field trips:

For Students



All students may participate in overnight field trips regardless of vaccination status. To ensure as safe of an environment as possible during these events, all students who wish to participate in an overnight field trip must adhere to the following safety protocols:

- All students attending must complete a COVID-19 Liability Waiver (Attached to the permission slip form)
- All students who wish to attend an overnight field trip must participate in a closely monitored testing protocol both before and during the event.
 - Before Departure:
 - All students must take a COVID-19 antigen test within 24 hours of leaving for the field trip. Parents must submit test results to the school site prior to departure.
 - During the trip:
 - All students will take a self-administered rapid COVID test every other morning, starting with the first day, during the field trip. This test administration will be supervised by school staff. Students who receive a positive result will isolate until they can be picked up. HUSD will not be able to provide transport home for students who test positive during the trip.

For Parents/Guardians

When signing the COVID-19 Liability Waiver, it is important for parents/guardians to consider that they are responsible for picking up a student if they become ill or test positive for COVID-19 during the trip. For example, if a child has traveled out of the County or State for a Harmony Union School District-sponsored event, and tests positive during the trip, the parent or guardian will be required to travel to the destination and immediately assume responsibility for ensuring that their child safely returns home after a positive diagnosis. **Harmony Union School District cannot provide extended oversight, lodging, or care for students who may not be able to return home due to a positive diagnosis.**

For Staff/Volunteers

All staff members and volunteers who participate in the overnight field trip must adhere to the same risk mitigation protocols as the students, including the testing requirements outlined above.

COVID-19 Contacts by School

The COVID team responsible for:

- Maintaining communication systems that allow families to self-report symptoms and receive prompt notifications of exposures while maintaining confidentiality.
- Providing impacted individuals with family-student guidance documents, including materials in Spanish as needed.
- Responding to COVID-19 concerns.

| COVID-19 Team | | | |
|--------------------------|----------------|--------------|------------------------|
| Superintendent Principal | Matthew Morgan | 707-874-1205 | mmorgan@harmonyusd.org |
| Health Tech | Suzi Heron | | sheron@harmonyusd.org |
| COVID 19 Coordinator | Susan Timko | | Stimko@harmonyusd.org |



HUSD Health and Wellness Policies and Support

Immunizations ▾

The COVID 19 vaccination is recommended but not required for students, staff and volunteers. Information about required vaccinations required for attendance can be found at www.shotsforschool.org.

Flu Vaccine ▾

Sonoma County Public Health strongly recommends that all Sonoma County residents 6 months and older get their seasonal flu vaccine. Find more information about the flu vaccine [here](#).

Attendance Policies

To report an illness or absence, *please use the class absence email address found at: <http://ca50000761.schoolwires.net/domain/76>*. Parents / guardians should inform the school if their child / children *or a household member* (including a caregiver):

- 1) Is being evaluated for COVID-19; or,
- 2) If they test positive for COVID-19; or,
- 3) If they may have been exposed to COVID-19.

Student absences related to illness and/or quarantine will comply with CA Ed Code. Please contact the School Principal or Administrative Assistant at your student's school. This information will be kept confidential.

Independent Study

The HUSD does not offer an extended independent study program for enrolled students. Families interested in an independent study program for their child may inquire with the office for local public schools that offer independent study programs, including Pathways Charter, which is authorized by the Harmony School District. Please contact the office for additional information (707) 849-1205

Additionally, students will have the option to participate in on-campus events at the school that is associated with their Online Independent Study Program (see the list below).

Health and Wellness Support and Services

The [HUSD Health and Wellness Hub](#) provides information about Federal, State, local and District resources and services available on a wide range of mental and physical health-related topics.

Community Clinics

You can find a list of community health centers and clinics in Sonoma County on the [Redwood Community Health Coalition's website](#). These health centers and clinics are dedicated to providing high quality, affordable health services to families and children and will serve uninsured/underinsured families.

Appendix

Common Scenarios

Scenario #1: I am a student and I have tested positive for COVID-19. What steps do I need to take to get back to school?

- Step 1: Report your positive result to your school site *immediately*. Report by phone and then by the form.
- Step 2: Isolate at home and do not participate in *any* school or community activities. **CDPH guidance, individuals who test positive *may* end isolation after a minimum of 5 days only under the following conditions:**
 - Symptoms must not be present or improving
 - **After 5 days have passed**, you can submit negative test results from an antigen test to your school site to end isolation. Parents/**guardians *must* complete a** School Re-Entry Form which is available [electronically here](#).
 - Once approved to return, your student is strongly recommended to wear a mask, from day 6 through 10 for all activities on school campuses including outdoors.

Important points

- Do not return to school until:
 - getting a negative rapid antigen test -OR-
 - until 10 days have passed since first symptoms AND no fever has occurred in previous 24 hours.
- At-home tests that are FDA-approved are acceptable.
- If your student is unable to test or chooses not to test, isolation can end after day 10.
- In all cases, if fever is present, isolation should continue until fever resolves.
- If symptoms, other than fever, are not resolving, isolate until symptoms are resolving or after day 10.

Scenario #2: I am an unvaccinated student. I was exposed to someone with COVID-19 and one or more of the people are unmasked.

In this scenario, you are not required to quarantine.

- Recommend to test within 3-5 days after last exposure.
- If testing positive, follow isolation recommendations in Scenario #1.
- Strongly recommended to wear a well-fitting mask around others for 10 days, especially in indoor settings.
- If symptoms develop, test and stay home.

Scenario #3: I am a student who has been exposed to a positive case on campus and is not fully vaccinated and/or have not provided proof of vaccination to the school.

In this scenario, you are not required to quarantine.

- Recommend to test within 3-5 days after last exposure.
- If testing positive, follow isolation recommendations in Scenario #1.
- Should wear a well-fitting mask around others for 10 days, especially in indoor settings.
- If symptoms develop, test and stay home.

Scenario #4: I am a student who was exposed to COVID-19 on campus. I am fully vaccinated. Do I quarantine or not?

In this scenario, you are not required to quarantine.

- Recommend to test within 3-5 days after last exposure.
- If testing positive, follow isolation recommendations in Scenario #1.
- Should wear a well-fitting mask around others for 10 days, especially in indoor settings.
- If symptoms develop, test and stay home.

Scenario #5: I am a student who was exposed to a positive case OFF CAMPUS and I am: not vaccinated. Do I quarantine or not?

- **Regardless of Vaccination Status**
 - The student may attend school if they are asymptomatic and the positive case is isolated away.
 - Should wear a well-fitting mask around others for 10 days, especially in indoor settings.
 - Testing is recommended as soon as possible to determine infection status and again 5 days after being exposed. If symptoms develop, isolate and COVID-19 test.

Resources

- **California Department of Public Health (CDPH):**
 - [COVID-19 Public Health Guidance for K-12 Schools in California:](#)
 - [CDPH K-12 O&A / FAQ](#)
 - [CDPH Guidance for Face Coverings](#)
 - [CDPH Recommended Action to Provide General Notification to Students Exposed to COVID-19 in a K-12 setting](#)
 - [Guidance for Local Health Jurisdictions on Isolation and Quarantine of the General Public](#)
- **State of California Safe Schools for All Hub**
- **County of Sonoma Emergency Readiness, Response and Recovery:**
 - COVID-19 Cases & Resources:
<https://socoemergency.org/emergency/novel-coronavirus/coronavirus-cases/>
 - Emergency Preparedness:
[Sonoma County Emergency and Preparedness Information](#)
- **Sonoma County Office of Education:**
 - [Coronavirus Information for Schools and Families](#)



- **American Academy of Pediatrics:**
 - [COVID-19 Guidance for Safe Schools and Promotion of In-Person Learning](#)
- **Harmony Union School District COVID-19 Hub:** <https://www.harmonyusd.org/domain/48>
 - The COVID-19 Hub on the district website includes information and resources, including free community support services, available to individuals and households impacted by COVID-19.
- **Harmony Union School District website:** www.harmonyusd.org
- For questions about COVID-19 safety and resources, please call the Sonoma County Health and Human Services phone call center at (707) 565-4400.

For questions about HUSD COVID-19 policies and protocols, please call the **HUSD Office at 707-874 1205**.

Glossary of Terms (CDPH)

Isolation:

You **isolate yourself when** you have been infected with the virus, even if you do not have symptoms. If you have symptoms that could be from COVID-19, you also must isolate until you know you are not infected, usually after you have a negative COVID-19 test.

Quarantine:

Restricts the movement of persons who were exposed to a contagious disease in case they become infected.

Close Contact:

Someone sharing the same indoor airspace, e.g., home, clinic waiting room, airplane etc., for a cumulative total of 15 minutes or more over a 24-hour period (for example, three individual 5-minute exposures for a total of 15 minutes) during an infected person's (laboratory-confirmed or a clinical diagnosis) Infectious period.

Exposure - Infectious Period:

The infectious window for COVID-19, the time in which someone can transmit the virus to others, begins 2 days prior to symptom onset, or 2 days prior to test collection test date if the person does not have symptoms. The person will continue to be infectious for at least 5 days after symptom onset. Anyone who had close contact with a positive case while they were infectious is considered exposed.

Fully Vaccinated:

Student: Defined as having received the second vaccination dose at least two weeks prior.

Unvaccinated:

Student: Defined as not having received the two full doses of the vaccine at least two weeks prior.

COVID-19 Positive Isolation Timeline

Anyone who has tested positive should stay home and isolate for a minimum of **5** days, beginning the day after their symptom onset (or the day after their positive test collection date, if no symptoms).

Day 0 = mm/dd (symptom onset or test date)

Day 5 = mm/dd (last full day of isolation if symptoms not present or resolving AND a diagnostic specimen* collected on day 5 or later tests *negative*). If unable to test or choosing not to test, and symptoms are not present or are resolving,

Isolation can end after day 10

- If fever is present, isolation should be continued until fever resolves.
- If symptoms, other than fever, are not resolving, continue to isolate until symptoms are resolving or until after day 10.

Day 6-10 = mm/dd-mm/dd (should wear a well-fitted mask around others if released after day 5)

Day 10 = mm/dd (last full day of isolation if ineligible for earlier release)

Day 11 = mm/dd (release date if ineligible for earlier release)

SARS-CoV-2 viral load and shedding kinetics

Olha Puhach¹, Benjamin Meyer² & Isabella Eckerle^{1,3,4}✉

Abstract

SARS-CoV-2 viral load and detection of infectious virus in the respiratory tract are the two key parameters for estimating infectiousness. As shedding of infectious virus is required for onward transmission, understanding shedding characteristics is relevant for public health interventions. Viral shedding is influenced by biological characteristics of the virus, host factors and pre-existing immunity (previous infection or vaccination) of the infected individual. Although the process of human-to-human transmission is multifactorial, viral load substantially contributed to human-to-human transmission, with higher viral load posing a greater risk for onward transmission. Emerging SARS-CoV-2 variants of concern have further complicated the picture of virus shedding. As underlying immunity in the population through previous infection, vaccination or a combination of both has rapidly increased on a global scale after almost 3 years of the pandemic, viral shedding patterns have become more distinct from those of ancestral SARS-CoV-2. Understanding the factors and mechanisms that influence infectious virus shedding and the period during which individuals infected with SARS-CoV-2 are contagious is crucial to guide public health measures and limit transmission. Furthermore, diagnostic tools to demonstrate the presence of infectious virus from routine diagnostic specimens are needed.

Sections

Introduction

Measuring SARS-CoV-2 viral load

Viral load and shedding dynamics

SARS-CoV-2 transmission

SARS-CoV-2 diagnostics in public health

Conclusions

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Introduction

At the end of 2019, a novel coronavirus emerged, later termed severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), which is the causative agent of coronavirus disease 2019 (COVID-19). SARS-CoV-2 primarily targets multiciliated cells in the upper respiratory tract (URT), but was also reported to infect cells outside the URT¹. It can spread to the lower respiratory tract (LRT), where it infects alveoli, leading to reduced gas exchange, inflammation and pulmonary pathologies that are typical of COVID-19 (ref.²). Individuals who are infected shed the virus through the URT, with emission of infectious virus leading to secondary transmission and thus further spread of the virus.

Because of their nonspecific clinical presentation, precise diagnostic tools are needed to identify SARS-CoV-2 infections. Specific real-time PCR (RT-PCR) assays were quickly available after the emergence of the virus, later followed by antigen-detecting (rapid) diagnostic tests (Ag-RDTs) and serological assays. Although detection of viral RNA in respiratory specimens by RT-PCR is highly sensitive and specific, it does not distinguish between replication-competent virus and residual RNA. In the absence of a diagnostic test, infectiousness is often established using one of two proxies: the presence of viral RNA above a defined cycle threshold (Ct) value, or a positive Ag-RDT. RT-PCR is a useful tool for initial diagnosis, whereas Ag-RDTs can serve as an indicator for ending the isolation period. This is because viral RNA (which would be picked up by RT-PCR) remains detectable in the absence of infectious virus, whereas positivity of Ag-RDTs better correlates with the presence of infectious virus.

Aside from the respiratory tract, SARS-CoV-2 RNA has been detected in peripheral blood, stool, urine and ocular secretions^{3–7}. Virus isolation from non-respiratory specimens was unsuccessful in most studies^{4,8,9}, with very few reported cases of infectious virus presence in non-respiratory specimens^{10–13}. Furthermore, viral loads from respiratory tract samples were found to be much higher than from other materials, the latter often with RNA viral loads that are incompatible with the presence of infectious virus. Such specimens are not considered relevant for transmission and therefore, we concentrate on SARS-CoV-2 virus shedding only through the respiratory tract.

Here, we elucidate the relationship between SARS-CoV-2 viral load and infectious virus presence, the biological and host factors that determine infectious virus shedding, measurement of infectious virus and the role diagnostics can have as a proxy for infectious virus shedding.

Measuring SARS-CoV-2 viral load

The gold standard for laboratory diagnosis of a respiratory tract infection is demonstration of viral RNA with a virus-specific (semi-)quantitative RT-PCR from material collected from the respiratory tract. The most commonly used materials are swab specimens from the nasopharynx or oropharynx, but swabs of the nasal cavity, saliva or gargled liquid solution have also been suggested as alternative materials, with the advantage of being a less uncomfortable procedure for the participant. Viral load as determined by RT-PCR is either expressed as the number of viral RNA copies per millilitre of viral transport medium or per swab, or by the arbitrary test-specific Ct value. By contrast, infectiousness is determined by qualitative or quantitative assessment of infectious virus in a clinical specimen by replication of virus in cell culture. The limitations to measuring viral shedding are described in Box 1. In this Review, we refer to viral particles that can cause infection as infectious virus, and to viral RNA levels (which are widely used as surrogates for infectious virus) as viral load.

Detection of infectious virus

The gold standard for determining the presence of infectious (that is, replication competent) virus in respiratory specimens is the recovery of virus in cell culture, a procedure that is commonly termed virus isolation (Fig. 1).

In the case of SARS-CoV-2, various cell lines and primary cells can be used for virus isolation, including those that express angiotensin-converting enzyme 2 (ACE2; the receptor required for virus entry) or transmembrane protease 2 (TMPRSS2; which is also important for virus entry)¹⁴. A cell line derived from African green monkey kidney cells, Vero E6, is commonly used for virus isolation, propagation and titration¹⁵. Other human cell lines that have been successfully used for SARS-CoV-2 isolation are a colorectal adenocarcinoma cell line (Caco-2), a lung adenocarcinoma cell line (Calu-3), a lung adenocarcinoma cell line ectopically overexpressing ACE2 (A549) and a human hepatocellular carcinoma cell line (Huh7)^{16,17}.

The presence of infectious virus in the cell culture is qualitatively assessed using light microscopy, which can be used to identify cells undergoing the cytopathic effects (and death) caused by SARS-CoV-2 infection, consisting of syncytium formation, cell rounding, detachment and degeneration¹⁷. Infection is usually confirmed by a second method, either by a specific RT-PCR for viral RNA from the supernatant of infected cells, indicating virus replication by an increase of viral load over time in comparison to the baseline sample, or by immunostaining for viral proteins^{15,18}.

This qualitative measurement of virus presence cannot, however, quantify the infectious virions in the inoculated specimens, although samples with lower viral load commonly show delayed development of a cytopathic effect¹⁹. Instead, methods such as plaque assays, focus-forming assays or 50% tissue culture infectious dose (TCID₅₀) can be used to quantify infectious virus in a patient sample.

The above methodologies are reliable tools to detect infectious virus in clinical specimens of individuals who are infected with SARS-CoV-2, although there are limitations. Detection of viable virus particles is highly influenced by the quality of the sample, and infectious viral particles can quickly lose their infectiousness in unsuitable storage conditions. To preserve infectious virus in specimens, swab samples from patients infected with SARS-CoV-2 should be immediately submerged in a viral transport medium suitable for cell culture and stored at -80°C as early as possible after collection. Prolonged exposure to higher temperatures or repeated freeze–thaw cycles can drastically influence the quality of the sample, leading to potentially complete loss of infectious viral particles. Therefore, many factors can influence the reproducibility of the results between different laboratories. Furthermore, cell lines used for isolation can show a high variability between laboratories even when they are presumably the same. Consumables used during cell culture, such as culture medium or additives such as fetal bovine serum and antibiotics, could potentially also impact virus isolation success. In human primary airway epithelial cells, which mimic the primary site of entry in the human respiratory tract, the probability of isolating infectious virus was reduced compared with that of Vero E6 cells, indicating that infectious virus determined using Vero E6 cells might be overestimated for assessing transmission risks *in vivo*²⁰.

Importantly, all cell culture work with SARS-CoV-2 is done under biosafety level 3 conditions, so only specially trained personnel in laboratories with advanced infrastructure can perform these experiments. Thus, detection of viable virus through virus isolation is not suitable for diagnostics and is restricted to research only.

Box 1

Limitations to measuring viral load

Specimen selection site

The anatomical site chosen to collect the swab specimen for detection of SARS-CoV-2 might influence viral load detection. Higher RNA viral load was reported from nasopharyngeal than oropharyngeal swabs^{28,124,181}. As a result, nasopharyngeal samples show the highest diagnostic accuracy compared with other upper respiratory tract samples¹⁸². Similarly, higher virus isolation success was reported from nasopharyngeal swabs than from saliva, nasal or sublingual swabs¹²⁴. However, another study found higher RNA viral loads in the throat and sputum than from nasal swabs³⁰. Two studies indicate that virus can be detected earlier in the throat²⁹ or saliva³³, but reaches significantly higher levels and remains detectable for longer in the nose^{29,33}. A meta-analysis, which evaluated different clinical sampling methods using nasopharyngeal swab as a reference, demonstrated that pooled nasal and throat swabs showed the best diagnostic performance¹⁸³. Notably, this analysis revealed higher heterogeneity of results in studies using nasal or saliva specimens than using pooled nasal and throat swabs¹⁸³.

The effect of the swabbing method (self-administered or performed by trained person) on measured viral loads cannot be overlooked: the sensitivity of antigen-detecting (rapid) diagnostic tests achieved by health-care professionals was higher than for self-tests^{57,184}.

Impact of individual infection kinetics

To date, there is a limited number of studies that describe the longitudinal dynamics of SARS-CoV-2 shedding^{29,33}. Most of the studies used only a single time point to collect respiratory swabs from individuals who were infected for measurement of viral load.

As a result, different times from symptom onset can be a confounding factor when comparing viral load between different patients, which might also explain the variation of available data on viral load.

Influence of epidemic period

RNA viral loads across the specimens collected at single time points were found to indicate the trajectory of the epidemic, as a high proportion of individuals who were recently infected with low cycle threshold values correlates with a higher reproduction number, indicative of a growing epidemic¹⁸⁵. Similarly, the rise and fall of RNA viral load correlated with the number of COVID-19 cases and hospital admissions across the population as it was identified using SARS-CoV-2 RNA measurement in wastewater samples¹⁸⁶. Moreover, variation in estimates of the mean incubation period was shorter before the epidemic peak in China than after the peak¹⁸⁷. Therefore, sampling at single time points can be biased by the epidemic period and might reflect more epidemiological dynamics than individual shedding kinetics.

Influence of SARS-CoV-2 variant of concern

Available data on SARS-CoV-2 variants of concern demonstrated that, although the overall pattern of viral load dynamics is conserved between the variants, infection with different SARS-CoV-2 variants of concern led to highly distinct infectious virus amounts and RNA viral loads^{25,86,87,90,92,94} and variations in SARS-CoV-2 incubation period¹¹³. Therefore, extrapolation of our understanding from shedding of current or earlier SARS-CoV-2 variants to newly emerged variants may be of only limited value.

Detection of RNA viral load

Techniques for detecting viral RNA by RT-PCR were quickly established at the beginning of the pandemic^{21,22} (Fig. 1). The high specificity and sensitivity of RT-PCR make it the gold standard for diagnosing SARS-CoV-2 infections. Quantitative RT-PCR assays provide a Ct value, which is inversely correlated with the concentration of the target viral RNA in the clinical sample (that is, the higher the value, the lower the target RNA in the sample). By using an external standard with a defined number of RNA copies, Ct values can be transformed into absolute viral RNA copy numbers or international units per millilitre of viral transport medium or per total swab.

Although RT-PCR cannot directly determine infectiousness owing to its inability to differentiate between replication-competent (infectious) virus and residual (non-infectious) viral RNA, a correlation between RNA viral load and the presence of infectious virus has been sought. Several studies have attempted to correlate the quantity of viral RNA with infectiousness by isolating virus across a range of Ct values. Indeed, there was a stepwise decrease in the probability of virus isolation with increasing Ct values in samples collected during the first 8 days post-onset of symptoms (dpos)^{18,23}. However, other studies have found that the correlation between infectious virus and RNA viral load was low and that viral load (or Ct values as a proxy) is only

a weak predictor of infectious virus presence in the first 5 dpos^{4,20,24,25}. Furthermore, when taking a certain Ct value or RNA copy number as a threshold, it is not possible to determine whether the RNA viral load is increasing or already decreasing; therefore, a low viral load could be measured at the end of infection or in the early (pre-)symptomatic phase before reaching peak viral load.

In a routine diagnostic context, analytical sensitivity and limits of detection may vary between the tests and laboratories where they are applied. An analytical performance comparison between different RT-PCR assays showed variation between the measured Ct values and the detection rate²⁶. Therefore, application of RNA standards and calculation of RNA genome copy number based on a standard curve can improve comparability between laboratories and assays. To facilitate easier calibration and control of nucleic acid amplification techniques, an international standard with assigned potency in the form of an inactivated SARS-CoV-2 isolate was introduced by the World Health Organization (WHO)²⁷.

As with the detection of infectious virus, several other parameters can influence whether viral load can be detected. The site of specimen collection can impact the findings on viral load; although some studies report higher RNA viral load in nasal or nasopharyngeal swabs^{28,29}, others show higher RNA viral load in throat samples³⁰. Moreover, the transport

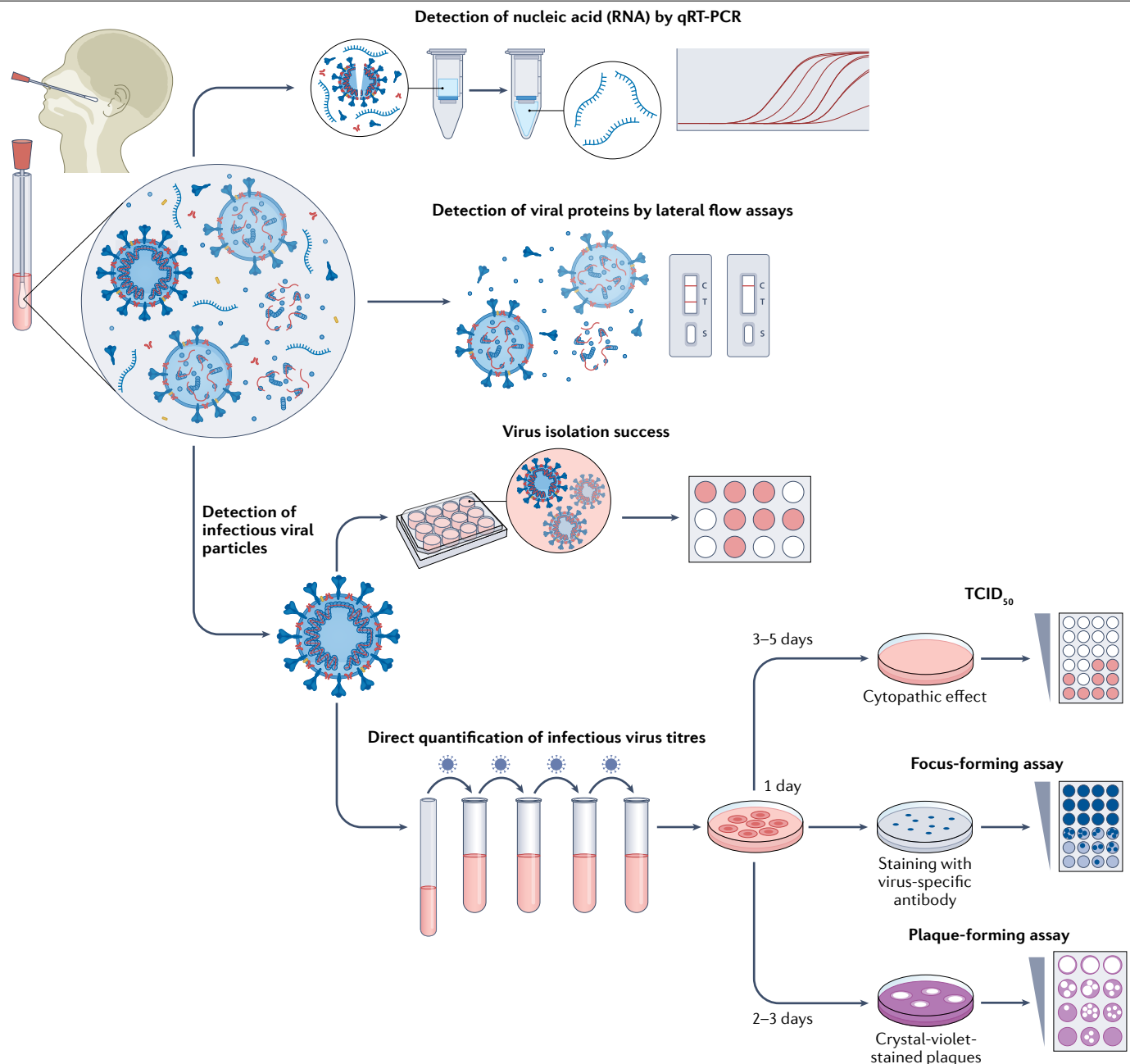


Fig. 1 | Methods to measure infectious virus and RNA viral load. Swab specimens from the nasopharynx or oropharynx are used for detection of SARS-CoV-2 viral loads. Detection of viral nucleic acids (RNA) is performed by quantitative real-time PCR (qRT-PCR). Viral RNA is extracted from lysed virus, reverse transcribed and amplified by qPCR using primers specific for one or more target regions in the viral genome. The amplification cycle at which samples cross the threshold (cycle threshold) defines the amount of viral RNA. RNA viral load can be expressed as the number of viral RNA copies per millilitre, or by the arbitrary test-specific cycle threshold value. Lateral flow assays detect the presence of specific viral proteins in the lysed viral particles. SARS-CoV-2 nucleocapsid is used in most antigen-detecting (rapid) diagnostic tests. The presence of infectious (replication-competent) virus in respiratory specimens can only be determined by the recovery of virus in cell culture by isolation or by quantification of infectious virus titres using 50% tissue culture infectious

dose (TCID₅₀), focus-forming assays or plaque-forming assays. Virus isolation is performed by applying infectious medium on the monolayer of cells; isolation success is determined by the presence of a cytopathic effect approximately 3–5 days post-infection. White colour indicates the presence of a cytopathic effect in cells. For quantification of infectious virus titres, serial dilutions of respiratory samples are performed and used for inoculation on the monolayer of cells. In TCID₅₀, 3–5 days post-infection, viral-induced cytopathic effect is classically defined using microscopy. In focus-forming assays, cells are fixed 1 day post-infection and immunostaining with virus-specific antibodies is performed to detect groups of infected cells (foci). The foci, indicating the presence of infectious virus, are displayed in blue. In plaque-forming assays, plates are fixed 2–3 days post-infection and stained with crystal violet; wells with individual plaques are used to determine viral titres. The plaques, indicating the presence of infectious virus, are displayed in white.

media used for the sample, storage condition and quality of the sample may further influence the detection of viral RNA and their usefulness and limitations when extrapolating to potential infectiousness.

Although new variants have impacted some gene targets, in most instances, they did not have a major effect on molecular diagnostics, owing to the use of dual-target assays (in which at least two viral genes are detected simultaneously)³¹.

Antigen-detecting rapid diagnostic tests

Most lateral flow tests are designed to detect SARS-CoV-2 nucleocapsid protein, as a proxy for infectious virus, in nasal or nasopharyngeal swabs^{32–36} (Fig. 1). Indeed, most studies on Ag-RDT detection show good concordance with RT-PCR positivity when Ct values are below 25–30, a viral load compatible with the presence of infectious virus, whereas higher Ct values give less reliable results^{34,37–41}.

Early time points during infection often give negative results with Ag-RDT in individuals who have tested positive by PCR^{29,42}. On average, the first positive Ag-RDT results are obtained about 1–2 days later than positive PCR results³⁷, whereas the highest sensitivity in patients was shown during the first 7 dpos in the studies with ancestral SARS-CoV-2 (refs.^{42–44}). Antigen tests show highest sensitivity for specimens containing infectious virus and with Ct values below 25 (refs.^{45–49}), and their positivity highly correlates with the presence of infectious virus^{34,45,47,50}. By contrast, Ag-RDTs are less sensitive to low RNA viral loads (which have higher Ct values)⁵¹. Several studies have demonstrated a strong correlation between Ag-RDT positivity and the period in which infectious virus can be detected, indicating that Ag-RDTs can add an additional safety layer for deciding when to end isolation^{29,39}.

However, some inconsistencies between studies and tests have been noted. For instance, there have been reports (across a range of studies and Ag-RDTs) of failure to detect viral antigens in specimens with a low Ct value and/or containing infectious virus (beyond the early acute phase)^{46,50}. Moreover, there are seldom reports of Ag-RDTs remaining positive after more than 10 dpos^{42,46,50}. As most studies failed to isolate infectious virus after more than 10 dpos, it remains unclear whether Ag-RDT positivity beyond 10 dpos correlates with infectious virus shedding. One study showed that antigen tests predict infectiousness more accurately at 1–5 dpos, than at 6–11 dpos⁵². Notably, there was a good correlation between Ag-RDT positivity and infectious virus isolation within the first 11 dpos⁵².

Conflicting results were found for sensitivity and specificity of Ag-RDTs for detection of SARS-CoV-2 variants, with large variations between manufacturers, the type of setting in which the Ag-RDTs were used (self-tests versus tests collected by a health-care professional) and the type of sample used for detection (nasal versus oral)^{53–57}. With increasing hybrid immunity and the presence of mucosal antibodies, Ag-RDTs may further lose sensitivity⁵⁸.

Viral load and shedding dynamics

Viral loads are used as a proxy to characterize infectious viral shedding. The exact time for which individuals remain infectious is laborious to estimate and is likely to vary between patients. Viral factors, such as viral variant, and host factors, such as patient age and sex and immune status, influence shedding dynamics.

Viral load as a key determinant of viral shedding

After the emergence of SARS-CoV-2 in late 2019, the first details on viral load and infectious virus shedding were measured in a cluster of infections that occurred in January 2020 in Germany, assessing

nine immunocompetent individuals with a mild course of disease⁴. Peak RNA viral loads were reached in the early symptomatic period at 5 dpos, a finding that was confirmed by other studies reporting peak viral loads at the time of symptom onset or even shortly before^{4,7,28,59}. RNA viral loads gradually declined over the course of the disease in the nasopharyngeal and throat swabs, reaching low or undetectable levels 2 weeks after symptom onset^{4,23,59,60} (Fig. 2). Declining RNA viral load is associated with resolution of clinical symptoms and gradual increase in antibody titres, for both binding and neutralizing antibodies^{18,23}. However, ongoing detection of viral RNA has been described for prolonged periods up to 28 dpos in otherwise healthy individuals⁶¹, and some studies have reported low-level detection of RNA by RT-PCR even for months⁶². Participants who continue to shed viral RNA for more than 4 weeks after initial detection by RT-PCR represent a minority of non-severe cases, estimated to be around 3%⁶³, 14%⁶⁴ or less than 20%⁶⁵.

Infectious virus shedding of the ancestral SARS-CoV-2 strain, as determined by virus isolation in cell culture, was reported to correlate with high RNA viral load in the early acute phase after symptom onset²³. Importantly, daily longitudinal sampling of respiratory specimens from individuals with mild disease or asymptomatic infection revealed that infectious virus can already be detected before the onset of symptoms³³. Successful infectious virus isolation was reported within the first 8–10 dpos, but culture probability after this time period rapidly declined^{4,7,23,29,66,67}. Studies that assessed infectious virus quantitatively found that infectious virus titres declined over the first 10 dpos^{25,29}. In addition, a reduced chance of virus isolation coincided with the time of seroconversion in hospitalized patients and, as a result, infectious virus could no longer be isolated from seroconverted patients with detectable antibody titres^{18,68,69}. Although similar seroconversion studies performed on mildly symptomatic patients are missing, the number of immunologically naive individuals is declining and this broadly existing underlying immunity makes such an assessment more complex.

Most studies on infectious virus shedding in the acute symptomatic period were on immunocompetent patients that had mild-to-moderate disease, representing the majority of COVID-19 cases in the community. Therefore, the assessment of the presence of infectious virus in the URT from those studies was used to define the duration of the period of infectiousness and contributed to best public health practices for isolation and quarantine^{62,70}. Although the pattern of infection is broadly similar in patients with mild and severe disease, key differences do exist. The first week of illness is comparable in terms of RNA viral load between patients with mild and severe disease. However, patients with severe disease have elevated RNA viral loads in the second week of illness, and RNA was detected for prolonged periods⁷¹. Moreover, infectious virus was recovered from hospitalized patients for prolonged periods of up to 32 dpos^{18,72,73}; however, the median time from symptom onset to viral clearance in culture was similar to that of patients with mild or moderate disease^{18,73}. Severe COVID-19 is also characterized by high and persistent RNA viral load in the LRT, whereas non-severe cases have similar viral loads in the URT and LRT⁷⁴.

Prolonged detection of viral RNA was also reported in immunocompromised patients; for example, 224 days after the beginning of the infection, virus was still detected in a man infected with HIV, including the detection of subgenomic RNA (sgRNA) indicating active viral replication⁷⁵. Also, infectious virus was recovered up to 61 dpos in nasopharyngeal swabs collected from immunocompromised patients⁷⁶, and low RNA viral loads were still detected at 60 dpos in another study⁷⁷. Infectious virus was isolated from bronchoalveolar fluids from patients receiving chimeric antigen receptor (CAR) T cell therapy

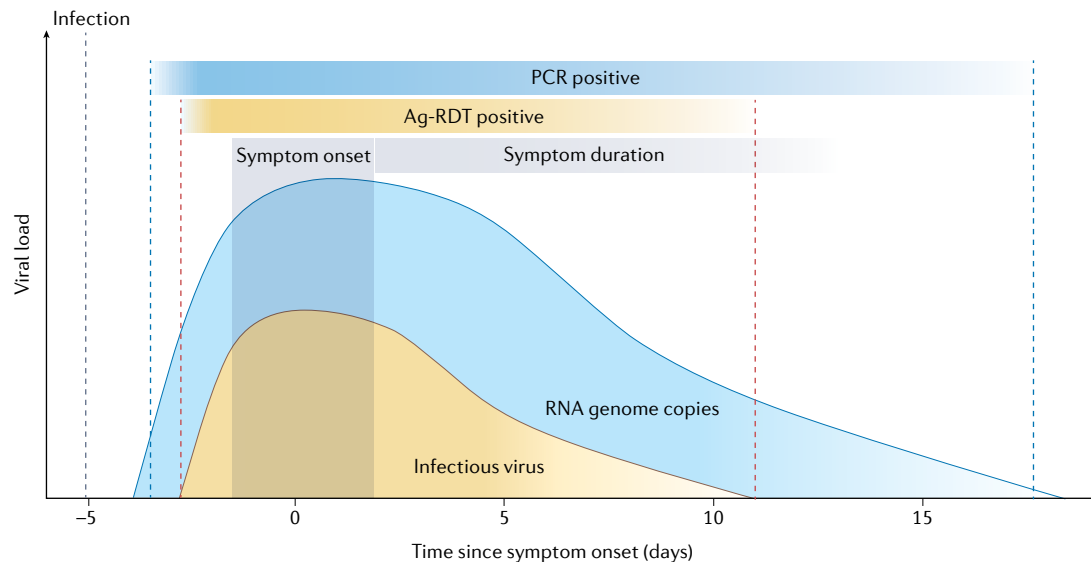


Fig. 2 | Kinetics of RNA viral loads and infectious virus for ancestral SARS-CoV-2 in patients with mild-to-moderate disease. According to different studies, the incubation period for ancestral SARS-CoV-2 was estimated to lie between 4.6 and 6.4 days. On average, symptoms continue to persist for 10 days. RNA can already be detected before the onset of symptoms; RNA levels peak around the onset of symptoms and then gradually decline. Median clearance for RNA viral load is 16 days post-onset of symptoms. Infectious virus titres are highest around symptom onset, and infectious virus can be isolated up to 8 or 10 days post-onset of symptoms. RNA can be detected for prolonged periods

by real-time PCR, when infectious virus is no longer detectable, whereas virus detection by antigen-detecting (rapid) diagnostic tests (Ag-RDTs) was shown to be a better correlate for infectiousness. Gradients reflect variability between individuals (lighter shade towards the end of infection shows that viral loads continue to be detected in some but not all individuals). The grey dashed line marks the initial infection, the blue dashed lines mark the PCR-positive period and the red dashed lines mark Ag-RDT positivity. Details of the underlying studies used to generate Fig. 2 can be found in Supplementary Table 1.

up to 28 days after admission to an intensive care unit⁷⁸. A case report on an immunocompromised patient showed isolation of infectious virus up to 78 dpos⁷⁹. The reports of infectious virus isolation from severely ill or immunocompromised patients are limited (owing to the low number of patients), so it is difficult to define the proportion of cases with prolonged shedding.

The characteristics of viral shedding of other respiratory viruses are outlined in Box 2.

Viral shedding of SARS-CoV-2 variants

Viral evolution of SARS-CoV-2 over time has led to the emergence of numerous variants. Combined with increasing population immunity due to vaccination or natural infection, this has led to a need to reassess our knowledge of viral shedding patterns.

The WHO designated variants as variants of concern (VOCs) if they were associated with one or more of the following: elevated transmissibility or a detrimental change in COVID-19 epidemiology; increased virulence or a change in clinical disease presentation; or decreased effectiveness of public health measures or available diagnostics, vaccines or therapeutics⁸⁰. To date, five VOCs are recognized: Alpha, Beta, Gamma, Delta and Omicron. In contrast to ancestral SARS-CoV-2, VOCs display some differences in evasion from immunity, viral loads, shedding period or even incubation period, resulting in drastically different levels of transmission^{81–85} (Fig. 3).

All VOCs have shown changes in viral load compared with ancestral SARS-CoV-2. One study reported that infection with Alpha leads to approximately tenfold higher RNA viral load and an increased probability of cell culture isolation compared with the ancestral virus⁸⁶.

However, another study did not find a substantial difference in the infectious virus titre between Alpha and ancestral SARS-CoV-2 (ref.³³). Delta reportedly led to an even higher increase in RNA viral load: one study reported a 1,000× increase relative to the ancestral virus⁸⁷, and other studies reported 1.7× (ref.⁸⁸) or 6.2× higher⁸⁹ viral load than Alpha. Furthermore, Delta demonstrated elevated probability of cell culture isolation⁹⁰ and higher infectious virus titres than Alpha⁹¹. Although Omicron was shown to be highly transmissible, lower RNA viral loads⁹², lower cell culture isolation probability⁹³ and lower infectious virus titres²⁵ were observed in patients infected with Omicron BA.1 than in those infected with Delta. Even within the Omicron clade, there are differences between sub-lineages, with infection with Omicron BA.2 leading to higher levels of RNA viral loads and longer time to viral clearance than with Omicron BA.1 (refs.^{94–96}).

Similarly, VOCs have shown differences in the duration of viral shedding. Analysis of Ct values in respiratory specimens found that Delta showed longer persistence of viral RNA than ancestral SARS-CoV-2 (ref.⁹⁷). Another study demonstrated that there was not significant difference in the mean duration of viral RNA presence in Delta and Omicron BA.1 infections⁹². The duration of infectious virus shedding appears to be similar to that observed with ancestral SARS-CoV-2, with culturable virus obtained at 5 dpos⁸⁵ and no replication-competent virus isolated beyond 10 dpos in patients infected with Delta and Omicron BA.1 (refs.^{84,98}). It is important to note that pre-existing immunity to SARS-CoV-2, either from infection or vaccination, might influence the duration of infectious virus shedding (alongside immune status and disease severity, as discussed above), which may have driven some of these differences during the course of the pandemic.

Influence of age and sex on viral shedding

There is some evidence that age-associated and sex-associated differences in innate and adaptive immunity, as well as higher ACE2 expression in adults than in children, result in an increased risk for severe disease in older male patients^{99–101}. Moreover, a few studies have found that age and sex influence viral loads and shedding dynamics. In cases of infection with ancestral SARS-CoV-2, resolution of RNA shedding was faster in participants <18 years of age and slower in participants >50 years of age⁶¹. According to one study, viral RNA can be detected for longer times in male patients infected with ancestral SARS-CoV-2 (ref.¹⁰²), and RNA viral loads were elevated in male patients infected with either Alpha or Delta variants compared with female patients⁸⁸. However, a possible association of viral load dynamics with age or sex is highly debated, as other studies demonstrated that they have no influence on infectious virus²⁵ or RNA viral loads⁵⁹.

Early studies in ancestral SARS-CoV-2 did not find a difference in virus isolation success¹⁰³ or RNA viral loads between children and adults^{104–106}, but sample sizes were small. Slightly lower RNA viral loads and a more rapid clearance of viral RNA was observed in children than in adults when analysing much larger cohorts, whereas the patterns of shedding curves over time were similar between children and adults¹⁰⁷. Furthermore, large-scale analysis of viral loads across different age groups showed no differences of distribution of RNA viral load between children and adults¹⁰⁸ or only slightly lower viral loads (<0.5 log₁₀ units) in children <5 years of age⁸⁶.

Symptoms as a correlate for shedding

One of the key epidemiological parameters for SARS-CoV-2 transmission is the incubation period, defined as the time from exposure or infection to the onset of symptoms. Studies on ancestral SARS-CoV-2

Box 2

Shedding of respiratory viruses

The dynamics of viral shedding differs between respiratory viruses, which influences their transmission and has an effect on diagnostics and measures applied to contain the outbreaks.

SARS-CoV

The epidemic of severe acute respiratory syndrome coronavirus (SARS-CoV) started in November 2002 in the Guangdong province of China and rapidly spread outside China. The virus was airborne and could also be spread via droplets of saliva, but is only moderately transmissible among humans¹⁸⁸. Only low viral loads were detected in the early symptomatic period, generally peaking in the upper respiratory tract (URT) around 10–14 days post-onset of symptoms (dpos)^{189,190}, and then dropping to low levels at 3–4 weeks post-infection¹⁹¹. In patients infected with SARS-CoV, viral RNA was detectable for a maximum of 8 weeks in samples collected from the URT¹⁹¹ and for 52 days in sputum samples¹⁹², whereas infectious virus was isolated up to 28 dpos from stool and respiratory specimens and up to 36 dpos from urine samples^{191,193}. SARS-CoV replicated less efficiently at low temperatures; thus, virus replication was more efficient in the lower respiratory tract (LRT) than in the URT¹⁹⁴. Notably, asymptomatic or pre-symptomatic viral shedding and transmission were not recorded for SARS-CoV^{190,195}; the peaks of transmission occurred around 2 and 10 dpos¹⁹⁵. As a result, outbreaks were successfully contained through isolation of symptomatic patients infected with SARS-CoV, which reduced onward transmission¹⁹⁶.

MERS-CoV

Middle East respiratory coronavirus (MERS-CoV) was isolated from a patient with pneumonia in Saudi Arabia in 2012 and was shown to be the causative agent of a cluster of severe respiratory tract infections in the Middle East¹⁹⁷. The disease caused by MERS-CoV is characterized by a wide range of clinical severities and by predominantly respiratory symptoms, such as acute viral pneumonia, with a high case fatality ratio¹⁹⁸. The virus is capable of

airborne transmission and has low transmissibility among humans, with a maximum estimated reproduction number below 1 (ref.¹⁹⁸). Higher RNA viral loads were detected in the LRT than in the URT. Estimated mean shedding duration is 15.3 days in the URT and 16.3 days in the LRT⁶². Prolonged PCR positivity and higher RNA viral loads in the URT and LRT were associated with increased disease severity^{62,199}. Viral RNA was also detected in the urine, stool and serum²⁰⁰. One study reported detection of viral RNA in the blood for 34 days and showed that presence of viral RNA in the blood is associated with higher mortality²⁰¹; however, another study failed to isolate virus from PCR-positive serum samples²⁰⁰.

Influenza virus

In symptomatic patients, RNA viral loads start to be detectable by real-time PCR 2 days before the onset of symptoms and peak at 1 dpos²⁰². Human challenge trials with influenza A viruses show that viral loads already sharply increase at 1 day post-inoculation, reach a peak at 2 days post-inoculation and become undetectable at 8 days post-inoculation. The mean duration of viral shedding for influenza viruses is 4.8 days, and the maximum duration is between 6 and 7 days^{203,204}. Kinetics of infectious viral titres were similar to the viral load trends detected by real-time PCR for different strains of influenza²⁰⁵. Lower RNA viral loads and shorter infectious viral shedding were noted in asymptomatic patients²⁰².

Human respiratory syncytial virus

This virus is the most frequent causative agent of LRT infections, leading to morbidity and mortality particularly in young children and older adults²⁰⁶. The virus is transmitted by contact with nasal secretions or large aerosols. Viral loads and symptoms increased simultaneously, reaching a peak at 5.4 days²⁰⁷. In human challenge trials, respiratory syncytial virus titres were detectable for an average of 4.6 days. Viral RNA could be still detected up to 9 dpos, whereas infectious virus titres could be detected from 1 to 8 dpos in adults²⁰⁸ and up to 9 dpos in children²⁰⁹.

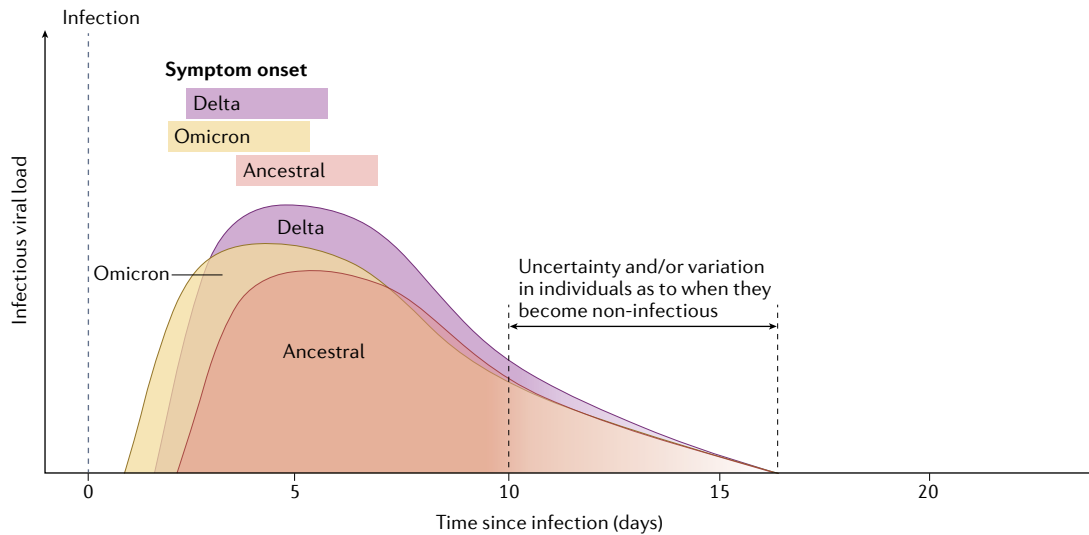


Fig. 3 | Infectious viral load and symptom onset in SARS-CoV-2 Delta and Omicron BA.1 variants of concern. Overall patterns of shedding dynamics are conserved between SARS-CoV-2 variants. In comparison to ancestral SARS-CoV-2, Delta and Omicron BA.1 have shorter incubation periods, estimated as approximately 3.7–4 days for Delta and approximately 3–3.4 days for Omicron BA.1. Higher infectious viral loads were detected in patients infected with Delta than in patients infected with Omicron BA.1 or ancestral SARS-CoV-2. Only

a limited number of studies have determined when virus shedding for Delta and Omicron BA.1 ends, so this time point is not well defined. Owing to the low number of studies comparing the end of the infectious period between different SARS-CoV-2 variants of concern, the end point of infectivity is not well defined (shown as a colour gradient). Details of the underlying studies used to generate Fig. 3 can be found in Supplementary Table 2.

have estimated that the incubation period on average is between 4.6 and 6.4 days^{59,109–111} (Fig. 2). A human challenge trial with ancestral SARS-CoV-2 demonstrated that symptoms start to appear 2–4 days after inoculation, and RNA viral loads reach their peak 4–5 days after inoculation²⁹. Thus, artificial inoculation of the virus confirmed the timing of peak viral loads observed in naturally infected individuals, whereas onset of symptoms was faster in the human challenge cases. In contrast to natural infection, in artificial inoculation, virus-containing drops with high viral load are directly applied in the nose and therefore reach the nasal epithelium more quickly, which might lead to the more rapid appearance of symptoms. For Delta, the estimated incubation period was between 3.7 and 4 days^{81–83,97}, whereas infection with Omicron BA.1 was characterized by an even shorter incubation period of 3–3.4 days^{83,112,113} (Fig. 3). However, as the time point of infection is rarely known outside of human challenge trials, dpos is most commonly used when analysing viral load and infectious virus.

Considering that high viral loads can be detected in the URT of infected individuals regardless of their clinical manifestations, the presence of symptoms is an unreliable indicator of infectiousness. Notably, individuals infected with SARS-CoV-2 can be infectious before the onset of symptoms⁵⁹, and it was estimated that about half of secondary transmissions take place in the pre-symptomatic phase^{59,114}. Moreover, according to population surveys, asymptomatic cases represent around 40% of all SARS-CoV-2 infections with ancestral SARS-CoV-2 (refs. ^{115–117}), and tracing of close contacts of confirmed cases of SARS-CoV-2 found that up to 23% of infections were asymptomatic¹¹⁸.

There are conflicting findings regarding viral shedding differences in symptomatic and asymptomatic patients. Comparison of viral loads between symptomatic and asymptomatic patients remains challenging, as the time of exposure cannot be clearly identified in asymptomatic individuals, and dpos cannot be used when comparing

viral loads with symptomatic individuals. Furthermore, individuals who do not show clinical symptoms at the time of testing can represent either true asymptomatic individuals or pre-symptomatic individuals who will develop symptoms later. Thus, only well-controlled studies with a follow-up of assessed individuals can make a clear distinction between pre-symptomatic and asymptomatic individuals. A study on ancestral SARS-CoV-2, which followed COVID-19 confirmed cases hospitalized for isolation and recorded symptoms daily, found similar initial Ct values between asymptomatic and symptomatic individuals¹¹⁹. Similarly, no significant difference in RNA viral loads between symptomatic and asymptomatic patients was found in other studies in which patients were followed longitudinally and the presence of symptoms was either monitored by health-care professionals¹²⁰ or was self-reported¹¹⁵. By contrast, other studies, in which symptoms were also recorded by clinicians, reported lower RNA viral loads in asymptomatic participants^{121,122}. In addition, one study found a faster clearance of viral RNA in asymptomatic than in symptomatic individuals¹²³, and another recorded a longer median duration of viral RNA shedding among asymptomatic patients¹¹⁹.

There are limited data regarding the presence of infectious virus in asymptomatic patients. One study showed lower virus isolation success from asymptomatic patients¹²⁴, but only a small number of patients were included. Therefore, more studies evaluating infectious virus in asymptomatic patients would help to elucidate the differences in their infectivity compared with symptomatic patients.

SARS-CoV-2 transmission

Viral loads have a key role in the SARS-CoV-2 transmission. As previously discussed, host (role of vaccination or previous infection) and viral factors (SARS-CoV-2 variants) greatly influence viral load dynamics and therefore further influence viral transmission.

Influence of viral load on transmission

SARS-CoV-2 can be transmitted via larger droplets and aerosols produced when breathing, speaking, sneezing or coughing and to a lesser extent also by contaminated surfaces. As an infection can only be induced by infectious viral particles and not by remnant RNA or protein alone, the presence of infectious SARS-CoV-2 is required for secondary transmission. Although transmission is a multifactorial process that is also influenced, for example, by environmental and behavioural factors (such as humidity, air quality, exposure time or closeness of contact), the viral load of SARS-CoV-2 in the URT is considered to be a proxy for transmission risk.

An epidemiological study that included viral load analysis found that viral load of an index case strongly correlates with onward transmission, with higher viral loads for ancestral SARS-CoV-2 presenting a greater secondary attack rate risk¹²⁵. In this study, viral load was identified as the main driver of transmission, with a more pronounced effect in household settings than in non-household settings (hospitals and nursing homes, among others). Transmission probability peaks around symptom onset, when infectious virus titres are estimated to be the highest during the course of infection. As viral load decreases with time, the probability of transmission also gradually declines in cases of infection with ancestral SARS-CoV-2 (ref.¹²⁶). On this note, a study of health-care workers infected with ancestral virus documented no transmission from index cases later than 6 dpos, which is in line with findings showing reduced virus isolation success towards the end of week 1 of symptomatic disease¹²⁷.

However, there are limitations when using viral load of an index case as a proxy for transmission. To date, the infectious dose of SARS-CoV-2 required to lead to a secondary transmission is not yet known, and the association between presence of infectious virus in the respiratory tract and infectiousness of the same individuals is poorly understood. In the only available human challenge trial that was conducted with ancestral SARS-CoV-2, an initial infectious dose of 10 TCID₅₀ did not lead to an infection in 16 of 36 participants²⁹. Other factors, such as symptoms, type of contact, protective measures, vaccination status and other host factors may have an additionally strong effect on transmission^{128–133}.

Viral load can markedly vary between individuals (as a result of individual susceptibility and of immunity from previous infections or vaccination), which leads to differences in their propensity to transmit the virus. Indeed, differences have been observed in the duration of infectious virus detection and in nasal and oral viral loads for both ancestral SARS-CoV-2 and Alpha³³. Inter-individual variability was suggested to have a role in the observed heterogeneity of viral load dynamics, as some early immune signatures were significantly associated with higher oropharyngeal RNA viral loads in patients¹³⁴. Therefore, observed heterogeneity between individuals has an important role in ongoing viral transmission³³.

Such differences can lead to heterogeneity in virus transmission. Modelling with ancestral SARS-CoV-2 and Alpha estimated that individuals who are highly infectious, known as superspreaders, shed 57-fold more virus over the course of infection than those with lowest infectiousness³³. By contrast, most patients with COVID-19 do not infect other individuals as they expel few to no viral particles from their airways¹³⁵. Indeed, only a minority (about 8%) of patients positive for SARS-CoV-2 infected with ancestral SARS-CoV-2 or Alpha have significantly higher infectious virus titres than the rest of the population (as shown in a study measuring virus isolation probability in a large cohort of patients)⁸⁶. Moreover, only 15%¹¹⁴ to 19%¹³⁶ of individuals that

were infected led to 80% of secondary transmissions of ancestral SARS-CoV-2. Similar trends were confirmed for Omicron BA.1 and BA.2, for which only 9%¹³⁷ to 20%¹³⁸ of the infectious contacts were responsible for 80% of all transmissions.

Superspreading events are therefore characterized by infectious individuals having close contact with a high number of susceptible individuals and by a higher probability of transmission per contact. Aside from biological factors influencing these events, sociobehavioural and environmental factors contribute to the likelihood of superspreading (for example, large indoor gatherings with poor ventilation and no other infection prevention measures). Moreover, particular locations can represent a higher risk of transmission (for example, many superspreading events take place in crowded indoor settings, such as cruise ships, family gatherings, parties, elderly care centres and hospitals)¹³⁹.

The role of pre-existing immunity on viral shedding and transmission

All currently licensed SARS-CoV-2 vaccines are administered intramuscularly, leading to a rise in serum antibodies and protection from severe disease and death due to COVID-19, but not to long-term protection from infection^{140–142}. The levels of circulating antibodies generated following vaccination decline over time, but can be elevated by a booster dose^{143,144}. Furthermore, currently available vaccines were developed against the ancestral SARS-CoV-2 strain using the spike protein of the first sequenced virus, and the degree of protection from severe disease against other genetic variants was shown to vary¹⁴⁵. Moreover, vaccination leads to limited induction of neutralizing antibodies on mucosal surfaces, which may have a role in mitigating virus replication and prevention of more pronounced disease^{146,147}. For instance, secretory component antibodies, which are specific to mucosal surfaces, were detected in the saliva in 58% of participants 2 weeks post-vaccination with mRNA vaccines in one study, but the levels were significantly lower than in convalescent participants, and their neutralizing capacity significantly decayed 6 months post-vaccination¹⁴⁸. A study on a small group of individuals uninfected or infected with Delta demonstrated that mucosal antibody responses induced by vaccination were low or undetectable, but breakthrough infections led to substantial increases of antibody titres in saliva¹⁴⁹. However, the role of pre-existing mucosal immunity on infectious virus shedding and the possible correlation between the mucosal antibodies and viral loads in humans has not been elucidated.

As a result of waning antibodies and the emergence of VOCs with immune-evading properties, breakthrough infections have been increasingly reported among vaccinated individuals, mainly since the emergence of the Delta and Omicron VOCs. It has been debated whether vaccination with current SARS-CoV-2 vaccines impacts viral load (and therefore shedding) in breakthrough infections. The effect of vaccination on viral load and shedding is therefore of interest as it would mean that vaccination not only protects the vaccinee but can also help to mitigate virus spread by reducing infectious virus titres or shortening infectious shedding periods, thus having an impact beyond protection of the individual.

Overall, vaccination has been found to lead to reduced viral load (Fig. 4), although this decreases with time. Vaccination with ChAdOx1 vaccine (the Oxford–AstraZeneca vaccine) or BNT162b2 (the Pfizer/BioNTech vaccine) leads to lower RNA viral loads in individuals infected with Alpha, but the effect was weaker for breakthrough infections with Delta^{150,151}. Immunization with BNT162b2 led to reduced RNA viral loads in Delta breakthrough infections, although this effect declined

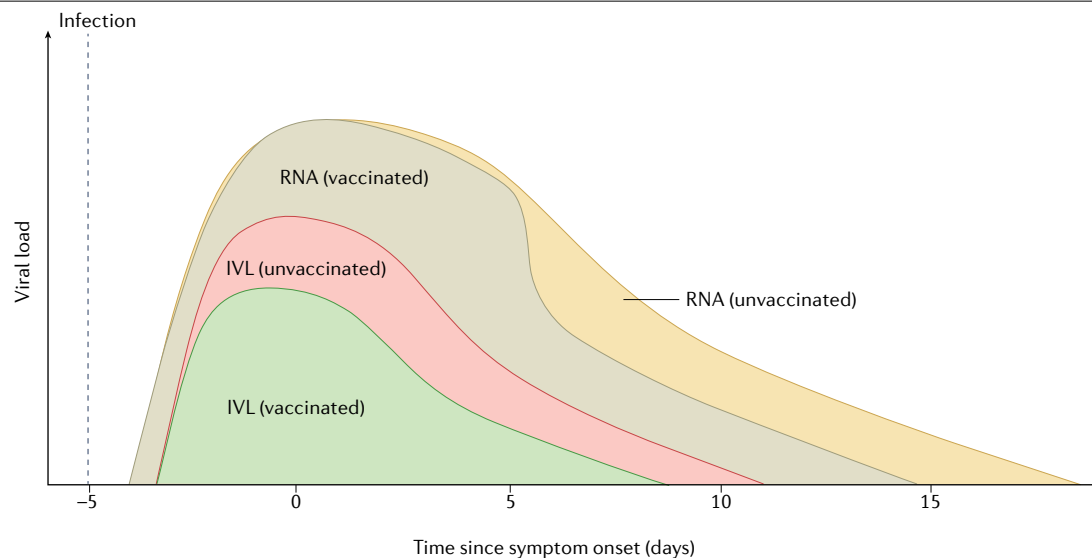


Fig. 4 | Influence of vaccination on viral load. Similar RNA viral loads were detected in vaccinated and unvaccinated patients infected with the Delta variant of concern during the first 5 days post-onset of symptoms. However, faster clearance of viral RNA was shown in vaccinated patients. Infectious viral loads (IVLs) were significantly lower in vaccinated individuals and declined

faster than in unvaccinated individuals infected with Delta. Dynamics of viral loads in vaccinated individuals may vary widely in case of infection with another variant. Details of the underlying studies used to generate Fig. 4 can be found in Supplementary Table 3.

2 months after vaccination and ultimately faded 6 months after vaccination¹⁵². Immunization with ChAdOx1 vaccine also led to a reduction of RNA viral load in breakthrough infections with Alpha VOC¹⁵³. Faster clearance of RNA viral loads was detected in the group of vaccinated patients who mostly received mRNA vaccines^{154,155}, and lower probability of isolation of infectious virus from patients vaccinated with mRNA or adenoviral vector vaccines was observed^{156,157}. Even though not all studies could demonstrate a reduction of RNA viral loads in Delta breakthrough infections^{150,154}, infectious virus titres were reported to be lower in individuals vaccinated with mRNA or adenoviral vector vaccines despite similar levels of viral RNA^{25,93,157}. Vaccination was also found to influence infectious virus isolation. Viable virus in cell culture was detected for significantly longer median time periods in unvaccinated patients infected with Delta than in vaccinated patients infected with Delta^{155,158}. However, no significant differences in RNA viral loads were found between unvaccinated, fully vaccinated or boosted patients infected with Omicron BA.1 or BA.2 (refs. ^{93,159}), whereas infectious virus titres, measured quantitatively at 5 dpos, were lower in Omicron BA.1 breakthrough infections only after a booster dose²⁵. Other studies showed that vaccination status did not influence infectious virus isolation success⁹³ or the time from initial positive PCR assay to culture conversion in patients infected with Omicron BA.1 (ref. ⁸⁵). These studies indicate that triple vaccination reduces infectious viral load but not the time period during which infectious virus can be isolated from Omicron breakthrough infections.

There are limited data on the effect of previous infection on viral shedding. A study performed on ancestral SARS-CoV-2 demonstrated lower RNA viral loads among seropositive individuals than among seronegative individuals¹⁶⁰. Although higher levels of reinfection with Omicron BA.1 were demonstrated among unvaccinated patients previously infected with other SARS-CoV-2 variants¹⁶¹, there are no relevant data on the effect of previous infections on viral load dynamics.

Together, these findings suggest that vaccinated individuals are less infectious than unvaccinated individuals, although the duration of this effect has not been studied systematically. Nevertheless, there are some conflicting data on the effect of vaccination on onward transmission. An epidemiological study performed in the UK found that, despite RNA viral load declining faster among fully vaccinated than unvaccinated patients infected with Delta, the peak RNA viral loads were similar, and the secondary attack rate among household contacts exposed to fully vaccinated or unvaccinated index cases did not differ¹⁵¹. By contrast, data from Israel showed that less Delta transmission took place in households with vaccinated participants than with unvaccinated participants¹³⁰. Another study from the UK showed that both BNT162b2 and ChAdOx1 vaccines led to the reduction of onward transmission from vaccinated index patients, although a stronger reduction was detected for Alpha than for Delta¹²⁹, probably owing to the higher viral loads in the case of infection with Delta, as shown previously^{88,89,129}. Finally, another study found that vaccination was associated with reduced onward transmission of Delta breakthrough infection due to shorter duration of viable virus shedding¹⁵⁸.

Overall, even though the currently used vaccines are still based on the ancestral virus spike protein and elicit mainly a systemic rather than a mucosal immune response, some effect on viral load, infectious virus shedding and transmission has been observed^{129,130,162}. Furthermore, with increasing rates of breakthrough infections in the Omicron waves since the end of 2021, many individuals display hybrid immunity consisting of vaccination combined with one or more natural infections before or after vaccination^{163,164}. It is thought that such hybrid immunity may provide better control of virus replication in the mucosa^{149,163,165}.

With the constant emergence of novel variants that can evade existing immunity, our understanding of the effect of vaccination on viral shedding should be constantly updated¹⁶⁶. Better understanding of the role of mucosal immunity, and potentially vaccines that elicit

Glossary

Chimeric antigen receptor (CAR) T cell therapy

A way to treat cancer by using T cells expressing genetically engineered receptors to target cancer cells.

Cycle threshold (Ct) value

The number of amplifications required for a target gene to cross the threshold determined by real-time PCR. Arbitrary test-specific Ct values inversely correlate with viral load.

Focus-forming assays

Assays that count the number of 'foci', defined as a cluster of adjacent cells expressing viral antigen stained by a specific antibody.

Immunostaining

A method for the detection of specific proteins in individual cells or tissues using antibodies. In the case of SARS-CoV-2, anti-nucleocapsid antibodies are used to detect virus in infected cells.

Index case

The infected individual who is triggering an outbreak or a cluster by transmitting an infectious agent to others. There might be multiple index cases in an outbreak or epidemiological study.

local rather than systemic immune responses, are needed to aim for viral load reduction as a means to control SARS-CoV-2 circulation^{167–169}.

Influence of SARS-CoV-2 VOCs on transmission

There are several possible underlying causes of increased transmissibility of newly emerging variants, which allow VOCs to quickly outcompete previously circulating strains, including increased viral loads, a lower infectious dose required to establish infection and prolonged period of infectiousness¹⁷⁰. Furthermore, the immune-evading properties of new variants lead to higher susceptibility of infection for vaccinated and previously infected individuals and result in higher transmissibility, as was observed with Omicron^{166,171}.

The rapid emergence of SARS-CoV-2 variants with altered biological properties has shown that knowledge on viral loads, viral kinetics and infectious virus shedding is variant specific, and each emerging variant requires a reassessment. Although understanding of mutational profiles and associated phenotypes of SARS-CoV-2 variants has improved, reasons for enhanced transmissibility are manifold and not all understood yet. To date, shedding characteristics and transmission properties cannot be easily predicted based on sequences. Unlike immune-evasion mechanisms, shedding dynamics, such as kinetics of infectious virus titres or incubation periods of the SARS-CoV-2

variants, cannot be predicted from specific mutation patterns. With a still highly dynamic situation in terms of viral evolution of SARS-CoV-2, understanding viral kinetics and their effect on transmission remains of high public health interest.

SARS-CoV-2 diagnostics in public health

Our ability to define the presence of infectious virus is key to guiding public health measures, as it will enable the isolation of infectious individuals to limit secondary transmission. Unfortunately, no point-of-care diagnostic test currently exists to determine infectious SARS-CoV-2 in a patient sample¹⁷², and virus culture as described above is not suited for diagnostic purposes. Thus, a range of approaches have been suggested to find a proxy for infectiousness to guide isolation periods.

One example is the detection of sgRNA transcripts, which are generated during virus replication, and specifically the synthesis of negative-strand RNA. Although sgRNAs are transcribed in infected cells, they are not packaged in the virions and can therefore serve as an indicator of active replication and thus of infectious virus. Specific RT-PCR assays were developed to detect sgRNAs in addition to the diagnostic detection of genomic SARS-CoV-2 RNA, but such assays have not made their way into routine diagnostic use owing to their lower sensitivity than conventional RT-PCR assays. Some studies found that detection of sgRNA correlates with detection of infectious virus^{4,173,174}, and that sgRNA was rarely detectable 8 dpos⁶⁷. However, sgRNA was detected in diagnostic samples up to 17 days after initial detection of infection¹⁷⁵ or in culture-negative samples¹⁷⁶, probably owing to the stability and nuclease resistance of double-membrane vesicles containing sgRNAs. Thus, although the absence of sgRNA would indicate absence of viral replication, the presence of sgRNA does not necessarily indicate infectiousness¹⁹.

Ct values have also been used as a proxy for infectiousness, as described above. However, as already discussed, low-quality specimens resulting from technical mistakes during the collection process can falsely indicate an absence of infectious virus. Furthermore, owing to the quick increase of RNA viral load at the beginning of the infection, a low viral load, especially in the absence of symptoms or in the early symptomatic period, does not preclude that an individual will not soon enter the infectious period with the highest transmission risk. At such a period, viral loads reach their peak levels, causing the majority of transmission events^{59,126}.

Even though Ag-RDTs are less sensitive than RT-PCR, they are less expensive, can be performed outside of laboratory settings and give faster results, and so are useful tools to guide isolation and limit transmission¹⁷⁷. RT-PCR tests have a limit of detection of 10^2 – 10^3 genome copies per millilitre, whereas Ag-RDTs have a limit of detection corresponding to 10^4 – 10^6 genome copies per millilitre^{177–180}. Infectious individuals typically have RNA viral loads of $>10^6$ genome copies per millilitre, which corresponds largely with a Ct of 25 in most RT-PCR assays⁴, indicating that Ag-RDT is a good proxy for infectiousness¹⁷⁷. However, the obvious limitations of Ag-RDT, such as lower sensitivity of infectious virus detection towards the end of infection^{47,52}, should not be neglected. Ag-RDTs have also shown variation in their sensitivity and specificity for detection of SARS-CoV-2 VOCs^{53,54}, which is a challenge as new variants emerge.

Overall, all of the currently available diagnostic methods have certain limitations for detection of infectious virus. However, even if these tests serve only as imperfect tools when used as proxies for infectiousness, their implementation as part of a public health strategy is not intended to prevent every single infection, but rather to reduce the

number of infectious people in the community and thus to decrease the number of secondary transmissions.

Conclusions

Entering the third year of the pandemic, much knowledge on SARS-CoV-2 viral loads, infectious virus shedding and windows of infectiousness has been gained, although emerging SARS-CoV-2 variants and an increasing population immunity add more complexity to the situation.

Although much progress has been made during the pandemic in the field of diagnostics, to date, no diagnostic tests exist that reliably determine the presence of infectious virus. Continuing evaluation of viral-shedding characteristics under these changing circumstances and understanding the biological properties of novel SARS-CoV-2 variants when it comes to viral shedding remain of importance to guide public health practices.

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References

- Puelles, V. G. et al. Multiorgan and renal tropism of SARS-CoV-2. *N. Engl. J. Med.* **383**, 590–592 (2020).
- Lamers, M. M. & Haagmans, B. L. SARS-CoV-2 pathogenesis. *Nat. Rev. Microbiol.* **20**, 270–284 (2022).
- Peng, L. et al. SARS-CoV-2 can be detected in urine, blood, anal swabs, and oropharyngeal swabs specimens. *J. Med. Virol.* **92**, 1676–1680 (2020).
- Wölfel, R. et al. Virological assessment of hospitalized patients with COVID-2019. *Nature* **581**, 465–469 (2020).
- Zhang, W. et al. Molecular and serological investigation of 2019-nCoV infected patients: implication of multiple shedding routes. *Emerg. Microbes Infect.* **9**, 386–389 (2020).
- Pérez-Bartolomé, F. & Sánchez-Quiros, J. Ocular manifestations of SARS-CoV-2: literature review. *Arch. Soc. Esp. Ophthalmol.* **96**, 32–40 (2021).
- Vetter, P. et al. Daily viral kinetics and innate and adaptive immune response assessment in COVID-19: a case series. *mSphere* <https://doi.org/10.1128/mSphere.00827-20> (2020).
- Jeong, H. W. et al. Viable SARS-CoV-2 in various specimens from COVID-19 patients. *Clin. Microbiol. Infect.* **26**, 1520–1524 (2020).
- Cerrada-Romero, C. et al. Excretion and viability of SARS-CoV-2 in feces and its association with the clinical outcome of COVID-19. *Sci. Rep.* **12**, 7397 (2022).
- Dergham, J. & Delerue, J. Isolation of viable SARS-CoV-2 virus from feces of an immunocompromised patient suggesting a possible fecal mode of transmission. *J. Clin. Med.* <https://doi.org/10.3390/jcm10122696> (2021).
- Xiao, F. et al. Infectious SARS-CoV-2 in feces of patient with severe COVID-19. *Emerg. Infect. Dis.* **26**, 1920–1922 (2020).
- Sun, J. et al. Isolation of infectious SARS-CoV-2 from urine of a COVID-19 patient. *Emerg. Microbes Infect.* **9**, 991–993 (2020).
- Colavita, F. et al. SARS-CoV-2 isolation from ocular secretions of a patient with COVID-19 in Italy with prolonged viral RNA detection. *Ann. Intern. Med.* **173**, 242–243 (2020).
- Matsuyama, S. et al. Enhanced isolation of SARS-CoV-2 by TMPRSS2-expressing cells. *Proc. Natl Acad. Sci. USA* **117**, 7001–7003 (2020).
- Case, J. B., Bailey, A. L., Kim, A. S., Chen, R. E. & Diamond, M. S. Growth, detection, quantification, and inactivation of SARS-CoV-2. *Virology* **548**, 39–48 (2020).
- Baggen, J., Vanstreels, E., Sants, S. & Daelemans, D. Cellular host factors for SARS-CoV-2 infection. *Nat. Microbiol.* **6**, 1219–1232 (2021).
- Chu, H. et al. Comparative tropism, replication kinetics, and cell damage profiling of SARS-CoV-2 and SARS-CoV with implications for clinical manifestations, transmissibility, and laboratory studies of COVID-19: an observational study. *Lancet Microbe* **1**, e14–e23 (2020).
- van Kampen, J. J. A. et al. Duration and key determinants of infectious virus shedding in hospitalized patients with coronavirus disease-2019 (COVID-19). *Nat. Commun.* **12**, 267 (2021).
- Bruce, E. A. et al. Predicting infectivity: comparing four PCR-based assays to detect culturable SARS-CoV-2 in clinical samples. *EMBO Mol. Med.* **14**, e15290 (2022).
- Essaidi-Laziosi, M. & Perez Rodriguez, F. J. Estimating clinical SARS-CoV-2 infectiousness in Vero E6 and primary airway epithelial cells. *Lancet Microbe* **2**, e571 (2021).
- Liu, R. et al. Positive rate of RT-PCR detection of SARS-CoV-2 infection in 4880 cases from one hospital in Wuhan, China, from Jan to Feb 2020. *Clin. Chim. Acta* **505**, 172–175 (2020).
- Corman, V. M. et al. Detection of 2019 novel coronavirus (2019-nCoV) by real-time RT-PCR. *Eur. Surveill.* <https://doi.org/10.2807/1560-7917.ES.2020.25.3.2000045> (2020).
- Bullard, J. et al. Predicting infectious severe acute respiratory syndrome coronavirus 2 from diagnostic samples. *Clin. Infect. Dis.* **71**, 2663–2666 (2020).
- Jefferson, T., Spencer, E. A., Brassey, J. & Heneghan, C. Viral cultures for coronavirus disease 2019 infectivity assessment: a systematic review. *Clin. Infect. Dis.* **73**, e3884–e3899 (2021).
- Puhach, O. et al. Infectious viral load in unvaccinated and vaccinated individuals infected with ancestral, Delta or Omicron SARS-CoV-2. *Nat. Med.* **28**, 1491–1500 (2022).
- van Kasteren, P. B. et al. Comparison of seven commercial RT-PCR diagnostic kits for COVID-19. *J. Clin. Virol.* **128**, 104412 (2020).
- Bentley, E. et al. Collaborative study for the establishment of a WHO international standard for SARS-CoV-2 RNA (WHO, 2020).
- Zou, L. et al. SARS-CoV-2 viral load in upper respiratory specimens of infected patients. *N. Engl. J. Med.* **382**, 1177–1179 (2020).
- Killingley, B. et al. Safety, tolerability and viral kinetics during SARS-CoV-2 human challenge in young adults. *Nat. Med.* **28**, 1031–1041 (2022).
- Yu, F. et al. Quantitative detection and viral load analysis of SARS-CoV-2 in infected patients. *Clin. Infect. Dis.* **71**, 793–798 (2020).
- European Centre for Disease Prevention and Control & World Health Organization Regional Office for Europe. Methods for the detection and identification of SARS-CoV-2 variants: second update, August 2022 (WHO, 2022).
- Ke, R. et al. Longitudinal analysis of SARS-CoV-2 vaccine breakthrough infections reveals limited infectious virus shedding and restricted tissue distribution. *Open Forum Infect. Dis.* **9**, ofac192 (2022).
- Ke, R. et al. Daily longitudinal sampling of SARS-CoV-2 infection reveals substantial heterogeneity in infectiousness. *Nat. Microbiol.* **7**, 640–652 (2022).
- Pekosz, A. et al. Antigen-based testing but not real-time polymerase chain reaction correlates with severe acute respiratory syndrome coronavirus 2 viral culture. *Clin. Infect. Dis.* **73**, e2861–e2866 (2021).
- Monel, B. et al. Release of infectious virus and cytokines in nasopharyngeal swabs from individuals infected with non-Alpha or Alpha SARS-CoV-2 variants: an observational retrospective study. *EBioMedicine* **73**, 103637 (2021).
- Kirby, J. E. et al. SARS-CoV-2 antigen tests predict infectivity based on viral culture: comparison of antigen, PCR viral load, and viral culture testing on a large sample cohort. *Clin. Microbiol. Infect.* <https://doi.org/10.1016/j.cmi.2022.07.010> (2022).
- Pickering, S. et al. Comparative performance of SARS-CoV-2 lateral flow antigen tests and association with detection of infectious virus in clinical specimens: a single-centre laboratory evaluation study. *Lancet Microbe* **2**, e461–e471 (2021).
- Tariq, M. et al. Viable severe acute respiratory syndrome coronavirus 2 isolates exhibit higher correlation with rapid antigen assays than subgenomic RNA or genomic RNA. *Front. Microbiol.* **12**, 718497 (2021).
- Chu, V. T. et al. Comparison of home antigen testing with RT-PCR and viral culture during the course of SARS-CoV-2 infection. *JAMA Intern. Med.* **182**, 701–709 (2022).
- Albert, E. et al. Field evaluation of a rapid antigen test (Panbio™ COVID-19 Ag rapid test device) for COVID-19 diagnosis in primary healthcare centres. *Clin. Microbiol. Infect.* **27**, 472.e7–472.e10 (2021).
- Ford, L. et al. Epidemiologic characteristics associated with severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) antigen-based test results, real-time reverse transcription polymerase chain reaction (rRT-PCR) cycle threshold values, subgenomic RNA, and viral culture results from university testing. *Clin. Infect. Dis.* **73**, e1348–e1355 (2021).
- Berger, A. et al. Diagnostic accuracy of two commercial SARS-CoV-2 antigen-detecting rapid tests at the point of care in community-based testing centers. *PLoS ONE* **16**, e0248921 (2021).
- Brümmer, L. E. et al. Accuracy of novel antigen rapid diagnostics for SARS-CoV-2: a living systematic review and meta-analysis. *PLoS Med.* **18**, e1003735 (2021).
- Ngo Nsoga, M. T. et al. Diagnostic accuracy of Panbio rapid antigen tests on oropharyngeal swabs for detection of SARS-CoV-2. *PLoS ONE* **16**, e0253321 (2021).
- Korenkov, M. et al. Evaluation of a rapid antigen test to detect SARS-CoV-2 infection and identify potentially infectious individuals. *J. Clin. Microbiol.* **59**, e0089621 (2021).
- Yamayoshi, S. et al. Comparison of rapid antigen tests for COVID-19. *Viruses* **12**, 1420 (2020).
- McKay, S. L. et al. Performance evaluation of serial SARS-CoV-2 rapid antigen testing during a nursing home outbreak. *Ann. Intern. Med.* **174**, 945–951 (2021).
- Nordgren, J. et al. SARS-CoV-2 rapid antigen test: high sensitivity to detect infectious virus. *J. Clin. Virol.* **140**, 104846 (2021).
- Fernandez-Montero, A. & Argemi, J. Validation of a rapid antigen test as a screening tool for SARS-CoV-2 infection in asymptomatic populations. Sensitivity, specificity and predictive values. *EClinicalMedicine* **37**, 100954 (2021).
- Currie, D. W. et al. Relationship of SARS-CoV-2 antigen and reverse transcription PCR positivity for viral cultures. *Emerg. Infect. Dis.* **28**, 717–720 (2022).
- Corman, V. M. et al. Comparison of seven commercial SARS-CoV-2 rapid point-of-care antigen tests: a single-centre laboratory evaluation study. *Lancet Microbe* **2**, e311–e319 (2021).
- Lopera, T. J. & Alzate-Ángel, J. C. The usefulness of antigen testing in predicting contagiousness in COVID-19. *Microbiol. Spectr.* **10**, e0196221 (2022).
- Osterman, A. et al. Impaired detection of Omicron by SARS-CoV-2 rapid antigen tests. *Med. Microbiol. Immunol.* **211**, 105–117 (2022).
- Galliez, R. M. et al. Evaluation of the Panbio COVID-19 antigen rapid diagnostic test in subjects infected with Omicron using different specimens. *Microbiol. Spectr.* **10**, e0125022 (2022).
- Raich-Regué, D. et al. Performance of SARS-CoV-2 antigen-detecting rapid diagnostic tests for Omicron and other variants of concern. *Front. Microbiol.* **13**, 810576 (2022).
- Van Ogtrop, M. L., van de Laar, T. J. W., Eggink, D., Vanhommerig, J. W. & van der Reijden, W. A. Comparison of the performance of the Panbio COVID-19 antigen test in SARS-CoV-2 B.1.1.7 (Alpha) variants versus non-B.1.1.7 variants. *Microbiol. Spectr.* **9**, e0088421 (2021).

57. Lindner, A. K. et al. Head-to-head comparison of SARS-CoV-2 antigen-detecting rapid test with self-collected nasal swab versus professional-collected nasopharyngeal swab. *Eur. Respir. J.* **57**, 2003961 (2021).
58. Meiners, L. & Horn, J. SARS-CoV-2 rapid antigen test sensitivity and viral load in freshly symptomatic hospital employees, December 2020 to February 2022. Preprint at <https://doi.org/10.2139/ssrn.4099425> (2022).
59. He, X. et al. Temporal dynamics in viral shedding and transmissibility of COVID-19. *Nat. Med.* **26**, 672–675 (2020).
60. Néant, N. et al. Modeling SARS-CoV-2 viral kinetics and association with mortality in hospitalized patients from the French COVID cohort. *Proc. Natl Acad. Sci. USA* **118**, e2017962118 (2021).
61. Owusu, D. et al. Persistent SARS-CoV-2 RNA shedding without evidence of infectiousness: a cohort study of individuals with COVID-19. *J. Infect. Dis.* **224**, 1362–1371 (2021).
62. Cevik, M. et al. SARS-CoV-2, SARS-CoV, and MERS-CoV viral load dynamics, duration of viral shedding, and infectiousness: a systematic review and meta-analysis. *Lancet Microbe* **2**, e13–e22 (2021).
63. Chen, X. et al. Associations of clinical characteristics and treatment regimens with the duration of viral RNA shedding in patients with COVID-19. *Int. J. Infect. Dis.* **98**, 252–260 (2020).
64. Kim, S. M. & Hwang, Y. J. Prolonged SARS-CoV-2 detection and reversed RT-PCR results in mild or asymptomatic patients. *Infect. Dis.* **53**, 31–37 (2021).
65. Talmy, T. & Tsur, A. Duration of SARS-CoV-2 detection in Israel Defense Forces soldiers with mild COVID-19. *J. Med. Virol.* **93**, 608–610 (2021).
66. Singanayagam, A. et al. Duration of infectiousness and correlation with RT-PCR cycle threshold values in cases of COVID-19, England, January to May 2020. *Euro Surveill.* <https://doi.org/10.2807/1560-7917.ES.2020.25.32.2001483> (2020).
67. Perera, R. et al. SARS-CoV-2 virus culture and subgenomic RNA for respiratory specimens from patients with mild coronavirus disease. *Emerg. Infect. Dis.* **26**, 2701–2704 (2020).
68. Killerby, M. E. et al. Shedding of culturable virus, seroconversion, and 6-month follow-up antibody responses in the first 14 confirmed cases of coronavirus disease 2019 in the United States. *J. Infect. Dis.* **224**, 771–776 (2021).
69. Glans, H. et al. Shedding of infectious SARS-CoV-2 by hospitalized COVID-19 patients in relation to serum antibody responses. *BMC Infect. Dis.* **21**, 494 (2021).
70. Badu, K. et al. SARS-CoV-2 viral shedding and transmission dynamics: implications of WHO COVID-19 discharge guidelines. *Front. Med.* **8**, 648660 (2021).
71. Munker, D. et al. Dynamics of SARS-CoV-2 shedding in the respiratory tract depends on the severity of disease in COVID-19 patients. *Eur. Respir. J.* **58**, 2002724 (2021).
72. Folgueira, M. D. & Luczkowiak, J. Prolonged SARS-CoV-2 cell culture replication in respiratory samples from patients with severe COVID-19. *Clin. Microbiol. Infect.* **27**, 886–891 (2021).
73. Kim, M. C. et al. Duration of culturable SARS-CoV-2 in hospitalized patients with Covid-19. *N. Engl. J. Med.* **384**, 671–673 (2021).
74. Chen, P. Z. et al. SARS-CoV-2 shedding dynamics across the respiratory tract, sex, and disease severity for adult and pediatric COVID-19. *eLife* <https://doi.org/10.7554/eLife> (2021).
75. Cunha, M. D. P. et al. Atypical prolonged viral shedding with intra-host SARS-CoV-2 evolution in a mildly affected symptomatic patient. *Front. Med.* **8**, 760170 (2021).
76. Aydinli, T. et al. Shedding of viable SARS-CoV-2 after immunosuppressive therapy for cancer. *N. Engl. J. Med.* **383**, 2586–2588 (2020).
77. Caillaud, S., Benotmane, I., Gautier Vargas, G., Perrin, P. & Fafi-Kremer, S. SARS-CoV-2 viral dynamics in immunocompromised patients. *Am. J. Transpl.* **21**, 1667–1669 (2021).
78. Roedel, K. et al. Viral dynamics of SARS-CoV-2 in critically ill allogeneic hematopoietic stem cell transplant recipients and immunocompetent patients with COVID-19. *Am. J. Respir. Crit. Care Med.* **203**, 242–245 (2021).
79. Leung, W. F. et al. COVID-19 in an immunocompromised host: persistent shedding of viable SARS-CoV-2 and emergence of multiple mutations: a case report. *Int. J. Infect. Dis.* **114**, 178–182 (2022).
80. European Centre for Disease Prevention and Control. Rapid risk assessment: assessing SARS-CoV-2 circulation, variants of concern, non-pharmaceutical interventions and vaccine rollout in the EU/EEA, 15th update (European Centre for Disease Prevention and Control, 2021).
81. Grant, R. et al. Impact of SARS-CoV-2 Delta variant on incubation, transmission settings and vaccine effectiveness: results from a nationwide case–control study in France. *Lancet Reg. Health Eur.* **13**, 100278 (2022).
82. Ogata, T. & Tanaka, H. Shorter incubation period among unvaccinated Delta variant coronavirus disease 2019 patients in Japan. *Int. J. Environ. Res. Public Health* <https://doi.org/10.3390/ijerph19031127> (2022).
83. Backer, J. A. et al. Shorter serial intervals in SARS-CoV-2 cases with Omicron BA.1 variant compared with Delta variant, the Netherlands, 13 to 26 December 2021. *Eur. Surveill.* <https://doi.org/10.2807/1560-7917.ES.2022.27.6.2200042> (2022).
84. Takahashi, K. et al. Duration of infectious virus shedding by SARS-CoV-2 Omicron variant-infected vaccinees. *Emerg. Infect. Dis.* **28**, 998–1001 (2022).
85. Boucau, J. et al. Duration of shedding of culturable virus in SARS-CoV-2 Omicron (BA.1) infection. *N. Engl. J. Med.* **387**, 275–277 (2022).
86. Jones, T. C. et al. Estimating infectiousness throughout SARS-CoV-2 infection course. *Science* <https://doi.org/10.1126/science.aba5273> (2021).
87. Li, B. et al. Viral infection and transmission in a large, well-traced outbreak caused by the SARS-CoV-2 Delta variant. *Nat. Commun.* **13**, 460 (2022).
88. Bolze, A. et al. SARS-CoV-2 variant Delta rapidly displaced variant Alpha in the United States and led to higher viral loads. *Cell Rep. Med.* **3**, 100564 (2022).
89. Earnest, R. et al. Comparative transmissibility of SARS-CoV-2 variants Delta and Alpha in New England, USA. *Cell Rep. Med.* **3**, 100583 (2022).
90. Luo, C. H. et al. Infection with the SARS-CoV-2 Delta variant is associated with higher recovery of infectious virus compared to the Alpha variant in both unvaccinated and vaccinated individuals. *Clin. Infect. Dis.* **75**, e715–e725 (2021).
91. Despres, H. W. et al. Measuring infectious SARS-CoV-2 in clinical samples reveals a higher viral titer: RNA ratio for Delta and Epsilon vs. Alpha variants. *Proc. Natl Acad. Sci. USA* <https://doi.org/10.1073/pnas.2116518119> (2022).
92. Hay, J. A. et al. Quantifying the impact of immune history and variant on SARS-CoV-2 viral kinetics and infection rebound: a retrospective cohort study. *eLife* **11**, e81849 (2022).
93. Fall, A. et al. The displacement of the SARS-CoV-2 variant Delta with Omicron: an investigation of hospital admissions and upper respiratory viral loads. *EbioMedicine* <https://doi.org/10.1016/j.ebiom.2022.104008> (2022).
94. Lentini, A. & Pereira, A. Monitoring of the SARS-CoV-2 Omicron BA.1/BA.2 lineage transition in the Swedish population reveals increased viral RNA levels in BA.2 cases. *Med* **3**, 636–664 (2022).
95. Qassim, S. H. et al. Effects of BA.1/BA.2 subvariant, vaccination, and prior infection on infectiousness of SARS-CoV-2 Omicron infections. *J. Travel Med.* **29**, taac068 (2022).
96. Marking, U. et al. Correlates of protection, viral load trajectories and symptoms in BA.1, BA.1.1 and BA.2 breakthrough infections in triple vaccinated healthcare workers. Preprint at *medRxiv* <https://doi.org/10.1101/2022.04.02.22273333> (2022).
97. Wang, Y. et al. Transmission, viral kinetics and clinical characteristics of the emergent SARS-CoV-2 Delta VOC in Guangzhou, China. *EClinicalMedicine* **40**, 101129 (2021).
98. Siedner, M. J. et al. Duration of viral shedding and culture positivity with postvaccination SARS-CoV-2 Delta variant infections. *JCI Insight* <https://doi.org/10.1172/jci.insight.155483> (2022).
99. Pierce, C. A. et al. Immune responses to SARS-CoV-2 infection in hospitalized pediatric and adult patients. *Sci. Transl. Med.* **12**, eabd5487 (2020).
100. Takahashi, T. et al. Sex differences in immune responses that underlie COVID-19 disease outcomes. *Nature* **588**, 315–320 (2020).
101. Bunyavanich, S., Do, A. & Vicencio, A. Nasal gene expression of angiotensin-converting enzyme 2 in children and adults. *JAMA* **323**, 2427–2429 (2020).
102. Zheng, S. et al. Viral load dynamics and disease severity in patients infected with SARS-CoV-2 in Zhejiang province, China, January–March 2020: retrospective cohort study. *BMJ* **369**, m1443 (2020).
103. L'Huillier, A. G. & Torriani, G. Culture-competent SARS-CoV-2 in nasopharynx of symptomatic neonates, children, and adolescents. *Emerg. Infect. Dis.* **26**, 2494–2497 (2020).
104. Baggio, S. et al. Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) viral load in the upper respiratory tract of children and adults with early acute coronavirus disease 2019 (COVID-19). *Clin. Infect. Dis.* **73**, 148–150 (2021).
105. Chung, E. et al. Comparison of symptoms and RNA levels in children and adults with SARS-CoV-2 infection in the community setting. *JAMA Pediatr.* **175**, e212025 (2021).
106. Han, M. S. et al. Clinical characteristics and viral RNA detection in children with coronavirus disease 2019 in the Republic of Korea. *JAMA Pediatr.* **175**, 73–80 (2021).
107. Bellon, M. et al. Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) viral load kinetics in symptomatic children, adolescents, and adults. *Clin. Infect. Dis.* **73**, e1384–e1386 (2021).
108. Madera, S. et al. Nasopharyngeal SARS-CoV-2 viral loads in young children do not differ significantly from those in older children and adults. *Sci. Rep.* **11**, 3044 (2021).
109. Lauer, S. A. et al. The incubation period of coronavirus disease 2019 (COVID-19) from publicly reported confirmed cases: estimation and application. *Ann. Intern. Med.* **172**, 577–582 (2020).
110. Elias, C., Sekri, A., Leblanc, P., Cucherat, M. & Vanhems, P. The incubation period of COVID-19: a meta-analysis. *Int. J. Infect. Dis.* **104**, 708–710 (2021).
111. Dhoubi, W. et al. The incubation period during the pandemic of COVID-19: a systematic review and meta-analysis. *Syst. Rev.* **10**, 101 (2021).
112. Brandal, L. T. et al. Outbreak caused by the SARS-CoV-2 Omicron variant in Norway, November to December 2021. *Eur. Surveill.* **26**, 2101147 (2021).
113. Wu, Y. et al. Incubation period of COVID-19 caused by unique SARS-CoV-2 strains: a systematic review and meta-analysis. *JAMA Netw. Open* **5**, e2228008 (2022).
114. Sun, K. et al. Transmission heterogeneities, kinetics, and controllability of SARS-CoV-2. *Science* **371**, eabe2424 (2021).
115. Lavezzo, E. et al. Suppression of a SARS-CoV-2 outbreak in the Italian municipality of Vo'. *Nature* **584**, 425–429 (2020).
116. Gudbjartsson, D. F. et al. Spread of SARS-CoV-2 in the Icelandic population. *N. Engl. J. Med.* **382**, 2302–2315 (2020).
117. Glnet, M. et al. Asymptomatic COVID-19 adult outpatients identified as significant viable SARS-CoV-2 shedders. *Sci. Rep.* **11**, 20615 (2021).
118. Wang, Y. et al. Characterization of an asymptomatic cohort of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) infected individuals outside of Wuhan, China. *Clin. Infect. Dis.* **71**, 2132–2138 (2020).
119. Long, Q. X. et al. Clinical and immunological assessment of asymptomatic SARS-CoV-2 infections. *Nat. Med.* **26**, 1200–1204 (2020).
120. Lee, S. et al. Clinical course and molecular viral shedding among asymptomatic and symptomatic patients with SARS-CoV-2 infection in a community treatment center in the Republic of Korea. *JAMA Intern. Med.* **180**, 1447–1452 (2020).

121. Zhou, R. et al. Viral dynamics in asymptomatic patients with COVID-19. *Int. J. Infect. Dis.* **96**, 288–290 (2020).
122. Hall, S. M. et al. Comparison of anterior nares CT values in asymptomatic and symptomatic individuals diagnosed with SARS-CoV-2 in a university screening program. *PLoS ONE* **17**, e0270694 (2022).
123. Kissler, S. M. et al. Viral dynamics of acute SARS-CoV-2 infection and applications to diagnostic and public health strategies. *PLoS Biol.* **19**, e3001333 (2021).
124. Tallmadge, R. L. et al. Viral RNA load and infectivity of SARS-CoV-2 in paired respiratory and oral specimens from symptomatic, asymptomatic, or postsymptomatic individuals. *Microbiol. Spectr.* **10**, e0226421 (2022).
125. Marks, M. et al. Transmission of COVID-19 in 282 clusters in Catalonia, Spain: a cohort study. *Lancet Infect. Dis.* **21**, 629–636 (2021).
126. Marc, A. et al. Quantifying the relationship between SARS-CoV-2 viral load and infectiousness. *eLife* <https://doi.org/10.7554/eLife.69302> (2021).
127. Cheng, H. Y. et al. Contact tracing assessment of COVID-19 transmission dynamics in Taiwan and risk at different exposure periods before and after symptom onset. *JAMA Intern. Med.* **180**, 1156–1163 (2020).
128. Muggleston, M. A. et al. Presymptomatic, asymptomatic and post-symptomatic transmission of SARS-CoV-2: joint British Infection Association (BIA), Healthcare Infection Society (HIS), Infection Prevention Society (IPS) and Royal College of Pathologists (RCPath) guidance. *BMC Infect. Dis.* **22**, 453 (2022).
129. Eyre, D. W. et al. Effect of Covid-19 vaccination on transmission of Alpha and Delta variants. *N. Engl. J. Med.* **386**, 744–756 (2022).
130. Prunas, O. et al. Vaccination with BNT162b2 reduces transmission of SARS-CoV-2 to household contacts in Israel. *Science* **375**, 1151–1154 (2022).
131. Lyngse, F. P. et al. Household transmission of SARS-CoV-2 Omicron variant of concern subvariants BA.1 and BA.2 in Denmark. *Nat. Commun.* **13**, 5760 (2022).
132. Leung, N. H. L. Transmissibility and transmission of respiratory viruses. *Nat. Rev. Microbiol.* **19**, 528–545 (2021).
133. Alihsan, B. et al. The efficacy of facemasks in the prevention of COVID-19: a systematic review. Preprint at *medRxiv* <https://doi.org/10.1101/2022.07.28.22278153> (2022).
134. Hu, Z. et al. Early immune markers of clinical, virological, and immunological outcomes in patients with COVID-19: a multi-omics study. *Elife* **11**, e77943 (2022).
135. Chen, P. Z. et al. Heterogeneity in transmissibility and shedding SARS-CoV-2 via droplets and aerosols. *eLife* <https://doi.org/10.7554/eLife.65774> (2021).
136. Adam, D. C. et al. Clustering and superspreading potential of SARS-CoV-2 infections in Hong Kong. *Nat. Med.* **26**, 1714–1719 (2020).
137. Guo, Z. et al. Superspreading potential of infection seeded by the SARS-CoV-2 Omicron BA.1 variant in South Korea. *J. Infect.* **85**, e77–e79 (2022).
138. Guo, Z. et al. Superspreading potential of COVID-19 outbreak seeded by Omicron variants of SARS-CoV-2 in Hong Kong. *J. Travel Med.* **29**, taac049 (2022).
139. Althouse, B. M. et al. Superspreading events in the transmission dynamics of SARS-CoV-2: opportunities for interventions and control. *PLoS Biol.* **18**, e3000897 (2020).
140. Baden, L. R. et al. Efficacy and safety of the mRNA-1273 SARS-CoV-2 vaccine. *N. Engl. J. Med.* **384**, 403–416 (2021).
141. Lopez Bernal, J. et al. Effectiveness of Covid-19 vaccines against the B.1.617.2 (Delta) variant. *N. Engl. J. Med.* **385**, 585–594 (2021).
142. Feikin, D. R. et al. Duration of effectiveness of vaccines against SARS-CoV-2 infection and COVID-19 disease: results of a systematic review and meta-regression. *Lancet* **399**, 924–944 (2022).
143. Belik, M. et al. Comparative analysis of COVID-19 vaccine responses and third booster dose-induced neutralizing antibodies against Delta and Omicron variants. *Nat. Commun.* **13**, 2476 (2022).
144. Pegu, A. et al. Durability of mRNA-1273 vaccine-induced antibodies against SARS-CoV-2 variants. *Science* **373**, 1372–1377 (2021).
145. Lipsitch, M., Krammer, F., Regev-Yochay, G., Lustig, Y. & Balicer, R. D. SARS-CoV-2 breakthrough infections in vaccinated individuals: measurement, causes and impact. *Nat. Rev. Immunol.* **22**, 57–65 (2022).
146. Mostaghimi, D., Valdez, C. N., Larson, H. T., Kalinich, C. C. & Iwasaki, A. Prevention of host-to-host transmission by SARS-CoV-2 vaccines. *Lancet Infect. Dis.* [https://doi.org/10.1016/S1473-3099\(21\)00472-2](https://doi.org/10.1016/S1473-3099(21)00472-2) (2021).
147. Russell, M. W., Moldoveanu, Z., Ogra, P. L. & Mestecky, J. Mucosal immunity in COVID-19: a neglected but critical aspect of SARS-CoV-2 infection. *Front. Immunol.* **11**, 611337 (2020).
148. Sheikh-Mohamed, S. et al. Systemic and mucosal IgA responses are variably induced in response to SARS-CoV-2 mRNA vaccination and are associated with protection against subsequent infection. *Mucosal Immunol.* **15**, 799–808 (2022).
149. Collier, A. Y. et al. Characterization of immune responses in fully vaccinated individuals after breakthrough infection with the SARS-CoV-2 Delta variant. *Sci. Transl. Med.* **14**, eabn6150 (2022).
150. Pouwels, K. B. et al. Effect of Delta variant on viral burden and vaccine effectiveness against new SARS-CoV-2 infections in the UK. *Nat. Med.* **27**, 2127–2135 (2021).
151. Singanayagam, A. et al. Community transmission and viral load kinetics of the SARS-CoV-2 Delta (B.1.617.2) variant in vaccinated and unvaccinated individuals in the UK: a prospective, longitudinal, cohort study. *Lancet Infect. Dis.* **22**, 183–195 (2021).
152. Levine-Tiefenbrun, M. et al. Viral loads of Delta-variant SARS-CoV-2 breakthrough infections after vaccination and booster with BNT162b2. *Nat. Med.* **27**, 2108–2110 (2021).
153. Emary, K. R. W. et al. Efficacy of ChAdOx1nCoV-19 (AZD1222) vaccine against SARS-CoV-2 variant of concern 202012/01 (B.1.17): an exploratory analysis of a randomised controlled trial. *Lancet* **397**, 1351–1362 (2021).
154. Chia, P. Y. et al. Virological and serological kinetics of SARS-CoV-2 Delta variant vaccine breakthrough infections: a multicentre cohort study. *Clin. Microbiol. Infect.* **28**, 612.e1–612.e7 (2021).
155. Garcia-Knight, M. et al. Infectious viral shedding of SARS-CoV-2 Delta following vaccination: a longitudinal cohort study. *PLoS Pathog.* **18**, e1010802 (2022).
156. Peña-Hernández, M. A. et al. Comparison of infectious SARS-CoV-2 from the nasopharynx of vaccinated and unvaccinated individuals. Preprint at *medRxiv* <https://doi.org/10.1101/2021.12.28.21268460> (2022).
157. Shamier, M. C. et al. Virological characteristics of SARS-CoV-2 vaccine breakthrough infections in health care workers. Preprint at *medRxiv* <https://doi.org/10.1101/2021.08.20.21262158> (2021).
158. Jung, J. et al. Transmission and infectious SARS-CoV-2 shedding kinetics in vaccinated and unvaccinated individuals. *JAMA Netw. Open* **5**, e2213606 (2022).
159. Hirotsu, Y. et al. Similar viral loads in Omicron infections regardless of vaccination status. Preprint at *medRxiv* <https://doi.org/10.1101/2022.04.19.22274005> (2022).
160. Letizia, A. G. et al. SARS-CoV-2 seropositivity and subsequent infection risk in healthy young adults: a prospective cohort study. *Lancet Respir. Med.* **9**, 712–720 (2021).
161. Pulliam, J. R. C. et al. Increased risk of SARS-CoV-2 reinfection associated with emergence of Omicron in South Africa. *Science* **376**, eabn4947 (2022).
162. Harris, R. J. et al. Effect of vaccination on household transmission of SARS-CoV-2 in England. *N. Engl. J. Med.* **385**, 759–760 (2021).
163. Bates, T. A. et al. Vaccination before or after SARS-CoV-2 infection leads to robust humoral response and antibodies that effectively neutralize variants. *Sci. Immunol.* **7**, eabn8014 (2022).
164. Wrátil, P. R. et al. Three exposures to the spike protein of SARS-CoV-2 by either infection or vaccination elicit superior neutralizing immunity to all variants of concern. *Nat. Med.* **28**, 496–503 (2022).
165. Malato, J. et al. Risk of BA.5 infection among persons exposed to previous SARS-CoV-2 variants. *N. Engl. J. Med.* **387**, 953–954 (2022).
166. Cao, Y. et al. BA.2.12.1, BA.4 and BA.5 escape antibodies elicited by Omicron infection. *Nature* **608**, 593–602 (2022).
167. Hassan, A. O. et al. A single-dose intranasal ChAd vaccine protects upper and lower respiratory tracts against SARS-CoV-2. *Cell* **183**, 169–184 (2020).
168. Lapuente, D. et al. Protective mucosal immunity against SARS-CoV-2 after heterologous systemic prime-mucosal boost immunization. *Nat. Commun.* **12**, 6871 (2021).
169. Afkhami, S. et al. Respiratory mucosal delivery of next-generation COVID-19 vaccine provides robust protection against both ancestral and variant strains of SARS-CoV-2. *Cell* **185**, 896–915 (2022).
170. Grubaugh, N. D. & Hodcroft, E. B. Public health actions to control new SARS-CoV-2 variants. *Cell* **184**, 1127–1132 (2021).
171. Carreño, J. M. et al. Activity of convalescent and vaccine serum against SARS-CoV-2 Omicron. *Nature* **602**, 682–688 (2022).
172. Ashcroft, P., Lehtinen, S. & Bonhoeffer, S. Test-trace-isolate-quarantine (TTIQ) intervention strategies after symptomatic COVID-19 case identification. *PLoS ONE* **17**, e0263597 (2022).
173. Santos Bravo, M. et al. Viral culture confirmed SARS-CoV-2 subgenomic RNA value as a good surrogate marker of infectivity. *J. Clin. Microbiol.* **60**, e0160921 (2022).
174. Kim, J. Y. et al. Diagnostic usefulness of subgenomic RNA detection of viable SARS-CoV-2 in patients with COVID-19. *Clin. Microbiol. Infect.* **28**, 101–106 (2022).
175. Alexandersen, S. & Chamings, A. SARS-CoV-2 genomic and subgenomic RNAs in diagnostic samples are not an indicator of active replication. *Nat. Commun.* **11**, 6059 (2020).
176. Bonenfant, G. et al. Surveillance and correlation of SARS-CoV-2 viral RNA, antigen, virus isolation, and self-reported symptoms in a longitudinal study with daily sampling. *Clin. Infect. Dis.* <https://doi.org/10.1093/cid/ciac282> (2022).
177. Peeling, R. W., Heymann, D. L., Teo, Y. Y. & Garcia, P. J. Diagnostics for COVID-19: moving from pandemic response to control. *Lancet* **399**, 757–768 (2022).
178. Pilarowski, G. et al. Performance characteristics of a rapid severe acute respiratory syndrome coronavirus 2 antigen detection assay at a public plaza testing site in San Francisco. *J. Infect. Dis.* **223**, 1139–1144 (2021).
179. Leber, W. et al. Comparing the diagnostic accuracy of point-of-care lateral flow antigen testing for SARS-CoV-2 with RT-PCR in primary care (REAP-2). *EClinicalMedicine* **38**, 101011 (2021).
180. Kohmer, N. et al. The comparative clinical performance of four SARS-CoV-2 rapid antigen tests and their correlation to infectivity in vitro. *J. Clin. Med.* <https://doi.org/10.3390/jcm10020328> (2021).
181. Wang, W. et al. Detection of SARS-CoV-2 in different types of clinical specimens. *JAMA* **323**, 1843–1844 (2020).
182. Lee, R. A., Herigon, J. C., Benedetti, A., Pollock, N. R. & Denkinger, C. M. Performance of saliva, oropharyngeal swabs, and nasal swabs for SARS-CoV-2 molecular detection: a systematic review and meta-analysis. *J. Clin. Microbiol.* **59**, e02881-20 (2021).
183. Tsang, N. N. Y. et al. Diagnostic performance of different sampling approaches for SARS-CoV-2 RT-PCR testing: a systematic review and meta-analysis. *Lancet Infect. Dis.* **21**, 1233–1245 (2021).
184. Peto, T. COVID-19: rapid antigen detection for SARS-CoV-2 by lateral flow assay: a national systematic evaluation of sensitivity and specificity for mass-testing. *EClinicalMedicine* **36**, 100924 (2021).
185. Hay, J. A. et al. Estimating epidemiologic dynamics from cross-sectional viral load distributions. *Science* **373**, eabh0635 (2021).

186. Peccia, J. et al. Measurement of SARS-CoV-2 RNA in wastewater tracks community infection dynamics. *Nat. Biotechnol.* **38**, 1164–1167 (2020).
187. Xin, H. et al. The incubation period distribution of coronavirus disease 2019: a systematic review and meta-analysis. *Clin. Infect. Dis.* **73**, 2344–2352 (2021).
188. Yu, I. T. et al. Evidence of airborne transmission of the severe acute respiratory syndrome virus. *N. Engl. J. Med.* **350**, 1731–1739 (2004).
189. Cheng, P. K. et al. Viral shedding patterns of coronavirus in patients with probable severe acute respiratory syndrome. *Lancet* **363**, 1699–1700 (2004).
190. Peiris, J. S. et al. Clinical progression and viral load in a community outbreak of coronavirus-associated SARS pneumonia: a prospective study. *Lancet* **361**, 1767–1772 (2003).
191. Chan, P. K. S. et al. Laboratory diagnosis of SARS. *Emerg. Infect. Dis.* **10**, 825–831 (2004).
192. Liu, W. et al. Long-term SARS coronavirus excretion from patient cohort, China. *Emerg. Infect. Dis.* **10**, 1841–1843 (2004).
193. Xu, D. et al. Persistent shedding of viable SARS-CoV in urine and stool of SARS patients during the convalescent phase. *Eur. J. Clin. Microbiol. Infect. Dis.* **24**, 165–171 (2005).
194. V'kovski, P. et al. Disparate temperature-dependent virus–host dynamics for SARS-CoV-2 and SARS-CoV in the human respiratory epithelium. *PLoS Biol.* **19**, e3001158 (2021).
195. Pitzer, V. E., Leung, G. M. & Lipsitch, M. Estimating variability in the transmission of severe acute respiratory syndrome to household contacts in Hong Kong, China. *Am. J. Epidemiol.* **166**, 355–363 (2007).
196. Riley, S. et al. Transmission dynamics of the etiological agent of SARS in Hong Kong: impact of public health interventions. *Science* **300**, 1961–1966 (2003).
197. Zaki, A. M., van Boheemen, S., Bestebroer, T. M., Osterhaus, A. D. & Fouchier, R. A. Isolation of a novel coronavirus from a man with pneumonia in Saudi Arabia. *N. Engl. J. Med.* **367**, 1814–1820 (2012).
198. Breban, R., Riou, J. & Fontanet, A. Interhuman transmissibility of Middle East respiratory syndrome coronavirus: estimation of pandemic risk. *Lancet* **382**, 694–699 (2013).
199. Oh, M. D. et al. Viral load kinetics of MERS coronavirus infection. *N. Engl. J. Med.* **375**, 1303–1305 (2016).
200. Corman, V. M. et al. Viral shedding and antibody response in 37 patients with Middle East respiratory syndrome coronavirus infection. *Clin. Infect. Dis.* **62**, 477–483 (2016).
201. Min, C.-K. et al. Comparative and kinetic analysis of viral shedding and immunological responses in MERS patients representing a broad spectrum of disease severity. *Sci. Rep.* **6**, 25359 (2016).
202. Ip, D. K. et al. Viral shedding and transmission potential of asymptomatic and paucisymptomatic influenza virus infections in the community. *Clin. Infect. Dis.* **64**, 736–742 (2017).
203. Carrat, F. et al. Time lines of infection and disease in human influenza: a review of volunteer challenge studies. *Am. J. Epidemiol.* **167**, 775–785 (2008).
204. Pawelek, K. A. et al. Modeling within-host dynamics of influenza virus infection including immune responses. *PLoS Comput. Biol.* **8**, e1002588 (2012).
205. Ip, D. K. M. et al. The dynamic relationship between clinical symptomatology and viral shedding in naturally acquired seasonal and pandemic influenza virus infections. *Clin. Infect. Dis.* **62**, 431–437 (2016).
206. Nair, H. et al. Global burden of acute lower respiratory infections due to respiratory syncytial virus in young children: a systematic review and meta-analysis. *Lancet* **375**, 1545–1555 (2010).
207. Bagga, B. et al. Comparing influenza and RSV viral and disease dynamics in experimentally infected adults predicts clinical effectiveness of RSV antivirals. *Antivir. Ther.* **18**, 785–791 (2013).
208. DeVincenzo, J. P. et al. Viral load drives disease in humans experimentally infected with respiratory syncytial virus. *Am. J. Respir. Crit. Care Med.* **182**, 1305–1314 (2010).
209. Kutter, J. S. et al. Small quantities of respiratory syncytial virus RNA only in large droplets around infants hospitalized with acute respiratory infections. *Antimicrob. Resist. Infect. Control* **10**, 100 (2021).

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Author contributions

O.P. and I.E. wrote the manuscript. B.M. created the figures. All authors contributed to the discussion of the content, and reviewed and edited the manuscript before submission.

Competing interests

The authors declare no competing interests.

Additional information

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Harmony Union School District

AGENDA ITEM


| | |
|--------------------------------|--|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Information/Correspondence/Discussion |
| Type: | Info/Action |
| Subject: | 9.6 School to be in session on emergency days April 21 and April 24 due to use of emergency days for power outages. |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: | |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | Information only |
| Approvals: | Recommended By:  Matthew Morgan - Superintendent/Principal |




| | |
|-------------------------|--|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Action Items |
| Type: | Action |
| Subject: | 10.1 Consideration of District's 2nd Interim Report of Budget and Financial Progress for the 2022-23 school year |
| Strategic Plans: | |
| Policy: | |

Enclosure

File Attachment:

 2022-23 2nd Interim Cliff's Notes.pdf

 2022-23 2nd Interim Board Report.pdf

Description:

The Board will receive information regarding the financial status of the District as of March 9, 2023. The Board will be asked to give a positive certification, meaning the District is able to meet its financial obligations this year and for two subsequent years.

Background Information:

Local educational agencies (LEAs) are required to file two reports during a fiscal year (interim reports) on the status of the LEA's financial health. The first interim report is due December 15 for the period ending October 31. The second interim report is due March 17 for the period ending January 31. County superintendents are to report to the Superintendent of Public Instruction and the State Controller the certification for all districts in their county within 75 days after the close of the reporting period.

The interim reports must include a certification of whether or not the LEA is able to meet its financial obligations. The certifications are classified as positive, qualified, or negative. A positive certification is assigned when the district will meet its financial obligations for the current and two subsequent fiscal years. A qualified certification is assigned when the district may not meet its financial obligations for the current or two subsequent fiscal years. A negative certification is assigned when a district will be unable to meet its financial obligations for the remainder of the current year or for the subsequent fiscal year. In addition, the Superintendent of Public Instruction may reclassify the certification of any county office of education or reclassify a certification based on an appeal of a school district in accordance with the above standards.

Fiscal Implications:

Recommendation:

The Board receives and considers approving the 2nd Interim Report of Budget and Financial Progress for 2022-23

Approvals:

Recommended By:

Matthew Morgan - Superintendent/Principal

MULTI-YEAR BUDGETS: ACTUAL AND PROJECTED

| | 2022-23 2nd Interim | | | | | | |
|--|---------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| | Actuals | Actuals | Actuals | Actuals | 2nd Interim Budget | Budget | Budget |
| | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 | 2023-24 | 2024-25 |
| Projected Budgeted ADA | 236.16 | 214.7 | 214.7 | 185.47 | 173.05 | 183.16 | 185.04 |
| COLA (Cost of Living Adj. on the Revenue Limit) | 3.00% | 3.24% | 2.31% | 1.70% | 6.56% | 8.13% | 3.54% |
| Funded/Planning COLA | 3.00% | 3.24% | 0.00% | 5.07% | 6.70% | 8.13% | 3.54% |
| BEGINNING BALANCE | \$3,533,559 | \$3,834,393 | \$3,627,815 | \$3,647,247 | \$3,591,626 | \$3,635,777 | \$3,533,031 |
| REVENUE | | | | | | | |
| LCFF Revenue | \$2,298,483 | \$2,118,374 | \$2,171,407 | \$2,002,103 | \$2,116,279 | \$2,344,363 | \$2,421,237 |
| Basic Aid Supplemental | \$1,653,618 | \$1,813,215 | \$1,886,260 | \$1,938,063 | \$2,051,716 | \$2,113,000 | \$2,177,000 |
| Special Ed In-Lieu Property Tax | \$24,366 | \$34,485 | \$34,121 | \$22,350 | \$25,199 | \$24,000 | \$24,250 |
| Federal Revenues | \$104,179 | \$110,463 | \$275,597 | \$391,505 | \$95,292 | \$91,800 | \$94,350 |
| State Revenues | \$413,864 | \$241,897 | \$418,511 | \$626,086 | \$917,927 | \$504,332 | \$501,041 |
| Local Revenues | \$221,768 | \$292,516 | \$224,633 | \$240,026 | \$275,422 | \$247,773 | \$254,530 |
| TOTAL REVENUE: | \$4,716,278 | \$4,610,950 | \$5,010,529 | \$5,220,133 | \$5,481,835 | \$5,325,268 | \$5,472,408 |
| EXPENDITURES | | | | | | | |
| Certificated Salaries | \$1,488,487 | \$1,735,646 | \$1,635,794 | \$1,752,385 | \$1,734,579 | \$1,787,116 | \$1,863,641 |
| Classified Salaries | \$638,323 | \$683,848 | \$807,308 | \$1,011,288 | \$1,022,393 | \$1,068,139 | \$1,108,340 |
| Employee Benefits (2% increase 2021-22) | \$1,198,022 | \$1,191,387 | \$1,256,250 | \$1,415,550 | \$1,532,759 | \$1,578,348 | \$1,623,284 |
| STRS included in employee benefits | \$469,094 | \$491,212 | \$452,757 | \$504,397 | \$530,412 | \$534,786 | \$554,633 |
| PERS included in employee benefits | \$143,980 | \$125,449 | \$142,102 | \$195,594 | \$234,798 | \$241,977 | \$259,170 |
| Retiree Health Benefits | \$55,824 | \$45,405 | \$35,170 | \$27,130 | \$15,000 | \$15,000 | \$0 |
| Books, Supplies & Equipment | \$129,591 | \$159,394 | \$329,679 | \$211,593 | \$195,536 | \$174,825 | \$176,554 |
| Services and other Operating Expenses (including transportation) | \$955,466 | \$990,764 | \$778,932 | \$854,704 | \$848,531 | \$769,085 | \$651,010 |
| Capital Outlay and Land Improvements | \$1,380 | \$9,613 | \$102,359 | \$8,080 | \$44,500 | \$10,500 | \$10,500 |
| TOTAL EXPENSE: | \$4,411,267 | \$4,770,652 | \$4,910,322 | \$5,253,600 | \$5,378,298 | \$5,388,014 | \$5,433,330 |
| EXCESS (DEFICIT) BEFORE TRANSFERS: | \$305,010 | (\$159,701) | \$100,207 | (\$33,467) | \$103,537 | (\$62,746) | \$39,078 |
| Transfer In from Retiree Benefits Fund | \$55,824 | \$45,405 | \$35,170 | \$27,130 | \$15,000 | \$15,000 | \$0 |
| Transfers In from Fund 17 | \$0 | \$34,718 | \$20,000 | \$20,000 | \$0 | \$0 | \$0 |
| Transfer In to Salmon Creek Charter (from Fund 01) | \$740,000 | \$2,340,000 | \$2,103,105 | \$1,717,549 | \$1,752,631 | \$1,730,000 | \$1,730,000 |
| Transfer Out to Salmon Creek Charter | (\$700,000) | (\$2,300,000) | (\$2,148,510) | (\$1,700,000) | (\$1,730,000) | (\$1,700,000) | (\$1,700,000) |
| Transfer Out to SC Advisory Board (site council) | (\$40,000) | (\$40,000) | \$0 | (\$17,549) | (\$22,631) | (\$30,000) | (\$30,000) |
| Transfer Out to Cafeteria | (\$60,000) | (\$127,000) | (\$90,540) | (\$69,284) | (\$74,387) | (\$55,000) | (\$55,000) |
| EXCESS (DEFICIT) AFTER TRANSFERS: | \$300,834 | (\$206,578) | \$19,432 | (\$55,621) | \$44,151 | (\$102,746) | (\$15,922) |
| ENDING BALANCE: | \$3,834,393 | \$3,627,815 | \$3,647,247 | \$3,591,626 | \$3,635,777 | \$3,533,031 | \$3,517,109 |
| Components of Above Ending Balance | | | | | | | |
| Economic Uncertainties Board Designated 5% | \$220,563 | \$238,533 | \$245,516 | \$262,680 | \$268,915 | \$269,295 | \$271,561 |
| Budget Stabilization | \$2,400,000 | \$2,400,000 | \$2,400,000 | \$2,400,000 | \$2,400,000 | \$2,400,000 | \$2,400,000 |
| 1) Revolving Fund | \$500 | \$500 | \$500 | \$500 | \$500 | \$500 | \$500 |
| 2) Restricted Ending Balance | \$200,284 | \$203,682 | \$191,576 | \$280,685 | \$172,998 | \$5,598 | \$34 |
| 3) Assigned Ending Balance (Lottery & EPA) | \$271,109 | \$224,996 | \$313,446 | \$54,043 | \$9,350 | \$9,500 | \$9,500 |
| 4) Unassigned Ending Balance | \$741,937 | \$560,105 | \$496,209 | \$593,718 | \$784,014 | \$848,138 | \$835,507 |

HARMONY UNION SCHOOL DISTRICT
BUDGET PROJECTIONS 2022-23 through 2024-25

2022-23 Budget at 2nd Interim

| | Actual | 2nd Interim | Estimated | Estimated |
|---|--------------------|---------------------------------------|--------------------|--------------------|
| | 2021-22 | Budget | Budget | Budget |
| | 2021-22 | 2022-23 | 2023-24 | 2024-25 |
| <i>ADA (Projected in out years)</i> | 167.23 | 173.05 | 183.16 | 185.04 |
| <i>COLA (Cost of Living Adj. on the Revenue Limit)</i> | 5.07% | 13.26% (6.56% COLA / 6.7% Investment) | 8.13% | 3.54% |
| BEGINNING BALANCE | \$3,647,247 | \$3,591,626 | \$3,635,777 | \$3,533,031 |
| LCFF Revenue | \$2,002,103 | \$2,116,279 | \$2,344,363 | \$2,421,237 |
| Basic Aid Supplemental | \$1,938,063 | \$2,051,716 | \$2,113,000 | \$2,177,000 |
| Special Ed In-Lieu Property Tax | \$22,350 | \$25,199 | \$24,000 | \$24,250 |
| Federal Revenues | \$391,505 | \$95,292 | \$91,800 | \$94,350 |
| State Revenues | \$626,086 | \$917,927 | \$504,332 | \$501,041 |
| Local Revenues | \$240,026 | \$275,422 | \$247,773 | \$254,530 |
| TOTAL REVENUE: | \$5,220,133 | \$5,481,835 | \$5,325,268 | \$5,472,408 |
| EXPENDITURES | | | | |
| Certificated Salaries (current and out years include 3% increase) | \$1,752,385 | \$1,734,579 | \$1,787,116 | \$1,863,641 |
| Classified Salaries (current and out years include 3% increase) | \$1,011,288 | \$1,022,393 | \$1,068,139 | \$1,108,340 |
| Employee Benefits (8% increase from 21-22 to 22-23) | \$1,415,550 | \$1,532,759 | \$1,578,348 | \$1,623,284 |
| <i>STRS included in employee benefits (19.10%)</i> | \$504,397 | \$530,412 | \$534,786 | \$554,633 |
| <i>PERS included in employee benefits (25.37%)</i> | \$195,594 | \$234,798 | \$241,977 | \$259,170 |
| <i>Retiree Health Benefits</i> | \$27,130 | \$15,000 | \$15,000 | \$0 |
| Books, Supplies & Equipment | \$211,593 | \$195,536 | \$174,825 | \$176,554 |
| Services & Operating Expenses (including transportation) | \$854,704 | \$848,531 | \$769,085 | \$651,010 |
| Capital Outlay and Land Improvements | \$8,080 | \$44,500 | \$10,500 | \$10,500 |
| TOTAL EXPENSE: | \$5,253,600 | \$5,378,298 | \$5,388,014 | \$5,433,330 |
| BALANCE BEFORE TRANSFERS: | (\$33,467) | \$103,537 | (\$62,746) | \$39,078 |
| Transfer In from Retiree Benefits Fund | \$27,130 | \$15,000 | \$15,000 | \$0 |
| Transfers In from Fund 17 | \$20,000 | \$0 | \$0 | \$0 |
| Transfer Into Salmon Creek Charter | \$1,717,549 | \$1,752,631 | \$1,730,000 | \$1,730,000 |
| Transfer Out to Salmon Creek Charter | (\$1,700,000) | (\$1,730,000) | (\$1,700,000) | (\$1,700,000) |
| Transfer Out to SC Advisory Board (site council) | (\$17,549) | (\$22,631) | (\$30,000) | (\$30,000) |
| Transfer Out to Cafeteria | (\$69,284) | (\$74,387) | (\$55,000) | (\$55,000) |
| BALANCE AFTER TRANSFERS: | (\$55,621) | \$44,151 | (\$102,746) | (\$15,922) |
| GENERAL FUND ENDING BALANCE: | \$3,591,626 | \$3,635,777 | \$3,533,031 | \$3,517,109 |
| Components of General Fund Ending Balance | | | | |
| Economic Uncertainties (5% of Exp.) Board Designated | \$262,680 | \$268,915 | \$269,295 | \$271,561 |
| Budget Stabilization | \$2,400,000 | \$2,400,000 | \$2,400,000 | \$2,400,000 |
| 1) Revolving Fund | \$500 | \$500 | \$500 | \$500 |
| 2) Restricted Ending Balance | \$280,685 | \$172,998 | \$5,598 | \$34 |
| 3) Assigned Ending Balance (Lottery 1100 & EPA 1400) | \$54,043 | \$9,350 | \$9,500 | \$9,500 |
| 4) Unassigned Ending Balance | \$593,718 | \$784,014 | \$848,138 | \$835,514 |

**HARMONY UNION SCHOOL DISTRICT
BUDGET PROJECTIONS 2022-23 through 2024-25**

REVENUE

LCFF Revenue

HUSD

| | | |
|---|---------------|---------------------------------------|
| K - 2 District Property Tax | \$2,904,631 | |
| EPA (Education Protection Account) | \$19,835 | |
| State Aid | \$523,123 | 2nd Interim LCFF Calc as of 2/23/2023 |
| Basic Aid Charter Supplemental | \$2,051,716 | |
| In-Lieu of Property Tax | (\$2,660,224) | |
| Transfer out to FD 14 - Deferred Maint | (\$25,000) | |
| Sp. Ed. In Lieu Property Tax - Prior Year | \$1,240 | |
| Sp. Ed. In Lieu Property Tax | \$23,959 | SELPA Est. |

Salmon Creek

| | | |
|--------------------------------------|--------------------|---------------------------------------|
| S. C. Charter in Lieu Property Taxes | \$801,325 | |
| EPA (Education Protection Account) | \$56,905 | 2nd Interim LCFF Calc as of 2/23/2023 |
| State Aid | \$495,684 | |
| | \$2,116,279 | |

Federal Revenues

| | | |
|--|-----------------|----------------------------|
| Title I RS3010 | \$29,591 | updated 2/18 |
| Title II RS4035 | \$5,625 | updated 2/18 |
| Title IV RS4127 | \$10,000 | no change from 1st Interim |
| Sp. Ed. 21-22 Federal Preschool & K-8 REV RS3305 | \$4,617 | updated 2/7 |
| Sp. Ed. Federal Preschool Revenue RS3308 | \$647 | updated 2/3 |
| Sp. Ed. Federal Revenues RS3310 | \$20,691 | 21-22 amt |
| REAP Grant (SRSA) RS5810 | \$24,121 | updated 9/19/2022 |
| | \$95,292 | |

State Revenues

| | | |
|--|------------------|---------------------------------|
| ELOP - RS2600 | \$107,141 | no change from 1st Interim |
| Lottery RS1100 - Jan 2023 Dartboard | \$29,419 | updated 2/18 |
| Lottery Prop 20 RS6300 - Jan 2023 Dartboard | \$11,595 | updated 2/18 |
| Mandated Block Grant HUSD - Jan 2023 Dartboard | \$1,389 | updated 2/18 |
| Mandated Block Grant SCC - Jan 2023 Dartboard | \$2,445 | updated 2/18 |
| Universal TK/K Grant | \$31,662 | updated 2/23 |
| 21-22 Charter School ADA 1-time Grant | \$267,281 | Calc by SL/SCOE 12/9 |
| Transportaiton REV | \$3,010 | |
| CSESAP Program REV | \$44,126 | Includes 3% increase est. |
| SPED REV Dispute Prevention/Resolution Apportionment | \$2,264 | SELPA 11/17 |
| SPED REV Learning Recovery Support Apportionment | \$12,735 | SELPA 11/17 |
| 2021-22 SPED REV Early Intervention Preschool Grant | \$18,227 | SELPA 11/17 |
| STRS - On-Behalf RS7690 | \$204,102 | updated 10/20 SCOE BIZ 23-07 |
| Arts, Music, & Instructional Materials Discretionary Block Grant | \$66,642 | (\$111,069 x 60%) |
| Farm 2 School Grant | \$5,575 | |
| Proposition 28 - Arts and Music Funding Guarantee | \$0 | |
| Learning Recovery Emergency Block Grant | \$110,315 | no change from 1st Interim |
| | \$917,927 | |

Local Revenues

| | | |
|-------------------------------------|------------------|---------------------|
| ARK Donation RS0242 | \$40,000 | |
| Rent/Misc | \$13,000 | |
| RESIG Safety Credit RS9090 | \$1,644 | RESIG 11/7 email |
| Out of Home Care | \$21,302 | SELPA 1/26/2023 |
| State Special Education (AB602 REV) | \$164,476 | 22-23 AB602 Est REV |
| Interest Income | \$35,000 | |
| | \$275,422 | |

TOTAL REVENUE

\$5,507,790

EXPENDITURES**Certificated Salaries (budget includes step and column and 3% increase each year)**

| | |
|---|--------------------|
| Classroom Teachers, Counselor and Music | \$1,389,001 |
| Substitutes | \$30,000 |
| Teacher Stipends | \$52,500 |
| ELOP Salaries | \$45,000 |
| | <hr/> |
| | \$1,516,501 |

Administrative/Confidential Salaries

| | | |
|-------------------------------|------------------|-----------------|
| Superintendent/Principal | \$180,000 | updated 12/2022 |
| Chief Business Official | \$106,981 | |
| Administrative Assistant | \$74,709 | |
| School Psychologist (0.3 FTE) | \$38,078 | |
| | <hr/> | |
| | \$399,768 | |

Classified Salaries (budget includes step and column and 3% increase each year)

| | |
|--|------------------|
| After School ELOP Program (Homework Club) | \$19,900 |
| Business Services Technician | \$82,283 |
| Classified Salaries Additional Pay / Stipends | \$46,000 |
| CSESAP Match | \$44,126 |
| Custodial and Maintenance | \$125,640 |
| Farm and Garden Assistant | \$21,589 |
| Head of Farm and Garden | \$67,535 |
| Library and Media Services Technician | \$29,728 |
| Paraeducators and Instructional Assistants (4 Para, 2IAs, 1 Bilingual) | \$259,821 |
| Reading Intervention Para | \$32,135 |
| Spanish Club (Stipend) | \$3,000 |
| Special Education (1:1 & RSP) | \$53,354 |
| ELOP Salaries | \$55,592 |
| | <hr/> |
| | \$840,703 |

Employee Benefits

| | | |
|---|--------------------|--|
| Payroll costs (Medicare, FICA, Workers Comp., Unemp Ins.) | \$154,627 | |
| STRS | \$336,937 | Automatically calculated off of salary amounts |
| PERS | \$214,063 | |
| STRS - On-Behalf (RS 7690) | \$204,102 | updated 10/20 SCOE BIZ 23-07 |
| Retiree Benefits | \$15,000 | |
| Health Benefits (Medical, Dental, Vision, Cash in Lieu) | \$608,030 | updated 10/17 |
| | <hr/> | |
| | \$1,532,759 | |

Books/Materials/Supplies

| | | |
|--|------------------|---|
| Basic Order (Paper, etc.) | \$2,000 | |
| Books other than textbooks | \$2,000 | |
| Computer Software | \$3,000 | |
| COVID Materials | \$5,000 | |
| Curriculum/Curriculum Materials | \$17,500 | |
| Custodial Supplies (includes RS 8150 Custodial Supplies) | \$15,200 | |
| Drama Materials and Supplies | \$1,500 | |
| ELOP Summer School materials and supplies | \$9,625 | |
| Electronic Curriculum (Lexia/TCI/LCAP/TPT) | \$16,575 | |
| Equipment - Front Office and Bsn Office | \$5,000 | |
| Equipment - technology (iPads, Chromebooks, etc) | \$26,000 | |
| First Aid Supplies (616) | \$1,644 | |
| Food for Meetings | \$2,500 | |
| Front Office, Bsn Office and Staff Room Supplies | \$10,000 | |
| Staff room furniture | \$10,000 | (22-23 desk for MM, couch for staff room) |
| Assembly Room Technology | \$8,500 | (22-23 Remodel) |
| Garden Maintenance Supplies - custodial maintenance of garden (8200) | \$5,500 | |
| Garden Supplies | \$1,750 | |
| Music (instrument replacements/repair) | \$500 | |
| Music/Stage Risers | \$12,492 | |
| Positive Behavior Incentives | \$500 | |
| Site Council (Grants + annual costs of library and recess equipment) | \$25,000 | |
| Spanish Club Materials | \$250 | |
| Special Education Classroom Materials | \$1,500 | |
| Teacher Classroom Allocations (\$750 x 14 teachers) | \$10,500 | |
| Technology Supplies | \$1,000 | |
| Textbooks | \$500 | |
| | <hr/> | |
| | \$195,536 | |

Sub-Agreements

| | | |
|----------------------------|---------|----------------|
| Technology Contract (SCOE) | \$2,500 | |
| SCOE - Emergency Sub Exp. | \$110 | |
| | | <u>\$2,610</u> |

Travel/Workshops/Conferences

| | | |
|---|----------|-----------------|
| Board & Superintendent Workshops | \$1,300 | |
| School Admin Conference | \$600 | |
| Mileage and Reimbursement | \$500 | |
| Professional Development - Certificated | \$3,378 | |
| Professional Development - Parent Participation | \$1,250 | |
| School Sponsored Field Trips | \$10,000 | |
| | | <u>\$17,028</u> |

Dues/Memberships

| | | |
|------------------------------------|---------|-----------------|
| Electronic School Board Membership | \$6,500 | |
| School Admin Memberships | \$4,700 | |
| Superintendent Memberships | \$2,700 | |
| Instructional Subscriptions | \$2,975 | |
| | | <u>\$16,875</u> |

Insurance

| | | |
|---|----------|------------------|
| Food Service | \$750 | |
| Property and Liability Insurance Premium - HUSD | \$46,700 | RESIG 22-23 Est. |
| Property and Liability Insurance Premium - OCC | \$2,049 | |
| Pupil Insurance | \$2,200 | |
| | | <u>\$51,699</u> |

Utilities

| | | |
|---|----------|-----------------|
| Water - due to broken well control panel | \$4,000 | |
| Waste Disposal | \$6,250 | |
| Building Security/Fire Alarm Monitoring - Major Alarm | \$500 | |
| Propane | \$18,250 | |
| Electric | \$42,516 | |
| | | <u>\$71,516</u> |

Leases/Rentals

| | | |
|---|----------|-----------------|
| Other Equipment - rentals | \$3,000 | |
| Routine Repair and Maintenance (including well) | \$14,950 | |
| Repairs - Technology/music instruments | \$2,350 | |
| | | <u>\$20,300</u> |

Services and Operations

| | | |
|--|----------|------------------|
| Athletics/Referee Fees | \$500 | |
| Audit | \$14,850 | |
| Copier Lease (term date 9/2027) | \$22,260 | |
| Data Processing | \$1,250 | |
| Employment Advertising (Obj5865) and all other Advertising (Obj5825) | \$340 | |
| Fees | \$1,500 | |
| Fingerprinting Costs | \$2,000 | |
| Frontline | \$4,432 | |
| Legal Services (School & College Legal Services) | \$0 | |
| Library Management Fees (Power School) | \$3,090 | |
| Living Roof (LVRF) | \$1,500 | |
| Negotiator Costs (School & College Legal; Paul Boyland) | \$1,250 | |
| OPEB Actuarial | \$5,000 | |
| Other Service, Instruction | \$5,000 | |
| Other Services, Admin | \$2,500 | |
| Other Services, Operations | \$7,500 | |
| Payroll Tech Contract | \$500 | |
| School Wise - student data entry tech support (WISE) | \$700 | |
| SCOE contract to digitize boxes from storage room | \$500 | |
| Sex Education Class (West County Health) - funding covered by Site Council | \$1,500 | |
| Shredding Costs | \$1,300 | |
| Youth Survey for LCAP | \$5,150 | |
| Water/Well Testing | \$13,275 | |
| Website (Blackboard) | \$4,528 | (Year 2 of 5) |
| | | <u>\$100,425</u> |

Communications

| | | |
|---|-----------------|------------------|
| Telephone (AT&T/PYS Communications) | \$7,700 | |
| Cellular phones and hot spots (Verizon) | \$3,600 | |
| Internet Access - Schools Connect | \$3,200 | SCOE est \$5,127 |
| Postage | \$200 | |
| | <hr/> | |
| | \$14,700 | |

Repairs/Land Improvements

| | | |
|----------------------------|-----------------|--|
| Facility/Land Improvements | \$44,500 | |
| | <hr/> | |
| | \$44,500 | |

Transportation Costs

| | | |
|---|------------------|--|
| Home to school transportation (revenue added in LCFF Calc) | \$115,000 | |
| SPED Bus Service Cost | \$43,831 | |
| ELOP Bussing | \$3,475 | |
| Home to school transportation (excess cost NOT included in LCFF Calc) | \$89,231 | |
| | <hr/> | |
| | \$251,537 | |

Special Education - estimated costs and students

| | | |
|---|------------------|---------------------------|
| Consortium - preschool (1 student) | \$35,330 | |
| Consortium SDC - 1 student (student ages out 6/24) | \$53,790 | |
| Consortium - OT | \$28,100 | Updated 10/24/2022 |
| Consortium - Speech | \$35,317 | |
| Consortium - Nurse | \$8,661 | |
| Consortium - Admin/Indirect costs | \$12,780 | |
| Non Public School - 1 student (student ages out 6/24) | \$16,500 | updated 2/28 |
| SCOE - SpEd Fee for Service (student ages out 6/23) | \$90,762 | 1 student in 22-23 |
| Redwood Pediatric OT | \$15,000 | |
| SpEd Conferences | \$500 | |
| SpEd Software | \$300 | |
| FBA's - 2 students | \$3,000 | |
| SCOE - Admin fee | \$1,801 | |
| | <hr/> | |
| | \$301,841 | |

| FUND: 14 Restricted Maintenance | | Previous Year | Current Year | Projection Year | Projection Year |
|--|---------------------|---------------|--------------|-----------------|-----------------|
| | | 2021-22 | 2022-23 | 2023-24 | 2024-25 |
| | Object Codes | | | | |
| Revenue | | | | | |
| Transfer from General Fund | 8091 | \$25,000 | \$25,000 | \$25,000 | \$25,000 |
| Transfer from Fund 40 | 8919 | | | | |
| Interest | 8660 | \$390 | \$925 | \$700 | \$700 |
| Total Revenue | | \$25,390 | \$25,925 | \$25,700 | \$25,700 |
| Expenditures | | | | | |
| Custodial Supplies | 4370 | \$7 | | | |
| Repairs and Maintenance | 5630 | | \$25,819 | \$5,000 | \$5,000 |
| Professional Services - Property Management Fee | 5830 | \$383 | \$713 | \$1,000 | \$1,000 |
| Professional Services - Tree work | 5830 | \$400 | \$516 | \$10,000 | \$10,000 |
| Professional Services - Major Alarm (Fire Panel Replacement) | | \$14,591 | | | |
| Building and Site Improvments | 6000 | | \$5,931 | | |
| Total Expenditures | | \$15,380 | \$32,979 | \$16,000 | \$16,000 |
| Net Increase (Decrease) | | \$10,010 | (\$7,054) | \$9,700 | \$9,700 |
| Fund Balance | | | | | |
| Beginning Balance | | \$61,532 | \$71,541 | \$64,487 | \$74,187 |
| Audit Adjustment(s) | | | | | |
| Net Ending Balance | | \$71,541 | \$64,487 | \$74,187 | \$83,887 |

2022-23

The repairs and maintenance completed in 22-23 include replacing a water pump connected to our well \$6,350; and installing new restroom doors on the Falls Building restrooms \$8,976. Building and Site Improvments include phone system repairs, (repairing a cut phone line due to construction), and door lock replacements.

FUND: 17 Special Reserve Fund for Instructional Programs

| | | Previous Year | Current Year | Projection Year | Projection Year |
|--------------------------------|------|----------------------|---------------------|------------------------|------------------------|
| Object Codes | | 2021-22 | 2022-23 | 2023-24 | 2024-25 |
| <u>Revenue</u> | | | | | |
| Interest | 8660 | \$2,829 | \$5,950 | \$8,000 | \$8,000 |
| Total Revenue | | \$2,829 | \$5,950 | \$8,000 | \$8,000 |
| <u>Expenditures</u> | | | | | |
| Music Instruments | 4400 | \$20,000 | \$0 | \$0 | \$0 |
| Total Expenditures | | \$20,000 | \$0 | \$0 | \$0 |
| Net Increase (Decrease) | | (\$17,171) | \$5,950 | \$8,000 | \$8,000 |
| <u>Fund Balance</u> | | | | | |
| Beginning Balance | | \$506,217 | \$489,046 | \$494,996 | \$502,996 |
| Audit Adjustment(s) | | | | | |
| Net Ending Balance | | \$489,046 | \$494,996 | \$502,996 | \$510,996 |

Notes/Assumptions: Expenses reported in FD 17 are transfers made into FD 01 to balance the budget for that year. The transfers in will offset expenditures for instructional programs such as curriculum and field trips.

FUND: 20 Postemployment Benefits Fund

| | | Previous Year | Current Year | Projection Year | Projection Year |
|---|------|--------------------------|-------------------------|----------------------------|----------------------------|
| Object Codes | | 2021-22 | 2022-23 | 2023-24 | 2024-25 |
| <u>Revenue</u> | | | | | |
| Interest | 8660 | \$4,692 | \$5,250 | \$4,000 | \$4,000 |
| Total Revenue | | \$4,692 | \$5,250 | \$4,000 | \$4,000 |
| <u>Expenditures</u> | | | | | |
| Postemployment Benefits (2 retirees) | 7619 | \$12,130 | \$0 | \$0 | \$0 |
| 2019-20 Settlement | 7619 | \$15,000 | \$15,000 | \$15,000 | \$0 |
| HUSD Board Resolution to cover Bond Exp | 7619 | | \$550,000 | | |
| Total Expenditures | | \$27,130 | \$565,000 | \$15,000 | \$0 |
| Net Increase (Decrease) | | (\$22,439) | (\$559,750) | (\$11,000) | \$4,000 |
| <u>Fund Balance</u> | | | | | |
| Beginning Balance | | \$840,847 | \$818,409 | \$258,659 | \$247,659 |
| Audit Adjustment(s) | | | | | |
| Net Ending Balance | | \$818,409 | \$258,659 | \$247,659 | \$251,659 |

FUND: 40 Capital Outlay

| | | Previous Year | Current Year | Projection Year | Projection Year |
|--|------|----------------------|---------------------|------------------------|------------------------|
| | | 2021-22 | 2022-23 | 2023-24 | 2024-25 |
| Object Codes | | | | | |
| <u>Revenue</u> | | | | | |
| HUSD Board Resolution to cover Bond Exp | 8919 | | \$550,000 | | |
| Gold Ridge Grant | 8699 | | \$3,086,000 | | |
| Interest | 8660 | \$2,011 | \$2,085 | \$0 | \$0 |
| Total Revenue | | \$2,011 | \$3,638,085 | \$0 | \$0 |
| <u>Expenditures</u> | | | | | |
| Painting the Falls Building | 5830 | | \$11,125 | | |
| Bond Expense: Counterpoint Construction | 5830 | | \$151,606 | | |
| Bond Expense: FRC | 6200 | | \$3,709,543 | | |
| Bond Expense: Architects TLCD/Brelje & Race/Brunsing Assoc | 6210 | | \$8,054 | | |
| Bond Expense: Inspector | 6290 | | \$108,811 | | |
| | | | | | |
| | | | | | |
| Total Expenditures | | \$0 | \$3,989,139 | \$0 | \$0 |
| Net Increase (Decrease) | | \$2,011 | (\$351,054) | \$0 | \$0 |
| <u>Fund Balance</u> | | | | | |
| Beginning Balance | | \$349,043 | \$351,054 | \$0 | \$0 |
| Audit Adjustment(s) | | | | | |
| Net Ending Balance | | \$351,054 | \$0 | \$0 | \$0 |

HARMONY UNION SCHOOL DISTRICT
2022-23 2nd Interim Comparison to Budget Projections
FUNDS 01 and 03
Analysis of Changes

ADA 178.56 174.37 173.05
BEGINNING BALANCE \$3,591,626 \$3,591,626 \$3,591,626

| REVENUE | 2022-23 Budget | 2022-23 1st Interim | 2022-23 2nd Interim | Difference | Comments |
|--------------------------------|--------------------|---------------------|---------------------|------------------|---|
| LCFF Revenue | \$2,141,335 | \$2,130,997 | \$2,116,279 | (\$25,056) | LCFF Calc was updated using most recent calculator and SCOE Prop tax est, HUDS ADA projected at 91%; SCC at 93% per illnesses and quarantine days |
| Basic Aid Charter Supplemental | \$1,950,000 | \$1,995,000 | \$2,051,716 | \$101,716 | Basic Aid Supplemental updated from CDE Calculation. |
| Sp. Ed. In Lieu Property Tax | \$23,000 | \$23,241 | \$25,199 | \$2,199 | Increase due to recent SELPA update. |
| Federal Revenues | \$88,500 | \$86,471 | \$95,292 | \$6,792 | Recalc of all Federal funds (Title I, II & IV)(SpEd Rev)(SRSA Grant) |
| State Revenues | \$766,914 | \$917,977 | \$917,927 | \$151,013 | Accurate amounts of Arts, Music & Materials Grant and the Learning Recovery Emergency Block Grant |
| Local Revenues | \$179,016 | \$252,230 | \$275,422 | \$96,406 | \$20,000 increase from shArk, Increase in State Sp Ed |
| Total Revenue | \$5,148,765 | \$5,405,916 | \$5,481,835 | \$333,070 | Increase (Decrease) in Revenue |

| EXPENDITURES | 2022-23 Budget | 2022-23 1st Interim | 2022-23 1st Interim | Difference | Comments |
|---|--------------------|---------------------|---------------------|------------------|--|
| Certificated Salaries | \$1,690,411 | \$1,738,488 | \$1,734,579 | \$44,168 | Salaries increased \$20,000 in substitute needs, and ELOP costs |
| Classified Salaries | \$928,329 | \$1,003,595 | \$1,022,393 | \$94,064 | Salary increase due to ELOP costs and reinstating Classroom Paraprofessional |
| Employee Benefits | \$1,557,140 | \$1,653,830 | \$1,532,759 | (\$24,381) | Recalculations of Medical Benefits |
| Books and Supplies | \$165,460 | \$187,036 | \$195,536 | \$30,076 | Increase due to inflation and Assembly Room remodel |
| Services and other Operating Expenditures | \$778,367 | \$849,762 | \$848,531 | \$70,164 | Increase due to inflation, Special Education and Transportaiton costs |
| Capital Outlay | \$10,500 | \$10,500 | \$44,500 | \$34,000 | Road work to be done behind the Cistern, once the Bond Project is complete. |
| Total Expenditures | \$5,130,207 | \$5,443,211 | \$5,378,298 | \$248,091 | Increase (Decrease) in Expenses |

Totals for the following Balances:

Change

| | | | | | |
|---|-------------------|-------------------|-----------------|------------------|---|
| Difference of transfer in/out of Gen Fund | (\$80,000) | (\$59,386) | (\$59,386) | \$20,614 | |
| ENDING BALANCE | (\$61,442) | (\$96,681) | \$44,151 | \$105,593 | |
| Economic Uncertainties | \$347,730 | \$272,161 | \$268,915 | (\$78,815) | 5% of General Fund Expenses |
| Restricted Ending Balance | \$327,399 | \$234,940 | \$172,998 | (\$154,401) | Federal and State One-Time Funds and SpEd Funding |
| Revolving Fund | \$500 | \$500 | \$500 | \$0 | |
| Assigned Ending Balance | \$0 | \$55,000 | \$9,350 | \$9,350 | Lottery funds and EPA Funds remaining |
| Budget Stabilization | \$2,400,000 | \$2,400,000 | \$2,400,000 | \$0 | |
| Unassigned Ending Balance | \$454,555 | \$532,344 | \$784,015 | \$329,460 | Property Taxes, BAS, and funds without restrictions |

HARMONY UNION SCHOOL DISTRICT

Board Meeting March 9th, 2023

2022-23 2nd Interim

Harmony USD's 2022-23 2nd Interim Budget was developed using the 2022-23 Enacted State Budget, version 23.2c of the LCFF Calculator, the 2022-23 Dartboard, along with Federal and State Funds determined by the California Department of Education (CDE). Harmony's 2022-23 2nd Interim Budget was also developed using a 10-year property tax average of 5% and a 15-year property tax average of 4.5% for years 2023-24 and 2024-25. Harmony used the County property tax projection for 2022-23

The Multi Year Projection used a 13.26% COLA for 2022-23, a 8.13% COLA for 2023-24 and a 3.54% COLA for 2024-25. For these reasons, the Harmony USD is presenting a 2022-23 2nd Interim for review and adoption that is deficit spending in school year 2023-24 and 2024-25.

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| Property taxes per ADA x Charter ADA is reflected below: | | | |
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In summary:

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With the uncertainty of the California State Budget it is highly recommended that the District monitor the budget closely. With an ending balance of \$3,635,777, we are well within the State's "Criteria and Standards" which state that our District should have an ending balance for Economic Uncertainties of 5%. With the District assigning funds in a Budget Stabilization account, in the amount of \$2,400,000, and restricted funds in the amount of \$172,998 the district’s unassigned ending balance at 2nd Interim is \$784,014.

A fluctuation in revenue is reflected based on the changes in ADA (see below):

| | <u>*LCFF Revenue</u> | <u>EPA Revenue</u> | <u>State Aid Revenue</u> |
|---------|----------------------|--------------------|--------------------------|
| 2022-23 | \$2,141,478 | \$76,740 | \$1,018,807 |
| 2023-24 | \$2,368,363 | \$145,349 | \$1,091,580 |
| 2024-25 | \$2,445,487 | \$156,741 | \$1,109,546 |

*EPA and State Aid Revenues are included within the LCFF Revenue.

ADA used for LCFF calculations are:

| @Budget Development | | @2nd Interim | |
|---------------------|--------|--------------|--------|
| 2022-23 | 177.66 | 2022-23 | 173.05 |
| 2023-24 | 184.28 | 2023-24 | 183.16 |
| 2024-25 | 184.28 | 2024-25 | 185.04 |

2023-24 and 2024-25 reflect expenditure increases in salaries due to step in column increases and 3% increases per the district’s offer. Estimated health and welfare benefit increases 2.5% as well as increases in STRS & PERS costs per Salary increases and the most recent Dartboard.

The 2nd Interim 2022-23 reflects a positive certification for Harmony Union School District. It will be able to meet its financial obligations for the 2022-23 through 2024-25 fiscal years.

At this time, it is expected that all other funds (Cafeteria, Deferred Maintenance, Capital Facilities, Bond, Special Reserves and Retiree Benefits) will have a positive ending balance for the 2022-23 school year. Projected Ending Balance spreadsheet is attached.

The LCFE Calculator Universal Assumptions for Harmony Union Elementary and Salmon Creek Charter used for the 2022-23 2nd Interim is included.



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2nd Interim

2022-23

Certification

NOTICE OF CRITERIA AND STANDARDS REVIEW. This interim report was based upon and reviewed using the state-adopted Criteria and Standards. (Pursuant to Education Code (EC) sections 33129 and 42130)

Signed: _____ Date: _____
District Superintendent or Designee

NOTICE OF INTERIM REVIEW. All action shall be taken on this report during a regular or authorized special meeting of the governing board.

To the County Superintendent of Schools:

This interim report and certification of financial condition are hereby filed by the governing board of the school district. (Pursuant to EC Section 42131)

Meeting Date: March 09, 2023 Signed: _____
President of the Governing Board

CERTIFICATION OF FINANCIAL CONDITION

POSITIVE CERTIFICATION
As President of the Governing Board of this school district, I certify that based upon current projections this district will meet its financial obligations for the current fiscal year and subsequent two fiscal years.

QUALIFIED CERTIFICATION
As President of the Governing Board of this school district, I certify that based upon current projections this district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years.

NEGATIVE CERTIFICATION
As President of the Governing Board of this school district, I certify that based upon current projections this district will be unable to meet its financial obligations for the remainder of the current fiscal year or for the subsequent fiscal year.

Contact person for additional information on the interim report:

Name: Stacy Kalember Telephone: 707-874-1205 ext12
Title: Chief Business Official E-mail: skalember@harmonyusd.org

Criteria and Standards Review Summary

The following summary is automatically completed based on data provided in the Criteria and Standards Review form (Form 01CSI). Criteria and standards that are "Not Met," and supplemental information and additional fiscal indicators that are "Yes," may indicate areas of potential concern, which could affect the interim report certification, and should be carefully reviewed.

| CRITERIA AND STANDARDS | | | Met | Not Met |
|---|--|--|------------|----------------|
| 1 | Average Daily Attendance | Funded ADA for any of the current or two subsequent fiscal years has not changed by more than two percent since first interim. | X | |
| CRITERIA AND STANDARDS (continued) | | | Met | Not Met |
| 2 | Enrollment | Projected enrollment for any of the current or two subsequent fiscal years has not changed by more than two percent since first interim. | | X |
| 3 | ADA to Enrollment | Projected second period (P-2) ADA to enrollment ratio for the current and two subsequent fiscal years is consistent with historical ratios. | | X |
| 4 | Local Control Funding Formula (LCFF) Revenue | Projected LCFF revenue for any of the current or two subsequent fiscal years has not changed by more than two percent since first interim. | X | |
| 5 | Salaries and Benefits | Projected ratio of total unrestricted salaries and benefits to total unrestricted general fund expenditures has not changed by more than the standard for the current and two subsequent fiscal years. | X | |
| 6a | Other Revenues | Projected operating revenues (federal, other state, other local) for the current and two subsequent fiscal years have not changed by more than five percent since first interim. | | X |
| 6b | Other Expenditures | Projected operating expenditures (books and supplies, services and other expenditures) for the current and two subsequent fiscal years have not changed by more than five percent since first interim. | X | |
| 7 | Ongoing and Major Maintenance Account | If applicable, changes occurring since first interim meet the required contribution to the ongoing and major maintenance account (i.e., restricted maintenance account). | X | |
| 8 | Deficit Spending | Unrestricted deficit spending, if any, has not exceeded the standard in any of the current or two subsequent fiscal years. | X | |
| 9a | Fund Balance | Projected general fund balance will be positive at the end of the current and two subsequent fiscal years. | X | |
| 9b | Cash Balance | Projected general fund cash balance will be positive at the end of the current fiscal year. | X | |
| 10 | Reserves | Available reserves (e.g., reserve for economic uncertainties, unassigned/unappropriated amounts) meet minimum requirements for the current and two subsequent fiscal years. | X | |
| SUPPLEMENTAL INFORMATION | | | No | Yes |
| S1 | Contingent Liabilities | Have any known or contingent liabilities (e.g., financial or program audits, litigation, state compliance reviews) occurred since first interim that may impact the budget? | X | |
| S2 | Using One-time Revenues to Fund Ongoing Expenditures | Are there ongoing general fund expenditures funded with one-time revenues that have changed since first interim by more than five percent? | X | |

Second Interim
DISTRICT CERTIFICATION OF INTERIM REPORT
For the Fiscal Year 2022-23

| | | | | |
|---|---|---|-----------|------------|
| S3 | Temporary Interfund Borrowings | Are there projected temporary borrowings between funds? | | X |
| S4 | Contingent Revenues | Are any projected revenues for any of the current or two subsequent fiscal years contingent on reauthorization by the local government, special legislation, or other definitive act (e.g., parcel taxes, forest reserves)? | X | |
| S5 | Contributions | Have contributions from unrestricted to restricted resources, or transfers to or from the general fund to cover operating deficits, changed since first interim by more than \$20,000 and more than 5% for any of the current or two subsequent fiscal years? | | X |
| SUPPLEMENTAL INFORMATION (continued) | | | No | Yes |
| S6 | Long-term Commitments | Does the district have long-term (multiyear) commitments or debt agreements? | | X |
| | | • If yes, have annual payments for the current or two subsequent fiscal years increased over prior year's (2021-22) annual payment? | X | |
| | | • If yes, will funding sources used to pay long-term commitments decrease or expire prior to the end of the commitment period, or are they one-time sources? | X | |
| S7a | Postemployment Benefits Other than Pensions | Does the district provide postemployment benefits other than pensions (OPEB)? | | X |
| | | • If yes, have there been changes since first interim in OPEB liabilities? | X | |
| S7b | Other Self-insurance Benefits | Does the district operate any self-insurance programs (e.g., workers' compensation)? | X | |
| | | • If yes, have there been changes since first interim in self-insurance liabilities? | n/a | |
| S8 | Status of Labor Agreements | As of second interim projections, are salary and benefit negotiations still unsettled for: | | |
| | | • Certificated? (Section S8A, Line 1b) | | X |
| | | • Classified? (Section S8B, Line 1b) | | X |
| | | • Management/supervisor/confidential? (Section S8C, Line 1b) | | X |
| S8 | Labor Agreement Budget Revisions | For negotiations settled since first interim, per Government Code Section 3547.5(c), are budget revisions still needed to meet the costs of the collective bargaining agreement(s) for: | | |
| | | • Certificated? (Section S8A, Line 3) | n/a | |
| | | • Classified? (Section S8B, Line 3) | n/a | |
| S9 | Status of Other Funds | Are any funds other than the general fund projected to have a negative fund balance at the end of the current fiscal year? | X | |
| ADDITIONAL FISCAL INDICATORS | | | No | Yes |
| A1 | Negative Cash Flow | Do cash flow projections show that the district will end the current fiscal year with a negative cash balance in the general fund? | X | |
| A2 | Independent Position Control | Is personnel position control independent from the payroll system? | X | |
| A3 | Declining Enrollment | Is enrollment decreasing in both the prior and current fiscal years? | | X |
| A4 | New Charter Schools Impacting District Enrollment | Are any new charter schools operating in district boundaries that are impacting the district's enrollment, either in the prior or current fiscal year? | X | |
| A5 | Salary Increases Exceed COLA | Has the district entered into a bargaining agreement where any of the current or subsequent fiscal years of the agreement would result in salary increases that are expected to exceed the projected state funded cost-of-living adjustment? | X | |
| A6 | Uncapped Health Benefits | Does the district provide uncapped (100% employer paid) health benefits for current or retired employees? | X | |
| A7 | Independent Financial System | Is the district's financial system independent from the county office system? | X | |
| A8 | Fiscal Distress Reports | Does the district have any reports that indicate fiscal distress? If yes, provide copies to the COE, pursuant to EC 42127.6(a). | X | |
| A9 | Change of CBO or Superintendent | Have there been personnel changes in the superintendent or chief business official (CBO) positions within the last 12 months? | X | |



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2nd Interim

2022-23

Narrative

HARMONY UNION SCHOOL DISTRICT

Board Meeting March 9th, 2023

2022-23 2nd Interim

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2nd Interim 2022-23
Projected Ending Balances
FUND 08 through FUND 40

As of
March 9, 2023

| Ending Balances – | Unassigned/Unappropriated |
|--|---------------------------|
| Fund 8 – Student Body Account | \$34,805 |
| Fund 13 – Cafeteria Fund <i>Restricted</i> – cafeteria expenditures <i>Transfer in from the General Fund 01 - \$75,000</i> | \$0.00 |
| Fund 14 – Deferred Maintenance <i>Committed</i> – deferred maintenance projects <i>Transfer in from the General Fund 01 - \$0</i> | \$48,803.64 |
| Fund 17 – Special Reserve Fund <i>Committed</i> – instructional Program expenditures | \$494,995.90 |
| Fund 20 – Postemployment Benefits <i>Committed</i> – retiree benefit expenditures <i>Transfer out to the General Fund 01 - \$15,000</i> | \$259,158.50 |
| Fund 21 – Building Fund <i>Assigned</i> – building projects | \$0.00 |
| Fund 25 – Capital Facilities Fund <i>Assigned</i> – building projects | \$194,272.62 |
| Fund 40 – Capital Outlay Projects <i>Committed</i> – capital projects | \$0.00 |



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2nd Interim

2022-23

LCFF Calculator

| Harmony Union Elementary (70730) - 2022-23 Budget at 2nd Interm | | 3/9/2023 | | |
|--|------------------|------------------|------------------|--|
| | 2022-23 | 2023-24 | 2024-25 | |
| SUMMARY OF FUNDING | | | | |
| General Assumptions | | | | |
| COLA & Augmentation | 13.26% | 8.13% | 3.54% | |
| Base Grant Proration Factor | 0.00% | 0.00% | 0.00% | |
| Add-on, ERT & MSA Proration Factor | 0.00% | 0.00% | 0.00% | |
| LCFF Entitlement | | | | |
| Base Grant | \$373,043 | \$414,874 | \$448,244 | |
| Grade Span Adjustment | 37,872 | 43,158 | 46,607 | |
| Supplemental Grant | 14,538 | 14,254 | 13,529 | |
| Concentration Grant | - | - | - | |
| Add-ons: Targeted Instructional Improvement Block Grant | - | - | - | |
| Add-ons: Home-to-School Transportation | 115,000 | 124,350 | 128,752 | |
| Add-ons: Small School District Bus Replacement Program | - | - | - | |
| Add-ons: Transitional Kindergarten | 17,919 | 27,375 | 34,013 | |
| Total LCFF Entitlement Before Adjustments, ERT & Additional State Aid | \$558,372 | \$624,011 | \$671,145 | |
| Miscellaneous Adjustments | - | - | - | |
| Economic Recovery Target | - | - | - | |
| Additional State Aid | - | - | - | |
| Total LCFF Entitlement | 558,372 | 624,011 | 671,145 | |
| LCFF Entitlement Per ADA | \$ 13,733 | \$ 14,907 | \$ 15,365 | |
| Components of LCFF By Object Code | | | | |
| State Aid (Object Code 8011) | \$ 523,123 | \$ 523,123 | \$ 523,123 | |
| EPA (for LCFF Calculation purposes) | \$ 19,835 | \$ 35,347 | \$ 39,320 | |
| <i>Local Revenue Sources:</i> | | | | |
| Property Taxes (Object 8021 to 8089) | \$ 2,904,631 | \$ 3,080,000 | \$ 3,220,000 | |
| In-Lieu of Property Taxes (Object Code 8096) | (2,660,224) | (2,821,189) | (2,941,507) | |
| Property Taxes net of In-Lieu | \$ 244,407 | \$ 258,811 | \$ 278,493 | |
| TOTAL FUNDING | 787,365 | 817,281 | 840,936 | |
| Basic Aid Status | <i>Basic Aid</i> | | <i>Basic Aid</i> | |
| Excess Taxes | \$ 209,158 | \$ 157,923 | \$ 130,471 | |
| EPA in Excess to LCFF Funding | \$ 19,835 | \$ 35,347 | \$ 39,320 | |
| Total LCFF Entitlement | 558,372 | 624,011 | 671,145 | |
| SUMMARY OF EPA | | | | |
| % of Adjusted Revenue Limit - Annual | 45.21920787% | 45.21920787% | 45.21920787% | |
| % of Adjusted Revenue Limit - P-2 | 45.21920787% | 45.21920787% | 45.21920787% | |
| EPA (for LCFF Calculation purposes) | \$ 19,835 | \$ 35,347 | \$ 39,320 | |
| EPA, Current Year (Object Code 8012) (P-2 plus Current Year Accrual) | \$ 19,835 | \$ 35,347 | \$ 39,320 | |
| EPA, Prior Year Adjustment (Object Code 8019) (P-A less Prior Year Accrual) | \$ (8,515.00) | \$ - | \$ - | |
| Accrual (from Data Entry tab) | - | - | - | |
| LCAP PERCENTAGE TO INCREASE OR IMPROVE SERVICES | | | | |
| Base Grant (<i>Excludes add-ons for TIIG and Transportation</i>) | \$ 410,915 | \$ 458,032 | \$ 494,851 | |
| Supplemental and Concentration Grant funding in the LCAP year | \$ 14,538 | \$ 14,254 | \$ 13,529 | |
| Percentage to Increase or Improve Services | 3.54% | 3.11% | 2.73% | |
| SUMMARY OF STUDENT POPULATION | | | | |
| Unduplicated Pupil Population | | | | |
| Enrollment | 44 | 46 | 48 | |
| COE Enrollment | 1 | - | - | |
| Total Enrollment | 45 | 46 | 48 | |

| Harmony Union Elementary (70730) - 2022-23 Budget at 2nd Interm | | 3/9/2023 | | |
|---|----------------|----------------|----------------|--|
| | 2022-23 | 2023-24 | 2024-25 | |
| Unduplicated Pupil Count | 6 | 6 | 7 | |
| COE Unduplicated Pupil Count | - | - | - | |
| Total Unduplicated Pupil Count | 6 | 6 | 7 | |
| Rolling %, Supplemental Grant | 17.6900% | 15.5600% | 13.6700% | |
| Rolling %, Concentration Grant | 17.6900% | 15.5600% | 13.6700% | |
| SUMMARY OF LCFF ADA | | | | |
| Third Prior Year ADA for the Hold Harmless (adjusted for current year charter shift) | | | | |
| Grades TK-3 | 57.57 | 57.57 | - | |
| Grades 4-6 | - | - | - | |
| Grades 7-8 | - | - | - | |
| Grades 9-12 | - | - | - | |
| LCFF Subtotal | 57.57 | 57.57 | - | |
| NSS | - | - | - | |
| Combined Subtotal | 57.57 | 57.57 | - | |
| Second Prior Year ADA for the Hold Harmless (adjusted for current year charter shift) | | | | |
| Grades TK-3 | 57.57 | - | - | |
| Grades 4-6 | - | - | - | |
| Grades 7-8 | - | - | - | |
| Grades 9-12 | - | - | - | |
| LCFF Subtotal | 57.57 | - | - | |
| NSS | - | - | - | |
| Combined Subtotal | 57.57 | - | - | |
| Prior Year ADA for the Hold Harmless (adjusted for current year charter shift) | | | | |
| Grades TK-3 | - | - | - | |
| Grades 4-6 | - | - | - | |
| Grades 7-8 | - | - | - | |
| Grades 9-12 | - | - | - | |
| LCFF Subtotal | - | - | - | |
| NSS | - | - | - | |
| Combined Subtotal | - | - | - | |
| Prior 3-Year Average ADA (adjusted for +/- current year charter shift) | | | | |
| Grades TK-3 | 38.38 | 19.19 | - | |
| Grades 4-6 | - | - | - | |
| Grades 7-8 | - | - | - | |
| Grades 9-12 | - | - | - | |
| LCFF Subtotal | 38.38 | 19.19 | - | |
| NSS | - | - | - | |
| Combined Subtotal | 38.38 | 19.19 | - | |
| Current Year Charter Shift ADA for the Hold Harmless and Prior 3-Year Average | (40.84) | (39.74) | (41.86) | |
| Current Year ADA | | | | |
| Grades TK-3 | 39.74 | 41.86 | 43.68 | |
| Grades 4-6 | - | - | - | |
| Grades 7-8 | - | - | - | |
| Grades 9-12 | - | - | - | |
| LCFF Subtotal | 39.74 | 41.86 | 43.68 | |
| NSS | - | - | - | |
| Combined Subtotal | 39.74 | 41.86 | 43.68 | |
| Change in LCFF ADA (excludes NSS ADA) | 39.74 | 41.86 | 43.68 | |
| | Increase | Increase | Increase | |
| 2021-22 Proxy ADA Determination - for School District Calculations only. Funding for charter schools under Section 123 of AB 181 will be allocated outside | | | | |
| Yield Calculation | | | | |
| Total ADA | | | | |
| Total Enrollment | | | | |
| Attendance Yield | | | | |
| Quotient | | | | |
| 2021-22 Proxy ADA | | | | |

| Harmony Union Elementary (70730) - 2022-23 Budget at 2nd Interm | | 3/9/2023 | | |
|--|----|----------------|----------------|----------------|
| | | 2022-23 | 2023-24 | 2024-25 |
| Grades TK-3 | | | | |
| Grades 4-6 | | | | |
| Grades 7-8 | | | | |
| Grades 9-12 | | | | |
| Subtotal | | | | |
| NSS | | | | |
| Combined Subtotal | | | | |
| Funded LCFF ADA (greater of current year, prior year or 3-prior year average) | | | | |
| Grades TK-3 | | 39.74 | 41.86 | 43.68 |
| Grades 4-6 | | - | - | - |
| Grades 7-8 | | - | - | - |
| Grades 9-12 | | - | - | - |
| Subtotal | | 39.74 | 41.86 | 43.68 |
| | | <i>Current</i> | <i>Current</i> | <i>Current</i> |
| Funded NSS ADA | | | | |
| Grades TK-3 | | - | - | - |
| Grades 4-6 | | - | - | - |
| Grades 7-8 | | - | - | - |
| Grades 9-12 | | - | - | - |
| Subtotal | | - | - | - |
| NPS, CDS, & COE Operated | | | | |
| Grades TK-3 | | - | - | - |
| Grades 4-6 | | 0.10 | - | - |
| Grades 7-8 | | 0.82 | - | - |
| Grades 9-12 | | - | - | - |
| Subtotal | | 0.92 | - | - |
| ACTUAL ADA (Current Year Only) | | | | |
| Grades TK-3 | | 39.74 | 41.86 | 43.68 |
| Grades 4-6 | | 0.10 | - | - |
| Grades 7-8 | | 0.82 | - | - |
| Grades 9-12 | | - | - | - |
| Total Actual ADA | | 40.66 | 41.86 | 43.68 |
| TOTAL FUNDED ADA | | | | |
| Grades TK-3 | | 39.74 | 41.86 | 43.68 |
| Grades 4-6 | | 0.10 | - | - |
| Grades 7-8 | | 0.82 | - | - |
| Grades 9-12 | | - | - | - |
| Total | | 40.66 | 41.86 | 43.68 |
| <i>Funded Difference (Funded ADA less Actual ADA)</i> | | - | - | - |
| FUNDED ADA for the Transitional Kindergarten Add-on | | | | |
| Current Year TK ADA | | 6.37 | 9.00 | 10.80 |
| PER-ADA FUNDING LEVELS | | | | |
| Base, Supplemental and Concentration Rate per ADA | | | | |
| Grades TK-3 | \$ | 10,477 | \$ 11,283 | \$ 11,639 |
| Grades 4-6 | \$ | 9,633 | \$ 10,373 | \$ 10,701 |
| Grades 7-8 | \$ | 9,919 | \$ 10,681 | \$ 11,019 |
| Grades 9-12 | \$ | 11,794 | \$ 12,700 | \$ 13,102 |
| Base Grants | | | | |
| Grades TK-3 | \$ | 9,166 | \$ 9,911 | \$ 10,262 |
| Grades 4-6 | \$ | 9,304 | \$ 10,060 | \$ 10,416 |
| Grades 7-8 | \$ | 9,580 | \$ 10,359 | \$ 10,726 |
| Grades 9-12 | \$ | 11,102 | \$ 12,005 | \$ 12,430 |
| Grade Span Adjustment | | | | |
| Grades TK-3 | \$ | 953 | \$ 1,031 | \$ 1,067 |
| Grades 9-12 | \$ | 289 | \$ 312 | \$ 323 |

| Harmony Union Elementary (70730) - 2022-23 Budget at 2nd Inteirm | | 3/9/2023 | | |
|---|----|----------|-----------|-----------|
| | | 2022-23 | 2023-24 | 2024-25 |
| Prorated Base, Supplemental and Concentration Rate per ADA | | | | |
| Grades TK-3 | \$ | 10,119 | \$ 10,942 | \$ 11,329 |
| Grades 4-6 | \$ | 9,304 | \$ 10,060 | \$ 10,416 |
| Grades 7-8 | \$ | 9,580 | \$ 10,359 | \$ 10,726 |
| Grades 9-12 | \$ | 11,391 | \$ 12,317 | \$ 12,753 |
| Prorated Base Grants | | | | |
| Grades TK-3 | \$ | 9,166 | \$ 9,911 | \$ 10,262 |
| Grades 4-6 | \$ | 9,304 | \$ 10,060 | \$ 10,416 |
| Grades 7-8 | \$ | 9,580 | \$ 10,359 | \$ 10,726 |
| Grades 9-12 | \$ | 11,102 | \$ 12,005 | \$ 12,430 |
| Prorated Grade Span Adjustment | | | | |
| Grades TK-3 | \$ | 953 | \$ 1,031 | \$ 1,067 |
| Grades 9-12 | \$ | 289 | \$ 312 | \$ 323 |
| Supplemental Grant | | | | |
| | | 20% | 20% | 20% |
| Maximum - 1.00 ADA, 100% UPP | | | | |
| Grades TK-3 | \$ | 2,024 | \$ 2,188 | \$ 2,266 |
| Grades 4-6 | \$ | 1,861 | \$ 2,012 | \$ 2,083 |
| Grades 7-8 | \$ | 1,916 | \$ 2,072 | \$ 2,145 |
| Grades 9-12 | \$ | 2,278 | \$ 2,463 | \$ 2,551 |
| Actual - 1.00 ADA, Local UPP as follows: | | | | |
| | | 17.69% | 15.56% | 13.67% |
| Grades TK-3 | \$ | 358 | \$ 341 | \$ 310 |
| Grades 4-6 | \$ | 329 | \$ 313 | \$ 285 |
| Grades 7-8 | \$ | 339 | \$ 322 | \$ 293 |
| Grades 9-12 | \$ | 403 | \$ 383 | \$ 349 |
| Concentration Grant (>55% population) | | | | |
| | | 65% | 65% | 65% |
| Maximum - 1.00 ADA, 100% UPP | | | | |
| Grades TK-3 | \$ | 6,577 | \$ 7,112 | \$ 7,364 |
| Grades 4-6 | \$ | 6,048 | \$ 6,539 | \$ 6,770 |
| Grades 7-8 | \$ | 6,227 | \$ 6,733 | \$ 6,972 |
| Grades 9-12 | \$ | 7,404 | \$ 8,006 | \$ 8,289 |
| Actual - 1.00 ADA, Local UPP >55% as follows: | | | | |
| | | 0.0000% | 0.0000% | 0.0000% |
| Grades TK-3 | \$ | - | \$ - | \$ - |
| Grades 4-6 | \$ | - | \$ - | \$ - |
| Grades 7-8 | \$ | - | \$ - | \$ - |
| Grades 9-12 | \$ | - | \$ - | \$ - |

| Salmon Creek School - A Charter (6110639) - 2022-23 Budget at 2nd Interim | | 3/9/2023 | | |
|--|-----------|--------------------|--------------------|--------------------|
| | | 2022-23 | 2023-24 | 2024-25 |
| SUMMARY OF FUNDING | | | | |
| General Assumptions | | | | |
| COLA & Augmentation | | 13.26% | 8.13% | 3.54% |
| Base Grant Proration Factor | | 0.00% | 0.00% | 0.00% |
| Add-on, ERT & MSA Proration Factor | | 0.00% | 0.00% | 0.00% |
| LCFF Entitlement | | | | |
| Base Grant | | \$1,242,214 | \$1,426,234 | \$1,478,208 |
| Grade Span Adjustment | | 38,834 | 40,209 | 39,693 |
| Supplemental Grant | | 72,866 | 85,639 | 87,400 |
| Concentration Grant | | - | - | - |
| Add-ons: Targeted Instructional Improvement Block Grant | | - | - | - |
| Add-ons: Home-to-School Transportation | | - | - | - |
| Add-ons: Small School District Bus Replacement Program | | - | - | - |
| Add-ons: Transitional Kindergarten | | - | - | - |
| Total LCFF Entitlement Before Adjustments, ERT & Additional State Aid | | \$1,353,914 | \$1,552,082 | \$1,605,301 |
| Miscellaneous Adjustments | | - | - | - |
| Economic Recovery Target | | - | - | - |
| Additional State Aid | | - | - | - |
| Total LCFF Entitlement | | 1,353,914 | 1,552,082 | 1,605,301 |
| LCFF Entitlement Per ADA | \$ | 10,156 | \$ 10,984 | \$ 11,356 |
| Components of LCFF By Object Code | | | | |
| State Aid (Object Code 8011) | \$ | 495,684 | \$ 568,457 | \$ 586,423 |
| EPA (for LCFF Calculation purposes) | \$ | 56,905 | \$ 110,002 | \$ 117,421 |
| <i>Local Revenue Sources:</i> | | | | |
| Property Taxes (Object 8021 to 8089) | \$ | - | \$ - | \$ - |
| In-Lieu of Property Taxes (Object Code 8096) | | 801,325 | 873,623 | 901,457 |
| Property Taxes net of In-Lieu | \$ | - | \$ - | \$ - |
| TOTAL FUNDING | | 1,353,914 | 1,552,082 | 1,605,301 |
| Basic Aid Status | \$ | - | \$ - | \$ - |
| Excess Taxes | \$ | - | \$ - | \$ - |
| EPA in Excess to LCFF Funding | \$ | - | \$ - | \$ - |
| Total LCFF Entitlement | | 1,353,914 | 1,552,082 | 1,605,301 |
| SUMMARY OF EPA | | | | |
| % of Adjusted Revenue Limit - Annual | | 45.21920787% | 45.21920787% | 45.21920787% |
| % of Adjusted Revenue Limit - P-2 | | 45.21920787% | 45.21920787% | 45.21920787% |
| EPA (for LCFF Calculation purposes) | \$ | 56,905 | \$ 110,002 | \$ 117,421 |
| EPA, Current Year (Object Code 8012) | \$ | 56,905 | \$ 110,002 | \$ 117,421 |
| (P-2 plus Current Year Accrual) | | | | |
| EPA, Prior Year Adjustment (Object Code 8019) | \$ | 12,854.00 | \$ - | \$ - |
| (P-A less Prior Year Accrual) | | | | |
| Accrual (from Data Entry tab) | | - | - | - |
| LCAP PERCENTAGE TO INCREASE OR IMPROVE SERVICES | | | | |
| Base Grant (Excludes add-ons for TIIG and Transportation) | \$ | 1,281,048 | \$ 1,466,443 | \$ 1,517,901 |
| Supplemental and Concentration Grant funding in the LCAP year | \$ | 72,866 | \$ 85,639 | \$ 87,400 |
| Percentage to Increase or Improve Services | | 5.69% | 5.84% | 5.76% |
| SUMMARY OF STUDENT POPULATION | | | | |
| Unduplicated Pupil Population | | | | |
| Enrollment | | 144 | 152 | 152 |
| COE Enrollment | | - | - | - |
| Total Enrollment | | 144 | 152 | 152 |

| Salmon Creek School - A Charter (6110639) - 2022-23 Budget at 2nd Interim | | 3/9/2023 | | |
|---|--|---------------|---------------|---------------|
| | | 2022-23 | 2023-24 | 2024-25 |
| Unduplicated Pupil Count | | 39 | 45 | 45 |
| COE Unduplicated Pupil Count | | - | - | - |
| Total Unduplicated Pupil Count | | 39 | 45 | 45 |
| Rolling %, Supplemental Grant | | 28.4400% | 29.2000% | 28.7900% |
| Rolling %, Concentration Grant | | 28.4400% | 29.2000% | 28.7900% |
| SUMMARY OF LCFF ADA | | | | |
| Third Prior Year ADA for the Hold Harmless (adjusted for current year charter shift) | | | | |
| Grades TK-3 | | - | - | - |
| Grades 4-6 | | - | - | - |
| Grades 7-8 | | - | - | - |
| Grades 9-12 | | - | - | - |
| LCFF Subtotal | | - | - | - |
| NSS | | - | - | - |
| Combined Subtotal | | - | - | - |
| Second Prior Year ADA for the Hold Harmless (adjusted for current year charter shift) | | | | |
| Grades TK-3 | | - | - | - |
| Grades 4-6 | | - | - | - |
| Grades 7-8 | | - | - | - |
| Grades 9-12 | | - | - | - |
| LCFF Subtotal | | - | - | - |
| NSS | | - | - | - |
| Combined Subtotal | | - | - | - |
| Prior Year ADA for the Hold Harmless (adjusted for current year charter shift) | | | | |
| Grades TK-3 | | - | - | - |
| Grades 4-6 | | - | - | - |
| Grades 7-8 | | - | - | - |
| Grades 9-12 | | - | - | - |
| LCFF Subtotal | | - | - | - |
| NSS | | - | - | - |
| Combined Subtotal | | - | - | - |
| Prior 3-Year Average ADA (adjusted for +/- current year charter shift) | | | | |
| Grades TK-3 | | - | - | - |
| Grades 4-6 | | - | - | - |
| Grades 7-8 | | - | - | - |
| Grades 9-12 | | - | - | - |
| LCFF Subtotal | | - | - | - |
| NSS | | - | - | - |
| Combined Subtotal | | - | - | - |
| Current Year Charter Shift ADA for the Hold Harmless and Prior 3-Year Average | | | | |
| Current Year ADA | | | | |
| Grades TK-3 | | 40.75 | 39.00 | 37.20 |
| Grades 4-6 | | 65.31 | 66.96 | 66.96 |
| Grades 7-8 | | 27.25 | 35.34 | 37.20 |
| Grades 9-12 | | - | - | - |
| LCFF Subtotal | | 133.31 | 141.30 | 141.36 |
| NSS | | - | - | - |
| Combined Subtotal | | 133.31 | 141.30 | 141.36 |
| Change in LCFF ADA (excludes NSS ADA) | | 133.31 | 141.30 | 141.36 |
| | | Increase | Increase | Increase |
| 2021-22 Proxy ADA Determination - for School District Calculations only. Funding for charter schools under Section 123 of AB 181 will be allocated outside | | | | |
| Yield Calculation | | | | |
| Total ADA | | | | |
| Total Enrollment | | | | |
| Attendance Yield | | | | |
| Quotient | | | | |
| 2021-22 Proxy ADA | | | | |

| Salmon Creek School - A Charter (6110639) - 2022-23 Budget at 2nd Interim | | 3/9/2023 | | | | |
|--|----|----------------|----------------|----------------|----|--------|
| | | 2022-23 | 2023-24 | 2024-25 | | |
| Grades TK-3 | | | | | | |
| Grades 4-6 | | | | | | |
| Grades 7-8 | | | | | | |
| Grades 9-12 | | | | | | |
| Subtotal | | | | | | |
| NSS | | | | | | |
| Combined Subtotal | | | | | | |
| Funded LCFF ADA (greater of current year, prior year or 3-prior year average) | | | | | | |
| Grades TK-3 | | 40.75 | 39.00 | 37.20 | | |
| Grades 4-6 | | 65.31 | 66.96 | 66.96 | | |
| Grades 7-8 | | 27.25 | 35.34 | 37.20 | | |
| Grades 9-12 | | - | - | - | | |
| Subtotal | | 133.31 | 141.30 | 141.36 | | |
| | | <i>Current</i> | <i>Current</i> | <i>Current</i> | | |
| Funded NSS ADA | | | | | | |
| Grades TK-3 | | - | - | - | | |
| Grades 4-6 | | - | - | - | | |
| Grades 7-8 | | - | - | - | | |
| Grades 9-12 | | - | - | - | | |
| Subtotal | | - | - | - | | |
| NPS, CDS, & COE Operated | | | | | | |
| Grades TK-3 | | - | - | - | | |
| Grades 4-6 | | - | - | - | | |
| Grades 7-8 | | - | - | - | | |
| Grades 9-12 | | - | - | - | | |
| Subtotal | | - | - | - | | |
| ACTUAL ADA (Current Year Only) | | | | | | |
| Grades TK-3 | | 40.75 | 39.00 | 37.20 | | |
| Grades 4-6 | | 65.31 | 66.96 | 66.96 | | |
| Grades 7-8 | | 27.25 | 35.34 | 37.20 | | |
| Grades 9-12 | | - | - | - | | |
| Total Actual ADA | | 133.31 | 141.30 | 141.36 | | |
| TOTAL FUNDED ADA | | | | | | |
| Grades TK-3 | | 40.75 | 39.00 | 37.20 | | |
| Grades 4-6 | | 65.31 | 66.96 | 66.96 | | |
| Grades 7-8 | | 27.25 | 35.34 | 37.20 | | |
| Grades 9-12 | | - | - | - | | |
| Total | | 133.31 | 141.30 | 141.36 | | |
| <i>Funded Difference (Funded ADA less Actual ADA)</i> | | - | - | - | | |
| FUNDED ADA for the Transitional Kindergarten Add-on | | | | | | |
| Current Year TK ADA | | - | - | - | | |
| PER-ADA FUNDING LEVELS | | | | | | |
| Base, Supplemental and Concentration Rate per ADA | | | | | | |
| Grades TK-3 | \$ | 10,695 | \$ | 11,581 | \$ | 11,981 |
| Grades 4-6 | \$ | 9,833 | \$ | 10,648 | \$ | 11,016 |
| Grades 7-8 | \$ | 10,125 | \$ | 10,964 | \$ | 11,344 |
| Grades 9-12 | \$ | 12,039 | \$ | 13,036 | \$ | 13,487 |
| Base Grants | | | | | | |
| Grades TK-3 | \$ | 9,166 | \$ | 9,911 | \$ | 10,262 |
| Grades 4-6 | \$ | 9,304 | \$ | 10,060 | \$ | 10,416 |
| Grades 7-8 | \$ | 9,580 | \$ | 10,359 | \$ | 10,726 |
| Grades 9-12 | \$ | 11,102 | \$ | 12,005 | \$ | 12,430 |
| Grade Span Adjustment | | | | | | |
| Grades TK-3 | \$ | 953 | \$ | 1,031 | \$ | 1,067 |
| Grades 9-12 | \$ | 289 | \$ | 312 | \$ | 323 |

| Salmon Creek School - A Charter (6110639) - 2022-23 Budget at 2nd Interim | | 3/9/2023 | | |
|---|----|----------|-----------|-----------|
| | | 2022-23 | 2023-24 | 2024-25 |
| Prorated Base, Supplemental and Concentration Rate per ADA | | | | |
| Grades TK-3 | \$ | 10,119 | \$ 10,942 | \$ 11,329 |
| Grades 4-6 | \$ | 9,304 | \$ 10,060 | \$ 10,416 |
| Grades 7-8 | \$ | 9,580 | \$ 10,359 | \$ 10,726 |
| Grades 9-12 | \$ | 11,391 | \$ 12,317 | \$ 12,753 |
| Prorated Base Grants | | | | |
| Grades TK-3 | \$ | 9,166 | \$ 9,911 | \$ 10,262 |
| Grades 4-6 | \$ | 9,304 | \$ 10,060 | \$ 10,416 |
| Grades 7-8 | \$ | 9,580 | \$ 10,359 | \$ 10,726 |
| Grades 9-12 | \$ | 11,102 | \$ 12,005 | \$ 12,430 |
| Prorated Grade Span Adjustment | | | | |
| Grades TK-3 | \$ | 953 | \$ 1,031 | \$ 1,067 |
| Grades 9-12 | \$ | 289 | \$ 312 | \$ 323 |
| Supplemental Grant | | | | |
| | | 20% | 20% | 20% |
| Maximum - 1.00 ADA, 100% UPP | | | | |
| Grades TK-3 | \$ | 2,024 | \$ 2,188 | \$ 2,266 |
| Grades 4-6 | \$ | 1,861 | \$ 2,012 | \$ 2,083 |
| Grades 7-8 | \$ | 1,916 | \$ 2,072 | \$ 2,145 |
| Grades 9-12 | \$ | 2,278 | \$ 2,463 | \$ 2,551 |
| Actual - 1.00 ADA, Local UPP as follows: | | | | |
| | | 28.44% | 29.20% | 28.79% |
| Grades TK-3 | \$ | 576 | \$ 639 | \$ 652 |
| Grades 4-6 | \$ | 529 | \$ 588 | \$ 600 |
| Grades 7-8 | \$ | 545 | \$ 605 | \$ 618 |
| Grades 9-12 | \$ | 648 | \$ 719 | \$ 734 |
| Concentration Grant (>55% population) | | | | |
| | | 65% | 65% | 65% |
| Maximum - 1.00 ADA, 100% UPP | | | | |
| Grades TK-3 | \$ | 6,577 | \$ 7,112 | \$ 7,364 |
| Grades 4-6 | \$ | 6,048 | \$ 6,539 | \$ 6,770 |
| Grades 7-8 | \$ | 6,227 | \$ 6,733 | \$ 6,972 |
| Grades 9-12 | \$ | 7,404 | \$ 8,006 | \$ 8,289 |
| Actual - 1.00 ADA, Local UPP >55% as follows: | | | | |
| | | 0.0000% | 0.0000% | 0.0000% |
| Grades TK-3 | \$ | - | \$ - | \$ - |
| Grades 4-6 | \$ | - | \$ - | \$ - |
| Grades 7-8 | \$ | - | \$ - | \$ - |
| Grades 9-12 | \$ | - | \$ - | \$ - |



Harmony
Union School District

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Occidental, California, 95465
Phone (707) 874-1205 • Fax (707) 874-1226
www.harmonyusd.org

2nd Interim

2022-23

Multi – Year and Assumptions

| Object Codes | 2022-23 | | | 2023-24 | | | 2024-25 | | |
|---|---------------------------------------|------------------|------------------|---------------------------------------|------------------|------------------|---------------------------------------|------------------|------------------|
| | Unrestricted | Restricted | Total | Unrestricted | Restricted | Total | Unrestricted | Restricted | Total |
| COLA (enter percentage) | | | 6.56% | | | 8.13% | | | 3.54% |
| Gap Funding Rate (enter percentage) | | | 6.70% | | | 0.00% | | | 0.00% |
| ADA (the higher of current or prior year) Harmony | | current | 39.74 | | current | 41.86 | | current | 43.68 |
| Current Year ADA Salmon Creek | | | 133.31 | | | 141.30 | | | 141.36 |
| ADA for LCFF purposes | | | 173.05 | | | 183.16 | | | 185.04 |
| Revenue | | | | | | | | | |
| Local Control Funding Formula 8010-8099 | 2,116,279 | 25,199 | 2,141,478 | 2,344,363 | 24,000 | 2,368,363 | 2,421,237 | 24,250 | 2,445,487 |
| Basic Aid Supplemental | 2,051,716 | | 2,051,716 | 2,113,000 | | 2,113,000 | 2,177,000 | | 2,177,000 |
| Federal Revenues 8100-8299 | | 95,292 | 95,292 | | 91,800 | 91,800 | | 94,350 | 94,350 |
| State Revenues 8300-8599 | 303,544 | 614,383 | 917,927 | 71,464 | 432,868 | 504,332 | 76,464 | 424,577 | 501,041 |
| Local Revenues 8600-8799 | 88,000 | 187,422 | 275,422 | 77,500 | 170,273 | 247,773 | 80,000 | 174,530 | 254,530 |
| Total Revenue | 4,559,539 | 922,296 | 5,481,835 | 4,606,327 | 718,941 | 5,325,268 | 4,754,701 | 717,707 | 5,472,408 |
| Expenditures | | | | | | | | | |
| Certificated Salaries 1000-1999 | 1,324,991 | 409,588 | 1,734,579 | 1,369,928 | 417,188 | 1,787,116 | 1,430,753 | 432,888 | 1,863,641 |
| Classified Salaries 2000-2999 | 834,133 | 188,260 | 1,022,393 | 871,830 | 196,310 | 1,068,140 | 903,631 | 204,710 | 1,108,341 |
| Employee Benefits -- Statutory 33xx ; 3501-3699 | 1,156,359 | 376,400 | 1,532,759 | 1,190,656 | 387,692 | 1,578,348 | 1,224,061 | 399,223 | 1,623,284 |
| Employee Benefits -- STRS 31xx | 258,706 | 78,231 | 341,039 | 263,000 | 80,000 | 347,102 | 269,575 | 82,000 | 355,677 |
| Employee Benefits -- PERS 32xx | 148,706 | 47,762 | 196,467 | 225,000 | 16,977 | 241,977 | 241,769 | 17,401 | 259,170 |
| Employee Benefits -- Health & Welfare 34xx; 39xx | 556,103 | 51,927 | 608,030 | 570,000 | 55,000 | 625,000 | 584,250 | 56,375 | 640,625 |
| Retiree Benefits 37xx | 15,000 | | 15,000 | 15,000 | | 15,000 | 0 | | 0 |
| Books and Supplies 4000-4999 | 128,465 | 67,070 | 195,536 | 115,325 | 59,500 | 174,825 | 115,554 | 61,000 | 176,554 |
| Services, Other Operating Expenses 5000-5999 | 472,734 | 375,797 | 848,531 | 474,085 | 295,000 | 769,085 | 501,010 | 150,000 | 651,010 |
| Capital Outlay 6000-6999 | | 44,500 | 44,500 | | 10,500 | 10,500 | | 10,500 | 10,500 |
| Other Outgo 7100-7499 | (150) | 150 | 0 | (150) | 150 | 0 | (150) | 150 | 0 |
| Total Expenditures | 3,916,532 | 1,461,765 | 5,378,298 | 4,021,674 | 1,366,340 | 5,388,014 | 4,174,859 | 1,258,471 | 5,433,330 |
| Excess (Deficiency) | 643,007 | (539,469) | 103,537 | 584,653 | (647,399) | (62,746) | 579,842 | (540,764) | 39,078 |
| * Transfers In 8910-8929 | 1,768,245 | | 1,768,245 | 1,745,000 | | 1,745,000 | 1,730,000 | | 1,730,000 |
| * Transfers Out (enter as negative) 7610-7629 | (1,827,631) | | (1,827,631) | (1,785,000) | | (1,785,000) | (1,785,000) | | (1,785,000) |
| Other Sources 8930-8979 | | | 0 | | | 0 | | | 0 |
| Other Uses (enter as negative) 7630-7699 | | | 0 | | | 0 | | | 0 |
| Contributions 8980-8999 | (431,000) | 431,000 | 0 | (480,000) | 480,000 | 0 | (535,200) | 535,200 | 0 |
| Total Transfers/Other Uses | (490,386) | 431,000 | (59,386) | (520,000) | 480,000 | (40,000) | (590,200) | 535,200 | (55,000) |
| Net Increase (Decrease) | 152,621 | (108,469) | 44,151 | 64,653 | (167,399) | (102,746) | (10,358) | (5,564) | (15,922) |
| Fund Balance | | | | | | | | | |
| Beginning Balance | 3,310,158 | 281,468 | 3,591,626 | 3,462,779 | 172,998 | 3,635,777 | 3,527,432 | 5,599 | 3,533,031 |
| Audit Adjustment(s) | | | 0 | | | 0 | | | 0 |
| Net Ending Balance | 3,462,779 | 172,998 | 3,635,777 | 3,527,432 | 5,599 | 3,533,031 | 3,517,075 | 35 | 3,517,109 |
| Components of Ending Balance: | | | | | | | | | |
| Revolving Cash (nonspendable) 9711 | 500 | | 500 | 500 | | 500 | 500 | | 500 |
| Stores (nonspendable) 9712 | | | 0 | | | 0 | | | 0 |
| Restricted 9740 | | 172,998 | 172,998 | | 5,598 | 5,598 | | 35 | 35 |
| Committed 9760 | 0 | | 0 | 0 | | 0 | 0 | | 0 |
| Stabilization Arrangements (committed) 9750 | 2,400,000 | | 2,400,000 | 2,400,000 | | 2,400,000 | 2,400,000 | | 2,400,000 |
| Assigned 9780 | 9,350 | | 9,350 | 9,500 | | 9,500 | 9,500 | | 9,500 |
| Reserve for Econ.Uncert. (5% of Exp.) 9789 | 268,915 | | 268,915 | 269,295 | | 269,295 | 271,561 | | 271,561 |
| Unassigned/Unappropriated Amount 9790 | 784,014 | 0 | 784,014 | 848,137 | 1 | 848,138 | 835,514 | 0 | 835,514 |
| Net Ending Balance | 3,462,779 | 172,998 | 3,635,777 | 3,527,432 | 5,599 | 3,533,031 | 3,517,075 | 35 | 3,517,109 |
| | enter EUR percentage in the box below | | | enter EUR percentage in the box below | | | enter EUR percentage in the box below | | |
| | 0.05 | | | 0.05 | | | 0.05 | | |
| District Reserve for Economic Uncertainties: | 268,914.88 | | | 269,295.00 | | | 271,561.00 | | |

| Description | Object Codes | Projected Year Totals (Form 011) (A) | % Change (Cols. C-A/A) (B) | 2023-24 Projection (C) | % Change (Cols. E-C/C) (D) | 2024-25 Projection (E) |
|---|----------------------|--------------------------------------|----------------------------|------------------------|----------------------------|------------------------|
| (Enter projections for subsequent years 1 and 2 in Columns C and E; current year - Column A - is extracted) | | | | | | |
| A. REVENUES AND OTHER FINANCING SOURCES | | | | | | |
| 1. LCFF/Revenue Limit Sources | 8010-8099 | 4,167,995.00 | 6.94% | 4,457,363.00 | 3.16% | 4,598,237.00 |
| 2. Federal Revenues | 8100-8299 | 0.00 | 0.00% | 0.00 | 0.00% | 0.00 |
| 3. Other State Revenues | 8300-8599 | 303,544.00 | (76.46%) | 71,464.00 | 7.00% | 76,464.00 |
| 4. Other Local Revenues | 8600-8799 | 88,000.00 | (11.93%) | 77,500.00 | 3.23% | 80,000.00 |
| 5. Other Financing Sources | | | | | | |
| a. Transfers In | 8900-8929 | 1,768,245.30 | (1.31%) | 1,745,000.00 | (.86%) | 1,730,000.00 |
| b. Other Sources | 8930-8979 | 0.00 | 0.00% | 0.00 | 0.00% | 0.00 |
| c. Contributions | 8980-8999 | (431,000.00) | 11.37% | (480,000.00) | 11.50% | (535,200.00) |
| 6. Total (Sum lines A1 thru A5c) | | 5,896,784.30 | (.43%) | 5,871,327.00 | 1.33% | 5,949,501.00 |
| B. EXPENDITURES AND OTHER FINANCING USES | | | | | | |
| 1. Certificated Salaries | | | | | | |
| a. Base Salaries | | | | 1,324,990.53 | | 1,369,927.53 |
| b. Step & Column Adjustment | | | | 9,937.00 | | 17,500.00 |
| c. Cost-of-Living Adjustment | | | | 35,000.00 | | 43,325.00 |
| d. Other Adjustments | | | | | | |
| e. Total Certificated Salaries (Sum lines B1a thru B1d) | 1000-1999 | 1,324,990.53 | 3.39% | 1,369,927.53 | 4.44% | 1,430,752.53 |
| 2. Classified Salaries | | | | | | |
| a. Base Salaries | | | | 834,132.97 | | 871,830.19 |
| b. Step & Column Adjustment | | | | 9,450.00 | | 7,950.00 |
| c. Cost-of-Living Adjustment | | | | 28,247.22 | | 23,851.00 |
| d. Other Adjustments | | | | | | |
| e. Total Classified Salaries (Sum lines B2a thru B2d) | 2000-2999 | 834,132.97 | 4.52% | 871,830.19 | 3.65% | 903,631.19 |
| 3. Employee Benefits | 3000-3999 | 1,156,358.94 | 2.97% | 1,190,656.00 | 2.81% | 1,224,061.00 |
| 4. Books and Supplies | 4000-4999 | 128,465.49 | (10.23%) | 115,325.00 | .20% | 115,554.00 |
| 5. Services and Other Operating Expenditures | 5000-5999 | 472,734.28 | .29% | 474,085.00 | 5.68% | 501,010.00 |
| 6. Capital Outlay | 6000-6999 | 0.00 | 0.00% | 0.00 | 0.00% | 0.00 |
| 7. Other Outgo (excluding Transfers of Indirect Costs) | 7100-7299, 7400-7499 | 0.00 | 0.00% | 0.00 | 0.00% | 0.00 |
| 8. Other Outgo - Transfers of Indirect Costs | 7300-7399 | (150.00) | 0.00% | (150.00) | 0.00% | (150.00) |
| 9. Other Financing Uses | | | | | | |
| a. Transfers Out | 7600-7629 | 1,827,631.30 | (2.33%) | 1,785,000.00 | 0.00% | 1,785,000.00 |
| b. Other Uses | 7630-7699 | 0.00 | 0.00% | 0.00 | 0.00% | 0.00 |
| 10. Other Adjustments (Explain in Section F below) | | | | | | |
| 11. Total (Sum lines B1 thru B10) | | 5,744,163.51 | 1.09% | 5,806,673.72 | 2.64% | 5,959,858.72 |
| C. NET INCREASE (DECREASE) IN FUND BALANCE | | | | | | |
| (Line A6 minus line B11) | | 152,620.79 | | 64,653.28 | | (10,357.72) |
| D. FUND BALANCE | | | | | | |
| 1. Net Beginning Fund Balance (Form 011, line F1e) | | 3,310,158.15 | | 3,462,778.94 | | 3,527,432.22 |
| 2. Ending Fund Balance (Sum lines C and D1) | | 3,462,778.94 | | 3,527,432.22 | | 3,517,074.50 |
| 3. Components of Ending Fund Balance (Form 011) | | | | | | |
| a. Nonspendable | 9710-9719 | 500.00 | | 500.00 | | 500.00 |
| b. Restricted | 9740 | | | | | |
| c. Committed | | | | | | |
| 1. Stabilization Arrangements | 9750 | 2,400,000.00 | | 2,400,000.00 | | 2,400,000.00 |
| 2. Other Commitments | 9760 | 0.00 | | 0.00 | | 0.00 |
| d. Assigned | 9780 | 0.00 | | 0.00 | | 0.00 |
| e. Unassigned/Unappropriated | | | | | | |

| Description | Object Codes | Projected Year Totals (Form 011) (A) | % Change (Cols. C-A/A) (B) | 2023-24 Projection (C) | % Change (Cols. E-C/C) (D) | 2024-25 Projection (E) |
|--|--------------|--------------------------------------|----------------------------|------------------------|----------------------------|------------------------|
| 1. Reserve for Economic Uncertainties | 9789 | 268,915.00 | | 269,295.00 | | 271,561.00 |
| 2. Unassigned/Unappropriated | 9790 | 793,363.94 | | 857,637.22 | | 845,013.50 |
| f. Total Components of Ending Fund Balance (Line D3f must agree with line D2) | | 3,462,778.94 | | 3,527,432.22 | | 3,517,074.50 |
| E. AVAILABLE RESERVES | | | | | | |
| 1. General Fund | | | | | | |
| a. Stabilization Arrangements | 9750 | 2,400,000.00 | | 2,400,000.00 | | 2,400,000.00 |
| b. Reserve for Economic Uncertainties | 9789 | 268,915.00 | | 269,295.00 | | 271,561.00 |
| c. Unassigned/Unappropriated | 9790 | 793,363.94 | | 857,637.22 | | 845,013.50 |
| (Enter other reserve projections in Columns C and E for subsequent years 1 and 2; current year - Column A - is extracted) | | | | | | |
| 2. Special Reserve Fund - Noncapital Outlay (Fund 17) | | | | | | |
| a. Stabilization Arrangements | 9750 | 0.00 | | 0.00 | | 0.00 |
| b. Reserve for Economic Uncertainties | 9789 | 0.00 | | 0.00 | | 0.00 |
| c. Unassigned/Unappropriated | 9790 | 0.00 | | 0.00 | | 0.00 |
| 3. Total Available Reserves (Sum lines E1a thru E2c) | | 3,462,278.94 | | 3,526,932.22 | | 3,516,574.50 |
| F. ASSUMPTIONS | | | | | | |
| Please provide below or on a separate attachment, the assumptions used to determine the projections for the first and second subsequent fiscal years. Further, please include an explanation for any significant expenditure adjustments projected in lines B1d, B2d, and B10. For additional information, please refer to the Budget Assumptions section of the SACS Financial Reporting Software User Guide. | | | | | | |

| Description | Object Codes | Projected Year Totals (Form 011) (A) | % Change (Cols. C-A/A) (B) | 2023-24 Projection (C) | % Change (Cols. E-C/C) (D) | 2024-25 Projection (E) |
|---|----------------------|--------------------------------------|----------------------------|------------------------|----------------------------|------------------------|
| (Enter projections for subsequent years 1 and 2 in Columns C and E; current year - Column A - is extracted) | | | | | | |
| A. REVENUES AND OTHER FINANCING SOURCES | | | | | | |
| 1. LCFF/Revenue Limit Sources | 8010-8099 | 25,199.00 | (4.76%) | 24,000.00 | 1.04% | 24,250.00 |
| 2. Federal Revenues | 8100-8299 | 95,292.00 | (3.66%) | 91,800.00 | 2.78% | 94,350.00 |
| 3. Other State Revenues | 8300-8599 | 614,382.52 | (29.54%) | 432,868.00 | (1.92%) | 424,577.00 |
| 4. Other Local Revenues | 8600-8799 | 187,422.00 | (9.15%) | 170,273.00 | 2.50% | 174,530.00 |
| 5. Other Financing Sources | | | | | | |
| a. Transfers In | 8900-8929 | 0.00 | 0.00% | 0.00 | 0.00% | 0.00 |
| b. Other Sources | 8930-8979 | 0.00 | 0.00% | 0.00 | 0.00% | 0.00 |
| c. Contributions | 8980-8999 | 431,000.00 | 11.37% | 480,000.00 | 11.50% | 535,200.00 |
| 6. Total (Sum lines A1 thru A5c) | | 1,353,295.52 | (11.41%) | 1,198,941.00 | 4.50% | 1,252,907.00 |
| B. EXPENDITURES AND OTHER FINANCING USES | | | | | | |
| 1. Certificated Salaries | | | | | | |
| a. Base Salaries | | | | 409,588.47 | | 417,188.47 |
| b. Step & Column Adjustment | | | | 1,500.00 | | 3,200.00 |
| c. Cost-of-Living Adjustment | | | | 6,100.00 | | 12,500.00 |
| d. Other Adjustments | | | | 0.00 | | 0.00 |
| e. Total Certificated Salaries (Sum lines B1a thru B1d) | 1000-1999 | 409,588.47 | 1.86% | 417,188.47 | 3.76% | 432,888.47 |
| 2. Classified Salaries | | | | | | |
| a. Base Salaries | | | | 188,259.81 | | 196,309.81 |
| b. Step & Column Adjustment | | | | 2,350.00 | | 2,500.00 |
| c. Cost-of-Living Adjustment | | | | 5,700.00 | | 5,900.00 |
| d. Other Adjustments | | | | 0.00 | | 0.00 |
| e. Total Classified Salaries (Sum lines B2a thru B2d) | 2000-2999 | 188,259.81 | 4.28% | 196,309.81 | 4.28% | 204,709.81 |
| 3. Employee Benefits | 3000-3999 | 376,400.35 | 3.00% | 387,692.00 | 2.97% | 399,223.00 |
| 4. Books and Supplies | 4000-4999 | 67,070.03 | (11.29%) | 59,500.00 | 2.52% | 61,000.00 |
| 5. Services and Other Operating Expenditures | 5000-5999 | 375,796.72 | (21.50%) | 295,000.00 | (49.15%) | 150,000.00 |
| 6. Capital Outlay | 6000-6999 | 44,500.00 | (76.40%) | 10,500.00 | 0.00% | 10,500.00 |
| 7. Other Outgo (excluding Transfers of Indirect Costs) | 7100-7299, 7400-7499 | 0.00 | 0.00% | 0.00 | 0.00% | 0.00 |
| 8. Other Outgo - Transfers of Indirect Costs | 7300-7399 | 150.00 | 0.00% | 150.00 | 0.00% | 150.00 |
| 9. Other Financing Uses | | | | | | |
| a. Transfers Out | 7600-7629 | 0.00 | 0.00% | 0.00 | 0.00% | 0.00 |
| b. Other Uses | 7630-7699 | 0.00 | 0.00% | 0.00 | 0.00% | 0.00 |
| 10. Other Adjustments (Explain in Section F below) | | | | 0.00 | | 0.00 |
| 11. Total (Sum lines B1 thru B10) | | 1,461,765.38 | (6.53%) | 1,366,340.28 | (7.89%) | 1,258,471.28 |
| C. NET INCREASE (DECREASE) IN FUND BALANCE | | | | | | |
| (Line A6 minus line B11) | | (108,469.86) | | (167,399.28) | | (5,564.28) |
| D. FUND BALANCE | | | | | | |
| 1. Net Beginning Fund Balance (Form 011, line F1e) | | 281,467.57 | | 172,997.71 | | 5,598.43 |
| 2. Ending Fund Balance (Sum lines C and D1) | | 172,997.71 | | 5,598.43 | | 34.15 |
| 3. Components of Ending Fund Balance (Form 011) | | | | | | |
| a. Nonspendable | 9710-9719 | 0.00 | | 0.00 | | 0.00 |
| b. Restricted | 9740 | 172,997.71 | | 5,598.43 | | 34.15 |
| c. Committed | | | | | | |
| 1. Stabilization Arrangements | 9750 | | | | | |
| 2. Other Commitments | 9760 | | | | | |
| d. Assigned | 9780 | | | | | |
| e. Unassigned/Unappropriated | | | | | | |
| 1. Reserve for Economic Uncertainties | 9789 | | | | | |

| Description | Object Codes | Projected Year Totals (Form 011) (A) | % Change (Cols. C-A/A) (B) | 2023-24 Projection (C) | % Change (Cols. E-C/C) (D) | 2024-25 Projection (E) |
|--|--------------|--------------------------------------|----------------------------|------------------------|----------------------------|------------------------|
| 2. Unassigned/Unappropriated | 9790 | 0.00 | | 0.00 | | 0.00 |
| f. Total Components of Ending Fund Balance (Line D3f must agree with line D2) | | 172,997.71 | | 5,598.43 | | 34.15 |
| E. AVAILABLE RESERVES | | | | | | |
| 1. General Fund) | | | | | | |
| a. Stabilization Arrangements | 9750 | | | | | |
| b. Reserve for Economic Uncertainties | 9789 | | | | | |
| c. Unassigned/Unappropriated Amount | 9790 | | | | | |
| (Enter current year reserve projections in Column A, and other reserve projections in Columns C and E for subsequent years 1 and 2) | | | | | | |
| 2. Special Reserve Fund - Noncapital Outlay (Fund 17) | | | | | | |
| a. Stabilization Arrangements | 9750 | | | | | |
| b. Reserve for Economic Uncertainties | 9789 | | | | | |
| c. Unassigned/Unappropriated | 9790 | | | | | |
| 3. Total Available Reserves (Sum lines E1a thru E2c) | | | | | | |
| F. ASSUMPTIONS | | | | | | |
| Please provide below or on a separate attachment, the assumptions used to determine the projections for the first and second subsequent fiscal years. Further, please include an explanation for any significant expenditure adjustments projected in lines B1d, B2d, and B10. For additional information, please refer to the Budget Assumptions section of the SACS Financial Reporting Software User Guide. | | | | | | |

| Description | Object Codes | Projected Year Totals (Form 011) (A) | % Change (Cols. C-A/A) (B) | 2023-24 Projection (C) | % Change (Cols. E-C/C) (D) | 2024-25 Projection (E) |
|---|----------------------|--------------------------------------|----------------------------|------------------------|----------------------------|------------------------|
| (Enter projections for subsequent years 1 and 2 in Columns C and E; current year - Column A - is extracted) | | | | | | |
| A. REVENUES AND OTHER FINANCING SOURCES | | | | | | |
| 1. LCFF/Revenue Limit Sources | 8010-8099 | 4,193,194.00 | 6.87% | 4,481,363.00 | 3.15% | 4,622,487.00 |
| 2. Federal Revenues | 8100-8299 | 95,292.00 | (3.66%) | 91,800.00 | 2.78% | 94,350.00 |
| 3. Other State Revenues | 8300-8599 | 917,926.52 | (45.06%) | 504,332.00 | (.65%) | 501,041.00 |
| 4. Other Local Revenues | 8600-8799 | 275,422.00 | (10.04%) | 247,773.00 | 2.73% | 254,530.00 |
| 5. Other Financing Sources | | | | | | |
| a. Transfers In | 8900-8929 | 1,768,245.30 | (1.31%) | 1,745,000.00 | (.86%) | 1,730,000.00 |
| b. Other Sources | 8930-8979 | 0.00 | 0.00% | 0.00 | 0.00% | 0.00 |
| c. Contributions | 8980-8999 | 0.00 | 0.00% | 0.00 | 0.00% | 0.00 |
| 6. Total (Sum lines A1 thru A5c) | | 7,250,079.82 | (2.48%) | 7,070,268.00 | 1.87% | 7,202,408.00 |
| B. EXPENDITURES AND OTHER FINANCING USES | | | | | | |
| 1. Certificated Salaries | | | | | | |
| a. Base Salaries | | | | 1,734,579.00 | | 1,787,116.00 |
| b. Step & Column Adjustment | | | | 11,437.00 | | 20,700.00 |
| c. Cost-of-Living Adjustment | | | | 41,100.00 | | 55,825.00 |
| d. Other Adjustments | | | | 0.00 | | 0.00 |
| e. Total Certificated Salaries (Sum lines B1a thru B1d) | 1000-1999 | 1,734,579.00 | 3.03% | 1,787,116.00 | 4.28% | 1,863,641.00 |
| 2. Classified Salaries | | | | | | |
| a. Base Salaries | | | | 1,022,392.78 | | 1,068,140.00 |
| b. Step & Column Adjustment | | | | 11,800.00 | | 10,450.00 |
| c. Cost-of-Living Adjustment | | | | 33,947.22 | | 29,751.00 |
| d. Other Adjustments | | | | 0.00 | | 0.00 |
| e. Total Classified Salaries (Sum lines B2a thru B2d) | 2000-2999 | 1,022,392.78 | 4.47% | 1,068,140.00 | 3.76% | 1,108,341.00 |
| 3. Employee Benefits | 3000-3999 | 1,532,759.29 | 2.97% | 1,578,348.00 | 2.85% | 1,623,284.00 |
| 4. Books and Supplies | 4000-4999 | 195,535.52 | (10.59%) | 174,825.00 | .99% | 176,554.00 |
| 5. Services and Other Operating Expenditures | 5000-5999 | 848,531.00 | (9.36%) | 769,085.00 | (15.35%) | 651,010.00 |
| 6. Capital Outlay | 6000-6999 | 44,500.00 | (76.40%) | 10,500.00 | 0.00% | 10,500.00 |
| 7. Other Outgo (excluding Transfers of Indirect Costs) | 7100-7299, 7400-7499 | 0.00 | 0.00% | 0.00 | 0.00% | 0.00 |
| 8. Other Outgo - Transfers of Indirect Costs | 7300-7399 | 0.00 | 0.00% | 0.00 | 0.00% | 0.00 |
| 9. Other Financing Uses | | | | | | |
| a. Transfers Out | 7600-7629 | 1,827,631.30 | (2.33%) | 1,785,000.00 | 0.00% | 1,785,000.00 |
| b. Other Uses | 7630-7699 | 0.00 | 0.00% | 0.00 | 0.00% | 0.00 |
| 10. Other Adjustments | | | | 0.00 | | 0.00 |
| 11. Total (Sum lines B1 thru B10) | | 7,205,928.89 | (.46%) | 7,173,014.00 | .63% | 7,218,330.00 |
| C. NET INCREASE (DECREASE) IN FUND BALANCE | | | | | | |
| (Line A6 minus line B11) | | | | | | |
| | | 44,150.93 | | (102,746.00) | | (15,922.00) |
| D. FUND BALANCE | | | | | | |
| 1. Net Beginning Fund Balance (Form 011, line F1e) | | 3,591,625.72 | | 3,635,776.65 | | 3,533,030.65 |
| 2. Ending Fund Balance (Sum lines C and D1) | | 3,635,776.65 | | 3,533,030.65 | | 3,517,108.65 |
| 3. Components of Ending Fund Balance (Form 011) | | | | | | |
| a. Nonspendable | 9710-9719 | 500.00 | | 500.00 | | 500.00 |
| b. Restricted | 9740 | 172,997.71 | | 5,598.43 | | 34.15 |
| c. Committed | | | | | | |
| 1. Stabilization Arrangements | 9750 | 2,400,000.00 | | 2,400,000.00 | | 2,400,000.00 |
| 2. Other Commitments | 9760 | 0.00 | | 0.00 | | 0.00 |
| d. Assigned | 9780 | 0.00 | | 0.00 | | 0.00 |
| e. Unassigned/Unappropriated | | | | | | |
| 1. Reserve for Economic Uncertainties | 9789 | 268,915.00 | | 269,295.00 | | 271,561.00 |

| Description | Object Codes | Projected Year Totals (Form 011) (A) | % Change (Cols. C-A/A) (B) | 2023-24 Projection (C) | % Change (Cols. E-C/C) (D) | 2024-25 Projection (E) |
|--|--------------|--------------------------------------|----------------------------|------------------------|----------------------------|------------------------|
| 2. Unassigned/Unappropriated | 9790 | 793,363.94 | | 857,637.22 | | 845,013.50 |
| f. Total Components of Ending Fund Balance (Line D3f must agree with line D2) | | 3,635,776.65 | | 3,533,030.65 | | 3,517,108.65 |
| E. AVAILABLE RESERVES (Unrestricted except as noted) | | | | | | |
| 1. General Fund | | | | | | |
| a. Stabilization Arrangements | 9750 | 2,400,000.00 | | 2,400,000.00 | | 2,400,000.00 |
| b. Reserve for Economic Uncertainties | 9789 | 268,915.00 | | 269,295.00 | | 271,561.00 |
| c. Unassigned/Unappropriated | 9790 | 793,363.94 | | 857,637.22 | | 845,013.50 |
| d. Negative Restricted Ending Balances (Negative resources 2000-9999) | 979Z | | | 0.00 | | 0.00 |
| 2. Special Reserve Fund - Noncapital Outlay (Fund 17) | | | | | | |
| a. Stabilization Arrangements | 9750 | 0.00 | | 0.00 | | 0.00 |
| b. Reserve for Economic Uncertainties | 9789 | 0.00 | | 0.00 | | 0.00 |
| c. Unassigned/Unappropriated | 9790 | 0.00 | | 0.00 | | 0.00 |
| 3. Total Available Reserves - by Amount (Sum lines E1 thru E2c) | | 3,462,278.94 | | 3,526,932.22 | | 3,516,574.50 |
| 4. Total Available Reserves - by Percent (Line E3 divided by Line F3c) | | 48.05% | | 49.17% | | 48.72% |
| F. RECOMMENDED RESERVES | | | | | | |
| 1. Special Education Pass-through Exclusions | | | | | | |
| For districts that serve as the administrative unit (AU) of a special education local plan area (SELPA): | | | | | | |
| a. Do you choose to exclude from the reserve calculation the pass-through funds distributed to SELPA members? | Yes | | | | | |
| b. If you are the SELPA AU and are excluding special education pass-through funds: | | | | | | |
| 1. Enter the name(s) of the SELPA(s): | | | | | | |
| 2. Special education pass-through funds (Column A: Fund 10, resources 3300-3499, 6500-6540 and 6546 objects 7211-7213 and 7221-7223; enter projections for subsequent years 1 and 2 in Columns C and E) | | | | | | |
| | | 0.00 | | 0.00 | | 0.00 |
| 2. District ADA | | | | | | |
| Used to determine the reserve standard percentage level on line F3d (Col. A: Form AI, Estimated P-2 ADA column, Lines A4 and C4; enter projections) | | | | | | |
| | | 173.05 | | 183.00 | | 185.04 |
| 3. Calculating the Reserves | | | | | | |
| a. Expenditures and Other Financing Uses (Line B11) | | 7,205,928.89 | | 7,173,014.00 | | 7,218,330.00 |
| b. Plus: Special Education Pass-through Funds (Line F1b2, if Line F1a is No) | | 0.00 | | 0.00 | | 0.00 |
| c. Total Expenditures and Other Financing Uses (Line F3a plus line F3b) | | 7,205,928.89 | | 7,173,014.00 | | 7,218,330.00 |
| d. Reserve Standard Percentage Level (Refer to Form 01CSI, Criterion 10 for calculation details) | | 5% | | 5% | | 5% |
| e. Reserve Standard - By Percent (Line F3c times F3d) | | 360,296.44 | | 358,650.70 | | 360,916.50 |
| f. Reserve Standard - By Amount (Refer to Form 01CSI, Criterion 10 for calculation details) | | 75,000.00 | | 75,000.00 | | 75,000.00 |
| g. Reserve Standard (Greater of Line F3e or F3f) | | 360,296.44 | | 358,650.70 | | 360,916.50 |
| h. Available Reserves (Line E3) Meet Reserve Standard (Line F3g) | | YES | | YES | | YES |

**HARMONY UNION SCHOOL DISTRICT
2022-23 2nd Interim
Assumptions for Funds 01 and 03**

REVENUE

The 2022-23 2nd Interim is based on LCFF funding for 2022-23 through 2024-25

The 2nd Interim includes Education Protection Act funding for all three years:

| | 2022-23 | 2023-24 | 2024-25 |
|---------------------------------------|-----------------|------------------|------------------|
| Harmony USD - FUND 01 | \$19,835 | \$35,347 | \$39,320 |
| Salmon Creek Charter - FUND 03 | \$56,905 | \$110,002 | \$117,421 |
| TOTAL EPA @ 2nd Interim | \$76,740 | \$145,349 | \$156,741 |

ENROLLMENT AND UNDUPLICATED COUNTS

| for Harmony Union School District TK - 1 | | 2022-23 | 2023-24 | 2024-25 |
|--|--|---------|---------|---------|
| Enrollment | | 43 | 46 | 48 |
| Unduplicated Counts | | 6 | 6 | 7 |
| Pupil Percentage | | 0.14 | 0.13 | 0.15 |
| for Salmon Creek Charter 2 - 8 | | 2022-23 | 2023-24 | 2024-25 |
| Enrollment | | 147 | 152 | 152 |
| Unduplicated Counts | | 39 | 45 | 45 |
| Pupil Percentage | | 0.27 | 0.30 | 0.30 |

ADA Calculation (HUSD 91%; SCC 93%:)

| | 2022-23 | 2023-24 | 2024-25 |
|-----------------|---------|---------|---------|
| District TK - 1 | 39.74 | 41.86 | 43.68 |
| Charter 2 - 8 | 133.31 | 141.3 | 141.36 |
| | 173.05 | 183.16 | 185.04 |

The District configuration for 2022-23 is one classroom per grade; Transitional Kindergarten, Kindergarten and 2nd Grade.

7 of the 15 students in TK will turn 5 by February 2, 2023, and are included in the District's ADA Calculation.

The Charter School configuration for 2022-23 is one (1) classroom per grades 2nd through 8th.

Enrollment for the District at 2nd Interim is 43.

Enrollment for the Charter School, grades 2nd through 8th, is 147.

| Pathways Charter School ADA | YEAR | 2022-23 | 2023-24 | 2024-25 |
|-----------------------------|-------------|---------|---------|---------|
| | 2nd Interim | 309.25 | 315.00 | 320.00 |

COLA

COLA and BRL based on projections from School Services of California and SCOE

STRS and PERS

STRS and PERS rates were updated to reflect the increased rates.

Rates for 2022-23 are STRS 19.10% and PERS 25.37%

Rates for 2023-24 are STRS 19.10% and PERS 25.2%

Rates for 2024-25 are STRS 19.10% and PERS 24.6%

TRANSPORTATION

In the past, transportation revenue was going straight to the JPA, West County Transportation, however now the dollars are coming directly to the District via state aid.

In 2015-16, West County Transportation provided the State with amounts they received in 2012-13 for each member District which became the basis for funding.

For the District, this amount is considered as a pass-through since the JPA will charge the District the same amount that the District receives in revenue.

The \$115,000 cost is reflected as a "Services and Operating" expense and the revenue is reflected in the LCFF calculator.

Beginning in 2022-23, the state is funding 60% of the previous year's cost, so we will receive an additional \$3,010 this year.

The District's excess transportation costs for the 2022-23 2nd Interim are \$98,731 for Home to School transportation and \$43,831 for Special Education pupil transportation.

1.) Bond for facilities expansion: The JPA issued a bond to pay for Phase III of the facilities expansion in order to provide parking for buses.

The increased cost to HUSD for the bond is \$10,000. This may fluctuate incrementally depending on the sale price of the bonds.

2.) Additional Membership in the JPA: The JPA voted to include the largest school district in Sonoma County as a member. This expansion doubled the JPA expenses.

The new district was brought in using a "phase-in" rate which will increase their use over time. As such, the other member districts will see a significant increase in expenses.

NEGOTIATIONS

2022-23 Negotiations have not settled for Certificated or Classified and are on-going. During the 2021-22 school year, the District offered 3% for 2022-23 and 3% for 2023-24.

2023-24 and 2024-25 Budgets include the 3% increase in both salaries and benefits.

HEALTH BENEFITS

For 2022-23, the CAP, which is based on the Kaiser Single High rate plus Dental, is set at \$1,040 per month, an average increase from 2021-22 of \$792 per year per employee.

2022-23 Kaiser rates increased 8.8% from 2021-22; Blue Shield increased 8.2% from 2021-22. The 2nd Interim includes a 2.5% increase for out years.

Doubles are covered at 95% of the Kaiser Double MID option, plus dental and families are covered at 90% of the Kaiser Family MID option, plus dental.

All employees have the option to opt for cash-in-lieu by selecting a lower costing health plan (if they are double covered).

All employees also have the option to opt for their out-of-pocket portion of health benefits to be deducted at pretax.

SALARY PROJECTIONS

There are one planned certificated layoff for 2022-23, but none for the 2023-24 and 2024-25 school years. The 2022-23 layoff is a temporary Certificated position, while a permanent teacher took a one-year leave of absence.

Administration salaries reflect the current configuration of Superintendent/Principal, Chief Business Official, Office Manager and Data Systems Technician.

RETIREES

The District will continue to cover Health and Welfare Benefits for the Certificated Retirees for 5 years, or until they reach the age of 65, whichever comes first.

The District signed a 5 year contract agreeing to pay \$15,000 to an HUSD Retiree through 2024. This \$15,000 has been added to the cost of retirees.

School year 2022-23 is year 4 of the 5 years.

TRANSFERS

Transfers in are projected at \$1,737,631 for the 2022-23 school year, \$1,745,000 for the 2023-24 school year and \$1,730,000 for the 2024-25 school year.

The annual transfer from the General Fund 01 to Charter Fund 03 Salmon Creek Charter School has increased to \$1,730,000.

This increase in the transfer, to cover yearly expenditures for the Charter School, insures that the Charter has a positive ending balance at year end.

The transfer in from Fund 20 of \$15,000 for 2022-23 is for the 5 year settlement.

The District transfers a cap of \$40,000 to the School Advisory Site Council Board to spend on student activity grants that fall under the goals of the LCAP.

The transfer from the District to the Cafeteria is budgeted for \$75,000 for 2022-23 and \$55,000 for 2023-24 and 2024-25 to cover Cafeteria to maintain the program.

HARMONY UNION SCHOOL DISTRICT
2022-23 2nd Interim
Assumptions for Funds 01 and 03

ECONOMIC UNCERTAINTIES

The 5% required level for Economic Uncertainties reserves is reflected in the 2nd Interim for 2022-23 through 2024-25. The State establishes the minimum recommended reserve based on the district's average daily attendance (ADA) . Per EC Section 42127, districts are required to hold a public hearing for the 2022-23 2nd Interim adoption to provide public review and discussion of the reserve. SB 858, the education budget trailer bill, includes reserve caps or limits if certain State revenue conditions are met. A statement of reasons that substantiate the need for the combined assigned and unassigned ending fund balances that are in excess of the minimum recommended reserve for economic uncertainties for each fiscal year identified in the 2nd Interim must be provided.

BUDGET STABILIZATION

2nd Interim Stabilization: The HUSD Board recognizes that the 2nd Interim Stabilization is a one-lump sum of money and therefore cannot be connected to any ongoing expenses.



Harmony
Union School District

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2nd Interim

2022-23

Enrollment Projections

| ADA @ P2 | | ADA @ P1 | | | | | | | |
|------------------------------|----|------------------------------|----|------------------------------|----|------------------------------|----|------------------------------|----|
| Class Configurations 2021-22 | | Class Configurations 2022-23 | | Class Configurations 2023-24 | | Class Configurations 2023-24 | | Class Configurations 2024-25 | |
| Grade Level | | Grade Level | | Grade Level | | Grade Level | | Grade Level | |
| TK | 4 | TK | 15 | TK | 15 | TK | 15 | TK | 15 |
| K | 18 | K | 18 | K | 18 | K | 18 | K | 18 |
| 1st | 21 | 1st | 18 | 1st | 18 | 1st | 18 | 1st | 18 |
| 2nd | 19 | 2nd | 23 | 2nd | 20 | 2nd | 20 | 2nd | 20 |
| 3rd | 31 | 3rd | 22 | 3rd | 22 | 3rd | 20 | 3rd | 20 |
| 4th | 14 | 4th | 31 | 4th | 22 | 4th | 24 | 4th | 24 |
| 5th | 22 | 5th | 19 | 5th | 30 | 5th | 22 | 5th | 22 |
| 6th | 22 | 6th | 23 | 6th | 20 | 6th | 26 | 6th | 26 |
| 7th | 13 | 7th | 18 | 7th | 20 | 7th | 20 | 7th | 20 |
| 8th | 20 | 8th | 11 | 8th | 18 | 8th | 20 | 8th | 20 |
| 184 | | 198 | | 203 | | 203 | | 203 | |

| Enrollment | | Enrollment | | Enrollment | | Enrollment | |
|------------|-----|------------|-----|------------|-----|------------|-----|
| HUSD | 43 | HUSD | 51 | HUSD | 51 | HUSD | 51 |
| SC | 141 | SC | 147 | SC | 152 | SC | 152 |

| ADA @ P2 | | ADA @ P1 | | | | | |
|----------|--------|--------------|--------|--------------|-------|--------------|--------|
| HUSD | 40.84 | HUSD ADA@.91 | 39.74 | HUSD ADA@.91 | 41.86 | HUSD ADA@.91 | 43.68 |
| SC | 126.39 | SCC ADA@.92 | 133.31 | SCC ADA@.93 | 141.3 | SCC ADA@.93 | 141.36 |

| | | | | | | | |
|----------|--------|----------|--------|----------|-----|----------|-----|
| Pathways | 353.49 | Pathways | 309.25 | Pathways | 315 | Pathways | 320 |
|----------|--------|----------|--------|----------|-----|----------|-----|

| | | | |
|-----------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Total HUSD ADA Calc 167.23 | Total HUSD ADA Calc 173.05 | Total HUSD ADA Calc 183.16 | Total HUSD ADA Calc 185.04 |
| | <i>Class Configurations 2022-23</i> | <i>Class Configurations 2023-24</i> | <i>Class Configurations 2024-25</i> |



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2nd Interim

2022-23

FORM A

Average Daily Attendance

| Description | ESTIMATED FUNDED ADA Original Budget (A) | ESTIMATED FUNDED ADA Board Approved Operating Budget (B) | ESTIMATED P-2 REPORT ADA Projected Year Totals (C) | ESTIMATED FUNDED ADA Projected Year Totals (D) | DIFFERENCE (Col. D - B) (E) | PERCENTAGE DIFFERENCE (Col. E / B) (F) |
|--|--|--|--|--|-----------------------------|--|
| A. DISTRICT | | | | | | |
| 1. Total District Regular ADA Includes Opportunity Classes, Home & Hospital, Special Day Class, Continuation Education, Special Education NPS/LCI and Extended Year, and Community Day School (includes Necessary Small School ADA) | 40.22 | 39.13 | 39.74 | 39.74 | .61 | 2.0% |
| 2. Total Basic Aid Choice/Court Ordered Voluntary Pupil Transfer Regular ADA Includes Opportunity Classes, Home & Hospital, Special Day Class, Continuation Education, Special Education NPS/LCI and Extended Year, and Community Day School (ADA not included in Line A1 above) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3. Total Basic Aid Open Enrollment Regular ADA Includes Opportunity Classes, Home & Hospital, Special Day Class, Continuation Education, Special Education NPS/LCI and Extended Year, and Community Day School (ADA not included in Line A1 above) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4. Total, District Regular ADA (Sum of Lines A1 through A3) | 40.22 | 39.13 | 39.74 | 39.74 | .61 | 2.0% |
| 5. District Funded County Program ADA | | | | | | |
| a. County Community Schools | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b. Special Education-Special Day Class | .90 | .89 | .92 | .92 | .03 | 3.0% |
| c. Special Education-NPS/LCI | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| d. Special Education Extended Year | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| e. Other County Operated Programs: Opportunity Schools and Full Day Opportunity Classes, Specialized Secondary Schools | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| f. County School Tuition Fund (Out of State Tuition) [EC 2000 and 46380] | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| g. Total, District Funded County Program ADA (Sum of Lines A5a through A5f) | .90 | .89 | .92 | .92 | .03 | 3.0% |
| 6. TOTAL DISTRICT ADA (Sum of Line A4 and Line A5g) | 41.12 | 40.02 | 40.66 | 40.66 | .64 | 2.0% |
| 7. Adults in Correctional Facilities | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 8. Charter School ADA (Enter Charter School ADA using Tab C. Charter School ADA) | | | | | | |

| Description | ESTIMATED FUNDED ADA Original Budget (A) | ESTIMATED FUNDED ADA Board Approved Operating Budget (B) | ESTIMATED P-2 REPORT ADA Projected Year Totals (C) | ESTIMATED FUNDED ADA Projected Year Totals (D) | DIFFERENCE (Col. D - B) (E) | PERCENTAGE DIFFERENCE (Col. E / B) (F) |
|---|--|--|--|--|-----------------------------|--|
| C. CHARTER SCHOOL ADA | | | | | | |
| Authorizing LEAs reporting charter school SACS financial data in their Fund 01, 09, or 62 use this worksheet to report ADA for those charter schools. | | | | | | |
| Charter schools reporting SACS financial data separately from their authorizing LEAs in Fund 01 or Fund 62 use this worksheet to report their ADA. | | | | | | |
| FUND 01: Charter School ADA corresponding to SACS financial data reported in Fund 01. | | | | | | |
| 1. Total Charter School Regular ADA | 137.97 | 135.24 | 133.31 | 133.31 | (1.93) | -1.0% |
| 2. Charter School County Program Alternative Education ADA | | | | | | |
| a. County Group Home and Institution Pupils | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b. Juvenile Halls, Homes, and Camps | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| c. Probation Referred, On Probation or Parole, Expelled per EC 48915(a) or (c) [EC 2574(c)(4)(A)] | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| d. Total, Charter School County Program Alternative Education ADA (Sum of Lines C2a through C2c) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3. Charter School Funded County Program ADA | | | | | | |
| a. County Community Schools | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b. Special Education-Special Day Class | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| c. Special Education-NPS/LCI | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| d. Special Education Extended Year | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| e. Other County Operated Programs: Opportunity Schools and Full Day Opportunity Classes, Specialized Secondary Schools | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| f. Total, Charter School Funded County Program ADA (Sum of Lines C3a through C3e) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4. TOTAL CHARTER SCHOOL ADA (Sum of Lines C1, C2d, and C3f) | 137.97 | 135.24 | 133.31 | 133.31 | (1.93) | -1.0% |
| FUND 09 or 62: Charter School ADA corresponding to SACS financial data reported in Fund 09 or Fund 62. | | | | | | |
| 5. Total Charter School Regular ADA | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 6. Charter School County Program Alternative Education ADA | | | | | | |
| a. County Group Home and Institution Pupils | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b. Juvenile Halls, Homes, and Camps | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| c. Probation Referred, On Probation or Parole, Expelled per EC 48915(a) or (c) [EC 2574(c)(4)(A)] | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| d. Total, Charter School County Program Alternative Education ADA (Sum of Lines C6a through C6c) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 7. Charter School Funded County Program ADA | | | | | | |
| a. County Community Schools | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b. Special Education-Special Day Class | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| c. Special Education-NPS/LCI | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| d. Special Education Extended Year | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| e. Other County Operated Programs: Opportunity Schools and Full Day Opportunity Classes, Specialized Secondary Schools | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| f. Total, Charter School Funded County Program ADA | | | | | | |

| Description | ESTIMATED FUNDED ADA Original Budget (A) | ESTIMATED FUNDED ADA Board Approved Operating Budget (B) | ESTIMATED P-2 REPORT ADA Projected Year Totals (C) | ESTIMATED FUNDED ADA Projected Year Totals (D) | DIFFERENCE (Col. D - B) (E) | PERCENTAGE DIFFERENCE (Col. E / B) (F) |
|---|--|--|--|--|-----------------------------|--|
| Program ADA (Sum of Lines C7a through C7e) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 8. TOTAL CHARTER SCHOOL ADA (Sum of Lines C5, C6d, and C7f) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 9. TOTAL CHARTER SCHOOL ADA Reported in Fund 01, 09, or 62 (Sum of Lines C4 and C8) | 137.97 | 135.24 | 133.31 | 133.31 | (1.93) | -1.0% |



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2nd Interim

2022-23

FORM 01 CS

Criteria and Standards Review

Provide methodology and assumptions used to estimate ADA, enrollment, revenues, expenditures, reserves and fund balance, and multiyear commitments (including cost-of-living adjustments).

Deviations from the standards must be explained and may affect the interim certification.

CRITERIA AND STANDARDS

1. CRITERION: Average Daily Attendance

STANDARD: Funded average daily attendance (ADA) for any of the current fiscal year or two subsequent fiscal years has not changed by more than two percent since first interim projections.

District's ADA Standard Percentage Range:

1A. Calculating the District's ADA Variances

DATA ENTRY: First Interim data that exist will be extracted into the first column, otherwise, enter data for all fiscal years. Second Interim Projected Year Totals data that exist for the current year will be extracted; otherwise, enter data for all fiscal years. Enter district regular ADA and charter school ADA corresponding to financial data reported in the General Fund, only, for all fiscal years.

Estimated Funded ADA

| Fiscal Year | | First Interim | Second Interim | Percent Change | Status |
|-------------------------------|------------------|--|---|----------------|------------|
| | | Projected Year Totals (Form 01CSI, Item 1A) | Projected Year Totals (Form AI, Lines A4 and C4) | | |
| Current Year (2022-23) | District Regular | 39.13 | 39.74 | | |
| | Charter School | 135.24 | 133.31 | | |
| | Total ADA | 174.37 | 173.05 | (.8%) | Met |
| 1st Subsequent Year (2023-24) | District Regular | 41.86 | 41.86 | | |
| | Charter School | 138.32 | 138.32 | | |
| | Total ADA | 180.18 | 180.18 | 0.0% | Met |
| 2nd Subsequent Year (2024-25) | District Regular | 43.68 | 43.68 | | |
| | Charter School | 138.32 | 138.32 | | |
| | Total ADA | 182.00 | 182.00 | 0.0% | Met |

1B. Comparison of District ADA to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

1a. STANDARD MET - Funded ADA has not changed since first interim projections by more than two percent in any of the current year or two subsequent fiscal years.

Explanation:
(required if NOT met)

2. CRITERION: Enrollment

STANDARD: Projected enrollment for any of the current fiscal year or two subsequent fiscal years has not changed by more than two percent since first interim projections

District's Enrollment Standard Percentage Range: -2.0% to +2.0%

2A. Calculating the District's Enrollment Variances

DATA ENTRY: First Interim data that exist will be extracted; otherwise, enter data into the first column for all fiscal years. Enter data in the second column for all fiscal years. Enter district regular enrollment and charter school enrollment corresponding to financial data reported in the General Fund, only, for all fiscal years.

| Fiscal Year | Enrollment | | Percent Change | Status |
|-------------------------------|--|-----------------------------------|----------------|---------------|
| | First Interim (Form 01CSI, Item 2A) | Second Interim CBEDS/Projected | | |
| Current Year (2022-23) | District Regular | 51.00 | 43.00 | |
| | Charter School | 147.00 | 147.00 | |
| | Total Enrollment | 198.00 | 190.00 | (4.0%) |
| 1st Subsequent Year (2023-24) | District Regular | 51.00 | 46.00 | |
| | Charter School | 152.00 | 152.00 | |
| | Total Enrollment | 203.00 | 198.00 | (2.5%) |
| 2nd Subsequent Year (2024-25) | District Regular | 51.00 | 48.00 | |
| | Charter School | 152.00 | 152.00 | |
| | Total Enrollment | 203.00 | 200.00 | (1.5%) |

2B. Comparison of District Enrollment to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

- 1a. STANDARD NOT MET - Enrollment projections have changed since first interim projections by more than two percent in any of the current year or two subsequent fiscal years. Provide reasons why the change(s) exceed the standard, a description of the methods and assumptions used in projecting enrollment, and what changes will be made to improve the accuracy of projections in this area.

Explanation:
(required if NOT met)

At 1st Interim, enrollment numbers included TK students that are enrolled but do not count in ADA. 2nd Interim enrollment numbers only include students who will be included in ADA.

3. CRITERION: ADA to Enrollment

STANDARD: Projected second period (P-2) average daily attendance (ADA) to enrollment ratio for any of the current fiscal year or two subsequent fiscal years has not increased from the historical average ratio from the three prior fiscal years by more than one half of one percent (0.5%).

3A. Calculating the District's ADA to Enrollment Standard

DATA ENTRY: Unaudited Actuals data that exist will be extracted into the P-2 ADA column for the First Prior Year; otherwise, enter First Prior Year data. P-2 ADA for the second and third prior years are preloaded. First Interim data that exist will be extracted into the Enrollment column; otherwise, enter Enrollment data for all fiscal years. Data should reflect district regular and charter school ADA/enrollment corresponding to financial data reported in the General Fund, only, for all fiscal years.

| Fiscal Year | P-2 ADA | Enrollment | Historical Ratio of ADA to Enrollment |
|--|--|--|--|
| | Unaudited Actuals (Form A, Lines A4 and C4) | CBEDS Actual (Form 01CSI, Item 3A) | |
| Third Prior Year (2019-20) | | | |
| District Regular | 58 | 613 | |
| Charter School | 157 | | |
| Total ADA/Enrollment | 215 | 613 | 35.1% |
| Second Prior Year (2020-21) | | | |
| District Regular | 58 | 613 | |
| Charter School | 157 | | |
| Total ADA/Enrollment | 215 | 613 | 35.1% |
| First Prior Year (2021-22) | | | |
| District Regular | 43 | 553 | |
| Charter School | 141 | | |
| Total ADA/Enrollment | 184 | 553 | 33.3% |
| Historical Average Ratio: | | | 34.5% |
| District's ADA to Enrollment Standard (historical average ratio plus 0.5%): | | | 35.0% |

3B. Calculating the District's Projected Ratio of ADA to Enrollment

DATA ENTRY: Estimated P-2 ADA will be extracted into the first column for the Current Year; enter data in the first column for the subsequent fiscal years. Data should reflect district regular and charter school ADA/enrollment corresponding to financial data reported in the General Fund, only, for all fiscal years. All other data are extracted.

| Fiscal Year | Estimated P-2 ADA | Enrollment | Ratio of ADA to Enrollment | Status |
|-------------------------------|----------------------------|---|----------------------------|----------------|
| | (Form AI, Lines A4 and C4) | CBEDS/Projected (Criterion 2, Item 2A) | | |
| Current Year (2022-23) | | | | |
| District Regular | 40 | 43 | | |
| Charter School | 133 | 147 | | |
| Total ADA/Enrollment | 173 | 190 | 91.1% | Not Met |
| 1st Subsequent Year (2023-24) | | | | |
| District Regular | 42 | 46 | | |
| Charter School | 138 | 152 | | |
| Total ADA/Enrollment | 180 | 198 | 90.9% | Not Met |
| 2nd Subsequent Year (2024-25) | | | | |
| District Regular | 44 | 48 | | |
| Charter School | 138 | 152 | | |
| Total ADA/Enrollment | 182 | 200 | 91.0% | Not Met |

3C. Comparison of District ADA to Enrollment Ratio to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

- 1a. STANDARD NOT MET - Projected P-2 ADA to enrollment ratio exceeds the standard in any of the current year or two subsequent fiscal years. Provide reasons why the projected ratio exceeds the district's historical average ratio by more than 0.5%.

Explanation:
(required if NOT met)

Beginning in school year 2020-21, ADA has been closer to 90% due to absences connected to COVID illnesses and exposures.

4. CRITERION: LCFF Revenue

STANDARD: Projected LCFF revenue for any of the current fiscal year or two subsequent fiscal years has not changed by more than two percent since first interim projections.

District's LCFF Revenue Standard Percentage Range:

4A. Calculating the District's Projected Change in LCFF Revenue

DATA ENTRY: First Interim data that exist will be extracted; otherwise, enter data into the first column. In the Second Interim column, Current Year data are extracted; enter data for the two subsequent years.

| Fiscal Year | LCFF Revenue | | Percent Change | Status |
|-------------------------------|--|---|----------------|--------|
| | (Fund 01, Objects 8011, 8012, 8020-8089) | | | |
| | First Interim (Form 01CSI, Item 4A) | Second Interim Projected Year Totals | | |
| Current Year (2022-23) | 6,078,306.00 | 6,051,894.00 | (.4%) | Met |
| 1st Subsequent Year (2023-24) | 6,355,479.00 | 6,429,929.00 | 1.2% | Met |
| 2nd Subsequent Year (2024-25) | 6,574,733.00 | 6,663,287.00 | 1.3% | Met |

4B. Comparison of District LCFF Revenue to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

1a. STANDARD MET - LCFF revenue has not changed since first interim projections by more than two percent for the current year and two subsequent fiscal years.

Explanation:
(required if NOT met)

5. CRITERION: Salaries and Benefits

STANDARD: Projected ratio of total unrestricted salaries and benefits to total unrestricted general fund expenditures for any of the current fiscal year or two subsequent fiscal years has not changed from the historical average ratio from the three prior fiscal years by more than the greater of three percent or the district's required reserves percentage.

5A. Calculating the District's Historical Average Ratio of Unrestricted Salaries and Benefits to Total Unrestricted General Fund Expenditures

DATA ENTRY: Unaudited Actuals data that exist for the First Prior Year will be extracted; otherwise, enter data for the First Prior Year. Unaudited Actuals data for the second and third prior years are preloaded.

| Fiscal Year | Unaudited Actuals - Unrestricted (Resources 0000-1999) | | Ratio of Unrestricted Salaries and Benefits to Total Unrestricted Expenditures |
|-----------------------------|---|--|--|
| | Salaries and Benefits (Form 01, Objects 1000- 3999) | Total Expenditures (Form 01, Objects 1000- 7499) | |
| | Third Prior Year (2019-20) | 2,987,193.52 | |
| Second Prior Year (2020-21) | 3,122,355.77 | 3,789,546.64 | 82.4% |
| First Prior Year (2021-22) | 3,213,663.28 | 3,846,056.15 | 83.6% |
| | Historical Average Ratio: | | 82.2% |

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|---------------------------|----------------------------------|----------------------------------|
| District's Reserve Standard Percentage (Criterion 10B, Line 4) | 5% | 5% | 5% |
| District's Salaries and Benefits Standard (historical average ratio, plus/minus the greater of 3% or the district's reserve standard percentage): | 77.2% to 87.2% | 77.2% to 87.2% | 77.2% to 87.2% |

5B. Calculating the District's Projected Ratio of Unrestricted Salaries and Benefits to Total Unrestricted General Fund Expenditures

DATA ENTRY: If Form MYPI exists, Projected Year Totals data for the two subsequent years will be extracted; if not, enter Projected Year Totals data. Projected Year Totals data for Current Year are extracted.

| Fiscal Year | Projected Year Totals - Unrestricted (Resources 0000-1999) | | | Ratio of Unrestricted Salaries and Benefits to Total Unrestricted Expenditures | Status |
|-------------------------------|---|---|-------|--|--------|
| | Salaries and Benefits (Form 011, Objects 1000- 3999) | Total Expenditures (Form 011, Objects 1000- 7499) | | | |
| | (Form MYPI, Lines B1-B3) | (Form MYPI, Lines B1-B8, B10) | | | |
| Current Year (2022-23) | 3,315,482.44 | 3,916,532.21 | 84.7% | Met | |
| 1st Subsequent Year (2023-24) | 3,432,413.72 | 4,021,673.72 | 85.3% | Met | |
| 2nd Subsequent Year (2024-25) | 3,558,444.72 | 4,174,858.72 | 85.2% | Met | |

5C. Comparison of District Salaries and Benefits Ratio to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

- 1a. STANDARD MET - Ratio of total unrestricted salaries and benefits to total unrestricted expenditures has met the standard for the current year and two subsequent fiscal years.

Explanation:
(required if NOT met)

6. CRITERION: Other Revenues and Expenditures

STANDARD: Projected operating revenues (including federal, other state and other local) or expenditures (including books and supplies, and services and other operating), for any of the current fiscal year or two subsequent fiscal years, have not changed by more than five percent since first interim projections. Changes that exceed five percent in any major object category must be explained.

| | |
|--|----------------|
| District's Other Revenues and Expenditures Standard Percentage Range: | -5.0% to +5.0% |
| District's Other Revenues and Expenditures Explanation Percentage Range: | -5.0% to +5.0% |

6A. Calculating the District's Change by Major Object Category and Comparison to the Explanation Percentage Range

DATA ENTRY: First Interim data that exist will be extracted; otherwise, enter data into the first column. Second Interim data for the Current Year are extracted. If Second Interim Form MYPI exists, data for the two subsequent years will be extracted; if not, enter data for the two subsequent years into the second column. Explanations must be entered for each category if the percent change for any year exceeds the district's explanation percentage range.

| Object Range / Fiscal Year | First Interim | Second Interim | Percent Change | Change Is Outside Explanation Range |
|--|--|--|----------------|-------------------------------------|
| | Projected Year Totals (Form 01CSI, Item 6A) | Projected Year Totals (Fund 01) (Form MYPI) | | |
| Federal Revenue (Fund 01, Objects 8100-8299) (Form MYPI, Line A2) | | | | |
| Current Year (2022-23) | 86,471.00 | 95,292.00 | 10.2% | Yes |
| 1st Subsequent Year (2023-24) | 88,000.00 | 91,800.00 | 4.3% | No |
| 2nd Subsequent Year (2024-25) | 88,000.00 | 94,350.00 | 7.2% | Yes |

Explanation:
(required if Yes)

SY22-23 increased due to higher than unexpected Special Education transfers in. SY24-25 also increased due to Special Education projections.

| | | | | |
|--|------------|------------|--------|-----|
| Other State Revenue (Fund 01, Objects 8300-8599) (Form MYPI, Line A3) | | | | |
| Current Year (2022-23) | 917,977.44 | 917,926.52 | 0.0% | No |
| 1st Subsequent Year (2023-24) | 599,469.00 | 504,332.00 | -15.9% | Yes |
| 2nd Subsequent Year (2024-25) | 605,288.00 | 501,041.00 | -17.2% | Yes |

Explanation:
(required if Yes)

SY23-24 and SY24-25 decreased due to over-projecting of Prop 28 REV in 1st Interim.

| | | | | |
|--|------------|------------|------|-----|
| Other Local Revenue (Fund 01, Objects 8600-8799) (Form MYPI, Line A4) | | | | |
| Current Year (2022-23) | 252,230.00 | 275,422.00 | 9.2% | Yes |
| 1st Subsequent Year (2023-24) | 229,151.00 | 247,773.00 | 8.1% | Yes |
| 2nd Subsequent Year (2024-25) | 233,367.00 | 254,530.00 | 9.1% | Yes |

Explanation:
(required if Yes)

SY22-23 increased due to unexpected SELPA credit of "Out of Home Care." SY 23-24 & 24-25 increased due to under-projecting AB602REV in both years.

| | | | | |
|---|------------|------------|------|----|
| Books and Supplies (Fund 01, Objects 4000-4999) (Form MYPI, Line B4) | | | | |
| Current Year (2022-23) | 187,036.45 | 195,535.52 | 4.5% | No |
| 1st Subsequent Year (2023-24) | 174,825.00 | 174,825.00 | 0.0% | No |
| 2nd Subsequent Year (2024-25) | 176,554.00 | 176,554.00 | 0.0% | No |

Explanation:
(required if Yes)

| | | | | |
|--|------------|------------|------|----|
| Services and Other Operating Expenditures (Fund 01, Objects 5000-5999) (Form MYPI, Line B5) | | | | |
| Current Year (2022-23) | 849,761.55 | 848,531.00 | -.1% | No |
| 1st Subsequent Year (2023-24) | 757,704.00 | 769,085.00 | 1.5% | No |
| 2nd Subsequent Year (2024-25) | 657,212.00 | 651,010.00 | -.9% | No |

Explanation:
(required if Yes)

6B. Calculating the District's Change in Total Operating Revenues and Expenditures

DATA ENTRY: All data are extracted or calculated.

| Object Range / Fiscal Year | First Interim | Second Interim | Percent Change | Status |
|---|-----------------------|-----------------------|----------------|---------|
| | Projected Year Totals | Projected Year Totals | | |
| Total Federal, Other State, and Other Local Revenue (Section 6A) | | | | |
| Current Year (2022-23) | 1,256,678.44 | 1,288,640.52 | 2.5% | Met |
| 1st Subsequent Year (2023-24) | 916,620.00 | 843,905.00 | -7.9% | Not Met |
| 2nd Subsequent Year (2024-25) | 926,655.00 | 849,921.00 | -8.3% | Not Met |

| | | | | |
|---|--------------|--------------|------|-----|
| Total Books and Supplies, and Services and Other Operating Expenditures (Section 6A) | | | | |
| Current Year (2022-23) | 1,036,798.00 | 1,044,066.52 | .7% | Met |
| 1st Subsequent Year (2023-24) | 932,529.00 | 943,910.00 | 1.2% | Met |
| 2nd Subsequent Year (2024-25) | 833,766.00 | 827,564.00 | -.7% | Met |

6C. Comparison of District Total Operating Revenues and Expenditures to the Standard Percentage Range

DATA ENTRY: Explanations are linked from Section 6A if the status in Section 6B is Not Met; no entry is allowed below.

- 1a. STANDARD NOT MET - One or more projected operating revenue have changed since first interim projections by more than the standard in one or more of the current year or two subsequent fiscal years. Reasons for the projected change, descriptions of the methods and assumptions used in the projections, and what changes, if any, will be made to bring the projected operating revenues within the standard must be entered in Section 6A above and will also display in the explanation box below.

| | |
|--|---|
| <p>Explanation: Federal Revenue (linked from 6A if NOT met)</p> | <p>SY22-23 increased due to higher than unexpected Special Education transfers in. SY24-25 also increased due to Special Education projections.</p> |
| <p>Explanation: Other State Revenue (linked from 6A if NOT met)</p> | <p>SY23-24 and SY24-25 decreased due to over-projecting of Prop 28 REV in 1st Interim.</p> |
| <p>Explanation: Other Local Revenue (linked from 6A if NOT met)</p> | <p>SY22-23 increased due to unexpected SELPA credit of "Out of Home Care." SY 23-24 & 24-25 increased due to under-projecting AB602REV in both years.</p> |

- 1b. STANDARD MET - Projected total operating expenditures have not changed since first interim projections by more than the standard for the current year and two subsequent fiscal years.

| | |
|--|---------|
| <p>Explanation: Books and Supplies (linked from 6A if NOT met)</p> | <p></p> |
| <p>Explanation: Services and Other Exps (linked from 6A if NOT met)</p> | <p></p> |

7. CRITERION: Facilities Maintenance

STANDARD: Identify changes that have occurred since first interim projections in the projected contributions for facilities maintenance funding as required pursuant to Education Code Section 17070.75, or in how the district is providing adequately to preserve the functionality of its facilities for their normal life in accordance with Education Code sections 52060(d)(1) and 17002(d)(1).

Determining the District's Compliance with the Contribution Requirement for EC Section 17070.75 - Ongoing and Major Maintenance/Restricted Maintenance Account (OMMA/RMA)

NOTE: EC Section 17070.75 requires the district to deposit into the account a minimum amount equal to or greater than three percent of the total general fund expenditures and other financing uses for that fiscal year. Statutes exclude the following resource codes from the total general fund expenditures calculation: 3210, 3212, 3213, 3214, 3215, 3216, 3218, 3219, 5316, 7027, and 7690.

DATA ENTRY: Enter the Required Minimum Contribution if First Interim data does not exist. First Interim data that exist will be extracted; otherwise, enter First Interim data into lines 1, if applicable, and 2. All other data are extracted.

| | | Second Interim Contribution | | |
|----|---|-----------------------------|--------------------------|--------|
| | | Projected Year Totals | | |
| | | Required Minimum | (Fund 01, Resource 8150, | |
| | | Contribution | Objects 8900-8999) | Status |
| 1. | OMMA/RMA Contribution | 36,000.00 | 36,000.00 | Met |
| 2. | First Interim Contribution (information only) (Form 01CSI, First Interim, Criterion 7, Line 1) | | 36,000.00 | |

If status is not met, enter an X in the box that best describes why the minimum required contribution was not made:

| | |
|-------------------------------------|---|
| <input type="checkbox"/> | Not applicable (district does not participate in the Leroy F. Greene School Facilities Act of 1998) |
| <input checked="" type="checkbox"/> | Exempt (due to district's small size [EC Section 17070.75 (b)(2)(E)]) |
| <input type="checkbox"/> | Other (explanation must be provided) |

Explanation:
(required if NOT met
and Other is marked)

8. CRITERION: Deficit Spending

STANDARD: Unrestricted deficit spending (total unrestricted expenditures and other financing uses is greater than total unrestricted revenues and other financing sources) as a percentage of total unrestricted expenditures and other financing uses, has not exceeded one-third of the district's available reserves¹ as a percentage of total expenditures and other financing uses² in any of the current fiscal year or two subsequent fiscal years.

¹Available reserves are the unrestricted amounts in the Stabilization Arrangements, Reserve for Economic Uncertainties, and Unassigned/Unappropriated accounts in the General Fund and the Special Reserve Fund for Other Than Capital Outlay Projects. Available reserves will be reduced by any negative ending balances in restricted resources in the General Fund.

²A school district that is the Administrative Unit of a Special Education Local Plan Area (SELPA) may exclude from its expenditures the distribution of funds to its participating members.

8A. Calculating the District's Deficit Spending Standard Percentage Levels

DATA ENTRY: All data are extracted or calculated.

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|---------------------------|----------------------------------|----------------------------------|
| District's Available Reserve Percentages (Criterion 10C, Line 9) | 48.0% | 49.2% | 48.7% |
| District's Deficit Spending Standard Percentage Levels (one-third of available reserve percentage): | 16.0% | 16.4% | 16.2% |

8B. Calculating the District's Deficit Spending Percentages

DATA ENTRY: Current Year data are extracted. If Form MYPI exists, data for the two subsequent years will be extracted; if not, enter data for the two subsequent years into the first and second columns.

| Fiscal Year | Projected Year Totals | | | Deficit Spending Level (If Net Change in Unrestricted Fund Balance is negative, else N/A) | Status |
|-------------------------------|---|--|--|--|--------|
| | Net Change in Unrestricted Fund Balance (Form 011, Section E) (Form MYPI, Line C) | Total Unrestricted Expenditures and Other Financing Uses (Form 011, Objects 1000-7999) (Form MYPI, Line B11) | | | |
| Current Year (2022-23) | 152,620.79 | 5,744,163.51 | | N/A | Met |
| 1st Subsequent Year (2023-24) | 64,653.28 | 5,806,673.72 | | N/A | Met |
| 2nd Subsequent Year (2024-25) | (10,357.72) | 5,959,858.72 | | .2% | Met |

8C. Comparison of District Deficit Spending to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

1a. STANDARD MET - Unrestricted deficit spending, if any, has not exceeded the standard percentage level in any of the current year or two subsequent fiscal years.

Explanation:
(required if NOT met)

9. CRITERION: Fund and Cash Balances

A. FUND BALANCE STANDARD: Projected general fund balance will be positive at the end of the current fiscal year and two subsequent fiscal years.

9A-1. Determining if the District's General Fund Ending Balance is Positive

DATA ENTRY: Current Year data are extracted. If Form MYPI exists, data for the two subsequent years will be extracted; if not, enter data for the two subsequent years.

| Fiscal Year | Ending Fund Balance General Fund Projected Year Totals | | Status |
|-------------------------------|--|-----|--------|
| | (Form 011, Line F2) (Form MYPI, Line D2) | | |
| Current Year (2022-23) | 3,635,776.65 | Met | |
| 1st Subsequent Year (2023-24) | 3,533,030.65 | Met | |
| 2nd Subsequent Year (2024-25) | 3,517,108.65 | Met | |

9A-2. Comparison of the District's Ending Fund Balance to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

1a. STANDARD MET - Projected general fund ending balance is positive for the current fiscal year and two subsequent fiscal years.

Explanation:
(required if NOT met)

B. CASH BALANCE STANDARD: Projected general fund cash balance will be positive at the end of the current fiscal year.

9B-1. Determining if the District's Ending Cash Balance is Positive

DATA ENTRY: If Form CASH exists, data will be extracted; if not, data must be entered below.

| Fiscal Year | Ending Cash Balance General Fund | | Status |
|------------------------|-------------------------------------|-----|--------|
| | (Form CASH, Line F, June Column) | | |
| Current Year (2022-23) | 2,203,665.28 | Met | |

9B-2. Comparison of the District's Ending Cash Balance to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

1a. STANDARD MET - Projected general fund cash balance will be positive at the end of the current fiscal year.

Explanation:
(required if NOT met)

10. CRITERION: Reserves

STANDARD: Available reserves¹ for any of the current fiscal year or two subsequent fiscal years are not less than the following percentages or amounts² as applied to total expenditures and other financing uses³:

DATA ENTRY: Current Year data are extracted. If Form MYPI exists, 1st and 2nd Subsequent Year data will be extracted. If not, enter district regular ADA and charter school ADA corresponding to financial data reported in the General Fund, only, for the two subsequent years.

| Percentage Level | District ADA | |
|-----------------------------|--------------|------------|
| 5% or \$75,000 (greater of) | 0 | to 300 |
| 4% or \$75,000 (greater of) | 301 | to 1,000 |
| 3% | 1,001 | to 30,000 |
| 2% | 30,001 | to 400,000 |
| 1% | 400,001 | and over |

¹ Available reserves are the unrestricted amounts in the Stabilization Arrangements, Reserve for Economic Uncertainties, and Unassigned/Unappropriated accounts in the General Fund and Special Reserve Fund for Other Than Capital Outlay Projects. Available reserves will be reduced by any negative ending balances in restricted resources in the General Fund.

² Dollar amounts to be adjusted annually by the prior year statutory cost-of-living adjustment (Education Code Section 42238), rounded to the nearest thousand.

³ A school district that is the Administrative Unit (AU) of a Special Education Local Plan Area (SELPA) may exclude from its expenditures the distribution of funds to its participating members.

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|---------------------------|----------------------------------|----------------------------------|
| District Estimated P-2 ADA (Current Year, Form AI, Lines A4 and C4. Subsequent Years, Form MYPI, Line F2, if available.) | 173.05 | 183.00 | 185.04 |
| District's Reserve Standard Percentage Level: | 5% | 5% | 5% |

10A. Calculating the District's Special Education Pass-through Exclusions (only for districts that serve as the AU of a SELPA)

DATA ENTRY: For SELPA AUs, if Form MYPI exists, all data will be extracted including the Yes/No button selection. If not, click the appropriate Yes or No button for item 1 and, if Yes, enter data for item 2a and for the two subsequent years in item 2b; Current Year data are extracted.

For districts that serve as the AU of a SELPA (Form MYPI, Lines F1a, F1b1, and F1b2):

1. Do you choose to exclude from the reserve calculation the pass-through funds distributed to SELPA members?

2. If you are the SELPA AU and are excluding special education pass-through funds:

a. Enter the name(s) of the SELPA(s):

b. Special Education Pass-through Funds
(Fund 10, resources 3300-3499, 6500-6540 and 6546, objects 7211-7213 and 7221-7223)

| | Current Year Projected Year Totals (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|--|----------------------------------|----------------------------------|
| | 0.00 | 0.00 | 0.00 |

10B. Calculating the District's Reserve Standard

DATA ENTRY: If Form MYPI exists, all data will be extracted or calculated. If not, enter data for line 1 for the two subsequent years; Current Year data are extracted.

| | Current Year Projected Year Totals (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|---|---|--|----------------------------------|
| 1. Expenditures and Other Financing Uses (Form 011, objects 1000-7999) (Form MYPI, Line B11) | 7,205,928.89 | 7,173,014.00 | 7,218,330.00 |
| 2. Plus: Special Education Pass-through (Criterion 10A, Line 2b, if Criterion 10A, Line 1 is No) | | | |
| 3. Total Expenditures and Other Financing Uses (Line B1 plus Line B2) | 7,205,928.89 | 7,173,014.00 | 7,218,330.00 |
| 4. Reserve Standard Percentage Level | 5% | 5% | 5% |
| 5. Reserve Standard - by Percent (Line B3 times Line B4) | 360,296.44 | 358,650.70 | 360,916.50 |

6. Reserve Standard - by Amount
(\$75,000 for districts with less than 1,001 ADA, else 0)

7. **District's Reserve Standard**
(Greater of Line B5 or Line B6)

| | | |
|-------------------|-------------------|-------------------|
| 75,000.00 | 75,000.00 | 75,000.00 |
| 360,296.44 | 358,650.70 | 360,916.50 |

10C. Calculating the District's Available Reserve Amount

DATA ENTRY: All data are extracted from fund data and Form MYPI. If Form MYPI does not exist, enter data for the two subsequent years.

| Reserve Amounts (Unrestricted resources 0000-1999 except Line 4) | Current Year | | |
|--|------------------------------------|----------------------------------|----------------------------------|
| | Projected Year Totals (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
| 1. General Fund - Stabilization Arrangements (Fund 01, Object 9750) (Form MYPI, Line E1a) | 2,400,000.00 | 2,400,000.00 | 2,400,000.00 |
| 2. General Fund - Reserve for Economic Uncertainties (Fund 01, Object 9789) (Form MYPI, Line E1b) | 268,915.00 | 269,295.00 | 271,561.00 |
| 3. General Fund - Unassigned/Unappropriated Amount (Fund 01, Object 9790) (Form MYPI, Line E1c) | 793,363.94 | 857,637.22 | 845,013.50 |
| 4. General Fund - Negative Ending Balances in Restricted Resources (Fund 01, Object 979Z, if negative, for each of resources 2000-9999) (Form MYPI, Line E1d) | 0.00 | 0.00 | 0.00 |
| 5. Special Reserve Fund - Stabilization Arrangements (Fund 17, Object 9750) (Form MYPI, Line E2a) | 0.00 | 0.00 | 0.00 |
| 6. Special Reserve Fund - Reserve for Economic Uncertainties (Fund 17, Object 9789) (Form MYPI, Line E2b) | 0.00 | 0.00 | 0.00 |
| 7. Special Reserve Fund - Unassigned/Unappropriated Amount (Fund 17, Object 9790) (Form MYPI, Line E2c) | 0.00 | 0.00 | 0.00 |
| 8. District's Available Reserve Amount (Lines C1 thru C7) | 3,462,278.94 | 3,526,932.22 | 3,516,574.50 |
| 9. District's Available Reserve Percentage (Information only) (Line 8 divided by Section 10B, Line 3) | 48.05% | 49.17% | 48.72% |
| District's Reserve Standard (Section 10B, Line 7): | 360,296.44 | 358,650.70 | 360,916.50 |
| Status: | Met | Met | Met |

10D. Comparison of District Reserve Amount to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

1a. STANDARD MET - Available reserves have met the standard for the current year and two subsequent fiscal years.

Explanation:
(required if NOT met)

SUPPLEMENTAL INFORMATION

DATA ENTRY: Click the appropriate Yes or No button for items S1 through S4. Enter an explanation for each Yes answer.

S1. Contingent Liabilities

1a. Does your district have any known or contingent liabilities (e.g., financial or program audits, litigation, state compliance reviews) that have occurred since first interim projections that may impact the budget?

1b. If Yes, identify the liabilities and how they may impact the budget:

S2. Use of One-time Revenues for Ongoing Expenditures

1a. Does your district have ongoing general fund expenditures funded with one-time revenues that have changed since first interim projections by more than five percent?

1b. If Yes, identify the expenditures and explain how the one-time resources will be replaced to continue funding the ongoing expenditures in the following fiscal years:

S3. Temporary Interfund Borrowings

1a. Does your district have projected temporary borrowings between funds?
(Refer to Education Code Section 42603)

1b. If Yes, identify the interfund borrowings:

S4. Contingent Revenues

1a. Does your district have projected revenues for the current fiscal year or either of the two subsequent fiscal years contingent on reauthorization by the local government, special legislation, or other definitive act (e.g., parcel taxes, forest reserves)?

1b. If Yes, identify any of these revenues that are dedicated for ongoing expenses and explain how the revenues will be replaced or expenditures reduced:

55. Contributions

Identify projected contributions from unrestricted resources in the general fund to restricted resources in the general fund for the current fiscal year and two subsequent fiscal years. Provide an explanation if contributions have changed by more than \$20,000 and more than five percent since first interim projections.

Identify projected transfers to or from the general fund to cover operating deficits in either the general fund or any other fund for the current fiscal year and two subsequent fiscal years. Provide an explanation if transfers have changed by more than \$20,000 and more than five percent since first interim projections.

Identify capital project cost overruns that have occurred since first interim projections that may impact the general fund budget.

District's Contributions and Transfers Standard: -5.0% to +5.0% or -\$20,000 to +\$20,000

S5A. Identification of the District's Projected Contributions, Transfers, and Capital Projects that may Impact the General Fund

DATA ENTRY: First Interim data that exist will be extracted; otherwise, enter data into the first column. For Contributions, the Second Interim's Current Year data will be extracted. Enter Second Interim Contributions for the 1st and 2nd Subsequent Years. For Transfers In and Transfers Out, the Second Interim's Current Year data will be extracted. If Form MYPI exists, the data will be extracted into the Second Interim column for the 1st and 2nd Subsequent Years. If Form MYPI does not exist, enter data for 1st and 2nd Subsequent Years. Click on the appropriate button for Item 1d; all other data will be calculated.

| Description / Fiscal Year | First Interim (Form 01CSI, Item S5A) | Second Interim Projected Year Totals | Percent Change | Amount of Change | Status |
|---|---|---|-------------------|---------------------|---------|
| 1a. Contributions, Unrestricted General Fund (Fund 01, Resources 0000-1999, Object 8980) | | | | | |
| Current Year (2022-23) | (385,000.00) | (431,000.00) | 11.9% | 46,000.00 | Not Met |
| 1st Subsequent Year (2023-24) | (385,000.00) | (480,000.00) | 24.7% | 95,000.00 | Not Met |
| 2nd Subsequent Year (2024-25) | (390,000.00) | (535,000.00) | 37.2% | 145,000.00 | Not Met |
| 1b. Transfers In, General Fund * | | | | | |
| Current Year (2022-23) | 1,768,245.30 | 1,768,245.30 | 0.0% | 0.00 | Met |
| 1st Subsequent Year (2023-24) | 1,745,000.00 | 1,745,000.00 | 0.0% | 0.00 | Met |
| 2nd Subsequent Year (2024-25) | 1,730,000.00 | 1,730,000.00 | 0.0% | 0.00 | Met |
| 1c. Transfers Out, General Fund * | | | | | |
| Current Year (2022-23) | 1,827,631.30 | 1,827,631.30 | 0.0% | 0.00 | Met |
| 1st Subsequent Year (2023-24) | 1,785,000.00 | 1,785,000.00 | 0.0% | 0.00 | Met |
| 2nd Subsequent Year (2024-25) | 1,785,000.00 | 1,785,000.00 | 0.0% | 0.00 | Met |

1d. Capital Project Cost Overruns

Have capital project cost overruns occurred since first interim projections that may impact the general fund operational budget?

No

* Include transfers used to cover operating deficits in either the general fund or any other fund.

S5B. Status of the District's Projected Contributions, Transfers, and Capital Projects

DATA ENTRY: Enter an explanation if Not Met for items 1a-1c or if Yes for Item 1d.

1a. NOT MET - The projected contributions from the unrestricted general fund to restricted general fund programs have changed since first interim projections by more than the standard for any of the current year or subsequent two fiscal years. Identify restricted programs and contribution amount for each program and whether contributions are ongoing or one-time in nature. Explain the district's plan, with timeframes, for reducing or eliminating the contribution.

Explanation:
(required if NOT met)

Special Education costs in OBJ Accounts 5XXX significantly decrease in the out years, but Special Education costs in OBJ Accounts 2XXX and 3XXX continue to increase.

1b. MET - Projected transfers in have not changed since first interim projections by more than the standard for the current year and two subsequent fiscal years.

Explanation:
(required if NOT met)

1c. MET - Projected transfers out have not changed since first interim projections by more than the standard for the current year and two subsequent fiscal years.

Explanation:
(required if NOT met)

| |
|--|
| |
|--|

1d. NO - There have been no capital project cost overruns occurring since first interim projections that may impact the general fund operational budget.

Project Information:
(required if YES)

| |
|--|
| |
| |
| |
| |
| |
| |
| |
| |

S6. Long-term Commitments

Identify all existing and new multiyear commitments¹ and their annual required payment for the current fiscal year and two subsequent fiscal years. Explain how any increase in annual payments will be funded. Also, explain how any decrease to funding sources used to pay long-term commitments will be replaced.

¹ Include multiyear commitments, multiyear debt agreements, and new programs or contracts that result in long-term obligations.

S6A. Identification of the District's Long-term Commitments

DATA ENTRY: If First Interim data exist (Form 01CSI, Item S6A), long-term commitment data will be extracted and it will only be necessary to click the appropriate button for Item 1b. Extracted data may be overwritten to update long-term commitment data in Item 2, as applicable. If no First Interim data exist, click the appropriate buttons for items 1a and 1b, and enter all other data, as applicable.

1. a. Does your district have long-term (multiyear) commitments?

(If No, skip items 1b and 2 and sections S6B and S6C)

Yes

b. If Yes to Item 1a, have new long-term (multiyear) commitments been incurred since first interim projections?

No

2. If Yes to Item 1a, list (or update) all new and existing multiyear commitments and required annual debt service amounts. Do not include long-term commitments for postemployment benefits other than pensions (OPEB); OPEB is disclosed in Item S7A.

| Type of Commitment | # of Years Remaining | SACS Fund and Object Codes Used For: | | Principal Balance as of July 1, 2022-23 |
|-------------------------------|----------------------|--------------------------------------|-----------------------------|---|
| | | Funding Sources (Revenues) | Debt Service (Expenditures) | |
| Capital Leases | | | | |
| Certificates of Participation | | | | |
| General Obligation Bonds | 28 | General Obligation Bond | Fund 51 | 8,490,275 |
| Supp Early Retirement Program | | | | |
| State School Building Loans | | | | |
| Compensated Absences | | | | |

Other Long-term Commitments (do not include OPEB):

| Type of Commitment | # of Years Remaining | Funding Sources (Revenues) | Debt Service (Expenditures) | Principal Balance as of July 1, 2022-23 |
|--------------------|----------------------|----------------------------|-----------------------------|---|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| TOTAL: | | | | 8,490,275 |

| Type of Commitment (continued) | Prior Year (2021-22) | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--------------------------------|------------------------|------------------------|-------------------------------|-------------------------------|
| | Annual Payment (P & I) | Annual Payment (P & I) | Annual Payment (P & I) | Annual Payment (P & I) |
| Capital Leases | | | | |
| Certificates of Participation | | | | |
| General Obligation Bonds | 618,100 | 564,725 | 350,975 | 349,975 |
| Supp Early Retirement Program | | | | |
| State School Building Loans | | | | |
| Compensated Absences | | | | |

Other Long-term Commitments (continued):

| Type of Commitment | Prior Year (2021-22) | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|----------------------|------------------------|-------------------------------|-------------------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Total Annual Payments: | 618,100 | 564,725 | 350,975 | 349,975 |
| Has total annual payment increased over prior year (2021-22)? | | No | No | No |

S6B. Comparison of the District's Annual Payments to Prior Year Annual Payment

DATA ENTRY: Enter an explanation if Yes.

- 1a. No - Annual payments for long-term commitments have not increased in one or more of the current and two subsequent fiscal years.

Explanation:
(Required if Yes
to increase in total
annual payments)

S6C. Identification of Decreases to Funding Sources Used to Pay Long-term Commitments

DATA ENTRY: Click the appropriate Yes or No button in Item 1; if Yes, an explanation is required in Item 2.

1. Will funding sources used to pay long-term commitments decrease or expire prior to the end of the commitment period, or are they one-time sources?

No

2. No - Funding sources will not decrease or expire prior to the end of the commitment period, and one-time funds are not being used for long-term commitment.

Explanation:
(Required if Yes)

S7. Unfunded Liabilities

Identify any changes in estimates for unfunded liabilities since first interim projections, and indicate whether the changes are the result of a new actuarial valuation.

S7A. Identification of the District's Estimated Unfunded Liability for Postemployment Benefits Other Than Pensions (OPEB)

DATA ENTRY: Click the appropriate button(s) for items 1a-1c, as applicable. First Interim data that exist (Form 01CSI, Item S7A) will be extracted; otherwise, enter First Interim and Second Interim data in items 2-4.

1 a. Does your district provide postemployment benefits other than pensions (OPEB)? (If No, skip items 1b-4)

| |
|-----|
| Yes |
|-----|

b. If Yes to Item 1a, have there been changes since first interim in OPEB liabilities?

| |
|----|
| No |
|----|

c. If Yes to Item 1a, have there been changes since first interim in OPEB contributions?

| |
|----|
| No |
|----|

| 2 OPEB Liabilities | First Interim | |
|--|------------------------|----------------|
| | (Form 01CSI, Item S7A) | Second Interim |
| a. Total OPEB liability | 255,408.00 | 262,141.00 |
| b. OPEB plan(s) fiduciary net position (if applicable) | 15,000.00 | 15,000.00 |
| c. Total/Net OPEB liability (Line 2a minus Line 2b) | 240,408.00 | 247,141.00 |

d. Is total OPEB liability based on the district's estimate or an actuarial valuation?

| | |
|--------------|--------------|
| Actuarial | Actuarial |
| Jun 30, 2022 | Sep 28, 2022 |

e. If based on an actuarial valuation, indicate the measurement date of the OPEB valuation.

| 3 OPEB Contributions | First Interim | |
|---|------------------------|----------------|
| | (Form 01CSI, Item S7A) | Second Interim |
| a. OPEB actuarially determined contribution (ADC) if available, per actuarial valuation or Alternative Measurement Method | | |
| Current Year (2022-23) | 0.00 | 0.00 |
| 1st Subsequent Year (2023-24) | 0.00 | 0.00 |
| 2nd Subsequent Year (2024-25) | 0.00 | 0.00 |

b. OPEB amount contributed (for this purpose, include premiums paid to a self-insurance fund) (Funds 01-70, objects 3701-3752)

| | | |
|-------------------------------|-----------|-----------|
| Current Year (2022-23) | 15,000.00 | 15,000.00 |
| 1st Subsequent Year (2023-24) | 15,000.00 | 15,000.00 |
| 2nd Subsequent Year (2024-25) | 0.00 | 0.00 |

c. Cost of OPEB benefits (equivalent of "pay-as-you-go" amount)

| | | |
|-------------------------------|------|------|
| Current Year (2022-23) | 0.00 | 0.00 |
| 1st Subsequent Year (2023-24) | 0.00 | 0.00 |
| 2nd Subsequent Year (2024-25) | 0.00 | 0.00 |

d. Number of retirees receiving OPEB benefits

| | | |
|-------------------------------|---|---|
| Current Year (2022-23) | 1 | 1 |
| 1st Subsequent Year (2023-24) | 1 | 1 |
| 2nd Subsequent Year (2024-25) | 0 | 0 |

4. Comments:



S7B. Identification of the District's Unfunded Liability for Self-insurance Programs

DATA ENTRY: Click the appropriate button(s) for items 1a-1c, as applicable. First Interim data that exist (Form 01CSI, Item S7B) will be extracted; otherwise, enter First Interim and Second Interim data in items 2-4.

- 1 a. Does your district operate any self-insurance programs such as workers' compensation, employee health and welfare, or property and liability? (Do not include OPEB; which is covered in Section S7A) (If No, skip items 1b-4)
- No
- b. If Yes to item 1a, have there been changes since first interim in self-insurance liabilities?
- n/a
- c. If Yes to item 1a, have there been changes since first interim in self-insurance contributions?
- n/a

2 Self-Insurance Liabilities

| | First Interim (Form 01CSI, Item S7B) | Second Interim |
|---|---|----------------|
| a. Accrued liability for self-insurance programs | | |
| b. Unfunded liability for self-insurance programs | | |

3 Self-Insurance Contributions

| | First Interim (Form 01CSI, Item S7B) | Second Interim |
|--|---|----------------|
| a. Required contribution (funding) for self-insurance programs | | |
| Current Year (2022-23) | | |
| 1st Subsequent Year (2023-24) | | |
| 2nd Subsequent Year (2024-25) | | |
| b. Amount contributed (funded) for self-insurance programs | | |
| Current Year (2022-23) | | |
| 1st Subsequent Year (2023-24) | | |
| 2nd Subsequent Year (2024-25) | | |

4 Comments:

S8. Status of Labor Agreements

Analyze the status of all employee labor agreements. Identify new labor agreements that have been ratified since first interim projections, as well as new commitments provided as part of previously ratified multiyear agreements; and include all contracts, including all administrator contracts (and including all compensation). For new agreements, indicate the date of the required board meeting. Compare the increase in new commitments to the projected increase in ongoing revenues, and explain how these commitments will be funded in future fiscal years.

If salary and benefit negotiations are not finalized, upon settlement with certificated or classified staff:

The school district must determine the cost of the settlement, including salaries, benefits, and any other agreements that change costs, and provide the county office of education (COE) with an analysis of the cost of the settlement and its impact on the operating budget.

The county superintendent shall review the analysis relative to the criteria and standards and may provide written comments to the president of the district governing board and superintendent.

S8A. Cost Analysis of District's Labor Agreements - Certificated (Non-management) Employees

DATA ENTRY: Click the appropriate Yes or No button for "Status of Certificated Labor Agreements as of the Previous Reporting Period." There are no extractions in this section.

Status of Certificated Labor Agreements as of the Previous Reporting Period

Were all certificated labor negotiations settled as of first interim projections?

No

If Yes, complete number of FTEs, then skip to section S8B.

If No, continue with section S8A.

Certificated (Non-management) Salary and Benefit Negotiations

| | Prior Year (2nd Interim) (2021-22) | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|---------------------------------------|---------------------------|----------------------------------|----------------------------------|
| Number of certificated (non-management) full-time-equivalent (FTE) positions | 16.8 | 15.3 | 15.3 | 15.3 |

1a. Have any salary and benefit negotiations been settled since first interim projections?

No

If Yes, and the corresponding public disclosure documents have been filed with the COE, complete questions 2 and 3.

If Yes, and the corresponding public disclosure documents have not been filed with the COE, complete questions 2-5.

If No, complete questions 6 and 7.

1b. Are any salary and benefit negotiations still unsettled?

Yes

If Yes, complete questions 6 and 7.

Negotiations Settled Since First Interim

2a. Per Government Code Section 3547.5(a), date of public disclosure board meeting:

[]

2b. Per Government Code Section 3547.5(b), was the collective bargaining agreement certified by the district superintendent and chief business official?

[]

If Yes, date of Superintendent and CBO certification:

3. Per Government Code Section 3547.5(c), was a budget revision adopted to meet the costs of the collective bargaining agreement?

n/a

If Yes, date of budget revision board adoption:

4. Period covered by the agreement:

Begin Date: []

End Date: []

5. Salary settlement:

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|---------------------------|----------------------------------|----------------------------------|
|--|---------------------------|----------------------------------|----------------------------------|

Is the cost of salary settlement included in the interim and multiyear projections (MYPs)?

| | | |
|--|--|--|
| | | |
|--|--|--|

One Year Agreement

Total cost of salary settlement

| | | |
|--|--|--|
| | | |
|--|--|--|

% change in salary schedule from prior year

| | | |
|--|--|--|
| | | |
|--|--|--|

or

Multiyear Agreement

Total cost of salary settlement

| | | |
|--|--|--|
| | | |
|--|--|--|

% change in salary schedule from prior year (may enter text, such as "Reopener")

| | | |
|--|--|--|
| | | |
|--|--|--|

Identify the source of funding that will be used to support multiyear salary commitments:

[]

Negotiations Not Settled

6. Cost of a one percent increase in salary and statutory benefits 17,107

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|---------------------------|----------------------------------|----------------------------------|
| 7. Amount included for any tentative salary schedule increases | 51,321 | 53,900 | 55,500 |

Certificated (Non-management) Health and Welfare (H&W) Benefits

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|---|---------------------------|----------------------------------|----------------------------------|
| 1. Are costs of H&W benefit changes included in the interim and MYPs? | Yes | Yes | Yes |
| 2. Total cost of H&W benefits | 365,273 | 374,400 | 383,765 |
| 3. Percent of H&W cost paid by employer | 93.0% | 93.0% | 93.0% |
| 4. Percent projected change in H&W cost over prior year | 8.0% | 2.5% | 2.5% |

Certificated (Non-management) Prior Year Settlements Negotiated Since First Interim Projections

Are any new costs negotiated since first interim projections for prior year settlements included in the interim?

| | | |
|----|--|--|
| No | | |
|----|--|--|

If Yes, amount of new costs included in the interim and MYPs

If Yes, explain the nature of the new costs:

Certificated (Non-management) Step and Column Adjustments

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|---------------------------|----------------------------------|----------------------------------|
| 1. Are step & column adjustments included in the interim and MYPs? | Yes | Yes | Yes |
| 2. Cost of step & column adjustments | 25,067 | 25,820 | 26,594 |
| 3. Percent change in step & column over prior year | 1.8% | 1.8% | 1.8% |

Certificated (Non-management) Attrition (layoffs and retirements)

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|---------------------------|----------------------------------|----------------------------------|
| 1. Are savings from attrition included in the interim and MYPs? | No | No | No |
| 2. Are additional H&W benefits for those laid-off or retired employees included in the interim and MYPs? | No | No | No |

Certificated (Non-management) - Other

List other significant contract changes that have occurred since first interim projections and the cost impact of each change (i.e., class size, hours of employment, leave of absence, bonuses, etc.):

S8B. Cost Analysis of District's Labor Agreements - Classified (Non-management) Employees

DATA ENTRY: Click the appropriate Yes or No button for "Status of Classified Labor Agreements as of the Previous Reporting Period." There are no extractions in this section.

Status of Classified Labor Agreements as of the Previous Reporting Period

Were all classified labor negotiations settled as of first interim projections?

If Yes, complete number of FTEs, then skip to section S8C.

If No, continue with section S8B.

| |
|----|
| No |
|----|

Classified (Non-management) Salary and Benefit Negotiations

| | Prior Year (2nd Interim) (2021-22) | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|---|---------------------------------------|---------------------------|----------------------------------|----------------------------------|
| Number of classified (non-management) FTE positions | 21.0 | 20.3 | 20.3 | 20.3 |

1a. Have any salary and benefit negotiations been settled since first interim projections?

| |
|----|
| No |
|----|

If Yes, and the corresponding public disclosure documents have been filed with the COE, complete questions 2 and 3.

If Yes, and the corresponding public disclosure documents have not been filed with the COE, complete questions 2-5.

If No, complete questions 6 and 7.

1b. Are any salary and benefit negotiations still unsettled?

| |
|-----|
| Yes |
|-----|

If Yes, complete questions 6 and 7.

Negotiations Settled Since First Interim Projections

2a. Per Government Code Section 3547.5(a), date of public disclosure board meeting:

| |
|--|
| |
|--|

2b. Per Government Code Section 3547.5(b), was the collective bargaining agreement certified by the district superintendent and chief business official?

| |
|--|
| |
| |

If Yes, date of Superintendent and CBO certification:

3. Per Government Code Section 3547.5(c), was a budget revision adopted to meet the costs of the collective bargaining agreement?

| |
|-----|
| n/a |
|-----|

If Yes, date of budget revision board adoption:

4. Period covered by the agreement:

Begin Date:

| |
|--|
| |
|--|

End Date:

| |
|--|
| |
|--|

5. Salary settlement:

| Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|---------------------------|----------------------------------|----------------------------------|
|---------------------------|----------------------------------|----------------------------------|

Is the cost of salary settlement included in the interim and multiyear projections (MYPs)?

| | | |
|--|--|--|
| | | |
|--|--|--|

One Year Agreement

Total cost of salary settlement

| | | |
|--|--|--|
| | | |
|--|--|--|

% change in salary schedule from prior year

| |
|--|
| |
|--|

or

Multiyear Agreement

Total cost of salary settlement

| | | |
|--|--|--|
| | | |
|--|--|--|

% change in salary schedule from prior year
(may enter text, such as "Reopener")

| | | |
|--|--|--|
| | | |
|--|--|--|

Identify the source of funding that will be used to support multiyear salary commitments:

| |
|--|
| |
|--|

Negotiations Not Settled

6. Cost of a one percent increase in salary and statutory benefits

| |
|--------|
| 10,683 |
|--------|

| Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|---------------------------|----------------------------------|----------------------------------|
|---------------------------|----------------------------------|----------------------------------|

7. Amount included for any tentative salary schedule increases

| | | |
|--------|--------|--------|
| 32,000 | 33,000 | 34,000 |
|--------|--------|--------|

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|---------------------------|----------------------------------|----------------------------------|
| Classified (Non-management) Health and Welfare (H&W) Benefits | | | |
| 1. Are costs of H&W benefit changes included in the interim and MYPs? | Yes | Yes | Yes |
| 2. Total cost of H&W benefits | 198,757 | 203,726 | 208,820 |
| 3. Percent of H&W cost paid by employer | 98.0% | 98.0% | 98.0% |
| 4. Percent projected change in H&W cost over prior year | 8.0% | 2.5% | 2.5% |

Classified (Non-management) Prior Year Settlements Negotiated Since First Interim
 Are any new costs negotiated since first interim projections for prior year settlements included in the interim?

| | | |
|----|--|--|
| No | | |
| | | |

If Yes, amount of new costs included in the interim and MYPs

If Yes, explain the nature of the new costs:

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|---------------------------|----------------------------------|----------------------------------|
| Classified (Non-management) Step and Column Adjustments | | | |
| 1. Are step & column adjustments included in the interim and MYPs? | Yes | Yes | Yes |
| 2. Cost of step & column adjustments | 9,086 | 9,198 | 9,409 |
| 3. Percent change in step & column over prior year | 1.2% | 1.2% | 1.2% |

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|---------------------------|----------------------------------|----------------------------------|
| Classified (Non-management) Attrition (layoffs and retirements) | | | |
| 1. Are savings from attrition included in the interim and MYPs? | No | No | No |
| 2. Are additional H&W benefits for those laid-off or retired employees included in the interim and MYPs? | No | No | No |

Classified (Non-management) - Other

List other significant contract changes that have occurred since first interim and the cost impact of each (i.e., hours of employment, leave of absence, bonuses, etc.):

S8C. Cost Analysis of District's Labor Agreements - Management/Supervisor/Confidential Employees

DATA ENTRY: Click the appropriate Yes or No button for "Status of Management/Supervisor/Confidential Labor Agreements as of the Previous Reporting Period." There are no extractions in this section.

Status of Management/Supervisor/Confidential Labor Agreements as of the Previous Reporting Period

Were all managerial/confidential labor negotiations settled as of first interim projections?

No

If Yes or n/a, complete number of FTEs, then skip to S9.

If No, continue with section S8C.

Management/Supervisor/Confidential Salary and Benefit Negotiations

| | Prior Year (2nd Interim) (2021-22) | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|---------------------------------------|---------------------------|----------------------------------|----------------------------------|
| Number of management, supervisor, and confidential FTE positions | 3.0 | 3.0 | 3.0 | 3.0 |

1a. Have any salary and benefit negotiations been settled since first interim projections?

Yes

If Yes, complete question 2.

If No, complete questions 3 and 4.

1b. Are any salary and benefit negotiations still unsettled?

Yes

If Yes, complete questions 3 and 4.

Negotiations Settled Since First Interim Projections

2. Salary settlement:

Is the cost of salary settlement included in the interim and multiyear projections (MYPs)?

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|---|----------------------------------|----------------------------------|
| Yes | Yes | Yes | Yes |
| Total cost of salary settlement | 19,656 | 26,601 | 28,603 |
| Change in salary schedule from prior year (may enter text, such as "Reopener") | New 3-year contract 2022-23 through 2024-25 | | |

Negotiations Not Settled

3. Cost of a one percent increase in salary and statutory benefits

1,771

4. Amount included for any tentative salary schedule increases

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--|---------------------------|----------------------------------|----------------------------------|
| | 5,313 | 5,472 | 5,637 |

Management/Supervisor/Confidential

Health and Welfare (H&W) Benefits

1. Are costs of H&W benefit changes included in the interim and MYPs?

2. Total cost of H&W benefits

3. Percent of H&W cost paid by employer

4. Percent projected change in H&W cost over prior year

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|--------|---------------------------|----------------------------------|----------------------------------|
| Yes | Yes | Yes | Yes |
| 82,548 | 84,612 | 866,727 | |
| 90.0% | 90.0% | 90.0% | |
| 8.0% | 2.5% | 2.5% | |

Management/Supervisor/Confidential

Step and Column Adjustments

1. Are step & column adjustments included in the interim and MYPs?

2. Cost of step & column adjustments

3. Percent change in step and column over prior year

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|-------|---------------------------|----------------------------------|----------------------------------|
| Yes | Yes | Yes | Yes |
| 6,720 | 6,841 | 6,964 | |
| 1.8% | 1.8% | 1.8% | |

Management/Supervisor/Confidential

Other Benefits (mileage, bonuses, etc.)

1. Are costs of other benefits included in the interim and MYPs?

2. Total cost of other benefits

3. Percent change in cost of other benefits over prior year

| | Current Year (2022-23) | 1st Subsequent Year (2023-24) | 2nd Subsequent Year (2024-25) |
|----|---------------------------|----------------------------------|----------------------------------|
| No | No | No | No |
| | | | |
| | | | |

S9.

Status of Other Funds

Analyze the status of other funds that may have negative fund balances at the end of the current fiscal year. If any other fund has a projected negative fund balance, prepare an interim report and multiyear projection for that fund. Explain plans for how and when the negative fund balance will be addressed.

S9A. Identification of Other Funds with Negative Ending Fund Balances

DATA ENTRY: Click the appropriate button in Item 1. If Yes, enter data in Item 2 and provide the reports referenced in Item 1.

1.

Are any funds other than the general fund projected to have a negative fund balance at the end of the current fiscal year?

| |
|----|
| No |
|----|

If Yes, prepare and submit to the reviewing agency a report of revenues, expenditures, and changes in fund balance (e.g., an interim fund report) and a multiyear projection report for each fund.

2.

If Yes, identify each fund, by name and number, that is projected to have a negative ending fund balance for the current fiscal year. Provide reasons for the negative balance(s) and explain the plan for how and when the problem(s) will be corrected.

ADDITIONAL FISCAL INDICATORS

The following fiscal indicators are designed to provide additional data for reviewing agencies. A "Yes" answer to any single indicator does not necessarily suggest a cause for concern, but may alert the reviewing agency to the need for additional review. DATA ENTRY: Click the appropriate Yes or No button for items A2 through A9; Item A1 is automatically completed based on data from Criterion 9.

- | | |
|---|----------------------------------|
| A1. Do cash flow projections show that the district will end the current fiscal year with a negative cash balance in the general fund? (Data from Criterion 9B-1, Cash Balance, are used to determine Yes or No) | <input type="text" value="No"/> |
| A2. Is the system of personnel position control independent from the payroll system? | <input type="text" value="No"/> |
| A3. Is enrollment decreasing in both the prior and current fiscal years? | <input type="text" value="Yes"/> |
| A4. Are new charter schools operating in district boundaries that impact the district's enrollment, either in the prior or current fiscal year? | <input type="text" value="No"/> |
| A5. Has the district entered into a bargaining agreement where any of the current or subsequent fiscal years of the agreement would result in salary increases that are expected to exceed the projected state funded cost-of-living adjustment? | <input type="text" value="No"/> |
| A6. Does the district provide uncapped (100% employer paid) health benefits for current or retired employees? | <input type="text" value="No"/> |
| A7. Is the district's financial system independent of the county office system? | <input type="text" value="No"/> |
| A8. Does the district have any reports that indicate fiscal distress pursuant to Education Code Section 42127.6(a)? (If Yes, provide copies to the county office of education.) | <input type="text" value="No"/> |
| A9. Have there been personnel changes in the superintendent or chief business official positions within the last 12 months? | <input type="text" value="No"/> |

When providing comments for additional fiscal indicators, please include the item number applicable to each comment.

Comments:
(optional)

End of School District Second Interim Criteria and Standards Review



Harmony
Union School District

1935 Bohemian Highway
Occidental, California, 95465
Phone (707) 874-1205 • Fax (707) 874-1226
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2nd Interim

2022-23

FORM 01

General Fund Summary

Unrestricted/Restricted

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|------------------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| A. REVENUES | | | | | | | | |
| 1) LCFF Sources | | 8010-8099 | 4,091,335.00 | 4,167,995.00 | 2,300,497.56 | 4,167,995.00 | 0.00 | 0.0% |
| 2) Federal Revenue | | 8100-8299 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Other State Revenue | | 8300-8599 | 299,366.00 | 303,544.00 | 11,320.39 | 303,544.00 | 0.00 | 0.0% |
| 4) Other Local Revenue | | 8600-8799 | 47,450.00 | 88,000.00 | 52,350.34 | 88,000.00 | 0.00 | 0.0% |
| 5) TOTAL, REVENUES | | | 4,438,151.00 | 4,559,539.00 | 2,364,168.29 | 4,559,539.00 | | |
| B. EXPENDITURES | | | | | | | | |
| 1) Certificated Salaries | | 1000-1999 | 1,418,776.31 | 1,330,739.53 | 729,897.59 | 1,330,739.53 | 0.00 | 0.0% |
| 2) Classified Salaries | | 2000-2999 | 803,174.07 | 834,132.97 | 436,663.04 | 834,132.97 | 0.00 | 0.0% |
| 3) Employee Benefits | | 3000-3999 | 1,242,684.81 | 1,156,358.94 | 572,390.69 | 1,156,358.94 | 0.00 | 0.0% |
| 4) Books and Supplies | | 4000-4999 | 147,450.00 | 128,465.49 | 75,230.41 | 128,465.49 | 0.00 | 0.0% |
| 5) Services and Other Operating Expenditures | | 5000-5999 | 447,982.00 | 472,734.28 | 337,349.08 | 472,734.28 | 0.00 | 0.0% |
| 6) Capital Outlay | | 6000-6999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 7) Other Outgo (excluding Transfers of Indirect Costs) | | 7100-7299 7400-7499 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 8) Other Outgo - Transfers of Indirect Costs | | 7300-7399 | (150.00) | (150.00) | 0.00 | (150.00) | 0.00 | 0.0% |
| 9) TOTAL, EXPENDITURES | | | 4,059,917.19 | 3,922,281.21 | 2,151,530.81 | 3,922,281.21 | | |
| C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9) | | | 378,233.81 | 637,257.79 | 212,637.48 | 637,257.79 | | |
| D. OTHER FINANCING SOURCES/USES | | | | | | | | |
| 1) Interfund Transfers | | | | | | | | |
| a) Transfers In | | 8900-8929 | 1,745,000.00 | 1,768,245.30 | 1,768,245.30 | 1,768,245.30 | 0.00 | 0.0% |
| b) Transfers Out | | 7600-7629 | 1,825,000.00 | 1,827,631.30 | 1,847,631.30 | 1,827,631.30 | 0.00 | 0.0% |
| 2) Other Sources/Uses | | | | | | | | |
| a) Sources | | 8930-8979 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b) Uses | | 7630-7699 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Contributions | | 8980-8999 | (366,000.00) | (431,000.00) | (421,000.00) | (431,000.00) | 0.00 | 0.0% |
| 4) TOTAL, OTHER FINANCING SOURCES/USES | | | (446,000.00) | (490,386.00) | (500,386.00) | (490,386.00) | | |
| E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4) | | | (67,766.19) | 146,871.79 | (287,748.52) | 146,871.79 | | |
| F. FUND BALANCE, RESERVES | | | | | | | | |
| 1) Beginning Fund Balance | | | | | | | | |
| a) As of July 1 - Unaudited | | 9791 | 3,063,302.82 | 3,310,158.15 | | 3,310,158.15 | 0.00 | 0.0% |
| b) Audit Adjustments | | 9793 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| c) As of July 1 - Audited (F1a + F1b) | | | 3,063,302.82 | 3,310,158.15 | | 3,310,158.15 | | |
| d) Other Restatements | | 9795 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| e) Adjusted Beginning Balance (F1c + F1d) | | | 3,063,302.82 | 3,310,158.15 | | 3,310,158.15 | | |
| 2) Ending Balance, June 30 (E + F1e) | | | 2,995,536.63 | 3,457,029.94 | | 3,457,029.94 | | |
| Components of Ending Fund Balance | | | | | | | | |
| a) Nonspendable | | | | | | | | |
| Revolving Cash | | 9711 | 500.00 | 500.00 | | 500.00 | | |
| Stores | | 9712 | 0.00 | 0.00 | | 0.00 | | |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Prepaid Items | | 9713 | 0.00 | 0.00 | | 0.00 | | |
| All Others | | 9719 | 0.00 | 0.00 | | 0.00 | | |
| b) Restricted | | 9740 | 0.00 | 0.00 | | 0.00 | | |
| c) Committed | | | | | | | | |
| Stabilization Arrangements | | 9750 | 2,400,000.00 | 2,400,000.00 | | 2,400,000.00 | | |
| Other Commitments | | 9760 | 0.00 | 0.00 | | 0.00 | | |
| d) Assigned | | | | | | | | |
| Other Assignments | | 9780 | 0.00 | 0.00 | | 0.00 | | |
| e) Unassigned/Unappropriated | | | | | | | | |
| Reserve for Economic Uncertainties | | 9789 | 268,915.00 | 268,915.00 | | 268,915.00 | | |
| Unassigned/Unappropriated Amount | | 9790 | 326,121.63 | 787,614.94 | | 787,614.94 | | |
| LCFF SOURCES | | | | | | | | |
| Principal Apportionment | | | | | | | | |
| State Aid - Current Year | | 8011 | 3,120,522.00 | 3,070,523.00 | 1,681,009.00 | 3,070,523.00 | 0.00 | 0.0% |
| Education Protection Account State Aid - Current Year | | 8012 | 47,285.00 | 76,740.00 | 129,084.00 | 76,740.00 | 0.00 | 0.0% |
| State Aid - Prior Years | | 8019 | 0.00 | 0.00 | (52,622.00) | 0.00 | 0.00 | 0.0% |
| Tax Relief Subventions | | | | | | | | |
| Homeowners' Exemptions | | 8021 | 15,000.00 | 13,881.00 | 6,910.73 | 13,881.00 | 0.00 | 0.0% |
| Timber Yield Tax | | 8022 | 2,000.00 | 3,600.00 | 1,528.66 | 3,600.00 | 0.00 | 0.0% |
| Other Subventions/In-Lieu Taxes | | 8029 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| County & District Taxes | | | | | | | | |
| Secured Roll Taxes | | 8041 | 2,751,000.00 | 2,800,230.00 | 1,513,534.22 | 2,800,230.00 | 0.00 | 0.0% |
| Unsecured Roll Taxes | | 8042 | 82,000.00 | 86,920.00 | 84,224.28 | 86,920.00 | 0.00 | 0.0% |
| Prior Years' Taxes | | 8043 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Supplemental Taxes | | 8044 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Education Revenue Augmentation Fund (ERAF) | | 8045 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Community Redevelopment Funds (SB 617/699/1992) | | 8047 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Penalties and Interest from Delinquent Taxes | | 8048 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Miscellaneous Funds (EC 41604) | | | | | | | | |
| Royalties and Bonuses | | 8081 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other In-Lieu Taxes | | 8082 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Less: Non-LCFF (50%) Adjustment | | 8089 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Subtotal, LCFF Sources | | | 6,017,807.00 | 6,051,894.00 | 3,363,668.89 | 6,051,894.00 | 0.00 | 0.0% |
| LCFF Transfers | | | | | | | | |
| Unrestricted LCFF | | | | | | | | |
| Transfers - Current Year | 0000 | 8091 | (25,000.00) | (25,000.00) | (25,000.00) | (25,000.00) | 0.00 | 0.0% |
| All Other LCFF Transfers - Current Year | All Other | 8091 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers to Charter Schools in Lieu of Property Taxes | | 8096 | (1,901,472.00) | (1,858,899.00) | (1,038,171.33) | (1,858,899.00) | 0.00 | 0.0% |
| Property Taxes Transfers | | 8097 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| LCFF/Revenue Limit Transfers - Prior Years | | 8099 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, LCFF SOURCES | | | 4,091,335.00 | 4,167,995.00 | 2,300,497.56 | 4,167,995.00 | 0.00 | 0.0% |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|--|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| FEDERAL REVENUE | | | | | | | | |
| Maintenance and Operations | | 8110 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Special Education Entitlement | | 8181 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Special Education Discretionary Grants | | 8182 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Child Nutrition Programs | | 8220 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Donated Food Commodities | | 8221 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Forest Reserve Funds | | 8260 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Flood Control Funds | | 8270 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Wildlife Reserve Funds | | 8280 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| FEMA | | 8281 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Interagency Contracts Between LEAs | | 8285 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Pass-Through Revenues from Federal Sources | | 8287 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Title I, Part A, Basic | 3010 | 8290 | | | | | | |
| Title I, Part D, Local Delinquent Programs | 3025 | 8290 | | | | | | |
| Title II, Part A, Supporting Effective Instruction | 4035 | 8290 | | | | | | |
| Title III, Part A, Immigrant Student Program | 4201 | 8290 | | | | | | |
| Title III, Part A, English Learner Program | 4203 | 8290 | | | | | | |
| Public Charter Schools Grant Program (PCSGP) | 4610 | 8290 | | | | | | |
| Other NCLB / Every Student Succeeds Act | 3040, 3060, 3061, 3110, 3150, 3155, 3180, 3182, 4037, 4123, 4124, 4126, 4127, 4128, 5630 | 8290 | | | | | | |
| Career and Technical Education | 3500-3599 | 8290 | | | | | | |
| All Other Federal Revenue | All Other | 8290 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, FEDERAL REVENUE | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OTHER STATE REVENUE | | | | | | | | |
| Other State Apportionments | | | | | | | | |
| ROC/P Entitlement | | | | | | | | |
| Prior Years | 6360 | 8319 | | | | | | |
| Special Education Master Plan | | | | | | | | |
| Current Year | 6500 | 8311 | | | | | | |
| Prior Years | 6500 | 8319 | | | | | | |
| All Other State Apportionments - Current Year | All Other | 8311 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other State Apportionments - Prior Years | All Other | 8319 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Child Nutrition Programs | | 8520 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Mandated Costs Reimbursements | | 8550 | 3,917.00 | 3,834.00 | 3,726.00 | 3,834.00 | 0.00 | 0.0% |
| Lottery - Unrestricted and Instructional Materials | | 8560 | 28,959.00 | 29,419.00 | 7,448.39 | 29,419.00 | 0.00 | 0.0% |
| Tax Relief Subventions | | | | | | | | |
| Restricted Levies - Other | | | | | | | | |
| Homeowners' Exemptions | | 8575 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Other Subventions/In-Lieu Taxes | | 8576 | 0.00 | 0.00 | 0.00 | 0.00 | | |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|------------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Pass-Through Revenues from State Sources | | 8587 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| After School Education and Safety (ASES) | 6010 | 8590 | | | | | | |
| Charter School Facility Grant | 6030 | 8590 | | | | | | |
| Career Technical Education Incentive Grant Program | 6387 | 8590 | | | | | | |
| Drug/Alcohol/Tobacco Funds | 6650, 6690, 6695 | 8590 | | | | | | |
| California Clean Energy Jobs Act | 6230 | 8590 | | | | | | |
| Specialized Secondary | 7370 | 8590 | | | | | | |
| American Indian Early Childhood Education | 7210 | 8590 | | | | | | |
| All Other State Revenue | All Other | 8590 | 266,490.00 | 270,291.00 | 146.00 | 270,291.00 | 0.00 | 0.0% |
| TOTAL, OTHER STATE REVENUE | | | 299,366.00 | 303,544.00 | 11,320.39 | 303,544.00 | 0.00 | 0.0% |
| OTHER LOCAL REVENUE | | | | | | | | |
| Other Local Revenue | | | | | | | | |
| County and District Taxes | | | | | | | | |
| Other Restricted Levies | | | | | | | | |
| Secured Roll | | 8615 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Unsecured Roll | | 8616 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Prior Years' Taxes | | 8617 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Supplemental Taxes | | 8618 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Non-Ad Valorem Taxes | | | | | | | | |
| Parcel Taxes | | 8621 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other | | 8622 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Community Redevelopment Funds Not Subject to LCFF Deduction | | 8625 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Penalties and Interest from Delinquent Non-LCFF Taxes | | 8629 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Sales | | | | | | | | |
| Sale of Equipment/Supplies | | 8631 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Sale of Publications | | 8632 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Food Service Sales | | 8634 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Sales | | 8639 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Leases and Rentals | | 8650 | 0.00 | 0.00 | 1,801.00 | 0.00 | 0.00 | 0.0% |
| Interest | | 8660 | 16,500.00 | 35,000.00 | 19,488.62 | 35,000.00 | 0.00 | 0.0% |
| Net Increase (Decrease) in the Fair Value of Investments | | 8662 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Fees and Contracts | | | | | | | | |
| Adult Education Fees | | 8671 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Non-Resident Students | | 8672 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transportation Fees From Individuals | | 8675 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Interagency Services | | 8677 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Mitigation/Developer Fees | | 8681 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Fees and Contracts | | 8689 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Local Revenue | | | | | | | | |
| Plus: Misc Funds Non-LCFF (50%) Adjustment | | 8691 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Pass-Through Revenues From Local Sources | | 8697 | 0.00 | 0.00 | 0.00 | 0.00 | | |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| All Other Local Revenue | | 8699 | 30,950.00 | 53,000.00 | 31,060.72 | 53,000.00 | 0.00 | 0.0% |
| Tuition | | 8710 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Transfers In | | 8781-8783 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers Of Apportionments | | | | | | | | |
| Special Education SELPA Transfers | | | | | | | | |
| From Districts or Charter Schools | 6500 | 8791 | | | | | | |
| From County Offices | 6500 | 8792 | | | | | | |
| From JPAs | 6500 | 8793 | | | | | | |
| ROC/P Transfers | | | | | | | | |
| From Districts or Charter Schools | 6360 | 8791 | | | | | | |
| From County Offices | 6360 | 8792 | | | | | | |
| From JPAs | 6360 | 8793 | | | | | | |
| Other Transfers of Apportionments | | | | | | | | |
| From Districts or Charter Schools | All Other | 8791 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| From County Offices | All Other | 8792 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| From JPAs | All Other | 8793 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Transfers In from All Others | | 8799 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER LOCAL REVENUE | | | 47,450.00 | 88,000.00 | 52,350.34 | 88,000.00 | 0.00 | 0.0% |
| TOTAL, REVENUES | | | 4,438,151.00 | 4,559,539.00 | 2,364,168.29 | 4,559,539.00 | 0.00 | 0.0% |
| CERTIFICATED SALARIES | | | | | | | | |
| Certificated Teachers' Salaries | | 1100 | 1,238,776.31 | 1,111,715.33 | 600,098.45 | 1,111,715.33 | 0.00 | 0.0% |
| Certificated Pupil Support Salaries | | 1200 | 0.00 | 39,024.20 | 24,799.14 | 39,024.20 | 0.00 | 0.0% |
| Certificated Supervisors' and Administrators' Salaries | | 1300 | 180,000.00 | 180,000.00 | 105,000.00 | 180,000.00 | 0.00 | 0.0% |
| Other Certificated Salaries | | 1900 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, CERTIFICATED SALARIES | | | 1,418,776.31 | 1,330,739.53 | 729,897.59 | 1,330,739.53 | 0.00 | 0.0% |
| CLASSIFIED SALARIES | | | | | | | | |
| Classified Instructional Salaries | | 2100 | 401,692.63 | 409,224.25 | 203,604.10 | 409,224.25 | 0.00 | 0.0% |
| Classified Support Salaries | | 2200 | 138,956.40 | 129,522.04 | 71,155.56 | 129,522.04 | 0.00 | 0.0% |
| Classified Supervisors' and Administrators' Salaries | | 2300 | 103,865.00 | 105,596.09 | 60,587.94 | 105,596.09 | 0.00 | 0.0% |
| Clerical, Technical and Office Salaries | | 2400 | 158,660.04 | 159,790.59 | 89,404.23 | 159,790.59 | 0.00 | 0.0% |
| Other Classified Salaries | | 2900 | 0.00 | 30,000.00 | 11,911.21 | 30,000.00 | 0.00 | 0.0% |
| TOTAL, CLASSIFIED SALARIES | | | 803,174.07 | 834,132.97 | 436,663.04 | 834,132.97 | 0.00 | 0.0% |
| EMPLOYEE BENEFITS | | | | | | | | |
| STRS | | 3101-3102 | 295,755.12 | 279,658.00 | 143,079.54 | 279,658.00 | 0.00 | 0.0% |
| PERS | | 3201-3202 | 194,418.80 | 196,467.20 | 104,679.95 | 196,467.20 | 0.00 | 0.0% |
| OASDI/Medicare/Alternative | | 3301-3302 | 145,780.79 | 94,757.59 | 42,401.40 | 94,757.59 | 0.00 | 0.0% |
| Health and Welfare Benefits | | 3401-3402 | 531,796.22 | 522,895.77 | 262,362.43 | 522,895.77 | 0.00 | 0.0% |
| Unemployment Insurance | | 3501-3502 | 14,016.89 | 14,291.89 | 5,770.16 | 14,291.89 | 0.00 | 0.0% |
| Workers' Compensation | | 3601-3602 | 37,252.91 | 24,624.41 | 10,531.02 | 24,624.41 | 0.00 | 0.0% |
| OPEB, Allocated | | 3701-3702 | 15,000.00 | 15,000.00 | 0.00 | 15,000.00 | 0.00 | 0.0% |
| OPEB, Active Employees | | 3751-3752 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Employee Benefits | | 3901-3902 | 8,664.08 | 8,664.08 | 3,566.19 | 8,664.08 | 0.00 | 0.0% |
| TOTAL, EMPLOYEE BENEFITS | | | 1,242,684.81 | 1,156,358.94 | 572,390.69 | 1,156,358.94 | 0.00 | 0.0% |
| BOOKS AND SUPPLIES | | | | | | | | |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Approved Textbooks and Core Curricula Materials | | 4100 | 12,500.00 | 1,000.00 | 348.73 | 1,000.00 | 0.00 | 0.0% |
| Books and Other Reference Materials | | 4200 | 17,250.00 | 18,573.50 | 15,189.46 | 18,573.50 | 0.00 | 0.0% |
| Materials and Supplies | | 4300 | 77,200.00 | 75,915.00 | 45,116.69 | 75,915.00 | 0.00 | 0.0% |
| Noncapitalized Equipment | | 4400 | 40,500.00 | 32,976.99 | 14,575.53 | 32,976.99 | 0.00 | 0.0% |
| Food | | 4700 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, BOOKS AND SUPPLIES | | | 147,450.00 | 128,465.49 | 75,230.41 | 128,465.49 | 0.00 | 0.0% |
| SERVICES AND OTHER OPERATING EXPENDITURES | | | | | | | | |
| Subagreements for Services | | 5100 | 196,382.00 | 206,840.94 | 204,844.84 | 206,840.94 | 0.00 | 0.0% |
| Travel and Conferences | | 5200 | 16,150.00 | 15,680.00 | 10,472.51 | 15,680.00 | 0.00 | 0.0% |
| Dues and Memberships | | 5300 | 16,500.00 | 16,875.00 | 19,108.33 | 16,875.00 | 0.00 | 0.0% |
| Insurance | | 5400-5450 | 47,950.00 | 51,699.11 | 2,049.51 | 51,699.11 | 0.00 | 0.0% |
| Operations and Housekeeping Services | | 5500 | 67,250.00 | 67,515.62 | 34,971.41 | 67,515.62 | 0.00 | 0.0% |
| Rentals, Leases, Repairs, and Noncapitalized Improvements | | 5600 | 3,850.00 | 5,350.00 | 1,847.04 | 5,350.00 | 0.00 | 0.0% |
| Transfers of Direct Costs | | 5710 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers of Direct Costs - Interfund | | 5750 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Professional/Consulting Services and Operating Expenditures | | 5800 | 85,200.00 | 94,592.33 | 55,234.11 | 94,592.33 | 0.00 | 0.0% |
| Communications | | 5900 | 14,700.00 | 14,181.28 | 8,821.33 | 14,181.28 | 0.00 | 0.0% |
| TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES | | | 447,982.00 | 472,734.28 | 337,349.08 | 472,734.28 | 0.00 | 0.0% |
| CAPITAL OUTLAY | | | | | | | | |
| Land | | 6100 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Land Improvements | | 6170 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Buildings and Improvements of Buildings | | 6200 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Books and Media for New School Libraries or Major Expansion of School Libraries | | 6300 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Equipment | | 6400 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Equipment Replacement | | 6500 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Lease Assets | | 6600 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, CAPITAL OUTLAY | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OTHER OUTGO (excluding Transfers of Indirect Costs) | | | | | | | | |
| Tuition | | | | | | | | |
| Tuition for Instruction Under Interdistrict | | | | | | | | |
| Attendance Agreements | | 7110 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| State Special Schools | | 7130 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Tuition, Excess Costs, and/or Deficit Payments | | | | | | | | |
| Payments to Districts or Charter Schools | | 7141 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Payments to County Offices | | 7142 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Payments to JPAs | | 7143 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers of Pass-Through Revenues | | | | | | | | |
| To Districts or Charter Schools | | 7211 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To County Offices | | 7212 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To JPAs | | 7213 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Special Education SELPA Transfers of Apportionments | | | | | | | | |
| To Districts or Charter Schools | 6500 | 7221 | | | | | | |
| To County Offices | 6500 | 7222 | | | | | | |
| To JPAs | 6500 | 7223 | | | | | | |
| ROC/P Transfers of Apportionments | | | | | | | | |
| To Districts or Charter Schools | 6360 | 7221 | | | | | | |
| To County Offices | 6360 | 7222 | | | | | | |
| To JPAs | 6360 | 7223 | | | | | | |
| Other Transfers of Apportionments | All Other | 7221-7223 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Transfers | | 7281-7283 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Transfers Out to All Others | | 7299 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Debt Service | | | | | | | | |
| Debt Service - Interest | | 7438 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Debt Service - Principal | | 7439 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs) | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OTHER OUTGO - TRANSFERS OF INDIRECT COSTS | | | | | | | | |
| Transfers of Indirect Costs | | 7310 | (150.00) | (150.00) | 0.00 | (150.00) | 0.00 | 0.0% |
| Transfers of Indirect Costs - Interfund | | 7350 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER OUTGO - TRANSFERS OF INDIRECT COSTS | | | (150.00) | (150.00) | 0.00 | (150.00) | 0.00 | 0.0% |
| TOTAL, EXPENDITURES | | | 4,059,917.19 | 3,922,281.21 | 2,151,530.81 | 3,922,281.21 | 0.00 | 0.0% |
| INTERFUND TRANSFERS | | | | | | | | |
| INTERFUND TRANSFERS IN | | | | | | | | |
| From: Special Reserve Fund | | 8912 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| From: Bond Interest and Redemption Fund | | 8914 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Authorized Interfund Transfers In | | 8919 | 1,745,000.00 | 1,768,245.30 | 1,768,245.30 | 1,768,245.30 | 0.00 | 0.0% |
| (a) TOTAL, INTERFUND TRANSFERS IN | | | 1,745,000.00 | 1,768,245.30 | 1,768,245.30 | 1,768,245.30 | 0.00 | 0.0% |
| INTERFUND TRANSFERS OUT | | | | | | | | |
| To: Child Development Fund | | 7611 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To: Special Reserve Fund | | 7612 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To: State School Building Fund/ County School Facilities Fund | | 7613 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To: Cafeteria Fund | | 7616 | 0.00 | 75,000.00 | 95,000.00 | 75,000.00 | 0.00 | 0.0% |
| Other Authorized Interfund Transfers Out | | 7619 | 1,825,000.00 | 1,752,631.30 | 1,752,631.30 | 1,752,631.30 | 0.00 | 0.0% |
| (b) TOTAL, INTERFUND TRANSFERS OUT | | | 1,825,000.00 | 1,827,631.30 | 1,847,631.30 | 1,827,631.30 | 0.00 | 0.0% |
| OTHER SOURCES/USES | | | | | | | | |
| SOURCES | | | | | | | | |
| State Apportionments | | | | | | | | |
| Emergency Apportionments | | 8931 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Proceeds | | | | | | | | |
| Proceeds from Disposal of Capital Assets | | 8953 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Sources | | | | | | | | |
| Transfers from Funds of Lapsed/Reorganized LEAs | | 8965 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Long-Term Debt Proceeds | | | | | | | | |
| Proceeds from Certificates of Participation | | 8971 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Proceeds from Leases | | 8972 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Proceeds from Lease Revenue Bonds | | 8973 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Financing Sources | | 8979 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (c) TOTAL, SOURCES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| USES | | | | | | | | |
| Transfers of Funds from Lapsed/Reorganized LEAs | | 7651 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Financing Uses | | 7699 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (d) TOTAL, USES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| CONTRIBUTIONS | | | | | | | | |
| Contributions from Unrestricted Revenues | | 8980 | (330,000.00) | (431,000.00) | (421,000.00) | (431,000.00) | 0.00 | 0.0% |
| Contributions from Restricted Revenues | | 8990 | (36,000.00) | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (e) TOTAL, CONTRIBUTIONS | | | (366,000.00) | (431,000.00) | (421,000.00) | (431,000.00) | 0.00 | 0.0% |
| TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e) | | | (446,000.00) | (490,386.00) | (500,386.00) | (490,386.00) | 0.00 | 0.0% |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|------------------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| A. REVENUES | | | | | | | | |
| 1) LCFF Sources | | 8010-8099 | 23,000.00 | 25,199.00 | 0.00 | 25,199.00 | 0.00 | 0.0% |
| 2) Federal Revenue | | 8100-8299 | 88,500.00 | 95,292.00 | 8,415.00 | 95,292.00 | 0.00 | 0.0% |
| 3) Other State Revenue | | 8300-8599 | 467,548.00 | 614,382.52 | 218,629.90 | 614,382.52 | 0.00 | 0.0% |
| 4) Other Local Revenue | | 8600-8799 | 131,566.00 | 187,422.00 | 91,067.00 | 187,422.00 | 0.00 | 0.0% |
| 5) TOTAL, REVENUES | | | 710,614.00 | 922,295.52 | 318,111.90 | 922,295.52 | | |
| B. EXPENDITURES | | | | | | | | |
| 1) Certificated Salaries | | 1000-1999 | 271,634.69 | 403,839.47 | 192,048.75 | 403,839.47 | 0.00 | 0.0% |
| 2) Classified Salaries | | 2000-2999 | 125,155.34 | 188,259.81 | 83,796.61 | 188,259.81 | 0.00 | 0.0% |
| 3) Employee Benefits | | 3000-3999 | 314,455.32 | 376,400.35 | 112,929.43 | 376,400.35 | 0.00 | 0.0% |
| 4) Books and Supplies | | 4000-4999 | 18,010.00 | 67,070.03 | 51,061.10 | 67,070.03 | 0.00 | 0.0% |
| 5) Services and Other Operating Expenditures | | 5000-5999 | 330,385.00 | 375,796.72 | 214,307.56 | 375,796.72 | 0.00 | 0.0% |
| 6) Capital Outlay | | 6000-6999 | 10,500.00 | 44,500.00 | 5,999.74 | 44,500.00 | 0.00 | 0.0% |
| 7) Other Outgo (excluding Transfers of Indirect Costs) | | 7100-7299 7400-7499 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 8) Other Outgo - Transfers of Indirect Costs | | 7300-7399 | 150.00 | 150.00 | 0.00 | 150.00 | 0.00 | 0.0% |
| 9) TOTAL, EXPENDITURES | | | 1,070,290.35 | 1,456,016.38 | 660,143.19 | 1,456,016.38 | | |
| C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9) | | | (359,676.35) | (533,720.86) | (342,031.29) | (533,720.86) | | |
| D. OTHER FINANCING SOURCES/USES | | | | | | | | |
| 1) Interfund Transfers | | | | | | | | |
| a) Transfers In | | 8900-8929 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b) Transfers Out | | 7600-7629 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 2) Other Sources/Uses | | | | | | | | |
| a) Sources | | 8930-8979 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b) Uses | | 7630-7699 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Contributions | | 8980-8999 | 366,000.00 | 431,000.00 | 421,000.00 | 431,000.00 | 0.00 | 0.0% |
| 4) TOTAL, OTHER FINANCING SOURCES/USES | | | 366,000.00 | 431,000.00 | 421,000.00 | 431,000.00 | | |
| E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4) | | | 6,323.65 | (102,720.86) | 78,968.71 | (102,720.86) | | |
| F. FUND BALANCE, RESERVES | | | | | | | | |
| 1) Beginning Fund Balance | | | | | | | | |
| a) As of July 1 - Unaudited | | 9791 | 320,774.85 | 281,467.57 | | 281,467.57 | 0.00 | 0.0% |
| b) Audit Adjustments | | 9793 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| c) As of July 1 - Audited (F1a + F1b) | | | 320,774.85 | 281,467.57 | | 281,467.57 | | |
| d) Other Restatements | | 9795 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| e) Adjusted Beginning Balance (F1c + F1d) | | | 320,774.85 | 281,467.57 | | 281,467.57 | | |
| 2) Ending Balance, June 30 (E + F1e) | | | 327,098.50 | 178,746.71 | | 178,746.71 | | |
| Components of Ending Fund Balance | | | | | | | | |
| a) Nonspendable | | | | | | | | |
| Revolving Cash | | 9711 | 0.00 | 0.00 | | 0.00 | | |
| Stores | | 9712 | 0.00 | 0.00 | | 0.00 | | |
| Prepaid Items | | 9713 | 0.00 | 0.00 | | 0.00 | | |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| All Others | | 9719 | 0.00 | 0.00 | | 0.00 | | |
| b) Restricted | | 9740 | 332,775.12 | 178,746.71 | | 178,746.71 | | |
| c) Committed | | | | | | | | |
| Stabilization Arrangements | | 9750 | 0.00 | 0.00 | | 0.00 | | |
| Other Commitments | | 9760 | 0.00 | 0.00 | | 0.00 | | |
| d) Assigned | | | | | | | | |
| Other Assignments | | 9780 | 0.00 | 0.00 | | 0.00 | | |
| e) Unassigned/Unappropriated | | | | | | | | |
| Reserve for Economic Uncertainties | | 9789 | 0.00 | 0.00 | | 0.00 | | |
| Unassigned/Unappropriated Amount | | 9790 | (5,676.62) | 0.00 | | 0.00 | | |
| LCFF SOURCES | | | | | | | | |
| Principal Apportionment | | | | | | | | |
| State Aid - Current Year | | 8011 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Education Protection Account State Aid - Current Year | | 8012 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| State Aid - Prior Years | | 8019 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Tax Relief Subventions | | | | | | | | |
| Homeowners' Exemptions | | 8021 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Timber Yield Tax | | 8022 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Other Subventions/In-Lieu Taxes | | 8029 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| County & District Taxes | | | | | | | | |
| Secured Roll Taxes | | 8041 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Unsecured Roll Taxes | | 8042 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Prior Years' Taxes | | 8043 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Supplemental Taxes | | 8044 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Education Revenue Augmentation Fund (ERAF) | | 8045 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Community Redevelopment Funds (SB 617/699/1992) | | 8047 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Penalties and Interest from Delinquent Taxes | | 8048 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Miscellaneous Funds (EC 41604) | | | | | | | | |
| Royalties and Bonuses | | 8081 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Other In-Lieu Taxes | | 8082 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Less: Non-LCFF | | | | | | | | |
| (50%) Adjustment | | 8089 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Subtotal, LCFF Sources | | | 0.00 | 0.00 | 0.00 | 0.00 | | |
| LCFF Transfers | | | | | | | | |
| Unrestricted LCFF | | | | | | | | |
| Transfers - Current Year | 0000 | 8091 | | | | | | |
| All Other LCFF Transfers - Current Year | All Other | 8091 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers to Charter Schools in Lieu of Property Taxes | | 8096 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Property Taxes Transfers | | 8097 | 23,000.00 | 25,199.00 | 0.00 | 25,199.00 | 0.00 | 0.0% |
| LCFF/Revenue Limit Transfers - Prior Years | | 8099 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, LCFF SOURCES | | | 23,000.00 | 25,199.00 | 0.00 | 25,199.00 | 0.00 | 0.0% |
| FEDERAL REVENUE | | | | | | | | |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|--|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Maintenance and Operations | | 8110 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Special Education Entitlement | | 8181 | 21,000.00 | 20,691.00 | (23,613.00) | 20,691.00 | 0.00 | 0.0% |
| Special Education Discretionary Grants | | 8182 | 0.00 | 5,264.00 | (2,459.00) | 5,264.00 | 0.00 | 0.0% |
| Child Nutrition Programs | | 8220 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Donated Food Commodities | | 8221 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Forest Reserve Funds | | 8260 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Flood Control Funds | | 8270 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Wildlife Reserve Funds | | 8280 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| FEMA | | 8281 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Interagency Contracts Between LEAs | | 8285 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Pass-Through Revenues from Federal Sources | | 8287 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Title I, Part A, Basic | 3010 | 8290 | 30,000.00 | 29,591.00 | 28,093.00 | 29,591.00 | 0.00 | 0.0% |
| Title I, Part D, Local Delinquent Programs | 3025 | 8290 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Title II, Part A, Supporting Effective Instruction | 4035 | 8290 | 3,500.00 | 5,625.00 | 1,386.00 | 5,625.00 | 0.00 | 0.0% |
| Title III, Part A, Immigrant Student Program | 4201 | 8290 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Title III, Part A, English Learner Program | 4203 | 8290 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Public Charter Schools Grant Program (PCSGP) | 4610 | 8290 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other NCLB / Every Student Succeeds Act | 3040, 3060, 3061, 3110, 3150, 3155, 3180, 3182, 4037, 4123, 4124, 4126, 4127, 4128, 5630 | 8290 | 10,000.00 | 10,000.00 | 5,000.00 | 10,000.00 | 0.00 | 0.0% |
| Career and Technical Education | 3500-3599 | 8290 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Federal Revenue | All Other | 8290 | 24,000.00 | 24,121.00 | 8.00 | 24,121.00 | 0.00 | 0.0% |
| TOTAL, FEDERAL REVENUE | | | 88,500.00 | 95,292.00 | 8,415.00 | 95,292.00 | 0.00 | 0.0% |
| OTHER STATE REVENUE | | | | | | | | |
| Other State Apportionments | | | | | | | | |
| ROC/P Entitlement | | | | | | | | |
| Prior Years | 6360 | 8319 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Special Education Master Plan | | | | | | | | |
| Current Year | 6500 | 8311 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Prior Years | 6500 | 8319 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other State Apportionments - Current Year | All Other | 8311 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other State Apportionments - Prior Years | All Other | 8319 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Child Nutrition Programs | | 8520 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Mandated Costs Reimbursements | | 8550 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Lottery - Unrestricted and Instructional Materials | | 8560 | 11,548.00 | 11,595.00 | 1,906.64 | 11,595.00 | 0.00 | 0.0% |
| Tax Relief Subventions | | | | | | | | |
| Restricted Levies - Other | | | | | | | | |
| Homeowners' Exemptions | | 8575 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Subventions/In-Lieu Taxes | | 8576 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|------------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Pass-Through Revenues from State Sources | | 8587 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| After School Education and Safety (ASES) | 6010 | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Charter School Facility Grant | 6030 | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Career Technical Education Incentive Grant Program | 6387 | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Drug/Alcohol/Tobacco Funds | 6650, 6690, 6695 | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| California Clean Energy Jobs Act | 6230 | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Specialized Secondary | 7370 | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| American Indian Early Childhood Education | 7210 | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other State Revenue | All Other | 8590 | 456,000.00 | 602,787.52 | 216,723.26 | 602,787.52 | 0.00 | 0.0% |
| TOTAL, OTHER STATE REVENUE | | | 467,548.00 | 614,382.52 | 218,629.90 | 614,382.52 | 0.00 | 0.0% |
| OTHER LOCAL REVENUE | | | | | | | | |
| Other Local Revenue | | | | | | | | |
| County and District Taxes | | | | | | | | |
| Other Restricted Levies | | | | | | | | |
| Secured Roll | | 8615 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Unsecured Roll | | 8616 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Prior Years' Taxes | | 8617 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Supplemental Taxes | | 8618 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Non-Ad Valorem Taxes | | | | | | | | |
| Parcel Taxes | | 8621 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other | | 8622 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Community Redevelopment Funds Not Subject to LCFF Deduction | | 8625 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Penalties and Interest from Delinquent Non-LCFF Taxes | | 8629 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Sales | | | | | | | | |
| Sale of Equipment/Supplies | | 8631 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Sale of Publications | | 8632 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Food Service Sales | | 8634 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Sales | | 8639 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Leases and Rentals | | 8650 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Interest | | 8660 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Net Increase (Decrease) in the Fair Value of Investments | | 8662 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Fees and Contracts | | | | | | | | |
| Adult Education Fees | | 8671 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Non-Resident Students | | 8672 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transportation Fees From Individuals | | 8675 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Interagency Services | | 8677 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Mitigation/Developer Fees | | 8681 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Fees and Contracts | | 8689 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Local Revenue | | | | | | | | |
| Plus: Misc Funds Non-LCFF (50%) Adjustment | | 8691 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Pass-Through Revenues From Local Sources | | 8697 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| All Other Local Revenue | | 8699 | 1,510.00 | 1,644.00 | 1,644.00 | 1,644.00 | 0.00 | 0.0% |
| Tuition | | 8710 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Transfers In | | 8781-8783 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers Of Apportionments | | | | | | | | |
| Special Education SELPA Transfers | | | | | | | | |
| From Districts or Charter Schools | 6500 | 8791 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| From County Offices | 6500 | 8792 | 130,056.00 | 185,778.00 | 89,423.00 | 185,778.00 | 0.00 | 0.0% |
| From JPAs | 6500 | 8793 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| ROC/P Transfers | | | | | | | | |
| From Districts or Charter Schools | 6360 | 8791 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| From County Offices | 6360 | 8792 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| From JPAs | 6360 | 8793 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Transfers of Apportionments | | | | | | | | |
| From Districts or Charter Schools | All Other | 8791 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| From County Offices | All Other | 8792 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| From JPAs | All Other | 8793 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Transfers In from All Others | | 8799 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER LOCAL REVENUE | | | 131,566.00 | 187,422.00 | 91,067.00 | 187,422.00 | 0.00 | 0.0% |
| TOTAL, REVENUES | | | 710,614.00 | 922,295.52 | 318,111.90 | 922,295.52 | 0.00 | 0.0% |
| CERTIFICATED SALARIES | | | | | | | | |
| Certificated Teachers' Salaries | | 1100 | 271,634.69 | 321,545.65 | 153,403.41 | 321,545.65 | 0.00 | 0.0% |
| Certificated Pupil Support Salaries | | 1200 | 0.00 | 82,293.82 | 38,645.34 | 82,293.82 | 0.00 | 0.0% |
| Certificated Supervisors' and Administrators' Salaries | | 1300 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Certificated Salaries | | 1900 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, CERTIFICATED SALARIES | | | 271,634.69 | 403,839.47 | 192,048.75 | 403,839.47 | 0.00 | 0.0% |
| CLASSIFIED SALARIES | | | | | | | | |
| Classified Instructional Salaries | | 2100 | 125,155.34 | 186,759.81 | 83,136.16 | 186,759.81 | 0.00 | 0.0% |
| Classified Support Salaries | | 2200 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Classified Supervisors' and Administrators' Salaries | | 2300 | 0.00 | 1,500.00 | 660.45 | 1,500.00 | 0.00 | 0.0% |
| Clerical, Technical and Office Salaries | | 2400 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Classified Salaries | | 2900 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, CLASSIFIED SALARIES | | | 125,155.34 | 188,259.81 | 83,796.61 | 188,259.81 | 0.00 | 0.0% |
| EMPLOYEE BENEFITS | | | | | | | | |
| STRS | | 3101-3102 | 230,555.24 | 261,381.34 | 41,146.96 | 261,381.34 | 0.00 | 0.0% |
| PERS | | 3201-3202 | 15,596.14 | 17,596.14 | 11,647.47 | 17,596.14 | 0.00 | 0.0% |
| OASDI/Medicare/Alternative | | 3301-3302 | 12,522.18 | 15,042.56 | 7,554.15 | 15,042.56 | 0.00 | 0.0% |
| Health and Welfare Benefits | | 3401-3402 | 51,926.72 | 76,470.50 | 48,721.03 | 76,470.50 | 0.00 | 0.0% |
| Unemployment Insurance | | 3501-3502 | 1,374.39 | 2,107.42 | 1,377.06 | 2,107.42 | 0.00 | 0.0% |
| Workers' Compensation | | 3601-3602 | 2,480.65 | 3,802.39 | 2,482.76 | 3,802.39 | 0.00 | 0.0% |
| OPEB, Allocated | | 3701-3702 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OPEB, Active Employees | | 3751-3752 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Employee Benefits | | 3901-3902 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, EMPLOYEE BENEFITS | | | 314,455.32 | 376,400.35 | 112,929.43 | 376,400.35 | 0.00 | 0.0% |
| BOOKS AND SUPPLIES | | | | | | | | |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Approved Textbooks and Core Curricula Materials | | 4100 | 3,500.00 | 26,625.00 | 20,848.59 | 26,625.00 | 0.00 | 0.0% |
| Books and Other Reference Materials | | 4200 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Materials and Supplies | | 4300 | 14,510.00 | 19,117.08 | 13,045.39 | 19,117.08 | 0.00 | 0.0% |
| Noncapitalized Equipment | | 4400 | 0.00 | 16,327.95 | 15,389.27 | 16,327.95 | 0.00 | 0.0% |
| Food | | 4700 | 0.00 | 5,000.00 | 1,777.85 | 5,000.00 | 0.00 | 0.0% |
| TOTAL, BOOKS AND SUPPLIES | | | 18,010.00 | 67,070.03 | 51,061.10 | 67,070.03 | 0.00 | 0.0% |
| SERVICES AND OTHER OPERATING EXPENDITURES | | | | | | | | |
| Subagreements for Services | | 5100 | 212,585.00 | 152,304.00 | 93,955.51 | 152,304.00 | 0.00 | 0.0% |
| Travel and Conferences | | 5200 | 250.00 | 1,347.50 | 330.00 | 1,347.50 | 0.00 | 0.0% |
| Dues and Memberships | | 5300 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Insurance | | 5400-5450 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Operations and Housekeeping Services | | 5500 | 0.00 | 4,000.00 | 0.00 | 4,000.00 | 0.00 | 0.0% |
| Rentals, Leases, Repairs, and Noncapitalized Improvements | | 5600 | 10,950.00 | 14,950.00 | 7,127.82 | 14,950.00 | 0.00 | 0.0% |
| Transfers of Direct Costs | | 5710 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers of Direct Costs - Interfund | | 5750 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Professional/Consulting Services and Operating Expenditures | | 5800 | 106,600.00 | 203,195.22 | 112,894.23 | 203,195.22 | 0.00 | 0.0% |
| Communications | | 5900 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES | | | 330,385.00 | 375,796.72 | 214,307.56 | 375,796.72 | 0.00 | 0.0% |
| CAPITAL OUTLAY | | | | | | | | |
| Land | | 6100 | 5,000.00 | 5,000.00 | 3,301.00 | 5,000.00 | 0.00 | 0.0% |
| Land Improvements | | 6170 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Buildings and Improvements of Buildings | | 6200 | 5,500.00 | 39,500.00 | 2,698.74 | 39,500.00 | 0.00 | 0.0% |
| Books and Media for New School Libraries or Major Expansion of School Libraries | | 6300 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Equipment | | 6400 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Equipment Replacement | | 6500 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Lease Assets | | 6600 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, CAPITAL OUTLAY | | | 10,500.00 | 44,500.00 | 5,999.74 | 44,500.00 | 0.00 | 0.0% |
| OTHER OUTGO (excluding Transfers of Indirect Costs) | | | | | | | | |
| Tuition | | | | | | | | |
| Tuition for Instruction Under Interdistrict | | | | | | | | |
| Attendance Agreements | | 7110 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| State Special Schools | | 7130 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Tuition, Excess Costs, and/or Deficit Payments | | | | | | | | |
| Payments to Districts or Charter Schools | | 7141 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Payments to County Offices | | 7142 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Payments to JPAs | | 7143 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers of Pass-Through Revenues | | | | | | | | |
| To Districts or Charter Schools | | 7211 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To County Offices | | 7212 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To JPAs | | 7213 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Special Education SELPA Transfers of Apportionments | | | | | | | | |
| To Districts or Charter Schools | 6500 | 7221 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To County Offices | 6500 | 7222 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To JPAs | 6500 | 7223 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| ROC/P Transfers of Apportionments | | | | | | | | |
| To Districts or Charter Schools | 6360 | 7221 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To County Offices | 6360 | 7222 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To JPAs | 6360 | 7223 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Transfers of Apportionments | All Other | 7221-7223 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Transfers | | 7281-7283 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Transfers Out to All Others | | 7299 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Debt Service | | | | | | | | |
| Debt Service - Interest | | 7438 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Debt Service - Principal | | 7439 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs) | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OTHER OUTGO - TRANSFERS OF INDIRECT COSTS | | | | | | | | |
| Transfers of Indirect Costs | | 7310 | 150.00 | 150.00 | 0.00 | 150.00 | 0.00 | 0.0% |
| Transfers of Indirect Costs - Interfund | | 7350 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER OUTGO - TRANSFERS OF INDIRECT COSTS | | | 150.00 | 150.00 | 0.00 | 150.00 | 0.00 | 0.0% |
| TOTAL, EXPENDITURES | | | 1,070,290.35 | 1,456,016.38 | 660,143.19 | 1,456,016.38 | 0.00 | 0.0% |
| INTERFUND TRANSFERS | | | | | | | | |
| INTERFUND TRANSFERS IN | | | | | | | | |
| From: Special Reserve Fund | | 8912 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| From: Bond Interest and Redemption Fund | | 8914 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Authorized Interfund Transfers In | | 8919 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (a) TOTAL, INTERFUND TRANSFERS IN | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| INTERFUND TRANSFERS OUT | | | | | | | | |
| To: Child Development Fund | | 7611 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To: Special Reserve Fund | | 7612 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To: State School Building Fund/ County School Facilities Fund | | 7613 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To: Cafeteria Fund | | 7616 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Authorized Interfund Transfers Out | | 7619 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (b) TOTAL, INTERFUND TRANSFERS OUT | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OTHER SOURCES/USES | | | | | | | | |
| SOURCES | | | | | | | | |
| State Apportionments | | | | | | | | |
| Emergency Apportionments | | 8931 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Proceeds | | | | | | | | |
| Proceeds from Disposal of Capital Assets | | 8953 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Sources | | | | | | | | |
| Transfers from Funds of Lapsed/Reorganized LEAs | | 8965 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Long-Term Debt Proceeds | | | | | | | | |
| Proceeds from Certificates of Participation | | 8971 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Proceeds from Leases | | 8972 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Proceeds from Lease Revenue Bonds | | 8973 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Financing Sources | | 8979 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (c) TOTAL, SOURCES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| USES | | | | | | | | |
| Transfers of Funds from Lapsed/Reorganized LEAs | | 7651 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Financing Uses | | 7699 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (d) TOTAL, USES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| CONTRIBUTIONS | | | | | | | | |
| Contributions from Unrestricted Revenues | | 8980 | 330,000.00 | 431,000.00 | 421,000.00 | 431,000.00 | 0.00 | 0.0% |
| Contributions from Restricted Revenues | | 8990 | 36,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (e) TOTAL, CONTRIBUTIONS | | | 366,000.00 | 431,000.00 | 421,000.00 | 431,000.00 | 0.00 | 0.0% |
| TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e) | | | 366,000.00 | 431,000.00 | 421,000.00 | 431,000.00 | 0.00 | 0.0% |

2022-23 Second Interim
General Fund
Summary - Unrestricted/Restricted
Revenues, Expenditures, and Changes in Fund Balance

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|------------------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| A. REVENUES | | | | | | | | |
| 1) LCFF Sources | | 8010-8099 | 4,114,335.00 | 4,193,194.00 | 2,300,497.56 | 4,193,194.00 | 0.00 | 0.0% |
| 2) Federal Revenue | | 8100-8299 | 88,500.00 | 95,292.00 | 8,415.00 | 95,292.00 | 0.00 | 0.0% |
| 3) Other State Revenue | | 8300-8599 | 766,914.00 | 917,926.52 | 229,950.29 | 917,926.52 | 0.00 | 0.0% |
| 4) Other Local Revenue | | 8600-8799 | 179,016.00 | 275,422.00 | 143,417.34 | 275,422.00 | 0.00 | 0.0% |
| 5) TOTAL, REVENUES | | | 5,148,765.00 | 5,481,834.52 | 2,682,280.19 | 5,481,834.52 | | |
| B. EXPENDITURES | | | | | | | | |
| 1) Certificated Salaries | | 1000-1999 | 1,690,411.00 | 1,734,579.00 | 921,946.34 | 1,734,579.00 | 0.00 | 0.0% |
| 2) Classified Salaries | | 2000-2999 | 928,329.41 | 1,022,392.78 | 520,459.65 | 1,022,392.78 | 0.00 | 0.0% |
| 3) Employee Benefits | | 3000-3999 | 1,557,140.13 | 1,532,759.29 | 685,320.12 | 1,532,759.29 | 0.00 | 0.0% |
| 4) Books and Supplies | | 4000-4999 | 165,460.00 | 195,535.52 | 126,291.51 | 195,535.52 | 0.00 | 0.0% |
| 5) Services and Other Operating Expenditures | | 5000-5999 | 778,367.00 | 848,531.00 | 551,656.64 | 848,531.00 | 0.00 | 0.0% |
| 6) Capital Outlay | | 6000-6999 | 10,500.00 | 44,500.00 | 5,999.74 | 44,500.00 | 0.00 | 0.0% |
| 7) Other Outgo (excluding Transfers of Indirect Costs) | | 7100-7299 7400-7499 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 8) Other Outgo - Transfers of Indirect Costs | | 7300-7399 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 9) TOTAL, EXPENDITURES | | | 5,130,207.54 | 5,378,297.59 | 2,811,674.00 | 5,378,297.59 | | |
| C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9) | | | 18,557.46 | 103,536.93 | (129,393.81) | 103,536.93 | | |
| D. OTHER FINANCING SOURCES/USES | | | | | | | | |
| 1) Interfund Transfers | | | | | | | | |
| a) Transfers In | | 8900-8929 | 1,745,000.00 | 1,768,245.30 | 1,768,245.30 | 1,768,245.30 | 0.00 | 0.0% |
| b) Transfers Out | | 7600-7629 | 1,825,000.00 | 1,827,631.30 | 1,847,631.30 | 1,827,631.30 | 0.00 | 0.0% |
| 2) Other Sources/Uses | | | | | | | | |
| a) Sources | | 8930-8979 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b) Uses | | 7630-7699 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Contributions | | 8980-8999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) TOTAL, OTHER FINANCING SOURCES/USES | | | (80,000.00) | (59,386.00) | (79,386.00) | (59,386.00) | | |
| E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4) | | | (61,442.54) | 44,150.93 | (208,779.81) | 44,150.93 | | |
| F. FUND BALANCE, RESERVES | | | | | | | | |
| 1) Beginning Fund Balance | | | | | | | | |
| a) As of July 1 - Unaudited | | 9791 | 3,384,077.67 | 3,591,625.72 | | 3,591,625.72 | 0.00 | 0.0% |
| b) Audit Adjustments | | 9793 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| c) As of July 1 - Audited (F1a + F1b) | | | 3,384,077.67 | 3,591,625.72 | | 3,591,625.72 | | |
| d) Other Restatements | | 9795 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| e) Adjusted Beginning Balance (F1c + F1d) | | | 3,384,077.67 | 3,591,625.72 | | 3,591,625.72 | | |
| 2) Ending Balance, June 30 (E + F1e) | | | 3,322,635.13 | 3,635,776.65 | | 3,635,776.65 | | |
| Components of Ending Fund Balance | | | | | | | | |
| a) Nonspendable | | | | | | | | |
| Revolving Cash | | 9711 | 500.00 | 500.00 | | 500.00 | | |
| Stores | | 9712 | 0.00 | 0.00 | | 0.00 | | |
| Prepaid Items | | 9713 | 0.00 | 0.00 | | 0.00 | | |

2022-23 Second Interim
General Fund
Summary - Unrestricted/Restricted
Revenues, Expenditures, and Changes in Fund Balance

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| All Others | | 9719 | 0.00 | 0.00 | | 0.00 | | |
| b) Restricted | | 9740 | 332,775.12 | 178,746.71 | | 178,746.71 | | |
| c) Committed | | | | | | | | |
| Stabilization Arrangements | | 9750 | 2,400,000.00 | 2,400,000.00 | | 2,400,000.00 | | |
| Other Commitments | | 9760 | 0.00 | 0.00 | | 0.00 | | |
| d) Assigned | | | | | | | | |
| Other Assignments | | 9780 | 0.00 | 0.00 | | 0.00 | | |
| e) Unassigned/Unappropriated | | | | | | | | |
| Reserve for Economic Uncertainties | | 9789 | 268,915.00 | 268,915.00 | | 268,915.00 | | |
| Unassigned/Unappropriated Amount | | 9790 | 320,445.01 | 787,614.94 | | 787,614.94 | | |
| LCFF SOURCES | | | | | | | | |
| Principal Apportionment | | | | | | | | |
| State Aid - Current Year | | 8011 | 3,120,522.00 | 3,070,523.00 | 1,681,009.00 | 3,070,523.00 | 0.00 | 0.0% |
| Education Protection Account State Aid - Current Year | | 8012 | 47,285.00 | 76,740.00 | 129,084.00 | 76,740.00 | 0.00 | 0.0% |
| State Aid - Prior Years | | 8019 | 0.00 | 0.00 | (52,622.00) | 0.00 | 0.00 | 0.0% |
| Tax Relief Subventions | | | | | | | | |
| Homeowners' Exemptions | | 8021 | 15,000.00 | 13,881.00 | 6,910.73 | 13,881.00 | 0.00 | 0.0% |
| Timber Yield Tax | | 8022 | 2,000.00 | 3,600.00 | 1,528.66 | 3,600.00 | 0.00 | 0.0% |
| Other Subventions/In-Lieu Taxes | | 8029 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| County & District Taxes | | | | | | | | |
| Secured Roll Taxes | | 8041 | 2,751,000.00 | 2,800,230.00 | 1,513,534.22 | 2,800,230.00 | 0.00 | 0.0% |
| Unsecured Roll Taxes | | 8042 | 82,000.00 | 86,920.00 | 84,224.28 | 86,920.00 | 0.00 | 0.0% |
| Prior Years' Taxes | | 8043 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Supplemental Taxes | | 8044 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Education Revenue Augmentation Fund (ERAF) | | 8045 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Community Redevelopment Funds (SB 617/699/1992) | | 8047 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Penalties and Interest from Delinquent Taxes | | 8048 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Miscellaneous Funds (EC 41604) | | | | | | | | |
| Royalties and Bonuses | | 8081 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other In-Lieu Taxes | | 8082 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Less: Non-LCFF | | | | | | | | |
| (50%) Adjustment | | 8089 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Subtotal, LCFF Sources | | | 6,017,807.00 | 6,051,894.00 | 3,363,668.89 | 6,051,894.00 | 0.00 | 0.0% |
| LCFF Transfers | | | | | | | | |
| Unrestricted LCFF | | | | | | | | |
| Transfers - Current Year | 0000 | 8091 | (25,000.00) | (25,000.00) | (25,000.00) | (25,000.00) | 0.00 | 0.0% |
| All Other LCFF Transfers - Current Year | All Other | 8091 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers to Charter Schools in Lieu of Property Taxes | | 8096 | (1,901,472.00) | (1,858,899.00) | (1,038,171.33) | (1,858,899.00) | 0.00 | 0.0% |
| Property Taxes Transfers | | 8097 | 23,000.00 | 25,199.00 | 0.00 | 25,199.00 | 0.00 | 0.0% |
| LCFF/Revenue Limit Transfers - Prior Years | | 8099 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, LCFF SOURCES | | | 4,114,335.00 | 4,193,194.00 | 2,300,497.56 | 4,193,194.00 | 0.00 | 0.0% |
| FEDERAL REVENUE | | | | | | | | |

2022-23 Second Interim
General Fund
Summary - Unrestricted/Restricted
Revenues, Expenditures, and Changes in Fund Balance

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|--|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Maintenance and Operations | | 8110 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Special Education Entitlement | | 8181 | 21,000.00 | 20,691.00 | (23,613.00) | 20,691.00 | 0.00 | 0.0% |
| Special Education Discretionary Grants | | 8182 | 0.00 | 5,264.00 | (2,459.00) | 5,264.00 | 0.00 | 0.0% |
| Child Nutrition Programs | | 8220 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Donated Food Commodities | | 8221 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Forest Reserve Funds | | 8260 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Flood Control Funds | | 8270 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Wildlife Reserve Funds | | 8280 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| FEMA | | 8281 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Interagency Contracts Between LEAs | | 8285 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Pass-Through Revenues from Federal Sources | | 8287 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Title I, Part A, Basic | 3010 | 8290 | 30,000.00 | 29,591.00 | 28,093.00 | 29,591.00 | 0.00 | 0.0% |
| Title I, Part D, Local Delinquent Programs | 3025 | 8290 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Title II, Part A, Supporting Effective Instruction | 4035 | 8290 | 3,500.00 | 5,625.00 | 1,386.00 | 5,625.00 | 0.00 | 0.0% |
| Title III, Part A, Immigrant Student Program | 4201 | 8290 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Title III, Part A, English Learner Program | 4203 | 8290 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Public Charter Schools Grant Program (PCSGP) | 4610 | 8290 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other NCLB / Every Student Succeeds Act | 3040, 3060, 3061, 3110, 3150, 3155, 3180, 3182, 4037, 4123, 4124, 4126, 4127, 4128, 5630 | 8290 | 10,000.00 | 10,000.00 | 5,000.00 | 10,000.00 | 0.00 | 0.0% |
| Career and Technical Education | 3500-3599 | 8290 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Federal Revenue | All Other | 8290 | 24,000.00 | 24,121.00 | 8.00 | 24,121.00 | 0.00 | 0.0% |
| TOTAL, FEDERAL REVENUE | | | 88,500.00 | 95,292.00 | 8,415.00 | 95,292.00 | 0.00 | 0.0% |
| OTHER STATE REVENUE | | | | | | | | |
| Other State Apportionments | | | | | | | | |
| ROC/P Entitlement | | | | | | | | |
| Prior Years | 6360 | 8319 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Special Education Master Plan | | | | | | | | |
| Current Year | 6500 | 8311 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Prior Years | 6500 | 8319 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other State Apportionments - Current Year | All Other | 8311 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other State Apportionments - Prior Years | All Other | 8319 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Child Nutrition Programs | | 8520 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Mandated Costs Reimbursements | | 8550 | 3,917.00 | 3,834.00 | 3,726.00 | 3,834.00 | 0.00 | 0.0% |
| Lottery - Unrestricted and Instructional Materials | | 8560 | 40,507.00 | 41,014.00 | 9,355.03 | 41,014.00 | 0.00 | 0.0% |
| Tax Relief Subventions | | | | | | | | |
| Restricted Levies - Other | | | | | | | | |
| Homeowners' Exemptions | | 8575 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Subventions/In-Lieu Taxes | | 8576 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|------------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Pass-Through Revenues from State Sources | | 8587 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| After School Education and Safety (ASES) | 6010 | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Charter School Facility Grant | 6030 | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Career Technical Education Incentive Grant Program | 6387 | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Drug/Alcohol/Tobacco Funds | 6650, 6690, 6695 | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| California Clean Energy Jobs Act | 6230 | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Specialized Secondary | 7370 | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| American Indian Early Childhood Education | 7210 | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other State Revenue | All Other | 8590 | 722,490.00 | 873,078.52 | 216,869.26 | 873,078.52 | 0.00 | 0.0% |
| TOTAL, OTHER STATE REVENUE | | | 766,914.00 | 917,926.52 | 229,950.29 | 917,926.52 | 0.00 | 0.0% |
| OTHER LOCAL REVENUE | | | | | | | | |
| Other Local Revenue | | | | | | | | |
| County and District Taxes | | | | | | | | |
| Other Restricted Levies | | | | | | | | |
| Secured Roll | | 8615 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Unsecured Roll | | 8616 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Prior Years' Taxes | | 8617 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Supplemental Taxes | | 8618 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Non-Ad Valorem Taxes | | | | | | | | |
| Parcel Taxes | | 8621 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other | | 8622 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Community Redevelopment Funds Not Subject to LCFF Deduction | | 8625 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Penalties and Interest from Delinquent Non-LCFF Taxes | | 8629 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Sales | | | | | | | | |
| Sale of Equipment/Supplies | | 8631 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Sale of Publications | | 8632 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Food Service Sales | | 8634 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Sales | | 8639 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Leases and Rentals | | 8650 | 0.00 | 0.00 | 1,801.00 | 0.00 | 0.00 | 0.0% |
| Interest | | 8660 | 16,500.00 | 35,000.00 | 19,488.62 | 35,000.00 | 0.00 | 0.0% |
| Net Increase (Decrease) in the Fair Value of Investments | | 8662 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Fees and Contracts | | | | | | | | |
| Adult Education Fees | | 8671 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Non-Resident Students | | 8672 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transportation Fees From Individuals | | 8675 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Interagency Services | | 8677 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Mitigation/Developer Fees | | 8681 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Fees and Contracts | | 8689 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Local Revenue | | | | | | | | |
| Plus: Misc Funds Non-LCFF (50%) Adjustment | | 8691 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Pass-Through Revenues From Local Sources | | 8697 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |

Revenues, Expenditures, and Changes in Fund Balance

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| All Other Local Revenue | | 8699 | 32,460.00 | 54,644.00 | 32,704.72 | 54,644.00 | 0.00 | 0.0% |
| Tuition | | 8710 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Transfers In | | 8781-8783 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers Of Apportionments | | | | | | | | |
| Special Education SELPA Transfers | | | | | | | | |
| From Districts or Charter Schools | 6500 | 8791 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| From County Offices | 6500 | 8792 | 130,056.00 | 185,778.00 | 89,423.00 | 185,778.00 | 0.00 | 0.0% |
| From JPAs | 6500 | 8793 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| ROC/P Transfers | | | | | | | | |
| From Districts or Charter Schools | 6360 | 8791 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| From County Offices | 6360 | 8792 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| From JPAs | 6360 | 8793 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Transfers of Apportionments | | | | | | | | |
| From Districts or Charter Schools | All Other | 8791 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| From County Offices | All Other | 8792 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| From JPAs | All Other | 8793 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Transfers In from All Others | | 8799 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER LOCAL REVENUE | | | 179,016.00 | 275,422.00 | 143,417.34 | 275,422.00 | 0.00 | 0.0% |
| TOTAL, REVENUES | | | 5,148,765.00 | 5,481,834.52 | 2,682,280.19 | 5,481,834.52 | 0.00 | 0.0% |
| CERTIFICATED SALARIES | | | | | | | | |
| Certificated Teachers' Salaries | | 1100 | 1,510,411.00 | 1,433,260.98 | 753,501.86 | 1,433,260.98 | 0.00 | 0.0% |
| Certificated Pupil Support Salaries | | 1200 | 0.00 | 121,318.02 | 63,444.48 | 121,318.02 | 0.00 | 0.0% |
| Certificated Supervisors' and Administrators' Salaries | | 1300 | 180,000.00 | 180,000.00 | 105,000.00 | 180,000.00 | 0.00 | 0.0% |
| Other Certificated Salaries | | 1900 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, CERTIFICATED SALARIES | | | 1,690,411.00 | 1,734,579.00 | 921,946.34 | 1,734,579.00 | 0.00 | 0.0% |
| CLASSIFIED SALARIES | | | | | | | | |
| Classified Instructional Salaries | | 2100 | 526,847.97 | 595,984.06 | 286,740.26 | 595,984.06 | 0.00 | 0.0% |
| Classified Support Salaries | | 2200 | 138,956.40 | 129,522.04 | 71,155.56 | 129,522.04 | 0.00 | 0.0% |
| Classified Supervisors' and Administrators' Salaries | | 2300 | 103,865.00 | 107,096.09 | 61,248.39 | 107,096.09 | 0.00 | 0.0% |
| Clerical, Technical and Office Salaries | | 2400 | 158,660.04 | 159,790.59 | 89,404.23 | 159,790.59 | 0.00 | 0.0% |
| Other Classified Salaries | | 2900 | 0.00 | 30,000.00 | 11,911.21 | 30,000.00 | 0.00 | 0.0% |
| TOTAL, CLASSIFIED SALARIES | | | 928,329.41 | 1,022,392.78 | 520,459.65 | 1,022,392.78 | 0.00 | 0.0% |
| EMPLOYEE BENEFITS | | | | | | | | |
| STRS | | 3101-3102 | 526,310.36 | 541,039.34 | 184,226.50 | 541,039.34 | 0.00 | 0.0% |
| PERS | | 3201-3202 | 210,014.94 | 214,063.34 | 116,327.42 | 214,063.34 | 0.00 | 0.0% |
| OASDI/Medicare/Alternative | | 3301-3302 | 158,302.97 | 109,800.15 | 49,955.55 | 109,800.15 | 0.00 | 0.0% |
| Health and Welfare Benefits | | 3401-3402 | 583,722.94 | 599,366.27 | 311,083.46 | 599,366.27 | 0.00 | 0.0% |
| Unemployment Insurance | | 3501-3502 | 15,391.28 | 16,399.31 | 7,147.22 | 16,399.31 | 0.00 | 0.0% |
| Workers' Compensation | | 3601-3602 | 39,733.56 | 28,426.80 | 13,013.78 | 28,426.80 | 0.00 | 0.0% |
| OPEB, Allocated | | 3701-3702 | 15,000.00 | 15,000.00 | 0.00 | 15,000.00 | 0.00 | 0.0% |
| OPEB, Active Employees | | 3751-3752 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Employee Benefits | | 3901-3902 | 8,664.08 | 8,664.08 | 3,566.19 | 8,664.08 | 0.00 | 0.0% |
| TOTAL, EMPLOYEE BENEFITS | | | 1,557,140.13 | 1,532,759.29 | 685,320.12 | 1,532,759.29 | 0.00 | 0.0% |
| BOOKS AND SUPPLIES | | | | | | | | |

2022-23 Second Interim
General Fund
Summary - Unrestricted/Restricted
Revenues, Expenditures, and Changes in Fund Balance

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Approved Textbooks and Core Curricula Materials | | 4100 | 16,000.00 | 27,625.00 | 21,197.32 | 27,625.00 | 0.00 | 0.0% |
| Books and Other Reference Materials | | 4200 | 17,250.00 | 18,573.50 | 15,189.46 | 18,573.50 | 0.00 | 0.0% |
| Materials and Supplies | | 4300 | 91,710.00 | 95,032.08 | 58,162.08 | 95,032.08 | 0.00 | 0.0% |
| Noncapitalized Equipment | | 4400 | 40,500.00 | 49,304.94 | 29,964.80 | 49,304.94 | 0.00 | 0.0% |
| Food | | 4700 | 0.00 | 5,000.00 | 1,777.85 | 5,000.00 | 0.00 | 0.0% |
| TOTAL, BOOKS AND SUPPLIES | | | 165,460.00 | 195,535.52 | 126,291.51 | 195,535.52 | 0.00 | 0.0% |
| SERVICES AND OTHER OPERATING EXPENDITURES | | | | | | | | |
| Subagreements for Services | | 5100 | 408,967.00 | 359,144.94 | 298,800.35 | 359,144.94 | 0.00 | 0.0% |
| Travel and Conferences | | 5200 | 16,400.00 | 17,027.50 | 10,802.51 | 17,027.50 | 0.00 | 0.0% |
| Dues and Memberships | | 5300 | 16,500.00 | 16,875.00 | 19,108.33 | 16,875.00 | 0.00 | 0.0% |
| Insurance | | 5400-5450 | 47,950.00 | 51,699.11 | 2,049.51 | 51,699.11 | 0.00 | 0.0% |
| Operations and Housekeeping Services | | 5500 | 67,250.00 | 71,515.62 | 34,971.41 | 71,515.62 | 0.00 | 0.0% |
| Rentals, Leases, Repairs, and Noncapitalized Improvements | | 5600 | 14,800.00 | 20,300.00 | 8,974.86 | 20,300.00 | 0.00 | 0.0% |
| Transfers of Direct Costs | | 5710 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers of Direct Costs - Interfund | | 5750 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Professional/Consulting Services and Operating Expenditures | | 5800 | 191,800.00 | 297,787.55 | 168,128.34 | 297,787.55 | 0.00 | 0.0% |
| Communications | | 5900 | 14,700.00 | 14,181.28 | 8,821.33 | 14,181.28 | 0.00 | 0.0% |
| TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES | | | 778,367.00 | 848,531.00 | 551,656.64 | 848,531.00 | 0.00 | 0.0% |
| CAPITAL OUTLAY | | | | | | | | |
| Land | | 6100 | 5,000.00 | 5,000.00 | 3,301.00 | 5,000.00 | 0.00 | 0.0% |
| Land Improvements | | 6170 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Buildings and Improvements of Buildings | | 6200 | 5,500.00 | 39,500.00 | 2,698.74 | 39,500.00 | 0.00 | 0.0% |
| Books and Media for New School Libraries or Major Expansion of School Libraries | | 6300 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Equipment | | 6400 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Equipment Replacement | | 6500 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Lease Assets | | 6600 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, CAPITAL OUTLAY | | | 10,500.00 | 44,500.00 | 5,999.74 | 44,500.00 | 0.00 | 0.0% |
| OTHER OUTGO (excluding Transfers of Indirect Costs) | | | | | | | | |
| Tuition | | | | | | | | |
| Tuition for Instruction Under Interdistrict | | | | | | | | |
| Attendance Agreements | | 7110 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| State Special Schools | | 7130 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Tuition, Excess Costs, and/or Deficit Payments | | | | | | | | |
| Payments to Districts or Charter Schools | | 7141 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Payments to County Offices | | 7142 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Payments to JPAs | | 7143 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers of Pass-Through Revenues | | | | | | | | |
| To Districts or Charter Schools | | 7211 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To County Offices | | 7212 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To JPAs | | 7213 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |

2022-23 Second Interim
General Fund
Summary - Unrestricted/Restricted
Revenues, Expenditures, and Changes in Fund Balance

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Special Education SELPA Transfers of Apportionments | | | | | | | | |
| To Districts or Charter Schools | 6500 | 7221 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To County Offices | 6500 | 7222 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To JPAs | 6500 | 7223 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| ROC/P Transfers of Apportionments | | | | | | | | |
| To Districts or Charter Schools | 6360 | 7221 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To County Offices | 6360 | 7222 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To JPAs | 6360 | 7223 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Transfers of Apportionments | All Other | 7221-7223 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Transfers | | 7281-7283 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Transfers Out to All Others | | 7299 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Debt Service | | | | | | | | |
| Debt Service - Interest | | 7438 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Debt Service - Principal | | 7439 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs) | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OTHER OUTGO - TRANSFERS OF INDIRECT COSTS | | | | | | | | |
| Transfers of Indirect Costs | | 7310 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Transfers of Indirect Costs - Interfund | | 7350 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER OUTGO - TRANSFERS OF INDIRECT COSTS | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, EXPENDITURES | | | 5,130,207.54 | 5,378,297.59 | 2,811,674.00 | 5,378,297.59 | 0.00 | 0.0% |
| INTERFUND TRANSFERS | | | | | | | | |
| INTERFUND TRANSFERS IN | | | | | | | | |
| From: Special Reserve Fund | | 8912 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| From: Bond Interest and Redemption Fund | | 8914 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Authorized Interfund Transfers In | | 8919 | 1,745,000.00 | 1,768,245.30 | 1,768,245.30 | 1,768,245.30 | 0.00 | 0.0% |
| (a) TOTAL, INTERFUND TRANSFERS IN | | | 1,745,000.00 | 1,768,245.30 | 1,768,245.30 | 1,768,245.30 | 0.00 | 0.0% |
| INTERFUND TRANSFERS OUT | | | | | | | | |
| To: Child Development Fund | | 7611 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To: Special Reserve Fund | | 7612 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To: State School Building Fund/ County School Facilities Fund | | 7613 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To: Cafeteria Fund | | 7616 | 0.00 | 75,000.00 | 95,000.00 | 75,000.00 | 0.00 | 0.0% |
| Other Authorized Interfund Transfers Out | | 7619 | 1,825,000.00 | 1,752,631.30 | 1,752,631.30 | 1,752,631.30 | 0.00 | 0.0% |
| (b) TOTAL, INTERFUND TRANSFERS OUT | | | 1,825,000.00 | 1,827,631.30 | 1,847,631.30 | 1,827,631.30 | 0.00 | 0.0% |
| OTHER SOURCES/USES | | | | | | | | |
| SOURCES | | | | | | | | |
| State Apportionments | | | | | | | | |
| Emergency Apportionments | | 8931 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Proceeds | | | | | | | | |
| Proceeds from Disposal of Capital Assets | | 8953 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Sources | | | | | | | | |
| Transfers from Funds of Lapsed/Reorganized LEAs | | 8965 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |

2022-23 Second Interim
General Fund
Summary - Unrestricted/Restricted
Revenues, Expenditures, and Changes in Fund Balance

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Long-Term Debt Proceeds | | | | | | | | |
| Proceeds from Certificates of Participation | | 8971 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Proceeds from Leases | | 8972 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Proceeds from Lease Revenue Bonds | | 8973 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Financing Sources | | 8979 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (c) TOTAL, SOURCES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| USES | | | | | | | | |
| Transfers of Funds from Lapsed/Reorganized LEAs | | 7651 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Financing Uses | | 7699 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (d) TOTAL, USES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| CONTRIBUTIONS | | | | | | | | |
| Contributions from Unrestricted Revenues | | 8980 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| Contributions from Restricted Revenues | | 8990 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| (e) TOTAL, CONTRIBUTIONS | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e) | | | (80,000.00) | (59,386.00) | (79,386.00) | (59,386.00) | 0.00 | 0.0% |

| Resource | Description | 2022-23 Projected Totals |
|---------------------------|--|-----------------------------|
| 2600 | Expanded Learning Opportunities Program | 60,122.35 |
| 3305 | Special Ed: ARP IDEA Part B, Sec. 611, Local Assistance Entitlement | 4,617.00 |
| 3308 | Special Ed: ARP IDEA Part B, Sec. 619, Preschool Grants | 647.00 |
| 3310 | Special Ed: IDEA Basic Local Assistance Entitlement, Part B, Sec 611 | 485.00 |
| 5810 | Other Restricted Federal | 24,121.00 |
| 6266 | Educator Effectiveness, FY 2021-22 | 44,837.00 |
| 6300 | Lottery: Instructional Materials | 4,808.71 |
| 6500 | Special Education | 5,225.13 |
| 6546 | Mental Health-Related Services | 2,291.00 |
| 7028 | Child Nutrition: Kitchen Infrastructure Upgrade Funds | 25,000.00 |
| 7029 | Child Nutrition: Food Service Staff Training Funds | 2,858.00 |
| 7311 | Classified School Employee Professional Development Block Grant | 2,487.24 |
| 8150 | Ongoing & Major Maintenance Account (RMA: Education Code Section 17070.75) | 1,247.28 |
| Total, Restricted Balance | | 178,746.71 |



Harmony
Union School District

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2nd Interim

2022-23

FORM 14

Deferred Maintenance Fund

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|---------------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| A. REVENUES | | | | | | | | |
| 1) LCFF Sources | | 8010-8099 | 25,000.00 | 25,000.00 | 25,000.00 | 25,000.00 | 0.00 | 0.0% |
| 2) Federal Revenue | | 8100-8299 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Other State Revenue | | 8300-8599 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) Other Local Revenue | | 8600-8799 | 250.00 | 925.00 | 462.06 | 925.00 | 0.00 | 0.0% |
| 5) TOTAL, REVENUES | | | 25,250.00 | 25,925.00 | 25,462.06 | 25,925.00 | | |
| B. EXPENDITURES | | | | | | | | |
| 1) Certificated Salaries | | 1000-1999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 2) Classified Salaries | | 2000-2999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Employee Benefits | | 3000-3999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) Books and Supplies | | 4000-4999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 5) Services and Other Operating Expenditures | | 5000-5999 | 16,000.00 | 41,662.50 | 26,787.82 | 41,662.50 | 0.00 | 0.0% |
| 6) Capital Outlay | | 6000-6999 | 0.00 | 7,000.00 | 5,632.57 | 7,000.00 | 0.00 | 0.0% |
| 7) Other Outgo (excluding Transfers of Indirect Costs) | | 7100-7299,7400-7499 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 8) Other Outgo - Transfers of Indirect Costs | | 7300-7399 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 9) TOTAL, EXPENDITURES | | | 16,000.00 | 48,662.50 | 32,420.39 | 48,662.50 | | |
| C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9) | | | 9,250.00 | (22,737.50) | (6,958.33) | (22,737.50) | | |
| D. OTHER FINANCING SOURCES/USES | | | | | | | | |
| 1) Interfund Transfers | | | | | | | | |
| a) Transfers In | | 8900-8929 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b) Transfers Out | | 7600-7629 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 2) Other Sources/Uses | | | | | | | | |
| a) Sources | | 8930-8979 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b) Uses | | 7630-7699 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Contributions | | 8980-8999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) TOTAL, OTHER FINANCING SOURCES/USES | | | 0.00 | 0.00 | 0.00 | 0.00 | | |
| E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4) | | | 9,250.00 | (22,737.50) | (6,958.33) | (22,737.50) | | |
| F. FUND BALANCE, RESERVES | | | | | | | | |
| 1) Beginning Fund Balance | | | | | | | | |
| a) As of July 1 - Unaudited | | 9791 | 71,854.66 | 71,541.14 | | 71,541.14 | 0.00 | 0.0% |
| b) Audit Adjustments | | 9793 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| c) As of July 1 - Audited (F1a + F1b) | | | 71,854.66 | 71,541.14 | | 71,541.14 | | |
| d) Other Restatements | | 9795 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| e) Adjusted Beginning Balance (F1c + F1d) | | | 71,854.66 | 71,541.14 | | 71,541.14 | | |
| 2) Ending Balance, June 30 (E + F1e) | | | 81,104.66 | 48,803.64 | | 48,803.64 | | |
| Components of Ending Fund Balance | | | | | | | | |
| a) Nonspendable | | | | | | | | |
| Revolving Cash | | 9711 | 0.00 | 0.00 | | 0.00 | | |
| Stores | | 9712 | 0.00 | 0.00 | | 0.00 | | |
| Prepaid Items | | 9713 | 0.00 | 0.00 | | 0.00 | | |
| All Others | | 9719 | 0.00 | 0.00 | | 0.00 | | |
| b) Restricted | | | | | | | | |
| | | 9740 | 0.00 | 0.00 | | 0.00 | | |
| c) Committed | | | | | | | | |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Stabilization Arrangements | | 9750 | 0.00 | 0.00 | | 0.00 | | |
| Other Commitments | | 9760 | 81,104.66 | 48,803.64 | | 48,803.64 | | |
| d) Assigned | | | | | | | | |
| Other Assignments | | 9780 | 0.00 | 0.00 | | 0.00 | | |
| e) Unassigned/Unappropriated | | | | | | | | |
| Reserve for Economic Uncertainties | | 9789 | 0.00 | 0.00 | | 0.00 | | |
| Unassigned/Unappropriated Amount | | 9790 | 0.00 | 0.00 | | 0.00 | | |
| LCFF SOURCES | | | | | | | | |
| LCFF Transfers | | | | | | | | |
| LCFF Transfers - Current Year | | 8091 | 25,000.00 | 25,000.00 | 25,000.00 | 25,000.00 | 0.00 | 0.0% |
| LCFF/Revenue Limit Transfers - Prior Years | | 8099 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, LCFF SOURCES | | | 25,000.00 | 25,000.00 | 25,000.00 | 25,000.00 | 0.00 | 0.0% |
| OTHER STATE REVENUE | | | | | | | | |
| All Other State Revenue | | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER STATE REVENUE | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OTHER LOCAL REVENUE | | | | | | | | |
| Community Redevelopment Funds Not Subject to LCFF Deduction | | 8625 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Sales | | | | | | | | |
| Sale of Equipment/Supplies | | 8631 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Interest | | 8660 | 250.00 | 925.00 | 462.06 | 925.00 | 0.00 | 0.0% |
| Net Increase (Decrease) in the Fair Value of Investments | | 8662 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Local Revenue | | | | | | | | |
| All Other Local Revenue | | 8699 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Transfers In from All Others | | 8799 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER LOCAL REVENUE | | | 250.00 | 925.00 | 462.06 | 925.00 | 0.00 | 0.0% |
| TOTAL, REVENUES | | | 25,250.00 | 25,925.00 | 25,462.06 | 25,925.00 | | |
| CLASSIFIED SALARIES | | | | | | | | |
| Classified Support Salaries | | 2200 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Classified Salaries | | 2900 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, CLASSIFIED SALARIES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| EMPLOYEE BENEFITS | | | | | | | | |
| STRS | | 3101-3102 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| PERS | | 3201-3202 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OASDI/Medicare/Alternative | | 3301-3302 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Health and Welfare Benefits | | 3401-3402 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Unemployment Insurance | | 3501-3502 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Workers' Compensation | | 3601-3602 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OPEB, Allocated | | 3701-3702 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OPEB, Active Employees | | 3751-3752 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Employee Benefits | | 3901-3902 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, EMPLOYEE BENEFITS | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| BOOKS AND SUPPLIES | | | | | | | | |
| Books and Other Reference Materials | | 4200 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Materials and Supplies | | 4300 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Noncapitalized Equipment | | 4400 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| TOTAL, BOOKS AND SUPPLIES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| SERVICES AND OTHER OPERATING EXPENDITURES | | | | | | | | |
| Subagreements for Services | | 5100 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Travel and Conferences | | 5200 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Rentals, Leases, Repairs, and Noncapitalized Improvements | | 5600 | 5,000.00 | 29,000.00 | 24,861.57 | 29,000.00 | 0.00 | 0.0% |
| Transfers of Direct Costs | | 5710 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers of Direct Costs - Interfund | | 5750 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Professional/Consulting Services and Operating Expenditures | | 5800 | 11,000.00 | 12,662.50 | 1,926.25 | 12,662.50 | 0.00 | 0.0% |
| TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES | | | 16,000.00 | 41,662.50 | 26,787.82 | 41,662.50 | 0.00 | 0.0% |
| CAPITAL OUTLAY | | | | | | | | |
| Land Improvements | | 6170 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Buildings and Improvements of Buildings | | 6200 | 0.00 | 7,000.00 | 5,632.57 | 7,000.00 | 0.00 | 0.0% |
| Equipment | | 6400 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Equipment Replacement | | 6500 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Lease Assets | | 6600 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, CAPITAL OUTLAY | | | 0.00 | 7,000.00 | 5,632.57 | 7,000.00 | 0.00 | 0.0% |
| OTHER OUTGO (excluding Transfers of Indirect Costs) | | | | | | | | |
| Debt Service | | | | | | | | |
| Debt Service - Interest | | 7438 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Debt Service - Principal | | 7439 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs) | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, EXPENDITURES | | | 16,000.00 | 48,662.50 | 32,420.39 | 48,662.50 | | |
| INTERFUND TRANSFERS | | | | | | | | |
| INTERFUND TRANSFERS IN | | | | | | | | |
| Other Authorized Interfund Transfers In | | 8919 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (a) TOTAL, INTERFUND TRANSFERS IN | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| INTERFUND TRANSFERS OUT | | | | | | | | |
| Other Authorized Interfund Transfers Out | | 7619 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (b) TOTAL, INTERFUND TRANSFERS OUT | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OTHER SOURCES/USES | | | | | | | | |
| SOURCES | | | | | | | | |
| Other Sources | | | | | | | | |
| Transfers from Funds of Lapsed/Reorganized LEAs | | 8965 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Long-Term Debt Proceeds | | | | | | | | |
| Proceeds from Leases | | 8972 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Financing Sources | | 8979 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (c) TOTAL, SOURCES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| USES | | | | | | | | |
| Transfers of Funds from Lapsed/Reorganized LEAs | | 7651 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Financing Uses | | 7699 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (d) TOTAL, USES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| CONTRIBUTIONS | | | | | | | | |
| Contributions from Unrestricted Revenues | | 8980 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Contributions from Restricted Revenues | | 8990 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| (e) TOTAL, CONTRIBUTIONS | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e) | | | 0.00 | 0.00 | 0.00 | 0.00 | | |

| Resource | Description | 2022-23 Projected Totals |
|---------------------------|-------------|--------------------------------|
| Total, Restricted Balance | | 0.00 |



Harmony
Union School District

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2nd Interim

2022-23

FORM 17

**Special Reserve Fund
For
Other Than Capital Outlay Projects**

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|----------------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| A. REVENUES | | | | | | | | |
| 1) LCFF Sources | | 8010-8099 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 2) Federal Revenue | | 8100-8299 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Other State Revenue | | 8300-8599 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) Other Local Revenue | | 8600-8799 | 2,500.00 | 5,950.00 | 2,967.39 | 5,950.00 | 0.00 | 0.0% |
| 5) TOTAL, REVENUES | | | 2,500.00 | 5,950.00 | 2,967.39 | 5,950.00 | | |
| B. EXPENDITURES | | | | | | | | |
| 1) Certificated Salaries | | 1000-1999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 2) Classified Salaries | | 2000-2999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Employee Benefits | | 3000-3999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) Books and Supplies | | 4000-4999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 5) Services and Other Operating Expenditures | | 5000-5999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 6) Capital Outlay | | 6000-6999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 7) Other Outgo (excluding Transfers of Indirect Costs) | | 7100-7299, 7400-7499 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 8) Other Outgo - Transfers of Indirect Costs | | 7300-7399 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 9) TOTAL, EXPENDITURES | | | 0.00 | 0.00 | 0.00 | 0.00 | | |
| C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9) | | | 2,500.00 | 5,950.00 | 2,967.39 | 5,950.00 | | |
| D. OTHER FINANCING SOURCES/USES | | | | | | | | |
| 1) Interfund Transfers | | | | | | | | |
| a) Transfers In | | 8900-8929 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b) Transfers Out | | 7600-7629 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 2) Other Sources/Uses | | | | | | | | |
| a) Sources | | 8930-8979 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b) Uses | | 7630-7699 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Contributions | | 8980-8999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) TOTAL, OTHER FINANCING SOURCES/USES | | | 0.00 | 0.00 | 0.00 | 0.00 | | |
| E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4) | | | 2,500.00 | 5,950.00 | 2,967.39 | 5,950.00 | | |
| F. FUND BALANCE, RESERVES | | | | | | | | |
| 1) Beginning Fund Balance | | | | | | | | |
| a) As of July 1 - Unaudited | | 9791 | 489,717.23 | 489,045.90 | | 489,045.90 | 0.00 | 0.0% |
| b) Audit Adjustments | | 9793 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| c) As of July 1 - Audited (F1a + F1b) | | | 489,717.23 | 489,045.90 | | 489,045.90 | | |
| d) Other Restatements | | 9795 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| e) Adjusted Beginning Balance (F1c + F1d) | | | 489,717.23 | 489,045.90 | | 489,045.90 | | |
| 2) Ending Balance, June 30 (E + F1e) | | | 492,217.23 | 494,995.90 | | 494,995.90 | | |
| Components of Ending Fund Balance | | | | | | | | |
| a) Nonspendable | | | | | | | | |
| Revolving Cash | | 9711 | 0.00 | 0.00 | | 0.00 | | |
| Stores | | 9712 | 0.00 | 0.00 | | 0.00 | | |
| Prepaid Items | | 9713 | 0.00 | 0.00 | | 0.00 | | |
| All Others | | 9719 | 0.00 | 0.00 | | 0.00 | | |
| b) Restricted | | | | | | | | |
| c) Committed | | 9740 | 0.00 | 0.00 | | 0.00 | | |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Stabilization Arrangements | | 9750 | 0.00 | 0.00 | | 0.00 | | |
| Other Commitments | | 9760 | 492,217.23 | 494,995.90 | | 494,995.90 | | |
| d) Assigned | | | | | | | | |
| Other Assignments | | 9780 | 0.00 | 0.00 | | 0.00 | | |
| e) Unassigned/Unappropriated | | | | | | | | |
| Reserve for Economic Uncertainties | | 9789 | 0.00 | 0.00 | | 0.00 | | |
| Unassigned/Unappropriated Amount | | 9790 | 0.00 | 0.00 | | 0.00 | | |
| OTHER LOCAL REVENUE | | | | | | | | |
| Sales | | | | | | | | |
| Sale of Equipment/Supplies | | 8631 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Interest | | 8660 | 2,500.00 | 5,950.00 | 2,967.39 | 5,950.00 | 0.00 | 0.0% |
| Net Increase (Decrease) in the Fair Value of Investments | | 8662 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER LOCAL REVENUE | | | 2,500.00 | 5,950.00 | 2,967.39 | 5,950.00 | 0.00 | 0.0% |
| TOTAL, REVENUES | | | 2,500.00 | 5,950.00 | 2,967.39 | 5,950.00 | | |
| INTERFUND TRANSFERS | | | | | | | | |
| INTERFUND TRANSFERS IN | | | | | | | | |
| From: General Fund/CSSF | | 8912 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Authorized Interfund Transfers In | | 8919 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (a) TOTAL, INTERFUND TRANSFERS IN | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| INTERFUND TRANSFERS OUT | | | | | | | | |
| To: General Fund/CSSF | | 7612 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To: State School Building Fund/County School Facilities Fund | | 7613 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Authorized Interfund Transfers Out | | 7619 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (b) TOTAL, INTERFUND TRANSFERS OUT | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OTHER SOURCES/USES | | | | | | | | |
| SOURCES | | | | | | | | |
| Other Sources | | | | | | | | |
| Transfers from Funds of Lapsed/Reorganized LEAs | | 8965 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (c) TOTAL, SOURCES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| USES | | | | | | | | |
| Transfers of Funds from Lapsed/Reorganized LEAs | | 7651 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (d) TOTAL, USES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| CONTRIBUTIONS | | | | | | | | |
| Contributions from Restricted Revenues | | 8990 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (e) TOTAL, CONTRIBUTIONS | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e) | | | 0.00 | 0.00 | 0.00 | 0.00 | | |

| Resource | Description | 2022-23 Projected Totals |
|---------------------------|-------------|--------------------------------|
| Total, Restricted Balance | | 0.00 |



Harmony
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2nd Interim

2022-23

FORM 20

**Special Reserve Fund
For
Post-Employment Benefits**

Harmony Elementary School & Salmon Creek Charter School

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|----------------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| A. REVENUES | | | | | | | | |
| 1) LCFF Sources | | 8010-8099 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 2) Federal Revenue | | 8100-8299 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Other State Revenue | | 8300-8599 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) Other Local Revenue | | 8600-8799 | 4,200.00 | 5,750.00 | 3,268.09 | 5,750.00 | 0.00 | 0.0% |
| 5) TOTAL, REVENUES | | | 4,200.00 | 5,750.00 | 3,268.09 | 5,750.00 | | |
| B. EXPENDITURES | | | | | | | | |
| 1) Certificated Salaries | | 1000-1999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 2) Classified Salaries | | 2000-2999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Employee Benefits | | 3000-3999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) Books and Supplies | | 4000-4999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 5) Services and Other Operating Expenditures | | 5000-5999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 6) Capital Outlay | | 6000-6999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 7) Other Outgo (excluding Transfers of Indirect Costs) | | 7100-7299, 7400-7499 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 8) Other Outgo - Transfers of Indirect Costs | | 7300-7399 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 9) TOTAL, EXPENDITURES | | | 0.00 | 0.00 | 0.00 | 0.00 | | |
| C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9) | | | 4,200.00 | 5,750.00 | 3,268.09 | 5,750.00 | | |
| D. OTHER FINANCING SOURCES/USES | | | | | | | | |
| 1) Interfund Transfers | | | | | | | | |
| a) Transfers In | | 8900-8929 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b) Transfers Out | | 7600-7629 | 15,000.00 | 565,000.00 | 565,000.00 | 565,000.00 | 0.00 | 0.0% |
| 2) Other Sources/Uses | | | | | | | | |
| a) Sources | | 8930-8979 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b) Uses | | 7630-7699 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Contributions | | 8980-8999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) TOTAL, OTHER FINANCING SOURCES/USES | | | (15,000.00) | (565,000.00) | (565,000.00) | (565,000.00) | | |
| E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4) | | | (10,800.00) | (559,250.00) | (561,731.91) | (559,250.00) | | |
| F. FUND BALANCE, RESERVES | | | | | | | | |
| 1) Beginning Fund Balance | | | | | | | | |
| a) As of July 1 - Unaudited | | 9791 | 818,717.13 | 818,408.50 | | 818,408.50 | 0.00 | 0.0% |
| b) Audit Adjustments | | 9793 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| c) As of July 1 - Audited (F1a + F1b) | | | 818,717.13 | 818,408.50 | | 818,408.50 | | |
| d) Other Restatements | | 9795 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| e) Adjusted Beginning Balance (F1c + F1d) | | | 818,717.13 | 818,408.50 | | 818,408.50 | | |
| 2) Ending Balance, June 30 (E + F1e) | | | 807,917.13 | 259,158.50 | | 259,158.50 | | |
| Components of Ending Fund Balance | | | | | | | | |
| a) Nonspendable | | | | | | | | |
| Revolving Cash | | 9711 | 0.00 | 0.00 | | 0.00 | | |
| Stores | | 9712 | 0.00 | 0.00 | | 0.00 | | |
| Prepaid Items | | 9713 | 0.00 | 0.00 | | 0.00 | | |
| All Others | | 9719 | 0.00 | 0.00 | | 0.00 | | |
| b) Restricted | | 9740 | 0.00 | 0.00 | | 0.00 | | |
| c) Committed | | | | | | | | |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Stabilization Arrangements | | 9750 | 0.00 | 0.00 | | 0.00 | | |
| Other Commitments | | 9760 | 807,917.13 | 259,158.50 | | 259,158.50 | | |
| d) Assigned | | | | | | | | |
| Other Assignments | | 9780 | 0.00 | 0.00 | | 0.00 | | |
| e) Unassigned/Unappropriated | | | | | | | | |
| Reserve for Economic Uncertainties | | 9789 | 0.00 | 0.00 | | 0.00 | | |
| Unassigned/Unappropriated Amount | | 9790 | 0.00 | 0.00 | | 0.00 | | |
| OTHER LOCAL REVENUE | | | | | | | | |
| Interest | | 8660 | 4,200.00 | 5,750.00 | 3,268.09 | 5,750.00 | 0.00 | 0.0% |
| Net Increase (Decrease) in the Fair Value of Investments | | 8662 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER LOCAL REVENUE | | | 4,200.00 | 5,750.00 | 3,268.09 | 5,750.00 | 0.00 | 0.0% |
| TOTAL, REVENUES | | | 4,200.00 | 5,750.00 | 3,268.09 | 5,750.00 | | |
| INTERFUND TRANSFERS | | | | | | | | |
| INTERFUND TRANSFERS IN | | | | | | | | |
| From: General Fund/CSSF | | 8912 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Authorized Interfund Transfers In | | 8919 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (a) TOTAL, INTERFUND TRANSFERS IN | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| INTERFUND TRANSFERS OUT | | | | | | | | |
| To: General Fund/CSSF | | 7612 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To: State School Building Fund/County School Facilities Fund | | 7613 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Authorized Interfund Transfers Out | | 7619 | 15,000.00 | 565,000.00 | 565,000.00 | 565,000.00 | 0.00 | 0.0% |
| (b) TOTAL, INTERFUND TRANSFERS OUT | | | 15,000.00 | 565,000.00 | 565,000.00 | 565,000.00 | 0.00 | 0.0% |
| OTHER SOURCES/USES | | | | | | | | |
| SOURCES | | | | | | | | |
| Other Sources | | | | | | | | |
| Transfers from Funds of Lapsed/Reorganized LEAs | | 8965 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (c) TOTAL, SOURCES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| USES | | | | | | | | |
| Transfers of Funds from Lapsed/Reorganized LEAs | | 7651 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (d) TOTAL, USES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| CONTRIBUTIONS | | | | | | | | |
| Contributions from Restricted Revenues | | 8990 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (e) TOTAL, CONTRIBUTIONS | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER FINANCING SOURCES/USES | | | | | | | | |
| (a - b + c - d + e) | | | (15,000.00) | (565,000.00) | (565,000.00) | (565,000.00) | | |

| Resource | Description | 2022-23 Projected Totals |
|---------------------------|-------------|--------------------------------|
| Total, Restricted Balance | | 0.00 |



Harmony
Union School District

1935 Bohemian Highway
Occidental, California, 95465
Phone (707) 874-1205 • Fax (707) 874-1226
www.harmonyusd.org

2nd Interim

2022-23

FORM 25

Capital Facilities Fund

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|----------------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| A. REVENUES | | | | | | | | |
| 1) LCFF Sources | | 8010-8099 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 2) Federal Revenue | | 8100-8299 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Other State Revenue | | 8300-8599 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) Other Local Revenue | | 8600-8799 | 650.00 | 6,140.00 | 1,183.74 | 6,140.00 | 0.00 | 0.0% |
| 5) TOTAL, REVENUES | | | 650.00 | 6,140.00 | 1,183.74 | 6,140.00 | | |
| B. EXPENDITURES | | | | | | | | |
| 1) Certificated Salaries | | 1000-1999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 2) Classified Salaries | | 2000-2999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Employee Benefits | | 3000-3999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) Books and Supplies | | 4000-4999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 5) Services and Other Operating Expenditures | | 5000-5999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 6) Capital Outlay | | 6000-6999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 7) Other Outgo (excluding Transfers of Indirect Costs) | | 7100-7299, 7400-7499 | 0.00 | 6,500.00 | 0.00 | 6,500.00 | 0.00 | 0.0% |
| 8) Other Outgo - Transfers of Indirect Costs | | 7300-7399 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 9) TOTAL, EXPENDITURES | | | 0.00 | 6,500.00 | 0.00 | 6,500.00 | | |
| C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9) | | | 650.00 | (360.00) | 1,183.74 | (360.00) | | |
| D. OTHER FINANCING SOURCES/USES | | | | | | | | |
| 1) Interfund Transfers | | | | | | | | |
| a) Transfers In | | 8900-8929 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b) Transfers Out | | 7600-7629 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 2) Other Sources/Uses | | | | | | | | |
| a) Sources | | 8930-8979 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b) Uses | | 7630-7699 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Contributions | | 8980-8999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) TOTAL, OTHER FINANCING SOURCES/USES | | | 0.00 | 0.00 | 0.00 | 0.00 | | |
| E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4) | | | 650.00 | (360.00) | 1,183.74 | (360.00) | | |
| F. FUND BALANCE, RESERVES | | | | | | | | |
| 1) Beginning Fund Balance | | | | | | | | |
| a) As of July 1 - Unaudited | | 9791 | 202,179.14 | 195,087.62 | | 195,087.62 | 0.00 | 0.0% |
| b) Audit Adjustments | | 9793 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| c) As of July 1 - Audited (F1a + F1b) | | | 202,179.14 | 195,087.62 | | 195,087.62 | | |
| d) Other Restatements | | 9795 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| e) Adjusted Beginning Balance (F1c + F1d) | | | 202,179.14 | 195,087.62 | | 195,087.62 | | |
| 2) Ending Balance, June 30 (E + F1e) | | | 202,829.14 | 194,727.62 | | 194,727.62 | | |
| Components of Ending Fund Balance | | | | | | | | |
| a) Nonspendable | | | | | | | | |
| Revolving Cash | | 9711 | 0.00 | 0.00 | | 0.00 | | |
| Stores | | 9712 | 0.00 | 0.00 | | 0.00 | | |
| Prepaid Items | | 9713 | 0.00 | 0.00 | | 0.00 | | |
| All Others | | 9719 | 0.00 | 0.00 | | 0.00 | | |
| b) Legally Restricted Balance | | 9740 | 202,829.14 | 194,727.62 | | 194,727.62 | | |
| c) Committed | | | | | | | | |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Stabilization Arrangements | | 9750 | 0.00 | 0.00 | | 0.00 | | |
| Other Commitments | | 9760 | 0.00 | 0.00 | | 0.00 | | |
| d) Assigned | | | | | | | | |
| Other Assignments | | 9780 | 0.00 | 0.00 | | 0.00 | | |
| e) Unassigned/Unappropriated | | | | | | | | |
| Reserve for Economic Uncertainties | | 9789 | 0.00 | 0.00 | | 0.00 | | |
| Unassigned/Unappropriated Amount | | 9790 | 0.00 | 0.00 | | 0.00 | | |
| OTHER STATE REVENUE | | | | | | | | |
| Tax Relief Subventions | | | | | | | | |
| Restricted Levies - Other | | | | | | | | |
| Homeowners' Exemptions | | 8575 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Subventions/In-Lieu Taxes | | 8576 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other State Revenue | | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER STATE REVENUE | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OTHER LOCAL REVENUE | | | | | | | | |
| County and District Taxes | | | | | | | | |
| Other Restricted Levies | | | | | | | | |
| Secured Roll | | 8615 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Unsecured Roll | | 8616 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Prior Years' Taxes | | 8617 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Supplemental Taxes | | 8618 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Non-Ad Valorem Taxes | | | | | | | | |
| Parcel Taxes | | 8621 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other | | 8622 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Community Redevelopment Funds Not Subject to LCFF Deduction | | 8625 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Penalties and Interest from Delinquent Non-LCFF Taxes | | 8629 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Sales | | | | | | | | |
| Sale of Equipment/Supplies | | 8631 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Interest | | 8660 | 650.00 | 2,350.00 | 1,183.74 | 2,350.00 | 0.00 | 0.0% |
| Net Increase (Decrease) in the Fair Value of Investments | | 8662 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Fees and Contracts | | | | | | | | |
| Mitigation/Developer Fees | | 8681 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Local Revenue | | | | | | | | |
| All Other Local Revenue | | 8699 | 0.00 | 3,790.00 | 0.00 | 3,790.00 | 0.00 | 0.0% |
| All Other Transfers In from All Others | | 8799 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER LOCAL REVENUE | | | 650.00 | 6,140.00 | 1,183.74 | 6,140.00 | 0.00 | 0.0% |
| TOTAL, REVENUES | | | 650.00 | 6,140.00 | 1,183.74 | 6,140.00 | | |
| CERTIFICATED SALARIES | | | | | | | | |
| Other Certificated Salaries | | 1900 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, CERTIFICATED SALARIES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| CLASSIFIED SALARIES | | | | | | | | |
| Classified Support Salaries | | 2200 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Classified Supervisors' and Administrators' Salaries | | 2300 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Clerical, Technical and Office Salaries | | 2400 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Classified Salaries | | 2900 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| TOTAL, CLASSIFIED SALARIES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| EMPLOYEE BENEFITS | | | | | | | | |
| STRS | | 3101-3102 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| PERS | | 3201-3202 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OASDI/Medicare/Alternative | | 3301-3302 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Health and Welfare Benefits | | 3401-3402 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Unemployment Insurance | | 3501-3502 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Workers' Compensation | | 3601-3602 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OPEB, Allocated | | 3701-3702 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OPEB, Active Employees | | 3751-3752 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Employee Benefits | | 3901-3902 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, EMPLOYEE BENEFITS | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| BOOKS AND SUPPLIES | | | | | | | | |
| Approved Textbooks and Core Curricula Materials | | 4100 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Books and Other Reference Materials | | 4200 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Materials and Supplies | | 4300 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Noncapitalized Equipment | | 4400 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, BOOKS AND SUPPLIES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| SERVICES AND OTHER OPERATING EXPENDITURES | | | | | | | | |
| Subagreements for Services | | 5100 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Travel and Conferences | | 5200 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Insurance | | 5400-5450 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Operations and Housekeeping Services | | 5500 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Rentals, Leases, Repairs, and Noncapitalized Improvements | | 5600 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers of Direct Costs | | 5710 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers of Direct Costs - Interfund | | 5750 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Professional/Consulting Services and Operating Expenditures | | 5800 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Communications | | 5900 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| CAPITAL OUTLAY | | | | | | | | |
| Land | | 6100 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Land Improvements | | 6170 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Buildings and Improvements of Buildings | | 6200 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Books and Media for New School Libraries or Major Expansion of School Libraries | | 6300 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Equipment | | 6400 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Equipment Replacement | | 6500 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Lease Assets | | 6600 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, CAPITAL OUTLAY | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OTHER OUTGO (excluding Transfers of Indirect Costs) | | | | | | | | |
| Other Transfers Out | | | | | | | | |
| All Other Transfers Out to All Others | | 7299 | 0.00 | 6,500.00 | 0.00 | 6,500.00 | 0.00 | 0.0% |
| Debt Service | | | | | | | | |
| Debt Service - Interest | | 7438 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Debt Service - Principal | | 7439 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs) | | | 0.00 | 6,500.00 | 0.00 | 6,500.00 | 0.00 | 0.0% |
| TOTAL, EXPENDITURES | | | 0.00 | 6,500.00 | 0.00 | 6,500.00 | | |
| INTERFUND TRANSFERS | | | | | | | | |
| INTERFUND TRANSFERS IN | | | | | | | | |
| Other Authorized Interfund Transfers In | | 8919 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (a) TOTAL, INTERFUND TRANSFERS IN | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| INTERFUND TRANSFERS OUT | | | | | | | | |
| To: State School Building Fund/County School Facilities Fund | | 7613 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Authorized Interfund Transfers Out | | 7619 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (b) TOTAL, INTERFUND TRANSFERS OUT | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OTHER SOURCES/USES | | | | | | | | |
| SOURCES | | | | | | | | |
| Proceeds | | | | | | | | |
| Proceeds from Sale/Lease-Purchase of Land/Buildings | | 8953 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Sources | | | | | | | | |
| Transfers from Funds of Lapsed/Reorganized LEAs | | 8965 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Long-Term Debt Proceeds | | | | | | | | |
| Proceeds from Certificates of Participation | | 8971 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Proceeds from Leases | | 8972 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Proceeds from Lease Revenue Bonds | | 8973 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Financing Sources | | 8979 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (c) TOTAL, SOURCES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| USES | | | | | | | | |
| Transfers of Funds from Lapsed/Reorganized LEAs | | 7651 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Financing Uses | | 7699 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (d) TOTAL, USES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| CONTRIBUTIONS | | | | | | | | |
| Contributions from Unrestricted Revenues | | 8980 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Contributions from Restricted Revenues | | 8990 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (e) TOTAL, CONTRIBUTIONS | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER FINANCING SOURCES/USES | | | 0.00 | 0.00 | 0.00 | 0.00 | | |
| (a - b + c - d + e) | | | 0.00 | 0.00 | 0.00 | 0.00 | | |

| Resource | Description | 2022-23 Projected Totals |
|---------------------------|------------------------------|--------------------------------|
| 9010 | Other Restricted Local | 194,727.62 |
| Total, Restricted Balance | | 194,727.62 |



Harmony
Union School District

1935 Bohemian Highway
Occidental, California, 95465
Phone (707) 874-1205 • Fax (707) 874-1226
www.harmonyusd.org

2nd Interim

2022-23

FORM 40

**Special Reserve Fund
For
Capital Outlay Projects**

Harmony Elementary School & Salmon Creek Charter School

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|----------------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| A. REVENUES | | | | | | | | |
| 1) LCFF Sources | | 8010-8099 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 2) Federal Revenue | | 8100-8299 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Other State Revenue | | 8300-8599 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) Other Local Revenue | | 8600-8799 | 1,800.00 | 4,199,000.00 | 1,345,042.82 | 4,199,000.00 | 0.00 | 0.0% |
| 5) TOTAL, REVENUES | | | 1,800.00 | 4,199,000.00 | 1,345,042.82 | 4,199,000.00 | | |
| B. EXPENDITURES | | | | | | | | |
| 1) Certificated Salaries | | 1000-1999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 2) Classified Salaries | | 2000-2999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Employee Benefits | | 3000-3999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) Books and Supplies | | 4000-4999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 5) Services and Other Operating Expenditures | | 5000-5999 | 0.00 | 162,730.81 | 104,123.48 | 162,730.81 | 0.00 | 0.0% |
| 6) Capital Outlay | | 6000-6999 | 0.00 | 4,937,323.13 | 2,336,639.43 | 4,937,323.13 | 0.00 | 0.0% |
| 7) Other Outgo (excluding Transfers of Indirect Costs) | | 7100-7299, 7400-7499 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 8) Other Outgo - Transfers of Indirect Costs | | 7300-7399 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 9) TOTAL, EXPENDITURES | | | 0.00 | 5,100,053.94 | 2,440,762.91 | 5,100,053.94 | | |
| C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9) | | | 1,800.00 | (901,053.94) | (1,095,720.09) | (901,053.94) | | |
| D. OTHER FINANCING SOURCES/USES | | | | | | | | |
| 1) Interfund Transfers | | | | | | | | |
| a) Transfers In | | 8900-8929 | 0.00 | 550,000.00 | 550,000.00 | 550,000.00 | 0.00 | 0.0% |
| b) Transfers Out | | 7600-7629 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 2) Other Sources/Uses | | | | | | | | |
| a) Sources | | 8930-8979 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| b) Uses | | 7630-7699 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 3) Contributions | | 8980-8999 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| 4) TOTAL, OTHER FINANCING SOURCES/USES | | | 0.00 | 550,000.00 | 550,000.00 | 550,000.00 | | |
| E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4) | | | 1,800.00 | (351,053.94) | (545,720.09) | (351,053.94) | | |
| F. FUND BALANCE, RESERVES | | | | | | | | |
| 1) Beginning Fund Balance | | | | | | | | |
| a) As of July 1 - Unaudited | | 9791 | 352,354.05 | 351,053.94 | | 351,053.94 | 0.00 | 0.0% |
| b) Audit Adjustments | | 9793 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| c) As of July 1 - Audited (F1a + F1b) | | | 352,354.05 | 351,053.94 | | 351,053.94 | | |
| d) Other Restatements | | 9795 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.0% |
| e) Adjusted Beginning Balance (F1c + F1d) | | | 352,354.05 | 351,053.94 | | 351,053.94 | | |
| 2) Ending Balance, June 30 (E + F1e) | | | 354,154.05 | 0.00 | | 0.00 | | |
| Components of Ending Fund Balance | | | | | | | | |
| a) Nonspendable | | | | | | | | |
| Revolving Cash | | 9711 | 0.00 | 0.00 | | 0.00 | | |
| Stores | | 9712 | 0.00 | 0.00 | | 0.00 | | |
| Prepaid Items | | 9713 | 0.00 | 0.00 | | 0.00 | | |
| All Others | | 9719 | 0.00 | 0.00 | | 0.00 | | |
| b) Legally Restricted Balance | | | | | | | | |
| c) Committed | | 9740 | 0.00 | 0.00 | | 0.00 | | |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| Stabilization Arrangements | | 9750 | 0.00 | 0.00 | | 0.00 | | |
| Other Commitments | | 9760 | 0.00 | 0.00 | | 0.00 | | |
| d) Assigned | | | | | | | | |
| Other Assignments | | 9780 | 0.00 | 0.00 | | 0.00 | | |
| e) Unassigned/Unappropriated | | | | | | | | |
| Reserve for Economic Uncertainties | | 9789 | 0.00 | 0.00 | | 0.00 | | |
| Unassigned/Unappropriated Amount | | 9790 | 354,154.05 | 0.00 | | 0.00 | | |
| FEDERAL REVENUE | | | | | | | | |
| FEMA | | 8281 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Federal Revenue | | 8290 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, FEDERAL REVENUE | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OTHER STATE REVENUE | | | | | | | | |
| Pass-Through Revenues from State Sources | | 8587 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| California Clean Energy Jobs Act | 6230 | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other State Revenue | All Other | 8590 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER STATE REVENUE | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OTHER LOCAL REVENUE | | | | | | | | |
| Other Local Revenue | | | | | | | | |
| Community Redevelopment Funds Not Subject to LCFF Deduction | | 8625 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Sales | | | | | | | | |
| Sale of Equipment/Supplies | | 8631 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Leases and Rentals | | 8650 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Interest | | 8660 | 1,800.00 | 3,000.00 | 2,084.81 | 3,000.00 | 0.00 | 0.0% |
| Net Increase (Decrease) in the Fair Value of Investments | | 8662 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Local Revenue | | | | | | | | |
| All Other Local Revenue | | 8699 | 0.00 | 4,196,000.00 | 1,342,958.01 | 4,196,000.00 | 0.00 | 0.0% |
| All Other Transfers In from All Others | | 8799 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER LOCAL REVENUE | | | 1,800.00 | 4,199,000.00 | 1,345,042.82 | 4,199,000.00 | 0.00 | 0.0% |
| TOTAL, REVENUES | | | 1,800.00 | 4,199,000.00 | 1,345,042.82 | 4,199,000.00 | | |
| CLASSIFIED SALARIES | | | | | | | | |
| Classified Support Salaries | | 2200 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Classified Supervisors' and Administrators' Salaries | | 2300 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Clerical, Technical and Office Salaries | | 2400 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Classified Salaries | | 2900 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, CLASSIFIED SALARIES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| EMPLOYEE BENEFITS | | | | | | | | |
| STRS | | 3101-3102 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| PERS | | 3201-3202 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OASDI/Medicare/Alternative | | 3301-3302 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Health and Welfare Benefits | | 3401-3402 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Unemployment Insurance | | 3501-3502 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Workers' Compensation | | 3601-3602 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OPEB, Allocated | | 3701-3702 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OPEB, Active Employees | | 3751-3752 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Employee Benefits | | 3901-3902 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|---|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| TOTAL, EMPLOYEE BENEFITS | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| BOOKS AND SUPPLIES | | | | | | | | |
| Books and Other Reference Materials | | 4200 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Materials and Supplies | | 4300 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Noncapitalized Equipment | | 4400 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, BOOKS AND SUPPLIES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| SERVICES AND OTHER OPERATING EXPENDITURES | | | | | | | | |
| Subagreements for Services | | 5100 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Travel and Conferences | | 5200 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Insurance | | 5400-5450 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Operations and Housekeeping Services | | 5500 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Rentals, Leases, Repairs, and Noncapitalized Improvements | | 5600 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers of Direct Costs | | 5710 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Transfers of Direct Costs - Interfund | | 5750 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Professional/Consulting Services and Operating Expenditures | | 5800 | 0.00 | 162,730.81 | 104,123.48 | 162,730.81 | 0.00 | 0.0% |
| Communications | | 5900 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES | | | 0.00 | 162,730.81 | 104,123.48 | 162,730.81 | 0.00 | 0.0% |
| CAPITAL OUTLAY | | | | | | | | |
| Land | | 6100 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Land Improvements | | 6170 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Buildings and Improvements of Buildings | | 6200 | 0.00 | 4,937,323.13 | 2,336,639.43 | 4,937,323.13 | 0.00 | 0.0% |
| Books and Media for New School Libraries or Major Expansion of School Libraries | | 6300 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Equipment | | 6400 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Equipment Replacement | | 6500 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Lease Assets | | 6600 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, CAPITAL OUTLAY | | | 0.00 | 4,937,323.13 | 2,336,639.43 | 4,937,323.13 | 0.00 | 0.0% |
| OTHER OUTGO (excluding Transfers of Indirect Costs) | | | | | | | | |
| Other Transfers Out | | | | | | | | |
| Transfers of Pass-Through Revenues | | | | | | | | |
| To Districts or Charter Schools | | 7211 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To County Offices | | 7212 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To JPAs | | 7213 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Transfers Out to All Others | | 7299 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Debt Service | | | | | | | | |
| Debt Service - Interest | | 7438 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Debt Service - Principal | | 7439 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs) | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, EXPENDITURES | | | 0.00 | 5,100,053.94 | 2,440,762.91 | 5,100,053.94 | | |
| INTERFUND TRANSFERS | | | | | | | | |
| INTERFUND TRANSFERS IN | | | | | | | | |
| From: General Fund/CSSF | | 8912 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Authorized Interfund Transfers In | | 8919 | 0.00 | 550,000.00 | 550,000.00 | 550,000.00 | 0.00 | 0.0% |

| Description | Resource Codes | Object Codes | Original Budget (A) | Board Approved Operating Budget (B) | Actuals To Date (C) | Projected Year Totals (D) | Difference (Col B & D) (E) | % Diff Column B & D (F) |
|--|----------------|--------------|---------------------|-------------------------------------|---------------------|---------------------------|----------------------------|-------------------------|
| (a) TOTAL, INTERFUND TRANSFERS IN | | | 0.00 | 550,000.00 | 550,000.00 | 550,000.00 | 0.00 | 0.0% |
| INTERFUND TRANSFERS OUT | | | | | | | | |
| To: General Fund/CSSF | | 7612 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| To: State School Building Fund/County School Facilities Fund | | 7613 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Authorized Interfund Transfers Out | | 7619 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (b) TOTAL, INTERFUND TRANSFERS OUT | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| OTHER SOURCES/USES | | | | | | | | |
| SOURCES | | | | | | | | |
| Proceeds | | | | | | | | |
| Proceeds from Sale/Lease-Purchase of Land/Buildings | | 8953 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Other Sources | | | | | | | | |
| Transfers from Funds of Lapsed/Reorganized LEAs | | 8965 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Long-Term Debt Proceeds | | | | | | | | |
| Proceeds from Certificates of Participation | | 8971 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Proceeds from Leases | | 8972 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Proceeds from Lease Revenue Bonds | | 8973 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Financing Sources | | 8979 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (c) TOTAL, SOURCES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| USES | | | | | | | | |
| Transfers of Funds from Lapsed/Reorganized LEAs | | 7651 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| All Other Financing Uses | | 7699 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (d) TOTAL, USES | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| CONTRIBUTIONS | | | | | | | | |
| Contributions from Unrestricted Revenues | | 8980 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| Contributions from Restricted Revenues | | 8990 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| (e) TOTAL, CONTRIBUTIONS | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.0% |
| TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e) | | | 0.00 | 550,000.00 | 550,000.00 | 550,000.00 | | |

| Resource | Description | 2022-23 Projected Totals |
|---------------------------|-------------|--------------------------------|
| Total, Restricted Balance | | 0.00 |



Harmony
Union School District

1935 Bohemian Highway
Occidental, California, 95465
Phone (707) 874-1205 • Fax (707) 874-1226
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2nd Interim

2022-23

CASHFLOW

| Description | Object | Beginning Balances (Ref. Only) | July | August | September | October | November | December | January | February |
|--|-----------|--------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| ACTUALS THROUGH THE MONTH OF (Enter Month Name): | | February | | | | | | | | |
| A. BEGINNING CASH | | | 3,705,025.39 | 3,268,545.05 | 2,906,220.62 | 2,686,425.46 | 2,366,440.53 | 2,243,550.01 | 3,712,879.05 | 2,002,938.75 |
| B. RECEIPTS | | | | | | | | | | |
| LCFF/Revenue Limit Sources | | | | | | | | | | |
| Principal Apportionment | 8010-8019 | | 146,974.00 | 158,653.00 | 329,084.00 | 264,542.00 | 264,572.00 | 329,094.00 | 264,552.00 | 288,645.00 |
| Property Taxes | 8020-8079 | | | 59.48 | 96.22 | 24.22 | 49.02 | 1,570,967.78 | 35,001.17 | 47.83 |
| Miscellaneous Funds | 8080-8099 | | (131,371.33) | (118,650.00) | (239,950.00) | (143,300.00) | (143,300.00) | (143,300.00) | (143,300.00) | (130,279.00) |
| Federal Revenue | 8100-8299 | | 55.00 | (222,323.00) | 171,149.00 | | 23,612.00 | 6,511.00 | 29,411.00 | 1,351.00 |
| Other State Revenue | 8300-8599 | | 6,042.00 | (27,817.31) | 28,811.00 | 24,991.78 | 111,064.00 | 70,283.00 | 16,575.82 | 11,781.00 |
| Other Local Revenue | 8600-8799 | | 8,643.52 | 9,930.00 | 14,633.00 | 26,345.52 | 15,827.00 | 42,865.79 | 25,172.51 | 15,379.00 |
| Interfund Transfers In | 8910-8929 | | | | 1,767,631.30 | | 614.00 | | | |
| All Other Financing Sources | 8930-8979 | | | | | | | | | |
| TOTAL RECEIPTS | | | 30,343.19 | (200,147.83) | 2,071,454.52 | 172,603.52 | 272,438.02 | 1,876,421.57 | 227,412.50 | 186,924.83 |
| C. DISBURSEMENTS | | | | | | | | | | |
| Certificated Salaries | 1000-1999 | | 13,362.03 | 168,613.90 | 151,411.11 | 142,899.09 | 144,827.32 | 147,843.51 | 152,989.38 | 144,500.67 |
| Classified Salaries | 2000-2999 | | 36,642.22 | 76,896.90 | 83,048.11 | 79,598.01 | 78,842.05 | 81,899.49 | 83,532.87 | 83,208.28 |
| Employee Benefits | 3000-3999 | | 25,935.33 | 106,321.67 | 107,217.00 | 108,937.32 | 110,168.21 | 111,574.02 | 115,166.57 | 112,567.15 |
| Books and Supplies | 4000-4999 | | 7,393.35 | 19,252.68 | 33,874.70 | 31,509.90 | 10,413.64 | 16,666.51 | 7,180.73 | 5,517.96 |
| Services | 5000-5999 | | 58,125.53 | 67,175.70 | 76,545.11 | 135,025.39 | 61,461.94 | 77,926.69 | 75,396.28 | 14,788.40 |
| Capital Outlay | 6000-6599 | | | | 2,698.74 | 3,301.00 | | | 0.00 | |
| Other Outgo | 7000-7499 | | | | | | | | | |
| Interfund Transfers Out | 7600-7629 | | | | 1,847,631.30 | | | | | |

| Description | Object | Beginning Balances (Ref. Only) | July | August | September | October | November | December | January | February |
|--|-----------|--------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|----------------|--------------|
| All Other Financing Uses | 7630-7699 | | | | | | | | | |
| TOTAL DISBURSEMENTS | | | 141,458.46 | 438,260.85 | 2,302,426.07 | 501,270.71 | 405,713.16 | 435,910.22 | 434,265.83 | 360,582.46 |
| D. BALANCE SHEET ITEMS | | | | | | | | | | |
| <u>Assets and Deferred Outflows</u> | | | | | | | | | | |
| Cash Not In Treasury | 9111-9199 | (500.00) | | | | | | | | |
| Accounts Receivable | 9200-9299 | (549,282.69) | | 348,755.00 | | 13,133.31 | | 20,790.00 | 0.00 | |
| Due From Other Funds | 9310 | (216,857.81) | | | | | 150,015.16 | | | |
| Stores | 9320 | | | | | | | | | |
| Prepaid Expenditures | 9330 | (12,040.89) | 12,040.89 | | | | | | | |
| Other Current Assets | 9340 | | | | | | | | | |
| Lease Receivable | 9380 | | | | | | | | | |
| Deferred Outflows of Resources | 9490 | | | | | | | | | |
| SUBTOTAL | | (778,681.39) | 12,040.89 | 348,755.00 | 0.00 | 13,133.31 | 150,015.16 | 20,790.00 | 0.00 | 0.00 |
| <u>Liabilities and Deferred Inflows</u> | | | | | | | | | | |
| Accounts Payable | 9500-9599 | (725,223.25) | 337,405.96 | 122,670.75 | (11,176.39) | 4,451.05 | (10,384.62) | (8,027.69) | 3,086.97 | (12,570.79) |
| Due To Other Funds | 9610 | (166,857.81) | | (50,000.00) | | | 150,015.16 | | 1,500,000.00 | |
| Current Loans | 9640 | | | | | | | | | |
| Unearned Revenues | 9650 | | | | | | | | | |
| Deferred Inflows of Resources | 9690 | | | | | | | | | |
| SUBTOTAL | | (892,081.06) | 337,405.96 | 72,670.75 | (11,176.39) | 4,451.05 | 139,630.54 | (8,027.69) | 1,503,086.97 | (12,570.79) |
| <u>Nonoperating</u> | | | | | | | | | | |
| Suspense Clearing | 9910 | | | | | | | | | |
| TOTAL BALANCE SHEET ITEMS | | 113,399.67 | (325,365.07) | 276,084.25 | 11,176.39 | 8,682.26 | 10,384.62 | 28,817.69 | (1,503,086.97) | 12,570.79 |
| E. NET INCREASE/DECREASE (B - C + D) | | | (436,480.34) | (362,324.43) | (219,795.16) | (319,984.93) | (122,890.52) | 1,469,329.04 | (1,709,940.30) | (161,086.84) |
| F. ENDING CASH (A + E) | | | 3,268,545.05 | 2,906,220.62 | 2,686,425.46 | 2,366,440.53 | 2,243,550.01 | 3,712,879.05 | 2,002,938.75 | 1,841,851.91 |
| G. ENDING CASH, PLUS CASH ACCRUALS AND ADJUSTMENTS | | | | | | | | | | |

| Description | Object | March | April | May | June | Accruals | Adjustments | Total | Budget |
|--|-----------|--------------|--------------|--------------|--------------|----------|-------------|----------------|----------------|
| ACTUALS THROUGH THE MONTH OF (Enter Month Name): | | February | | | | | | | |
| A. BEGINNING CASH | | 1,841,851.91 | 1,760,074.31 | 2,380,843.48 | 2,069,419.48 | | | | |
| B. RECEIPTS | | | | | | | | | |
| LCFF/Revenue Limit Sources | | | | | | | | | |
| Principal Apportionment | 8010-8019 | 469,670.00 | 246,579.00 | 246,579.00 | 138,319.00 | 0.00 | | 3,147,263.00 | 3,147,263.00 |
| Property Taxes | 8020-8079 | 50.00 | 760,000.00 | 25,000.00 | 513,335.28 | 0.00 | | 2,904,631.00 | 2,904,631.00 |
| Miscellaneous Funds | 8080-8099 | (298,283.00) | (134,151.00) | (134,151.00) | (98,664.67) | | | (1,858,700.00) | (1,858,700.00) |
| Federal Revenue | 8100-8299 | (1,500.00) | 75,000.00 | | 12,026.00 | | | 95,292.00 | 95,292.00 |
| Other State Revenue | 8300-8599 | 23,476.40 | 73,462.61 | 11,759.00 | 567,497.22 | | | 917,926.52 | 917,926.52 |
| Other Local Revenue | 8600-8799 | 34,309.00 | 24,203.56 | 17,389.00 | 40,724.10 | | | 275,422.00 | 275,422.00 |
| Interfund Transfers In | 8910-8929 | | | | | | | 1,768,245.30 | 1,768,245.30 |
| All Other Financing Sources | 8930-8979 | | | | | | | 0.00 | 0.00 |
| TOTAL RECEIPTS | | 227,722.40 | 1,045,094.17 | 166,576.00 | 1,173,236.93 | 0.00 | 0.00 | 7,250,079.82 | 7,250,079.82 |
| C. DISBURSEMENTS | | | | | | | | | |
| Certificated Salaries | 1000-1999 | 145,000.00 | 145,000.00 | 192,000.00 | 186,131.99 | 0.00 | | 1,734,579.00 | 1,734,579.00 |
| Classified Salaries | 2000-2999 | 83,500.00 | 83,500.00 | 83,500.00 | 168,224.85 | | | 1,022,392.78 | 1,022,392.78 |
| Employee Benefits | 3000-3999 | 112,500.00 | 112,500.00 | 125,000.00 | 384,872.02 | | | 1,532,759.29 | 1,532,759.29 |
| Books and Supplies | 4000-4999 | 12,500.00 | 6,200.00 | 17,500.00 | 27,526.05 | | | 195,535.52 | 195,535.52 |
| Services | 5000-5999 | 30,000.00 | 80,000.00 | 75,000.00 | 97,085.96 | | | 848,531.00 | 848,531.00 |
| Capital Outlay | 6000-6599 | 8,500.00 | | | 30,000.26 | | | 44,500.00 | 44,500.00 |
| Other Outgo | 7000-7499 | | | | | | | 0.00 | 0.00 |
| Interfund Transfers Out | 7600-7629 | | 0.00 | | (20,000.00) | | | 1,827,631.30 | 1,827,631.30 |
| All Other Financing Uses | 7630-7699 | | | | | | | 0.00 | 0.00 |

| Description | Object | March | April | May | June | Accruals | Adjustments | Total | Budget |
|--|-----------|--------------|--------------|--------------|--------------|--------------|-------------|--------------|--------------|
| TOTAL DISBURSEMENTS | | 392,000.00 | 427,200.00 | 493,000.00 | 873,841.13 | 0.00 | 0.00 | 7,205,928.89 | 7,205,928.89 |
| D. BALANCE SHEET ITEMS | | | | | | | | | |
| <u>Assets and Deferred Outflows</u> | | | | | | | | | |
| Cash Not In Treasury | 9111-9199 | | | | 500.00 | | | 500.00 | |
| Accounts Receivable | 9200-9299 | | | | 115,850.00 | 50,754.38 | | 549,282.69 | |
| Due From Other Funds | 9310 | 35,000.00 | | | (220,000.00) | | | (34,984.84) | |
| Stores | 9320 | | | | | | | 0.00 | |
| Prepaid Expenditures | 9330 | | | | (16,500.00) | | | (4,459.11) | |
| Other Current Assets | 9340 | | | | | | | 0.00 | |
| Lease Receivable | 9380 | | | | | | | 0.00 | |
| Deferred Outflows of Resources | 9490 | | | | | | | 0.00 | |
| SUBTOTAL | | 35,000.00 | 0.00 | 0.00 | (120,150.00) | 50,754.38 | 0.00 | 510,338.74 | |
| <u>Liabilities and Deferred Inflows</u> | | | | | | | | | |
| Accounts Payable | 9500-9599 | (12,500.00) | (2,875.00) | (15,000.00) | (80,000.00) | (395,000.00) | | (79,919.76) | |
| Due To Other Funds | 9610 | (35,000.00) | | | 125,000.00 | (100,000.00) | | 1,590,015.16 | |
| Current Loans | 9640 | | | | | | | 0.00 | |
| Unearned Revenues | 9650 | | | | | | | 0.00 | |
| Deferred Inflows of Resources | 9690 | | | | | | | 0.00 | |
| SUBTOTAL | | (47,500.00) | (2,875.00) | (15,000.00) | 45,000.00 | (495,000.00) | 0.00 | 1,510,095.40 | |
| <u>Nonoperating</u> | | | | | | | | | |
| Suspense Clearing | 9910 | | | | | | | 0.00 | |
| TOTAL BALANCE SHEET ITEMS | | 82,500.00 | 2,875.00 | 15,000.00 | (165,150.00) | 545,754.38 | 0.00 | (999,756.66) | 0.00 |
| E. NET INCREASE/DECREASE (B - C + D) | | (81,777.60) | 620,769.17 | (311,424.00) | 134,245.80 | 545,754.38 | 0.00 | (955,605.73) | 44,150.93 |
| F. ENDING CASH (A + E) | | 1,760,074.31 | 2,380,843.48 | 2,069,419.48 | 2,203,665.28 | | | | |
| G. ENDING CASH, PLUS CASH ACCRUALS AND ADJUSTMENTS | | | | | | | | 2,749,419.66 | |



| | |
|-------------------------|---|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Action Items |
| Type: | Info/Action |
| Subject: | <p>10.2 Second reading and adoption of new board policy and updates: Sept 2022</p> <p>BP 3515.3 District Police/Security Department AR 3515.3 District Police/Security Department BP 4118 Dismissal/Suspension/Disciplinary Action AR 4118 Dismissal/Suspension/Disciplinary Action BP 4119.1 Civil and Legal Rights BP 4219.1 Civil and Legal Rights BP 4319.1 Civil and Legal Rights BP 4140 Bargaining Units BP 4240 Bargaining Units BP 4340 Bargaining Units AR 4161.2 Personal Leaves AR 4261.2 Personal Leaves AR 4361.2 Personal Leaves AR 4161.5 Military Leave AR 4261.5 Military Leave AR 4361.5 Military Leave BP 4216 Probationary/Permanent Status BP 4218 Dismissal/Suspension/Disciplinary Action AR 4218 Dismissal/Suspension/Disciplinary Action BP 4218.1 Dismissal/Suspension/Disciplinary Action (Merit System) BP 6146.1 High School Graduation Requirements Fill in Blanks AR 6146.1 High School Graduation Requirements Delete AR Yes No BP 6158 Independent Study AR 6158 Independent Study BP 6164.2 Guidance/Counseling Services BP 6178 Career Technical Education AR 6178 Career Technical Education BP 6200 Adult Education AR 6200 Adult Education BP 7110 Facilities Master Plan BP 7150 Site Selection and Development AR 7150 Site Selection and Development</p> |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: | <p> ViewMemberCommAttachment.aspx (6).pdf</p> <p> ViewMemberCommAttachment.aspx (7).pdf</p> <p> ViewMemberCommAttachment (1).pdf</p> |
| Description: | |
| Background | |

Information:

Fiscal Implications:

That the board adopts new board policy and updates: Sept 2022

- BP 3515.3 District Police/Security Department
- AR 3515.3 District Police/Security Department
- BP 4118 Dismissal/Suspension/Disciplinary Action
- AR 4118 Dismissal/Suspension/Disciplinary Action
- BP 4119.1 Civil and Legal Rights
- BP 4219.1 Civil and Legal Rights
- BP 4319.1 Civil and Legal Rights
- BP 4140 Bargaining Units
- BP 4240 Bargaining Units
- BP 4340 Bargaining Units
- AR 4161.2 Personal Leaves
- AR 4261.2 Personal Leaves
- AR 4361.2 Personal Leaves
- AR 4161.5 Military Leave
- AR 4261.5 Military Leave
- AR 4361.5 Military Leave

Recommendation:

- BP 4216 Probationary/Permanent Status
- BP 4218 Dismissal/Suspension/Disciplinary Action
- AR 4218 Dismissal/Suspension/Disciplinary Action
- BP 4218.1 Dismissal/Suspension/Disciplinary Action (Merit System)
- BP 6146.1 High School Graduation Requirements Fill in Blanks
- AR 6146.1 High School Graduation Requirements Delete AR Yes No
- BP 6158 Independent Study
- AR 6158 Independent Study
- BP 6164.2 Guidance/Counseling Services
- BP 6178 Career Technical Education
- AR 6178 Career Technical Education
- BP 6200 Adult Education
- AR 6200 Adult Education
- BP 7110 Facilities Master Plan
- BP 7150 Site Selection and Development
- AR 7150 Site Selection and Developme

Approvals:

Recommended
By:



Matthew Morgan - Superintendent/Principal

CSBA UPDATE CHECKLIST – September 2022

District Name: _____

Contact Name: _____ Phone: _____ Email: _____

| POLICY | TITLE | OPTIONS/BLANKS | ADOPT DATE |
|-----------|--|---|------------|
| BP 3515.3 | District Police/Security Department | OPTION 1: <input type="checkbox"/> OPTION 2: <input type="checkbox"/> AND OPTION 1: <input type="checkbox"/> OPTION 2: <input type="checkbox"/> | |
| AR 3515.3 | District Police/Security Department | | |
| BP 4118 | Dismissal/Suspension/Disciplinary Action | | |
| AR 4118 | Dismissal/Suspension/Disciplinary Action | OPTION 1: <input type="checkbox"/> OPTION 2: <input type="checkbox"/> | |
| BP 4119.1 | Civil and Legal Rights | | |
| BP 4219.1 | Civil and Legal Rights | | |
| BP 4319.1 | Civil and Legal Rights | | |
| BP 4140 | Bargaining Units | | |
| BP 4240 | Bargaining Units | | |
| BP 4340 | Bargaining Units | | |
| AR 4161.2 | Personal Leaves | | |
| AR 4261.2 | Personal Leaves | | |
| AR 4361.2 | Personal Leaves | | |
| AR 4161.5 | Military Leave | | |
| AR 4261.5 | Military Leave | | |
| AR 4361.5 | Military Leave | | |
| BP 4216 | Probationary/Permanent Status | | |

CSBA UPDATE CHECKLIST – September 2022

District Name: _____

| POLICY | TITLE | OPTIONS/BLANKS | ADOPT DATE |
|-----------|---|--|------------|
| BP 4218 | Dismissal/Suspension/Disciplinary Action | | |
| AR 4218 | Dismissal/Suspension/Disciplinary Action | | |
| BP 4218.1 | Dismissal/Suspension/Disciplinary Action (Merit System) | | |
| BP 6146.1 | High School Graduation Requirements | Fill in Blanks _____ _____ _____ | |
| AR 6146.1 | High School Graduation Requirements | Delete AR <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| BP 6158 | Independent Study | | |
| AR 6158 | Independent Study | | |
| BP 6164.2 | Guidance/Counseling Services | OPTION 1: <input type="checkbox"/> OPTION 2: <input type="checkbox"/> | |
| BP 6178 | Career Technical Education | | |
| AR 6178 | Career Technical Education | | |
| BP 6200 | Adult Education | | |
| AR 6200 | Adult Education | | |
| BP 7110 | Facilities Master Plan | | |
| BP 7150 | Site Selection and Development | | |
| AR 7150 | Site Selection and Development | | |

CSBA UPDATE CHECKLIST – September 2022

District Name: _____

| POLICY | TITLE | OPTIONS/BLANKS | ADOPT DATE |
|---------------|--------------|--|-------------------|
| BB 9100 | Organization | OPTION 1: <input type="checkbox"/> OPTION 2: <input type="checkbox"/> Fill in Blanks <hr/> | |

CSBA POLICY GUIDE SHEET September 2022

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

Board Policy 3515.3 – District Police/Security Department

Policy updated to clarify that a job description delineating the duties of district police or security officers is required to be approved by the Governing Board and reflect **NEW LAW (SB 906, 2022)** which requires district police and security officers, when notified by a school official of a threat or perceived threat that a student is preparing to commit a homicidal act related to school or school activity, to immediately conduct an investigation and assessment of the threat or perceived threat. Policy also updated to add characteristics for which discrimination by district police or security officers is prohibited, and expand the list of tactics district police or security officers are required to use to minimize the use of force.

Administrative Regulation 3515.3 – District Police/Security Department

Regulation updated to clarify that the district is required to provide each security officer with the latest course of training, as specified, and include the definition of “carotid restraint” and “choke hold”. Regulation also updated to amend the policy requirements that district police departments are required to maintain by (1) rearranging material to keep related content together, (2) adding that officers carry out duties in a manner that reflects cultural competency, (3) providing that there are procedures to prohibit an officer from training other officers for at least three years from the date that an abuse of force complaint against an officer is substantiated, and (4) reflecting **NEW LAW (AB 26, 2021)** which requires the policy maintained by district police departments to include that (a) officers report potential excessive force immediately, (b) an officer may not be retaliated against when reporting a suspected violation of law or regulation of another officer or supervisor, and (c) an officer who fails to intercede be disciplined up to and including in the same manner as the officer who used excessive force. Additionally, regulation updated to reflect **NEW LAW (AB 486, 2021)** which requires full-time district police officers, and public safety dispatchers as specified, to serve in a probationary status for not less than one year from the date of appointment to the full-time position in order to receive permanent classified service status.

Board Policy 4118 – Dismissal/Suspension/Disciplinary Action

Policy updated to reflect **NEW COURT DECISION** ([Kennedy v. Bremerton School District](#)), in which the U.S. Supreme Court held that the district’s decision not to rehire a high school coach who refused to follow district direction to refrain from offering prayers openly in the presence of students after football games, violated the employee’s free exercise and free speech rights. Policy also updated to include language formerly in AR that prohibits the disciplining of any employee for protecting a student who is exercising a free speech or press right.

Administrative Regulation 4118 - Dismissal/Suspension/Disciplinary Action

Regulation updated to move, from AR to BP, material which prohibits the disciplining of an employee for acting to protect a student’s right to free speech or press, and to make clarifying changes throughout.

Board Policy 4119.1/4219.1/4319.2 – Civil and Legal Rights

Policy updated to reflect **NEW COURT DECISION** ([Kennedy v. Bremerton School District](#)), in which the U.S. Supreme Court held that the district’s decision not to rehire a high school coach who refused to follow district direction to refrain from offering prayers openly in the presence of students after football games, violated the employee’s free exercise and free speech rights. Policy also updated to include types of retaliation prohibited when an employee is acting solely to protect a student engaged in conduct authorized by Education Code 48907 (freedom of speech and press) or 48950 (speech and other communication), and clarify that an employee is prohibited from using official authority status or influence to attempt to intimidate, threaten, coerce, or command another employee for the purpose of interfering with that employee’s right to disclose improper governmental activity.

Board Policy 4140/4240/4340 – Bargaining Units

Policy updated to reflect **NEW LAW (SB 270, 2021)** which allows a district 20 days to cure a violation of the district’s employee information disclosure obligation when the district is notified by an employee organization, and limits district opportunity to cure a violation that involves the provision of an inaccurate or incomplete list to three times in any 12-month period. Policy also updated to reflect **NEW LAW (SB 191, 2022)** which provides additional obligations for a district when an “inperson orientation” cannot be held by the district. Additionally, policy updated to include heading change from “Access to Employee Orientations” to “Access to New Employee Orientations, and to clarify language in this section and in “Formation of Bargaining Unit” section.

Administrative Regulation 4161.2/4261.2/4361.2 – Personal Leaves

Regulation updated to reflect **NEW LAW (SB 294, 2021)** which clarifies that leave of absence granted an employee to serve as an elected officer of an employee organization is in addition to other leaves to which the employee may be entitled by law or agreement and **NEW LAW (AB 1033, 2021)** which defines “parent” to include “parents-in-law.” Regulation also updated to change heading “Legal Duties” to “Leave to Perform Legal Duties” and to make clarifying changes throughout.

Administrative Regulation 4161.5/4261.5/4361.5 – Military Leave

Regulation updated to include explanatory notes for the “Pension Plan Service Credit” and “Employment Status” sections, clarify language throughout, and delete dated and unnecessary material.

Board Policy 4216 – Probationary/Permanent Status

Policy updated to reflect **NEW LAW (AB 486, 2021)** which requires full-time district police officers, and public safety dispatchers as specified, to serve in a probationary status for not less than one year from the date of appointment to the full-time position in order to receive permanent classified service status, and **NEW LAW (SB 874, 2022)** which extends to districts that have adopted the merit system the requirement that a permanent employee who accepts a promotion and fails to complete the probationary period for that promotional position be employed in the classification from which the employee was promoted.

Board Policy 4218 - Dismissal/Suspension/Disciplinary Action

Policy updated to reflect **NEW COURT DECISION (Kennedy v. Bremerton School District)**, in which the U.S. Supreme Court held that the district’s decision not to rehire a high school coach who refused to follow district direction to refrain from offering prayers openly in the presence of students after football games, violated the employee’s free exercise and free speech rights. Policy also updated to include language formerly in AR that prohibits the disciplining of any employee for protecting a student who is exercising a free speech or press right, and to clarify language within the “Procedures for Serious Disciplinary Proceedings” section.

Administrative Regulation 4218 - Dismissal/Suspension/Disciplinary Action

Regulation updated to move, from AR to BP, material which prohibits the disciplining of an employee for acting to protect a student’s right to free speech or press, and to make clarifying changes throughout.

Board Policy 4218.1 - Dismissal/Suspension/Disciplinary Action (Merit System)

Policy updated to reflect **NEW COURT DECISION (Kennedy v. Bremerton School District)**, in which the U.S. Supreme Court held that the district’s decision not to rehire a high school coach who refused to follow district direction to refrain from offering prayers openly in the presence of students after football games violated the employee’s free exercise and free speech rights. Policy also updated to reflect Education Code 48907 and 48950 that prohibit districts from disciplining any employee acting to protect a student who is exercising their free speech or press right.

Board Policy 6146.1 – High School Graduation Requirements

Policy updated to move to the beginning of the policy students’ obligation to complete statewide and Governing Board adopted graduation requirements unless exempted from local requirements, and include eligibility for students exempt from local requirements to participate in any graduation ceremony and school activity related to graduation in which other students are eligible to participate. Policy also updated to reflect **NEW LAW (AB 101, 2021)** which (1) no longer authorizes a course in career technical education to serve as an alternative to the visual or performing arts or world language course requirement for high school

graduation, and (2) requires, beginning with the 2029-30 school year, a student to complete a one-semester course in ethnic studies, as specified, to graduate from high school. Additionally, policy updated to reflect **NEW LAW (AB 181, 2022)** which requires districts to (1) exempt eligible students with disabilities from all coursework and other requirements adopted by the Board that are in addition to the statewide course requirements and award such students a high school diploma, and (2) notify the parents/guardians of eligible students of such exemption, as specified. Policy also updated to delete material applicable only to the 2020-21 school year, and to incorporate material from the accompanying AR, as the AR is being deleted as otherwise unnecessary.

DELETE – Administrative Regulation 6146.1 – High School Graduation Requirements

Regulation deleted as unnecessary with key concepts incorporated into the BP.

Board Policy 6158 – Independent Study

Policy updated to reflect **NEW LAW (AB 181, 2022)** which (1) encourages districts to consider offering more than one independent study model for short- and long-term placements when adopting policy, (2) changes the threshold for when tiered reengagement strategies are required to be implemented, (3) adds that tiered reengagement strategies procedures include local programs intended to address chronic absenteeism, (4) includes that the requirement to develop a plan to transition students whose families wish to return to in-person instruction, as specified, applies to students who participate in independent study for at least 15 school days, (5) creates an exemption from the live interaction and/or synchronous instruction, tiered reengagement strategies, and transition back to in-person instruction requirements for any student who is enrolled in classroom-based instruction and 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, (6) specifies that a signed written/learning agreement be obtained before the student begins independent study for students participating in independent study for 15 school days or more, and within ten school days of the first day of the student's enrollment for student participation of less than 15 school days, (for both traditional and course-based independent study), (7) adds that for students with disabilities the certificated employee designated as having responsibility for the special education programming of the student is required to sign the written/learning agreement, (for both traditional and course-based independent study), and (8) includes that a student with disabilities may participate in a course-based independent study program if the student's individualized education program specifically provides for such participation. Policy also updated to (1) move and expand material regarding the requirement for Governing Boards to hold a public hearing when setting policy, as specified, (2) emphasize that no student may be required to participate in independent study, (3) clarify that for course-based independent study procedures tiered reengagement strategies are not required to include notification to parents/guardians of lack of participation within one school day of the absence or lack of participation, and (4) delete material applicable only to the 2021-22 school year.

Administrative Regulation 6158 – Independent Study

Regulation updated to reflect **NEW LAW (AB 181, 2022)** which (1) no longer includes individualized alternative education designed to teach the knowledge and skills of the core curriculum in the list of educational opportunities that may be provided through independent study, (2) includes that a student with disabilities may participate in independent study if the student's individualized education program specifically provides for such participation, (3) specifies that 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 individualized education program (IEP) team is required to make an individualized determination as to whether the student can receive a free appropriate public education (FAPE) in an independent study placement, (4) provides that a student's inability to work independently, need for adult support, or need for special education or related services does not preclude the IEP team from determining that the student can receive FAPE in an independent study placement, (5) clarifies that, until July 1, 2024, any student 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 by means of the virtual program, as specified, and (6) creates an exception to the limitation on the percentage of students enrolled in a continuation high school or opportunity school or program who are eligible for apportionment credit for independent study for students participating in independent study due to an emergency, as specified. Regulation also updated to clarify that if a student transfers to another public school in California, a written

record of findings from any evaluation conducted because a student has failed to make satisfactory educational progress be forwarded to that school. Additionally, regulation updated to delete material pertaining to adult education and that which is applicable only to the 2021-22 school year.

Board Policy 6164.2 – Guidance/Counseling Services

Policy updated to expand the Governing Board’s philosophical statement to include student well-being, and reflect **NEW LAW (AB 2508, 2022)** which (1) urges districts to adopt a comprehensive educational counseling program and, for districts that provide such services, to implement a structured and coherent counseling program within a Multi-Tiered Systems of Support framework, (2) revises the definition of “educational counseling,” (3) amends the legislative intent of the responsibilities of school counselors, (4) requires educational counseling to include specified postsecondary services, and (5) revises the components that educational counseling is required and authorized to include. Policy also updated to reflect **NEW LAW (AB 643, 2021)** which encourages districts to host apprenticeship and/or career technical education fair events, such as college and career fairs and for districts that do hold such events to notify apprenticeship programs in their county, as specified. Additionally, policy updated to move material regarding early identification and intervention plans for students who may be at risk for violence.

Board Policy 6178 – Career Technical Education

Policy updated to move material regarding career technical education program components to be with related content, reflect **NEW LAW (AB 101, 2021)** which no longer authorizes a course in career technical education to serve as an alternative to the visual or performing arts or world language course requirement for high school graduation, and reflect **NEW LAW (AB 643, 2021)** which encourages districts to host apprenticeship and/or career technical education fair events, such as college and career fairs, and for districts that do hold such events to notify apprenticeship programs in their county, as specified.

Administrative Regulations 6178 – Career Technical Education

Regulation updated to reflect **NEW LAW (AB 1923, 2022)** which includes science, technology, engineering, and mathematics courses as required alternative courses that must be offered to students participating in partnership academies.

Board Policy 6200 – Adult Education

Policy updated to reflect **NEW LAW (AB 486, 2021)** which repeals the authorization for districts in sparsely populated areas to participate in the adult education program administered by the county office of education. Policy also updated to (1) expand the Board’s philosophical statement, (2) move material regarding the district’s participation in a consortium to be with newly added material of similar content, (3) include that the Board may authorize an adult education student pursuing a high school diploma or a high school equivalency certificate, upon recommendation of the student’s adult school or noncredit program of attendance, to attend a community college during any session or term as a special part-time student, and (4) provide that a district may, with the approval of the County Superintendent of Schools and the Superintendent of Public Instruction, contract with another district to provide adult education instruction if the district has an adult school or classes but is unable to maintain that school or class(es) because of an inability to secure a teacher(s) or because of a lack of facilities.

Administrative Regulation 6200 – Adult Education

Regulation updated to reorder material related to enrollment, clarify that the exception to the requirement for adult education classes to be located in a facility which is identified as being open to the general public is for programs for adults with disabilities, reflect **NEW LAW (AB 486, 2022)** which (1) changes the classes/courses which are authorized for apportionment purposes from the Adult Education Program funds, (2) includes that programs for immigrants may include immigrant integration, (3) repeals that a course taken through independent study be required to meet state or local high school graduation requirements, and (4) repeals the authorization for materials purchased from the incidental expense account to be sold to adult school students for use in their classes. Regulation also updated to clarify that programs offering pre-apprenticeship training activities be conducted in coordination with apprenticeship programs approved by the Division of Apprenticeship Standards for the occupation and geographic area, provide that approval for courses be submitted to the California Department of Education regularly, emphasize that no student may be required to participate in independent study, delete material regarding continued engagement in K-12

independent study as not being applicable to this AR, include that fees may be required for enrollment in adult education class(es) before listing the exceptions, and amend language to be more closely aligned with law.

Board Policy 7110 – Facilities Master Plan

Policy updated to recognize the importance of teacher housing needs, and reflect **NEW LAW (AB 306, 2021)** which adds the definition of “residential housing” as it applies to district facilities, excludes from the definition of “school building” any building used or intended to be used by a district as “residential housing,” and specifies that the Department of General Services is not required to approve residential housing for earthquake safety and access by persons with disabilities.

Board Policy 7150 – Site Selection and Development

Policy updated to add material regarding the Governing Board’s obligations when evaluating property prior to acquiring a new school or an addition to an existing school site, and reflect **NEW LAW (AB 819, 2021)** which requires the district to post specified environmental review documents.

Administrative Regulation 7150 – Site Selection and Development

Regulation updated to specify that the request for information to evaluate the safety of a proposed site be in writing, and reflect **NEW LAW (AB 819, 2021)** which requires the district to post specified environmental review documents.

Board Bylaw 9100 – Organization

Bylaw updated to reflect **NEW LAW (AB 486, 2021)** which changes the date requirements for districts to hold their annual organizational meeting.

MINOR REVISION:

Board Policy 4030 – Nondiscrimination in Employment

Policy updated to make a minor revision by adding a note which reflects **NEW COURT DECISION (Kennedy v. Bremerton School District)**, in which the U.S. Supreme Court held that the district’s decision not to rehire a high school coach who refused to follow district direction to refrain from offering prayers openly in the presence of students after football games, violated the employee’s free exercise and free speech rights.

Policy 3515.3: District Police/Security Department

Status: ADOPTED

Original Adopted Date: 10/01/1998 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

CSBA NOTE: Education Code 38000 authorizes the Governing Board to establish a district police or security department and to employ personnel to ensure the safety of district students and staff and the security of district real and personal property. However, Education Code 38000 expresses legislative intent to encourage districts to redirect resources currently allocated to district police departments or to contracts with local law enforcement into student support services (e.g., mental health services) and professional development on cultural competency and restorative justice, if found to be a more appropriate use of resources based on student and school needs.

This policy and accompanying administrative regulation are for use by districts that choose to establish a district police or security department and may be revised to reflect district practice, including appropriate modifications to indicate whether the district has a "police" or "security" department. Pursuant to Government Code 7286, district police departments are required to establish policy on the use of force. See the section "Conduct of Officers" below and the accompanying administrative regulation.

Districts that elect not to establish a police or security department, but instead contract with local law enforcement, should consider additional training requirements for any contracted peace officers to include, but not be limited to, professional development focused on cultural competency, restorative justice, and adolescent development as applied in public schools.

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

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

CSBA NOTE: Pursuant to Penal Code 13651, entities that employ peace officers are required to review the job description that is used in recruitment and hiring and make changes that emphasize community-based policing, familiarization between law enforcement and community residents, and collaborative problem solving while de-emphasizing the paramilitary aspects of the job.

Duties of district police or security officers shall be delineated in a job description approved by the Board. Such duties shall focus on collaborative problem solving and, when circumstances warrant intervention with students, the use of positive and restorative approaches in accordance with Penal Code 13651. Police or security officer job duties shall not include the handling of routine student disciplinary matters.

CSBA NOTE: The district may select either or both options below depending on whether it has a "security" and/or "police" department.

OPTION 1: (Security Department)

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

When district security officers are unable to perform their duties because of an emergency, including, but not be limited to, war, epidemic, fire, flood, or work stoppage, or when the emergency necessitates additional security services, the Board may contract with a private licensed security agency. In such cases, the Board shall make a specific finding that an emergency exists and shall include this finding in the Board minutes. (Education Code 38005)

OPTION 2: (Police Department)

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

CSBA NOTE: The following optional paragraph is for use by districts that have a police department and choose to establish a reserve officer corps, and may be revised to reflect district practice. Education Code 35021.5 expresses legislative intent that districts be allowed to use volunteer reserve officers to the extent necessary to provide a safe

and secure school environment.

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

CSBA NOTE: The following paragraph is for use by districts that have either district police or security officers and should be modified accordingly.

Education Code 49394, as added by SB 906 (Ch. 144, Statutes of 2022), requires district police and security officers, with the support of the district, to immediately conduct an investigation and assessment of any threat or perceived threat, as defined, that a student is preparing to commit a homicidal act related to school or school activity when notified of such by district staff or a Board member. Districts are encouraged to consult with the California Office of Emergency Services (OES) and utilize resources such as the State Threat Assessment System and Regional Fusion Centers to help assess potential threats. For more information see OES' web site.

When notified by a school official of a threat or perceived threat that a student is preparing to commit a homicidal act related to a school or school activity, district police and security officers shall, with the support of the district, immediately conduct an investigation and assessment of the threat or perceived threat. Such investigation and assessment shall include a search of the school site only if there is reasonable suspicion that the search would produce evidence related to the threat or perceived threat. (Education Code 49390, 49393, 49394)

Conduct of Officers

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

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

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

CSBA NOTE: Pursuant to Government Code 7286, district police departments are required to have a policy that provides a minimum standard on the use of force. See the accompanying administrative regulation for information about the required components of such policy.

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

Equipment

CSBA NOTE: Penal Code 626.9 exempts peace officers from the Gun Free Schools Act, which prohibits the possession of a firearm on school grounds. Pursuant to Penal Code 830.32, the Board may determine if its police officers will carry firearms. Additionally, Education Code 38001.5 implies that the Board may determine if its security officers will be required to carry firearms.

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

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

CSBA NOTE: The following paragraph may be used by all districts that maintain a police department.

The district police department shall be eligible to receive surplus military equipment pursuant to 10 USC 2576a only

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

Records

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

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

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

| | |
|-----------------------------------|--|
| Bus. and Prof. Code 7583-7583.447 | Private patrol operators - https://simbli.eboardsolutions.com/SU/kBDCgRBUWNgP7GLr6TxJHw== |
| Ed. Code 234.7 | Student protections relating to immigration and citizenship status |
| Ed. Code 35021.5 | School police reserve corps |
| Ed. Code 38000-38005 | Security departments |
| Ed. Code 45113 | Probationary period and permanent status; non-merit system districts |
| Ed. Code 45122.1 | Classified employees; conviction of a violent or serious felony |
| Ed. Code 45133.5 | School police department; work schedule |
| Ed. Code 45301 | Probationary period and permanent status; merit system districts |
| Ed. Code 49076 | Access to student records |
| Ed. Code 49079 | Notification to teacher; student act constituting grounds for suspension or expulsion |
| Ed. Code 49390-49395 | Homicide threats |
| Fam. Code 6240-6275 | Emergency protective orders |
| Gov. Code 11135 | Prohibition of discrimination - https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtfQ== |
| Gov. Code 12525.2 | Reports of incidents involving peace officers |
| Gov. Code 3300-3312 | Public safety officers; rights and protections |
| Gov. Code 7286-7286.5 | Law enforcement use of force policies |
| Gov. Code 8597-8598 | Emergencies; peace officers |
| Pen. Code 13510-13519.15 | Standards for recruitment and training |
| Pen. Code 13651 | Peace officers; job descriptions |
| Pen. Code 13700-13702 | Response to domestic violence |
| Pen. Code 290.45 | Sex offenders; authority of peace officers to provide information |
| Pen. Code 626.9 | Gun-Free School Zone Act of 1995 |
| Pen. Code 646.91 | Emergency protective order for stalking |
| Pen. Code 830-832.19 | Peace officers |
| Pen. Code 830.32 | School district and community college police |
| Pen. Code 830.6 | Reserve police officers; powers and duties |

| | |
|-------------------------|---|
| Pen. Code 832 | Course of training prescribed by Commission on Peace Officer Standards and Training |
| Pen. Code 832.15-832.16 | Notice of prohibition against possession of firearm |
| Pen. Code 832.2 | School peace officers; training |
| Pen. Code 832.7 | Disclosure of personnel files in criminal or civil proceedings |
| Pen. Code 836 | Peace officers; warrants |
| W&I Code 707 | List of crimes |
| W&I Code 828-828.1 | Disclosure of information re minors by law enforcement agency |

Federal References

| | |
|-------------------|---------------------------------------|
| 10 USC 2576a | Surplus military equipment |
| 34 CFR 99.1-99.67 | Family Educational Rights and Privacy |

Description

Management Resources References

| | |
|---|---|
| California Attorney General Publication | Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, 2018 |
| Comm on Peace Officer Standards & Training Pub. | POST Use of Force Standards and Guidelines, November 2021 |
| Court Case | San Diego Police Officers Association et al. v. City of San Diego Civil Service Commission et al. (2002) 104 Cal.App.4th 275 |
| Website | U.S. Department of Homeland Security, Fusion Centers - https://simbli.eboardsolutions.com/SU/tJtHFHUI2yEDvIMpPVrtBA== |
| Website | California State Threat Assessment System - https://simbli.eboardsolutions.com/SU/CX8ou4hFcTRJKHzwyPRczQ== |
| Website | California Office of Emergency Services - https://simbli.eboardsolutions.com/SU/tJtHFHUI2yEDvIMpPVrtBA== |
| Website | CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ== |
| Website | Commission on Peace Officer Standards and Training - https://simbli.eboardsolutions.com/SU/Vt9GngNyfZb0gB4c21Z9mg== |
| Website | California Department of Education, Safe Schools - https://simbli.eboardsolutions.com/SU/AxdFslshFpyQ1QP0821fOy9pg== |
| Website | California Attorney General's Office - https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA== |

Description

Cross References

| | |
|-----------|---|
| 0410 | Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ== |
| 0450 | Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/FQOZDcYoBERqzRucs3xsMA== |
| 0450 | Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/BxazplusxgNXNREplusOnkNIFqtQ== |
| 1113 | District And School Web Sites - https://simbli.eboardsolutions.com/SU/Zqs0IbYX5FOKNZRBTtrSjA== |
| 1113 | District And School Web Sites - https://simbli.eboardsolutions.com/SU/ZEoW4ZKHcT3nfnqLxRTR1fw== |
| 1113-E(1) | District And School Web Sites - https://simbli.eboardsolutions.com/SU/i5TLslsh83D1nplusoytHTIsM6ew== |
| 1240 | Volunteer Assistance - https://simbli.eboardsolutions.com/SU/c3bzU5HxDAULaslsh6slshY5Cfg== |

Description

1240 Volunteer Assistance -
<https://simbli.eboardsolutions.com/SU/ROv5x6plusDgBotyKnO8gWH3A==>

1250 Visitors/Outsiders -
<https://simbli.eboardsolutions.com/SU/fQeslYtQfPyCw4jPFcug3A==>

1250 Visitors/Outsiders -
<https://simbli.eboardsolutions.com/SU/tWaslsh7PMJ3L8KcyZCNmtCCg==>

1400 Relations Between Other Governmental Agencies And The Schools -
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3515 Campus Security -
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3515 Campus Security -
<https://simbli.eboardsolutions.com/SU/ROslshkemJzfdllLrBjXYxC1w==>

3515.2 Disruptions -
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3515.2 Disruptions -
<https://simbli.eboardsolutions.com/SU/plusM9xri3ZWfyas59c77cpluscg==>

3515.31 School Resource Officers -
<https://simbli.eboardsolutions.com/SU/arWmFD2oslshQMqq8vu4PX7mw==>

3515.4 Recovery For Property Loss Or Damage -
<https://simbli.eboardsolutions.com/SU/HJyfNTrq3yl0UnDK53CpBA==>

3515.4 Recovery For Property Loss Or Damage -
<https://simbli.eboardsolutions.com/SU/ViR6wN5wOiTu0tZplus7Ly9Jw==>

3515.5 Sex Offender Notification -
<https://simbli.eboardsolutions.com/SU/xk6nP3aXfj2ageGZ0AOmOg==>

3515.5 Sex Offender Notification -
<https://simbli.eboardsolutions.com/SU/W9sHaOeyXdMt7s7M5j1yOA==>

3515.6 Criminal Background Checks For Contractors -
<https://simbli.eboardsolutions.com/SU/rBxkz2sRS86hUFSsb7fbslshw==>

3515.7 Firearms On School Grounds -
<https://simbli.eboardsolutions.com/SU/oslshFhmBWrrp6toa9Ebfmbg==>

3516.2 Bomb Threats -
<https://simbli.eboardsolutions.com/SU/IVIK9slshAIKtBcZcF8v5agg==>

4112.4 Health Examinations -
<https://simbli.eboardsolutions.com/SU/sllMslshxLI2YOPYoMMU2U7w==>

4112.41 Employee Drug Testing -
<https://simbli.eboardsolutions.com/SU/0pnpJjzNQsT3BV52tb62ng==>

4112.41 Employee Drug Testing -
<https://simbli.eboardsolutions.com/SU/hxZXZIYiYefhH5M7TMUjA==>

4112.5 Criminal Record Check -
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4112.5-E(1) Criminal Record Check -
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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 -
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4112.9-E(1) Employee Notifications -
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4112.9-E PDF(1) Employee Notifications -
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4119.43 Universal Precautions -
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4119.43 Universal Precautions -
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4158 Employee Security -
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4158 Employee Security -
<https://simbli.eboardsolutions.com/SU/Lldu39d9d8NTNOW1shZPzA==>

4200 Classified Personnel -
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4200 Classified Personnel -
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4211 Recruitment And Selection -
<https://simbli.eboardsolutions.com/SU/4MJWRHUOUR8BT01HTbOYLA==>

4212 Appointment And Conditions Of Employment -
<https://simbli.eboardsolutions.com/SU/lxFxNaSMhpQ8wsNQbau8LA==>

4212.4 Health Examinations -
<https://simbli.eboardsolutions.com/SU/RQiw5kZICOmqqEEHCuVAIA==>

4212.41 Employee Drug Testing -
<https://simbli.eboardsolutions.com/SU/ZtFkQj68CnmBF0tkxldyA==>

4212.41 Employee Drug Testing -
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4212.5 Criminal Record Check -
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4212.5-E(1) Criminal Record Check -
<https://simbli.eboardsolutions.com/SU/LslshSXSeZT2aDisDUZFoIGOQ==>

4212.5-E PDF(1) Criminal Record Check -
<https://simbli.eboardsolutions.com/SU/sDVasU4nkvGVxDODtvXKqg==>

4212.6 Personnel Files -
<https://simbli.eboardsolutions.com/SU/Kp3DemXWMMRr4slshb8EnhyJPw==>

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==>

4215 Evaluation/Supervision -
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4216 Probationary/Permanent Status -
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4218 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/53ooK6mub4JLplus3BKAI0eLA==>

4218 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/Exyplus8bf8wU5QNILUDbuCig==>

4219.43 Universal Precautions -
<https://simbli.eboardsolutions.com/SU/7haYVZbpJplus4F5mMWSKYNOw==>

4219.43 Universal Precautions -
<https://simbli.eboardsolutions.com/SU/yQbdjaW5yxhLaZ0hqRoK5Q==>

4231 Staff Development -
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4258 Employee Security -
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4258 Employee Security -
<https://simbli.eboardsolutions.com/SU/HzleDphm05nyuDFSTUwAmg==>

4312.4 Health Examinations -
<https://simbli.eboardsolutions.com/SU/obiSk8rTaSgKJ7TuV2j8Xw==>

4312.41 Employee Drug Testing -
<https://simbli.eboardsolutions.com/SU/on2kzWrow5Q4jRIGezdpYQ==>

4312.41 Employee Drug Testing -
<https://simbli.eboardsolutions.com/SU/jrL5bO4AWpluswiY5aDrqHFfg==>

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/4ekuJY8plusKIIYnslshRBAHkptw==>

4312.6 Personnel Files -
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4312.9 Employee Notifications -
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4312.9-E(1) Employee Notifications -
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4312.9-E PDF(1) Employee Notifications -
<https://simbli.eboardsolutions.com/SU/LslshgslshO92fRVoPUpuUergz7w==>

4319.43 Universal Precautions -
<https://simbli.eboardsolutions.com/SU/4gj8pluskAr0XYZADWShtU6Wg==>

4319.43 Universal Precautions -
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4358 Employee Security -
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4358 Employee Security -
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5113.1 Chronic Absence And Truancy -
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5113.1 Chronic Absence And Truancy -
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5125 Student Records -
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5125 Student Records -
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5131.4 Student Disturbances -
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5131.4 Student Disturbances -
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5131.5 Vandalism And Graffiti -
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5131.6 Alcohol And Other Drugs -
<https://simbli.eboardsolutions.com/SU/WDkn56oiRIRHg1DfVsZyxA==>

5131.6 Alcohol And Other Drugs -
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5131.7 Weapons And Dangerous Instruments -
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5131.7 Weapons And Dangerous Instruments -
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5136 Gangs -
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5136 Gangs -
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5141 Health Care And Emergencies -
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5141 Health Care And Emergencies -
<https://simbli.eboardsolutions.com/SU/D3S2sSplusJHslshY8cNhvZ66HVg==>

5141.4 Child Abuse Prevention And Reporting -
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5141.4 Child Abuse Prevention And Reporting -
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5141.5 Mental Health -
<https://simbli.eboardsolutions.com/SU/Y0wISXVzp0Tdg7hpglStplusw==>

5142.1 Identification And Reporting Of Missing Children -
<https://simbli.eboardsolutions.com/SU/QGH9AvvDCjblslshoxUBg1B4w==>

5144 Discipline -
<https://simbli.eboardsolutions.com/SU/q5NswZUhPTbrdfxL6JpCuQ==>

5144 Discipline -
<https://simbli.eboardsolutions.com/SU/uCGNmZB4i0EHAGGnMD6jCg==>

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==>

5145.11 Questioning And Apprehension By Law Enforcement -
<https://simbli.eboardsolutions.com/SU/RdYWsxrRSTslCkLeACmOA==>

5145.12 Search And Seizure -
<https://simbli.eboardsolutions.com/SU/kUSWh8nlAjslshplusgHF91pEC6g==>

5145.12 Search And Seizure -
<https://simbli.eboardsolutions.com/SU/eRCTslsh0OEzMKPz3u284uZoQ==>

5145.13 Response To Immigration Enforcement -
<https://simbli.eboardsolutions.com/SU/a0plusNVDz9UuWKnGW6XLW4rA==>

5145.13 Response To Immigration Enforcement -
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5145.9 Hate-Motivated Behavior -
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6184 Continuation Education -
<https://simbli.eboardsolutions.com/SU/3Ht4rBWGplusXBfB2lhozFRg==>

6184 Continuation Education -
<https://simbli.eboardsolutions.com/SU/cdslsh69Uc64Uvliuo5C1RewQ==>

Regulation 3515.3: District Police/Security Department

Status: ADOPTED

Original Adopted Date: 10/01/1998 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

CSBA NOTE: The following regulation is for use by districts whose Governing Board has established a police or security department pursuant to Education Code 38000. Districts should revise the following regulation to reflect whether the district has a "police" or "security" department.

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

Chief of Police/Chief of Security

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

CSBA NOTE: Pursuant to Education Code 38000, the Board must set minimum qualifications for employment of the police chief or security chief, including but not limited to the qualifications described in the following paragraph. The district may expand the following paragraph to specify additional qualifications.

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

Qualifications of Security Officers

CSBA NOTE: The following section is for use by districts that employ security officers pursuant to Education Code 38000 and 38001.5.

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

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

CSBA NOTE: Item #3 below is for use by districts that authorize security officers to carry firearms; see the accompanying Board policy. Pursuant to Penal Code 832.15-832.16, after receiving an applicant's or employee's fingerprints, the Department of Justice will notify the district as to whether the individual is prohibited from possessing a firearm.

3. Be determined by DOJ not to be a person who is prohibited from possessing a firearm

CSBA NOTE: Education Code 38001.5 requires all security officers employed by the district to complete the training described below. Education Code 38001.5 also requires that the district provide the training during regular work hours unless otherwise negotiated with the employee's exclusive representative. Districts that have otherwise negotiated this provision should modify the following paragraph accordingly.

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

CSBA NOTE: The following paragraph is for use by districts that authorize security officers to carry firearms; see the accompanying Board policy.

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

Qualifications of Police Officers

CSBA NOTE: The following section is for use by districts that employ police officers pursuant to Education Code 38000 and 38001.

Before exercising the powers of a peace officer, district police officers shall satisfactorily complete an introductory

course of training prescribed by POST and shall pass the POST examination. (Penal Code 832, 832.3)

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

CSBA NOTE: Pursuant to Penal Code 832.3, district police officers must complete specialized training on the unique safety needs of a school environment within two years of the date of first employment. As a best practice, it is recommended that district police officers complete such specialized training prior to beginning employment with the district. Districts may revise the following paragraph to reflect district practice.

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

CSBA NOTE: The following paragraph may be expanded to include other trainings provided by the district.

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

CSBA NOTE: The following paragraph is for use by districts that have established a school police reserve corps as authorized by Education Code 35021.5 and 38000; see the accompanying Board policy.

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

Equipment

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

CSBA NOTE: If the district does not require officers to wear a uniform, the word "uniforms" should be deleted from the following paragraph.

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

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

Use of Force

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

Carotid restraint means a vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person's neck that involves a substantial risk of restricting blood flow and may render the person unconscious in order to subdue or control the person.

Choke hold means any defensive tactic or force option in which direct pressure is applied to a person's trachea or windpipe.

CSBA NOTE: Pursuant to Government Code 7286, district police departments are required to adopt policy on the use of force. Penal Code 13519.10 requires the Commission on Peace Officer Standards and Training (POST) to develop uniform, minimum guidelines for use in the development of local policies. These guidelines are contained in, "POST Use of Force Standards and Guidelines," available on the POST web site.

Districts may expand the following section to include the policy adopted by the district police department. Districts whose officers do not carry firearms should delete or revise items #7-8 and 20, below.

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

13519.10)

1. A requirement that officers utilize de-escalation techniques, crisis intervention tactics, and other alternatives to force when feasible
2. A requirement that officers only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance
3. A requirement that an officer intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed
4. Comprehensive and detailed requirements for prompt internal reporting and notification regarding a use of force incident, including reporting use of force incidents to DOJ in compliance with Government Code 12525.2

CSBA NOTE: Pursuant to Government Code 7286, as amended by AB 26 (Ch. 403, Statutes of 2021), the district police department's policy is required to include that officers report potential excessive force immediately, as reflected in the following paragraph.

5. A requirement that officers immediately report potential excessive force to a superior officer when present and observing another officer using force that the officer believes to be beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances based upon the totality of information actually known to the officer

CSBA NOTE: Pursuant to Government Code 7286, as amended by AB 26, the district police department's policy is required to include that an officer may not be retaliated against when reporting a suspected violation of law or regulation of another officer or supervisor, as specified below.

6. A prohibition on retaliation against an officer who reports a suspected violation of law or regulation of another officer to a supervisor or other person of the law enforcement agency who has the authority to investigate the violation
7. Clear and specific guidelines regarding situations in which officers may or may not draw a firearm or point a firearm at a person
8. A requirement that officers consider their surroundings and potential risks to bystanders, to the extent reasonable under the circumstances, before discharging a firearm
9. Procedures for disclosing public records in accordance with Penal Code 832.7
10. Procedures for the filing, investigation, and reporting of citizen complaints regarding use of force incidents
11. Comprehensive and specific guidelines regarding approved methods and devices available for the application of force

CSBA NOTE: Pursuant to Penal Code 13519.10, the regular basic course(s) for officers in the use of force and the minimum guidelines in the use of force are required to include implicit and explicit bias and cultural competency.

12. An explicitly stated requirement that officers carry out duties, including use of force, in a manner that is fair and unbiased and that reflect cultural competency
13. Comprehensive and specific guidelines for the application of deadly force
14. The role of supervisors in the review of use of force applications
15. A requirement that officers promptly provide, if properly trained, or otherwise promptly procure medical assistance for persons injured in a use of force incident, when reasonable and safe to do so
16. Training standards and requirements relating to demonstrated knowledge and understanding of the district's use of force policy by officers, investigators, and supervisors

17. Training and guidelines regarding vulnerable populations, including, but not limited to, children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities
18. Procedures to prohibit an officer from training other officers for a period of at least three years from the date that an abuse of force complaint against the officer is substantiated

CSBA NOTE: Pursuant to Government Code 7286, as amended by AB 26, the district police department's policy is required to include that an officer who fails to intercede be disciplined up to and including in the same manner as the officer who used excessive force, as reflected below.

19. A requirement that an officer that has received all required training on the requirement to intercede and fails to act pursuant to Item #3, above, be disciplined up to and including in the same manner as the officer that committed the excessive force
20. Comprehensive and specific guidelines under which the discharge of a firearm at or from a moving vehicle may or may not be permitted
21. Factors for evaluating and reviewing all use of force incidents
22. Minimum training and course titles required to meet the objectives in the use of force policy
23. A requirement for the regular review and updating of the policy to reflect developing practices and procedures

CSBA NOTE: The following paragraph is optional.

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

Personnel Status and Files

CSBA NOTE: Pursuant to Education Code 45113 (non-merit system districts) and 45301 (merit system districts), as amended by AB 486 (Ch. 666, Statutes of 2021), the length of time for a district police officer and public safety dispatcher to receive permanent classified service status is one year, as described below. See 4216 - Probationary/Permanent Status.

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 POST shall serve in a probationary status for not less than one year from the date of appointment to the full-time position. (Education Code 45113, 45301)

CSBA NOTE: The following paragraphs are for use by districts that have established a police department and may be adapted for use by districts that have established a security department.

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

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

Disciplinary Action

CSBA NOTE: The following section is for use by districts that have established a police department. When a district police officer is under disciplinary investigation, Government Code 3303 provides the officer with the right to receive copies of any reports or complaints made by investigators or other persons, except those that are confidential. The court in *San Diego Police Officers Association et al. v. City of San Diego Civil Service Commission et al.* held that personnel records of a public safety officer cannot be disclosed at public disciplinary appeal hearings without the officer's consent.

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

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

CSBA NOTE: Pursuant to Government Code 3304.5, an administrative appeal initiated by a police officer shall be conducted in accordance with district rules and procedures. Districts should consult CSBA District and County Office of Education Legal Services or the district's legal counsel prior to initiating discipline against a police officer or whenever an investigation is undertaken.

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

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 References

Description

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|-----------------------------------|---|
| Bus. and Prof. Code 7583-7583.447 | Private patrol operators - https://simbli.eboardsolutions.com/SU/kBDCgRBUWNgP7GLr6TxJHw== |
| Ed. Code 234.7 | Student protections relating to immigration and citizenship status |
| Ed. Code 35021.5 | School police reserve corps |
| Ed. Code 38000-38005 | Security departments |
| Ed. Code 45113 | Probationary period and permanent status; non-merit system districts |
| Ed. Code 45122.1 | Classified employees; conviction of a violent or serious felony |
| Ed. Code 45133.5 | School police department; work schedule |
| Ed. Code 45301 | Probationary period and permanent status; merit system districts |
| Ed. Code 49076 | Access to student records |
| Ed. Code 49079 | Notification to teacher; student act constituting grounds for suspension or expulsion |
| Ed. Code 49390-49395 | Homicide threats |
| Fam. Code 6240-6275 | Emergency protective orders |
| Gov. Code 11135 | Prohibition of discrimination - https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtfQ== |
| Gov. Code 12525.2 | Reports of incidents involving peace officers |
| Gov. Code 3300-3312 | Public safety officers; rights and protections |
| Gov. Code 7286-7286.5 | Law enforcement use of force policies |
| Gov. Code 8597-8598 | Emergencies; peace officers |
| Pen. Code 13510-13519.15 | Standards for recruitment and training |
| Pen. Code 13651 | Peace officers; job descriptions |
| Pen. Code 13700-13702 | Response to domestic violence |
| Pen. Code 290.45 | Sex offenders; authority of peace officers to provide information |
| Pen. Code 626.9 | Gun-Free School Zone Act of 1995 |
| Pen. Code 646.91 | Emergency protective order for stalking |
| Pen. Code 830-832.19 | Peace officers |
| Pen. Code 830.32 | School district and community college police |
| Pen. Code 830.6 | Reserve police officers; powers and duties |
| Pen. Code 832 | Course of training prescribed by Commission on Peace Officer Standards and Training |
| Pen. Code 832.15-832.16 | Notice of prohibition against possession of firearm |

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|--------------------|--|
| Pen. Code 832.2 | School peace officers; training |
| Pen. Code 832.7 | Disclosure of personnel files in criminal or civil proceedings |
| Pen. Code 836 | Peace officers; warrants |
| W&I Code 707 | List of crimes |
| W&I Code 828-828.1 | Disclosure of information re minors by law enforcement agency |

Federal References

| | |
|-------------------|---------------------------------------|
| 10 USC 2576a | Surplus military equipment |
| 34 CFR 99.1-99.67 | Family Educational Rights and Privacy |

Description

Management Resources References

| | |
|---|---|
| California Attorney General Publication | Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, 2018 |
| Comm on Peace Officer Standards & Training Pub. | POST Use of Force Standards and Guidelines, November 2021 |
| Court Case | San Diego Police Officers Association et al. v. City of San Diego Civil Service Commission et al. (2002) 104 Cal.App.4th 275 |
| Website | U.S. Department of Homeland Security, Fusion Centers - https://simbli.eboardsolutions.com/SU/tJtHFHUI2yEDvIMpPVrtBA== |
| Website | California State Threat Assessment System - https://simbli.eboardsolutions.com/SU/CX8ou4hFcTRJKHzwyPRczQ== |
| Website | California Office of Emergency Services - https://simbli.eboardsolutions.com/SU/tJtHFHUI2yEDvIMpPVrtBA== |
| Website | CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ== |
| Website | Commission on Peace Officer Standards and Training - https://simbli.eboardsolutions.com/SU/Vt9GngNyfZb0gB4c21Z9mg== |
| Website | California Department of Education, Safe Schools - https://simbli.eboardsolutions.com/SU/AxdFslhFpyQ1QP0821fOy9pg== |
| Website | California Attorney General's Office - https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA== |

Description

Cross References

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|-----------|---|
| 0410 | Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ== |
| 0450 | Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/FQOZDcYoBErqzRucs3xsMA== |
| 0450 | Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/BxazplusxgNXNREplusOnkNIFqtQ== |
| 1113 | District And School Web Sites - https://simbli.eboardsolutions.com/SU/Zqs0lbYX5FOKNZRBttrSjA== |
| 1113 | District And School Web Sites - https://simbli.eboardsolutions.com/SU/ZEoW4ZKHcT3nfnqLxRTR1fw== |
| 1113-E(1) | District And School Web Sites - https://simbli.eboardsolutions.com/SU/i5TLslsh83D1npluoytHTIsM6ew== |
| 1240 | Volunteer Assistance - https://simbli.eboardsolutions.com/SU/c3bzU5HxDAULaslsh6slshY5Cfg== |
| 1240 | Volunteer Assistance - https://simbli.eboardsolutions.com/SU/ROv5x6plusDgBotyKnO8gWH3A== |

Description

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| 1250 | Visitors/Outsiders - https://simbli.eboardsolutions.com/SU/fQeslYtQfPyCw4jPFcug3A== |
| 1250 | Visitors/Outsiders - https://simbli.eboardsolutions.com/SU/tWaslsh7PMJ3L8KcyZCNmtCCg== |
| 1400 | Relations Between Other Governmental Agencies And The Schools - https://simbli.eboardsolutions.com/SU/vJHizKCtUNwljEfGnHx4CA== |
| 3515 | Campus Security - https://simbli.eboardsolutions.com/SU/cslshKzg34plus8Yflugiz2YLUrw== |
| 3515 | Campus Security - https://simbli.eboardsolutions.com/SU/ROslshkemJzfdllLrBjXYxC1w== |
| 3515.2 | Disruptions - https://simbli.eboardsolutions.com/SU/CwDXzUwOzplusMOB2G2FjxUVQ== |
| 3515.2 | Disruptions - https://simbli.eboardsolutions.com/SU/plusM9xri3ZWfyas59c77cpluscg== |
| 3515.31 | School Resource Officers - https://simbli.eboardsolutions.com/SU/arWmFD2oslshQMqq8vu4PX7mw== |
| 3515.4 | Recovery For Property Loss Or Damage - https://simbli.eboardsolutions.com/SU/HJyfNTrq3yI0UnDK53CpBA== |
| 3515.4 | Recovery For Property Loss Or Damage - https://simbli.eboardsolutions.com/SU/ViR6wN5wOiTu0tZplus7Ly9Jw== |
| 3515.5 | Sex Offender Notification - https://simbli.eboardsolutions.com/SU/xk6nP3aXfj2ageGZ0AOmOg== |
| 3515.5 | Sex Offender Notification - https://simbli.eboardsolutions.com/SU/W9sHaOeyXdMt7s7M5j1yOA== |
| 3515.6 | Criminal Background Checks For Contractors - https://simbli.eboardsolutions.com/SU/rBxkz2sRS86hUFSsb7fbslshw== |
| 3515.7 | Firearms On School Grounds - https://simbli.eboardsolutions.com/SU/oslshFhmBWrrp6toa9Ebfmbg== |
| 3516.2 | Bomb Threats - https://simbli.eboardsolutions.com/SU/IVIK9slshAIIkTbcZcF8v5agg== |
| 4112.4 | Health Examinations - https://simbli.eboardsolutions.com/SU/sllMlslshxLI2YOPYoMMU2U7w== |
| 4112.41 | Employee Drug Testing - https://simbli.eboardsolutions.com/SU/0pnpJJzNQsT3BV52tb62ng== |
| 4112.41 | Employee Drug Testing - https://simbli.eboardsolutions.com/SU/hxZXZiYiYefhH5M7TMUiA== |
| 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/slshc7i5jiVI8pLyA79vr9rhw== |
| 4112.9 | Employee Notifications - https://simbli.eboardsolutions.com/SU/lzOl6slshnwrwplusn8LplusKslshsvfw== |
| 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== |

4119.43 Universal Precautions -
<https://simbli.eboardsolutions.com/SU/zjAByCzxbSqgUrgixcPkAw==>

4119.43 Universal Precautions -
<https://simbli.eboardsolutions.com/SU/eL1YUgovLpMplusKwvSQ2uZ7w==>

4158 Employee Security -
<https://simbli.eboardsolutions.com/SU/FNXlvGTuDgTcLGIWKDo75Q==>

4158 Employee Security -
<https://simbli.eboardsolutions.com/SU/Lldu39d9d8NTNOW1shZPzA==>

4200 Classified Personnel -
<https://simbli.eboardsolutions.com/SU/slshltwGTKOogyT4GXakWHcMg==>

4200 Classified Personnel -
<https://simbli.eboardsolutions.com/SU/KJOYndqnU7HBTTrG0G6IY9g==>

4211 Recruitment And Selection -
<https://simbli.eboardsolutions.com/SU/4MJWRHUOUR8BT01HTbOYLA==>

4212 Appointment And Conditions Of Employment -
<https://simbli.eboardsolutions.com/SU/lxFxNaSMhpQ8wsNQBau8LA==>

4212.4 Health Examinations -
<https://simbli.eboardsolutions.com/SU/RQiw5kZIComkqEEHCuVAlA==>

4212.41 Employee Drug Testing -
<https://simbli.eboardsolutions.com/SU/ZtFkQj68CnmBF0tksxldyA==>

4212.41 Employee Drug Testing -
<https://simbli.eboardsolutions.com/SU/EcuJ19plusLerWrGuoHzvFGuA==>

4212.5 Criminal Record Check -
<https://simbli.eboardsolutions.com/SU/zlCQLKslshYYocj135d8hWslshpQ==>

4212.5-E(1) Criminal Record Check -
<https://simbli.eboardsolutions.com/SU/LslshSXSeZT2aDisDUZFoIGOQ==>

4212.5-E PDF(1) Criminal Record Check -
<https://simbli.eboardsolutions.com/SU/sDVasU4nkvGVxDODtvXKqg==>

4212.6 Personnel Files -
<https://simbli.eboardsolutions.com/SU/Kp3DemXWMMRr4slshb8EnhyJPw==>

4212.9 Employee Notifications -
<https://simbli.eboardsolutions.com/SU/mHaW9EbnocL5Pl6rr10dMw==>

4212.9-E(1) Employee Notifications -
<https://simbli.eboardsolutions.com/SU/dRLduplushLitByDflajDntw==>

4212.9-E PDF(1) Employee Notifications -
<https://simbli.eboardsolutions.com/SU/U68jKBBwiztUHegLtpjM0w==>

4215 Evaluation/Supervision -
<https://simbli.eboardsolutions.com/SU/KVo7Z1slshuyf6nLyCOYsslshzAQ==>

4216 Probationary/Permanent Status -
<https://simbli.eboardsolutions.com/SU/y3QVGjp7mUPym2Tw8APoplusA==>

4218 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/53ooK6mub4JLplus3BKAlOeLA==>

4218 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/Exyplus8bf8wU5QNILUDbuCig==>

4219.43 Universal Precautions -
<https://simbli.eboardsolutions.com/SU/7haYVZbpJplus4F5mMWSKyNOw==>

4219.43 Universal Precautions -
<https://simbli.eboardsolutions.com/SU/yQbdjaW5yxhLaZ0hqRoK5Q==>

4231 Staff Development -
<https://simbli.eboardsolutions.com/SU/FAuFrJnlbcVy3kgsTslshNU6g==>

4258 Employee Security - <https://simbli.eboardsolutions.com/SU/xTiwiJO7zP5pnvrwnkPcdw==>

4258 Employee Security - <https://simbli.eboardsolutions.com/SU/HzleDphm05nyuDFSTUwAmg==>

4312.4 Health Examinations - <https://simbli.eboardsolutions.com/SU/obiSk8rTaSgKJ7TuV2j8Xw==>

4312.41 Employee Drug Testing - <https://simbli.eboardsolutions.com/SU/on2kzWrow5Q4jRIGezdpYQ==>

4312.41 Employee Drug Testing - <https://simbli.eboardsolutions.com/SU/jrL5bO4AWpluswiY5aDrqHFlg==>

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/4ekuJY8plusKIYnslshRBAHkptw==>

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==>

4319.43 Universal Precautions - <https://simbli.eboardsolutions.com/SU/4gj8pluskArOXYZADWShtU6Wg==>

4319.43 Universal Precautions - <https://simbli.eboardsolutions.com/SU/1mKDsslshrFqplus5pUTKIMeNd9A==>

4358 Employee Security - <https://simbli.eboardsolutions.com/SU/E2T0LpogkDECpTZGFtslshdMQ==>

4358 Employee Security - <https://simbli.eboardsolutions.com/SU/C6fpUPMjplus2yAmh3nNvvObg==>

5113.1 Chronic Absence And Truancy - <https://simbli.eboardsolutions.com/SU/Hw5C1aEnixhuUFV0E9Vntg==>

5113.1 Chronic Absence And Truancy - <https://simbli.eboardsolutions.com/SU/D2Llg7JcgumhuWnRLo2bAw==>

5125 Student Records - <https://simbli.eboardsolutions.com/SU/Jw4xw3nB7slshn7ptplustrREa5A==>

5125 Student Records - <https://simbli.eboardsolutions.com/SU/uVgslshw0u1SygQrOqplus8VkhAQ==>

5131.4 Student Disturbances - <https://simbli.eboardsolutions.com/SU/plusslshvcF2YZJxIFwsCfulcOVw==>

5131.4 Student Disturbances - <https://simbli.eboardsolutions.com/SU/0lrMQ6nnuTuPplusLplusO4Wvu2g==>

5131.5 Vandalism And Graffiti - <https://simbli.eboardsolutions.com/SU/Hgb7V0EwOFkMvnfEHtBslshWA==>

5131.6 Alcohol And Other Drugs - <https://simbli.eboardsolutions.com/SU/WDkn56oiRIRHg1DfVsZyxA==>

5131.6 Alcohol And Other Drugs - <https://simbli.eboardsolutions.com/SU/7eplus9F20al43StxVcQXvoig==>

5131.7 Weapons And Dangerous Instruments -
<https://simbli.eboardsolutions.com/SU/RbUmvFwplusX2FxnplusAspEj9Zg==>

5131.7 Weapons And Dangerous Instruments -
<https://simbli.eboardsolutions.com/SU/yIMR7ZJqIMYtCxVbaEWnTQ==>

5136 Gangs -
<https://simbli.eboardsolutions.com/SU/TelQJmrs5CMY7ZslshwzqIPaQ==>

5136 Gangs -
<https://simbli.eboardsolutions.com/SU/J2plusQxKCdQp6eCW0ucjhxKw==>

5141 Health Care And Emergencies -
<https://simbli.eboardsolutions.com/SU/KtRGnZAuG4slshHbkrGyYBgOIA==>

5141 Health Care And Emergencies -
<https://simbli.eboardsolutions.com/SU/D3S2sSplusJHslshY8cNhvZ66HVg==>

5141.4 Child Abuse Prevention And Reporting -
<https://simbli.eboardsolutions.com/SU/bJAiplus4YTzTcWu0VMUkkdiQ==>

5141.4 Child Abuse Prevention And Reporting -
<https://simbli.eboardsolutions.com/SU/KHJ4Ryf9WsiRVpcslsheV7VGg==>

5141.5 Mental Health -
<https://simbli.eboardsolutions.com/SU/Y0wISXVzp0Tdg7hpglStplusw==>

5142.1 Identification And Reporting Of Missing Children -
<https://simbli.eboardsolutions.com/SU/QGH9AvvDCjblslshoxUBg1B4w==>

5144 Discipline -
<https://simbli.eboardsolutions.com/SU/q5NswZUhpTbrdfxL6JpCuQ==>

5144 Discipline -
<https://simbli.eboardsolutions.com/SU/uCGNmZB4i0EHAGGnMD6jCg==>

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==>

5145.11 Questioning And Apprehension By Law Enforcement -
<https://simbli.eboardsolutions.com/SU/RdYWsxrRSTslCkCleACm0A==>

5145.12 Search And Seizure -
<https://simbli.eboardsolutions.com/SU/kUSWh8nlAjslshplusgHF91pEC6g==>

5145.12 Search And Seizure -
<https://simbli.eboardsolutions.com/SU/eRCTslsh0OEzMKPz3u284uZoQ==>

5145.13 Response To Immigration Enforcement -
<https://simbli.eboardsolutions.com/SU/a0plusNVdZ9UuWKnGW6XLW4rA==>

5145.13 Response To Immigration Enforcement -
<https://simbli.eboardsolutions.com/SU/Axq9yVbrlvLTpsYmbr6dNw==>

5145.9 Hate-Motivated Behavior -
<https://simbli.eboardsolutions.com/SU/zXaTq9y3Bf8f0rt8zzpcyw==>

6184 Continuation Education -
<https://simbli.eboardsolutions.com/SU/3Ht4rBWGplusXBfB2lhozFRg==>

6184 Continuation Education -
<https://simbli.eboardsolutions.com/SU/cdslsh69Uc64Uvliuo5C1RewQ==>

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

CSBA NOTE: The following optional policy and accompanying administrative regulation are subject to collective bargaining and may be deleted or revised by any district whose agreement covers certificated employee suspension and discipline. Pursuant to Government Code 3543.2, the district and the bargaining unit representing certificated employees must, upon request of either party, negotiate causes and procedures for disciplinary action, other than dismissal and suspension beyond 15 days.

For information about dismissal of substitute or temporary employees, see BP 4121 - Temporary/Substitute Personnel.

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.

CSBA NOTE: When disciplining an employee, the district must ensure that all the surrounding facts and circumstances are considered and analyzed within the parameters of any applicable constitutional or legal framework. In *Kennedy v. Bremerton School District*, the U.S. Supreme Court held that the district violated the employee's protected free exercise and free speech rights when the district did not rehire the employee, a coach, for refusing to follow the district's direction to refrain from kneeling and praying at the 50-yard line immediately after each football game. The district's direction was based on a concern that the employee's prayer violated the district's religious practices policy and could subject the district to an Establishment Clause violation. Notwithstanding that the prayer occurred at a school event and in the presence of students, the court reasoned that the timing and circumstances indicated that the coach's prayers were offered as a private citizen rather than as a district employee. According to the Court, since the prayer, a religious activity, occurred during a period when employees would ordinarily be free to engage in personal secular activities such as speaking with friends, checking email, calling for restaurant reservations, etc., the district's concerns about a possible Establishment Clause violation did not justify restricting the employee's free exercise and free speech rights to engage in a personal religious activity such as offering a prayer. Employee discipline, especially with respect to suspension and dismissal, involves complex legal considerations and districts are advised to consult CSBA District and County Office of Education Legal Services or the district's legal counsel, accordingly.

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

CSBA NOTE: Education Code 44932 and 44933 specify the causes for which a certificated employee may be suspended without pay or dismissed; see the accompanying administrative regulation.

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)

CSBA NOTE: Pursuant to Education Code 44934 and 44934.1, upon the formulation or receipt of a written statement of charges, the Governing Board may notify the employee of the Board's intent to suspend or dismiss the employee.

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)

CSBA NOTE: Prior to serving the notice of suspension or dismissal, Education Code 44938 requires that, when the charge involves unsatisfactory performance or unprofessional conduct, the employee must be given time to correct the performance or conduct as provided in the following two paragraphs. According to *Crowl v. Commission on Professional Competence*, when the employee fully remediates the misconduct specified in the written notice, no disciplinary action may be taken. The *Crowl* decision did not address what could be done when the misconduct specified in the notice reoccurs. Because the lack of further misconduct may not necessarily be equal to full remediation, appropriate disciplinary action should be determined on a case-by-case basis in consultation with legal counsel and the collective bargaining agreement.

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)

CSBA NOTE: Education Code 44936 allows a suspension or dismissal notice to be given at any time of year, except when the charge is unsatisfactory performance in which case the notice must be given during the instructional year. Education Code 44936 also requires any written notice given during the instructional year to be served personally or by mail, whereas notices outside of the instructional year must be served personally upon the employee.

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)

CSBA NOTE: Pursuant to Education Code 44939, 44939.1, and 44940, the Board may immediately suspend an employee from performing assigned duties pending suspension or dismissal proceedings for specified causes.

Pursuant to Education Code 44939, an employee who is immediately suspended for a charge other than egregious misconduct may, within 30 days of receiving the suspension notice, serve the Board and file a motion with the Office of Administrative Hearings to seek reversal of the suspension. The review will be limited to whether the facts as alleged in the statement of charges would be a sufficient basis for immediate suspension. A hearing will be held no later than 30 days after the motion is filed, and the administrative law judge will issue a decision no later than 15 days after the hearing. During the review of the motion or while dismissal charges are pending, the Board retains the authority to determine the physical placement and assignment of the employee.

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)

CSBA NOTE: If an employee has requested a hearing upon receiving notice of suspension or dismissal, the hearing will be conducted by the Commission on Professional Competence or an administrative law judge pursuant to Education Code 44944 or 44944.1; see the accompanying administrative regulation. The hearing before the Commission on Professional Competence must begin within six months of the employee's request for the hearing, unless extended due to extraordinary circumstances. The Commission on Professional Competence consists of an administrative law judge of the Office of Administrative Hearings, a member appointed by the Board, and a member appointed by the employee.

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 |

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| 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

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|-------------------|--|
| 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/hkXUvTmkSbRSTIh3V79tXg== |
| Website | Department of General Services, About Teacher Dismissal Case Type - https://simbli.eboardsolutions.com/SU/9nslshuTpTNHO70H14lJrLeA== |
| 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/cxWNIqRUuIsaq7efc7aH4Q== |
| Website | CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg== |

Cross References

| | Description |
|-----------------|--|
| 1114 | District-Sponsored Social Media - https://simbli.eboardsolutions.com/SU/GPX87YasyLlgrwrAjTkQsG== |
| 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/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/YsqKpKY3LEBnr4vNoyMVGAA== |
| 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/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/CwDXzUwOzplusMOB62FjxUVQ==>

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/Fe6BHP6D0zDpVRGUqP8hQ==>

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/slLMslshxLI2YOPYoMMU2U7w==>

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/lzOl6slshnwrcwplusn8LplusKslshsvfw==>

4112.9-E(1) Employee Notifications - <https://simbli.eboardsolutions.com/SU/nxsNzGlnhGviEz28zpluswjz==>

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/mFpPJXC1QmDMIC74Qi4ETg==>

4115 Evaluation/Supervision - <https://simbli.eboardsolutions.com/SU/OLslshHZpTrWZBP3dcuo7QfxQ==>

4115 Evaluation/Supervision - <https://simbli.eboardsolutions.com/SU/YXWh5JlsC6OnRyofY3lEw==>

4117.7 Employment Status Reports - <https://simbli.eboardsolutions.com/SU/vrslOSKabKdr9XdJcOBqDw==>

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/QRcWQUtgJeCDcHbkv2lRQ==>

4119.12 Title IX Sexual Harassment Complaint Procedures - <https://simbli.eboardsolutions.com/SU/cwaQhEQnPhGFvkogTSSlshvoA==>

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/fslshcrFHUsDw0YFjvy2R0xQg==>

4119.21 Professional Standards - <https://simbli.eboardsolutions.com/SU/RUG2Aozy5plusWMBTJVdlsyg==>

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==>

4119.25 Political Activities Of Employees - <https://simbli.eboardsolutions.com/SU/FkeMlsvsqn3LcJJdgUB9slshA==>

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==>

4131.1 Teacher Support And Guidance - <https://simbli.eboardsolutions.com/SU/o63bybiWnOwM5kCYo8bBLg==>

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| 4131.1 | Teacher Support And Guidance - https://simbli.eboardsolutions.com/SU/zlGKbGQaVpluSdRiCemB3xUUw== |
| 4136 | Nonschool Employment - https://simbli.eboardsolutions.com/SU/kG34JHzi7hlemKdooJNm9g== |
| 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/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/EEEXMgObslshqslshikqtJJUX7vSg== |
| 4161 | Leaves - https://simbli.eboardsolutions.com/SU/1j87G85jaeaw3FbkyNX3fw== |
| 4212.4 | Health Examinations - https://simbli.eboardsolutions.com/SU/RQiw5kZICOmKqEEHCuVAIA== |
| 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/Kp3DemXWMMRr4slshb8EnhyJPw== |
| 4212.9 | Employee Notifications - https://simbli.eboardsolutions.com/SU/mHaW9EbnocL5Pl6rr10dMw== |
| 4212.9-E(1) | Employee Notifications - https://simbli.eboardsolutions.com/SU/dRLduplushLitByDflajDntw== |
| 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/qlnWNgN2LFslshDzTCLslsh592A== |

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/EpuQDzLygwplussQSQTDILbw==>

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/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/8ghHTloULRupEkUU4HVtdg==>

4241.6 Concerted Action/Work Stoppage - <https://simbli.eboardsolutions.com/SU/W5ExJpluss6yHnOMElqyCk9IQ==>

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4254 Health And Welfare Benefits - <https://simbli.eboardsolutions.com/SU/4MRm4J0iqDWV3OkrzA==>

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4259 Employee Assistance Programs - <https://simbli.eboardsolutions.com/SU/fRGxOc7Yplus8ZsrZ44lplusJCUQ==>

4261 Leaves - <https://simbli.eboardsolutions.com/SU/NEon3h0paWxSWoNITTqbmA==>

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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/CgnDx1BIZbUtFWHVgyEOgA==>

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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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4312.6 Personnel Files - <https://simbli.eboardsolutions.com/SU/fiFVux1oWapNdGxQ1UZ7Fg==>

4312.9 Employee Notifications - <https://simbli.eboardsolutions.com/SU/CqQQlb4XnDnSONdYu7jm2Q==>

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/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/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/eaHkgoUJ5B0rKy6VfGrbnQ==>

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/tcIUJDJ5tC01jFJvlegqoA==>

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/Qqh1ZB30DJcLlXmSo6Ca3A==>

4319.25 Political Activities Of Employees - <https://simbli.eboardsolutions.com/SU/yapplusFLKGYeK7yfxXubPVLrQ==>

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| 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/lbu6OGOoNPkptcFYicbKYg== |
| 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/qSbCRxeqGOSuNxpZPtPGQ== |
| 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/8aBslshkYpCeLkOFfduR9FE4g== |

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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

CSBA NOTE: The following optional administrative regulation should be revised to reflect provisions applicable to the size of the district as well as any related provisions of collective bargaining agreements.

Pursuant to Government Code 3543.2, the district and certificated employee bargaining unit must, upon request of either party, negotiate causes and procedures for disciplinary action, other than dismissal and suspension beyond 15 days. If the Governing Board has adopted a collective bargaining agreement which includes such procedures, then, pursuant to Education Code 44932, the authorization to suspend an employee for up to 15 days pursuant to the procedures specified in Education Code 44933, 44934, 44934.1, 44935, 44936, 44937, 44943, and 44944 would not apply. The suspension procedures specified in Education Code 44934 and 44939 are explicitly for use only by districts that do not have a collective bargaining agreement.

Because Education Code provisions pertaining to employee suspension and dismissal are complex, districts are advised to consult with legal counsel before instituting such proceedings.

Causes for Suspension or Dismissal

CSBA NOTE: Education Code 44932 lists causes for which a certificated employee may be suspended without pay or dismissed.

The causes listed in Education Code 44932 have been found to be so broad as to be sometimes difficult to apply. However, the California Supreme Court, in Morrison v. State Board of Education, has articulated a seven-part test to determine fitness to teach, including (1) likelihood of recurrence of the questioned conduct or performance, (2) extenuating or aggravating circumstances, (3) effect of notoriety and publicity, (4) impairment of teacher-student relationships, (5) disruption of the education process, (6) motive, and (7) proximity or remoteness in time of conduct or performance. The conduct or performance that gives rise to the need to suspend or dismiss need not occur on or involve district property.

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

CSBA NOTE: Procedures for the suspension or dismissal of permanent employees are addressed in Education Code 44932-44947.

See the accompanying Board policy for information about Board responsibilities related to reviewing the statement of charges, providing notice to the employee of the Board's intent to suspend or dismiss the employee, and, when applicable, appointing a member of the Commission on Professional Competence that will conduct a hearing on the matter.

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

CSBA NOTE: With proper notice, the district may choose not to rehire probationary employees for the following year without giving a statement of reasons; see BP 4116 - Probationary/Permanent Status. However, during the school year, probationary employees may only be suspended without pay or dismissed for cause and in accordance with the applicable procedures specified in law.

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)

CSBA NOTE: Districts with average daily attendance (ADA) of 250 or more may dismiss probationary employees during the school year in accordance with the procedures contained in Education Code 44948.3, in which case the decision whether to dismiss an employee rests with the Board rather than the Commission on Professional Competence (Option 1 below).

Districts with less than 250 ADA should select the appropriate option below depending on how the district grants permanent status to certificated employees in accordance with BP/AR 4116 - Permanent/Probationary Status. Districts with less than 250 ADA that have not adopted a collective bargaining agreement may elect to use the procedures in Education Code 44934 and 44934.1 for dismissal of probationary employees (Option 2 below), as reflected in the section "Suspension/Dismissal of Permanent Employees" above. Alternatively, Education Code 44948.2 authorizes districts with less than 250 ADA to elect to dismiss probationary employees during the school year pursuant to Education Code 44948.3 (Option 1 below). When districts with less than 250 ADA decide to use the procedures in Education Code 44948.3, their employees will become permanent employees if they are not served with a notice of non-reelection before March 15 of their second year. Since Education Code 44948.3 applies only to dismissal of probationary employees in districts with 250 ADA or more or to districts of less than 250 ADA that elect to use Education Code 44948.3, it is not appropriate for use by districts that either grant permanent

status after three consecutive years or that reelect employees from year to year without granting permanent status.

OPTION 1: (Districts with ADA of 250 or more, or districts with less than 250 ADA that have elected to use the dismissal procedures in Education Code 44948.3)

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.

CSBA NOTE: Pursuant to Education Code 44948.3, the probationary employee may request a hearing as provided below. The employee's failure to request a hearing within 15 days from receipt of the dismissal notice constitutes a waiver of the right to a hearing.

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.

CSBA NOTE: Education Code 44948.3 authorizes the district to establish procedures for the appointment of an administrative law judge to conduct the hearing and submit a recommended decision to the Board. Item #3 may be revised to reflect any such procedures established by the district.

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)

OPTION 1 ENDS HERE

OPTION 2: (Districts with less than 250 ADA that do not grant permanent status after two years and do not elect to use the procedures in Education Code 44948.3)

During the school year, probationary employees 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. (Education Code 44948)

Whenever a probationary employee is so charged, dismissal procedures shall be those set forth in Education Code 44934 and 44934.1 as described in the section "Suspension/Dismissal of Permanent Employees" above.

OPTION 2 ENDS HERE

Compulsory Leave of Absence

CSBA NOTE: Whenever a certificated employee is charged with a "mandatory leave of absence offense" as defined in Education Code 44940, the district is required to place the employee on a compulsory leave of absence. Penal Code 291 requires law enforcement, including the local police, sheriff, or California Highway Patrol, to telephone the Superintendent when a school employee has been arrested for a sex offense and provide written notice to the County Superintendent of Schools and the Commission on Teacher Credentialing (CTC).

Pursuant to Education Code 44009 and 44425, CTC will revoke the credential of an individual who has been convicted of a mandatory leave of absence offense.

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

CSBA NOTE: Education Code 44940 permits the Board to require compulsory leave for certain "optional leave of absence offenses" as defined below.

The following optional paragraph should be revised to reflect offenses which the Board has determined will require a compulsory leave of absence.

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)

CSBA NOTE: Pursuant to Education Code 44940.5, while on compulsory leave, the employee's salary may be paid if the employee provides a suitable bond or other acceptable security as a guarantee that the leave-period salary will be repaid if the employee is convicted of the charges or fails to return to district service. If the employee is acquitted or the charges are dismissed, the district must reimburse the employee for the cost of the bond upon return to service in the district. If an employee who does not furnish a bond or other security is acquitted or the charges are dismissed, the district must pay the employee's salary for the time spent on leave upon return to service.

Education Code 44940.5 specifies that, if the charges against an employee are dismissed as a result of the employee's successful completion of a drug diversion program and the employee returns to service, the employee may elect to receive payment for any accrued leave and differential pay for the length of the employee's leave of absence.

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

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| 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 |

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| 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

U.S. Constitution

Description

Amendment 1, Free exercise, free speech, and establishment clauses

Management Resources References

Commission on Teacher Credentialing Publication

Description

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/9nslshuTpTNHO70H14lJrLeA==>

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| 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/cxWNiqRUJlsaQ7efc7aH4Q== |
| Website | CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg== |

Cross References

| | Description |
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| 1114 | District-Sponsored Social Media - https://simbli.eboardsolutions.com/SU/GPX87YasyLIgrwrAjTkQSg== |
| 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/U5PKMAksh8XdmxbODX9gY2A== |
| 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/CwDXzUwOzplusMOB2FjxUVQ== |
| 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== |

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| 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/Fe6BHP6DOzDpVRGUqP8hQ== |
| 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/slMlslshxLI2YOPYoMMU2U7w== |
| 4112.42 | Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/slshnzMWdvaZpZNPzplusef8ILQ== |
| 4112.42 | Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/plusx1slshGxTJQKJXLOkrYP8gpluse== |
| 4112.5 | Criminal Record Check - https://simbli.eboardsolutions.com/SU/XxVcsvgXeI4TKDtGnWVslshaAA== |
| 4112.5-E(1) | Criminal Record Check - https://simbli.eboardsolutions.com/SU/iMqubXqetDmZQ7GVyqql7w== |
| 4112.5-E PDF(1) | Criminal Record Check - https://simbli.eboardsolutions.com/SU/UxsEts3DeYslshRZpXyPvEL7w== |
| 4112.6 | Personnel Files - https://simbli.eboardsolutions.com/SU/slshc7i5jiVI8pLyA79vr9rhw== |
| 4112.9 | Employee Notifications - https://simbli.eboardsolutions.com/SU/lzOl6slshnwrwplusn8LplusKslshvswfw== |
| 4112.9-E(1) | Employee Notifications - https://simbli.eboardsolutions.com/SU/nxsNzGlnhGviEz28zplusewzjzg== |
| 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/mFpPJXC1QmDMIC74Qi4ETg== |
| 4115 | Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/0LslshHZpTrWZBP3dcuo7QfxQ== |
| 4115 | Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/YXWh5JlsC6OnRyofY3IEw== |
| 4117.7 | Employment Status Reports - https://simbli.eboardsolutions.com/SU/vrsIOSKabKdr9XdJcOBqDw== |
| 4119.1 | Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/BQiemT6yH0cplusedbQ4LuGjZA== |
| 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/cwaQhFQnPhGFvskogTSslshvoA== |

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| 4119.12-E(1) | Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/rOB42ElpiyuEXBi55CtVQ== |
| 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/RUg2Aozy5plusrWMBTJVdlisyg== |
| 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== |
| 4119.25 | Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/FkeMlvswn3LcJJdgUB9slshA== |
| 4119.25 | Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/dvZ7mfqfvA0YM7xyypEMfw== |
| 4127 | Temporary Athletic Team Coaches - https://simbli.eboardsolutions.com/SU/rdpzrJrsfrxuBrElcbGnA== |
| 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/zlGKbGQaVplusrRicemB3xUUw== |
| 4136 | Nonschool Employment - https://simbli.eboardsolutions.com/SU/kG34JHzi7hlemKdooJNm9g== |
| 4141 | Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/wSbplusNslshzwmwtp8Du1J7fxoGg== |
| 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/bUKajshf9NH4tnZ9utk7g== |
| 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/HoMI4ixzNoFrMhCAkYU5Q== |
| 4161 | Leaves - https://simbli.eboardsolutions.com/SU/EEEXMgObslshqslshIKqtJJUX7vSg== |
| 4161 | Leaves - https://simbli.eboardsolutions.com/SU/1j87G85jaeaw3FbkyNX3fw== |

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| 4212.4 | Health Examinations - https://simbli.eboardsolutions.com/SU/RQiw5kZICOmKqEEHCUVaIA== |
| 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== |
| 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/qlnWNgn2LFslshTdzTCLslsh592A== |
| 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/DzT84jcjiN31dA5odXslshFoA== |
| 4219.25 | Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/EpuQDzLygwplussQsqTDILbw== |
| 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/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 -
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4241.6 Concerted Action/Work Stoppage -
<https://simbli.eboardsolutions.com/SU/W5ExJpluss6yHnOMElqyCk9IQ==>

4254 Health And Welfare Benefits -
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4254 Health And Welfare Benefits -
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4257 Employee Safety -
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4257 Employee Safety -
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4258 Employee Security -
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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/cns2ox14MXb4vgIRIm84fA==>

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/CgnDx1BIZbUtFWHVgyEOgA==>

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/4ekuJY8plusKIIYnslshRBAHkptw==>

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/ktlIO4qOhdfVliiFg1dcww==>

4317.7 Employment Status Reports -
<https://simbli.eboardsolutions.com/SU/ecU45JtmfvVslshKkdepBplusjg==>

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| 4319.1 | Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/XWa15T9slshJVGMRW95yTHU1Q== |
| 4319.11 | Sexual Harassment - https://simbli.eboardsolutions.com/SU/4Vvv7i0i6uHdgslsheZNHpgVg== |
| 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/tclULDJ5tC01fJvlegqoA== |
| 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/Qqh1ZB30DJcLlxmSo6Ca3A== |
| 4319.25 | Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/yaplusFLKGYeK7yfxXubPVLrQ== |
| 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/rplasmwwksFJslufmMfBAX0vQ== |
| 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/TKcq760n9RZaplusNRYWW1VUQ== |
| 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/lbu6OGOoNPkptcFYicbKYg==>

5145.2 Freedom Of Speech/Expression -
<https://simbli.eboardsolutions.com/SU/ZGwh6CltgMZOn0Pvmdnzng==>

5145.3 Nondiscrimination/Harassment -
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5145.3 Nondiscrimination/Harassment -
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5145.7 Sexual Harassment -
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5145.7 Sexual Harassment -
<https://simbli.eboardsolutions.com/SU/F81vgNUe2qhM9N9pNBTQtA==>

5145.71 Title IX Sexual Harassment Complaint Procedures -
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5145.71-E PDF(1) Title IX Sexual Harassment Complaint Procedures -
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5145.9 Hate-Motivated Behavior -
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6145.2 Athletic Competition -
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6145.2 Athletic Competition -
<https://simbli.eboardsolutions.com/SU/3b046reWKA4At9vT9uKSHg==>

6162.54 Test Integrity/Test Preparation -
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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

CSBA NOTE: The following policy is optional and may be revised to reflect district practice. Though employees have the same constitutional and statutory rights as other citizens, there are situations in which the district may limit some of those rights. In *Johnson v. Poway Unified School District*, the federal court of appeals found that a district's action controlling the speech of its employee when the employee posted two large banners that contained text which when taken out of context promoted a religious viewpoint did not violate the employee's First Amendment right when the speech occurred at work in the employee's role as a teacher.

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.

CSBA NOTE: When disciplining an employee, the district must ensure that all the surrounding facts and circumstances are considered and analyzed within the parameters of any applicable constitutional or legal framework. In *Kennedy v. Bremerton School District*, the U.S. Supreme Court held that the district violated the employee's protected free exercise and free speech rights when the district did not rehire the employee, a coach, for refusing to follow the district's direction to refrain from kneeling and praying at the 50-yard line immediately after each football game. The district's direction was based on a concern that the employee's prayer violated the district's religious practices policy and could subject the district to an Establishment Clause violation. Notwithstanding that the prayer occurred at a school event and in the presence of students, the court reasoned that the timing and circumstances indicated that the coach's prayers were offered as a private citizen rather than as a district employee. The Court held that since the prayer occurred during a break, a period when employees would ordinarily be free to engage in personal activities such as speaking with friends, checking email, calling for restaurant reservations, etc., the district's concerns about a possible Establishment Clause violation did not justify restricting the employee's free exercise and free speech rights to offer a private, personal prayer. Employee discipline, especially with respect to suspension and dismissal, involves complex legal considerations and districts are advised to consult CSBA District and County Office of Education Legal Services or the district's legal counsel, accordingly.

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.

CSBA NOTE: The following optional paragraph provides for the right to privacy of district employees pursuant to Article 1, Section 1 of the California Constitution. In addition, Education Code 49091.24 allows teachers the right to refuse to submit to district surveys or evaluations concerning certain personal beliefs as stated below.

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.

CSBA NOTE: Education Code 48907 gives students the right to exercise freedom of speech and of the press and mandates districts to adopt reasonable rules and regulations concerning the time, place, and manner for students to engage in those activities; see BP/AR 5145.2 - Freedom of Speech/Expression. In addition, Education Code 48950 prohibits a district from disciplining any high school student solely for the student's speech or other communication which would be protected by either the U.S. or California Constitution if engaged in outside of school campus. Both these provisions prohibit the disciplining of any employee who acts to protect a student engaged in any conduct authorized under these provisions.

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.

CSBA NOTE: When investigating an allegation of employee misconduct, the district may need to consider whether a search of the employee's desk, files, or other district-provided equipment, such as a computer or cell phone, is warranted. The determination of whether a search is legally justified is complex and depends on whether the employee has a reasonable expectation of privacy in the items to be searched and whether the search is reasonable at its inception. Given the legal complexities, it is recommended that CSBA District and County Office of Education Legal Services or district legal counsel be consulted prior to a search and that employees conducting searches receive appropriate instruction as to how the search is to be conducted.

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

CSBA NOTE: Education Code 44110-44114, the Reporting by School Employees of Improper Governmental Activities Act, and Labor Code 1102.5 provide "whistleblower protection" to employees who refuse to be a party to, or who report, noncompliance with a state or federal law or regulation. This protection does not cover employees when they speak out within their employment setting on matters related to their official duties. In *Garcetti v. Ceballos*, the U.S. Supreme Court held that when public employees speak out in the workplace about work-related issues, they may be subject to employee discipline since they are not speaking as citizens for First Amendment purposes. However, employees have the right to speak out as concerned citizens outside of the work environment. In addition, to the extent that the employee's speech is on an issue subject to whistleblower protection, then the protections provided to employees by the whistleblower statutes would be applicable.

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)

CSBA NOTE: An employee may be liable for an action in civil damages for interfering with the right of another employee to disclose an improper governmental action. In *Hartnett v. Crosier*, a California appellate court ruled that "management employees" could also be held liable for their acts of retaliation committed when acting in a supervisory role.

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

CSBA NOTE: 20 USC 7941-7948 limit the liability of teachers, principals, and other school personnel who maintain discipline and/or ensure safety when harm is caused while they are acting within the scope of their employment. The law also applies to Governing Board members; see BB 9260 - Legal Protection. The following section is made applicable to all employees; however, any district that wishes to apply the section only to teachers should modify the section accordingly.

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

| | Description |
|--------------------------------------|---|
| CA Constitution Article 1, Section 1 | Inalienable rights |
| Ed. Code 200-262.4 | Prohibition of discrimination - https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ== |
| Ed. Code 44040 | Discrimination based on employee's appearance before certain boards or committees |
| Ed. Code 44110-44114 | Reporting by school employees of improper governmental activity |
| Ed. Code 48907 | Exercise of free expression; time, place and manner rules and regulations |
| Ed. Code 48950 | Speech and other communication |
| Ed. Code 49091.24 | Teacher rights to refuse evaluation/survey of personal life |
| Ed. Code 7050-7058 | Political activities of school officers and employees |
| Gov. Code 12650-12656 | False claims actions |
| Gov. Code 12940-12953 | Discrimination prohibited; unlawful practices |
| Gov. Code 3540.1 | Public employment; definitions |
| Gov. Code 3543.5 | Interference with employee's rights prohibited |
| Gov. Code 815.3 | Intentional torts |
| Gov. Code 820-823 | Tort claims act |
| Gov. Code 825.6 | Indemnification of public entity |
| Lab. Code 1102.5-1106 | Whistleblower protections |

Federal References

| | Description |
|-----------------------|---|
| 18 USC 16 | Crime of violence; definition |
| 20 USC 1681-1688 | Title IX of the Education Amendments of 1972; discrimination based on sex |
| 20 USC 7941-7948 | 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

| | Description |
|----------------|--|
| 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 |

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| 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

| | Description |
|-----------------|---|
| 1312.1 | Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/dIGslshfVQqYWh8DLTuprGWw== |
| 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/U5PKMAksIsh8XdmxbODX9gY2A== |
| 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/ucnDWxF6hGHEFroNGOKmFg== |
| 3320 | Claims And Actions Against The District - https://simbli.eboardsolutions.com/SU/c91k4TalBYjVbGbM2oPzSw== |
| 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/1feQnJxnTqXT1BhIvWdeWA== |
| 4118 | Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/L6i9RwB51Lbplusbnl35tH3Bg== |
| 4119.21 | Professional Standards - https://simbli.eboardsolutions.com/SU/RUg2Aozy5plusWMBTJVdlsyg== |

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/FkeMlvswnq3LcJJdgUB9slshA==>

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/53ooK6mub4JLplus3BKAlOeLA==>

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/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==>

4219.23 Unauthorized Release Of Confidential/Privileged Information - <https://simbli.eboardsolutions.com/SU/DzT84jjiN31dA5odXslshEoA==>

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/ltAmE15lyRuHVP4lWhd7tg==>

4244 Complaints - <https://simbli.eboardsolutions.com/SU/dpWU08slsh6hjddsVYvxoilag==>

4244 Complaints - <https://simbli.eboardsolutions.com/SU/T94gjCe5she2llLWxwooVA==>

4319.21 Professional Standards - <https://simbli.eboardsolutions.com/SU/53YbPV2hoKqYj7h7jg34plusA==>

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| 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/Qqh1ZB30DJcLlXmSo6Ca3A== |
| 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/mzWyX5FBWwfpZYYNlaKORA== |
| 4344 | Complaints - https://simbli.eboardsolutions.com/SU/0m0xiT7oKn9m9TLZpluszeRyA== |
| 4344 | Complaints - https://simbli.eboardsolutions.com/SU/35PWlyWDSzcYbz2slshslshaWog== |
| 9260 | Legal Protection - https://simbli.eboardsolutions.com/SU/TdGgHj7XaYoQFbqsm2aaplusg== |

Policy 4140: Bargaining Units

Status: ADOPTED

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

CSBA NOTE: Pursuant to Government Code 3544, an employee organization may become the employees' exclusive representative for negotiations by filing a request with the district providing proof that a majority of the employees in an appropriate unit wish to be represented by that organization. Notice of such request must be immediately posted conspicuously on all employee bulletin boards in each district facility in which members of the unit are employed. Government Code 3544.1 requires the district to grant the request for recognition unless (1) the district doubts the appropriateness of the unit, (2) another employee organization files a challenge to the appropriateness of the unit or submits a competing claim of representation within 15 work days of the posting of notice of the written request, or (3) the district currently has a lawful written agreement with another employee organization representing the same employees.

"Exclusive representative," as defined in Government Code 3540.1, means an employee organization recognized or certified as the exclusive negotiating representative for all district employees other than management and confidential employees.

Government Code 3543 provides that public school employees have the right to represent themselves individually in their employment relations with the district except that, once an exclusive representative has been recognized, an employee in that unit is prohibited from meeting and negotiating with the district.

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)

CSBA NOTE: In East Whittier School District, the Public Employment Relations Board (PERB) found that the district's policy limiting the wearing of union buttons that favor or oppose any matter that is the subject of negotiations in the classroom or in other instructional areas in the presence of students violated the Educational Employment Relations Act, as there was no finding of special circumstances which would limit the established right of employees to wear union buttons in the workplace, nor was there a finding that wearing the union buttons was a political activity. PERB continues to use a case-by-case approach to determine whether a district's policy restricting the wearing of union buttons by employees is justified by special circumstances. See PERB's ruling in City of Sacramento. Due to the legal uncertainty in this area, districts are encouraged to consult CSBA District and County Office of Education Legal Services or the district's legal counsel prior to limiting the wearing of union buttons that support the union's position in collective bargaining.

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

CSBA NOTE: The following section contains legal requirements for the certification or recognition of bargaining units for different categories of employees.

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)

CSBA NOTE: Pursuant to Government Code 3543.4, management and confidential employees, as defined in Government Code 3540.1, are excluded from the right to be represented in negotiations by an employee

organization. PERB ultimately determines, based upon the duties of the position, which positions qualify as "management" or "confidential" and thus are excluded from bargaining.

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)

CSBA NOTE: The remainder of this section is optional. Government Code 3553 establishes requirements for districts that choose to disseminate a mass communication regarding employees' rights to join, support, or refrain from joining or supporting an employee organization. A "mass communication" means any written document, including a script for an oral or recorded presentation or message, intended for multiple employees.

Districts should exercise caution and consult with CSBA District and County Office of Education Legal Services or the district's legal counsel before communicating with employees about their rights to join or not join an employee organization to avoid violating the law against unfair labor practices. When an employee approaches the district with questions specifically about the benefits of the membership in an employee organization, the employee should be referred to the employee organization.

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)

CSBA NOTE: The following paragraph applies until June 30, 2025, unless the date is extended by law. Government Code 3556, as amended by SB 191 (Ch. 67, Statutes of 2022), provides additional obligations for public employers under the conditions specified in the following paragraph.

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

CSBA NOTE: Pursuant to Government Code 3558, districts are required to provide recognized employee organizations with specified contact information for new employees in the bargaining unit, as provided below. The information required by Government Code 3558 must be provided in a manner consistent with Government Code 6254.3, which authorizes disclosure of an employee's home address, home telephone number(s), and personal cell phone number to an employee organization unless the district receives a written request by the employee to not disclose the information. Pursuant to Government Code 6254.3, the personal email address of an employee is not disclosable unless used by the employee to conduct public business. The following paragraph should be revised if districts have an agreement with their employee organization(s) requiring more frequent or more detailed contact lists.

In *County of Los Angeles v. Service Employees International Union, Local 721*, the California Supreme Court held that (1) an employer has a duty to provide information relevant to collective bargaining to the applicable bargaining unit and failure to do so is a violation of the employer's obligation to bargain in good faith; (2) the disclosure of an employee's home address and phone number(s) by an employer to the union is presumptively relevant to the union's role as bargaining agent and does not violate the employee's constitutional right of privacy; and (3) other avenues for implementing privacy safeguards are available, such as bargaining for a notice and opt-out procedure or drafting employment contracts that will notify employees that their home contact information is subject to disclosure to the union and that they may request nondisclosure.

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)

CSBA NOTE: Pursuant to Government Code 3558, an employee organization is authorized, after notifying the district of a violation of the district's employee information disclosure obligations, to file a special unfair labor practice charge with PERB. Government Code 3558, as amended by SB 270 (Ch. 330, Statutes of 2021), allows the district 20 calendar days to cure an alleged violation that involves the provision of an inaccurate or incomplete list of employees, and to give the exclusive representative written notice of the actions taken. If a violation is found, PERB is required to assess against the district a civil penalty of \$10,000 and attorney's fees and costs in addition to any other remedy provided by law.

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)

CSBA NOTE: Government Code 3558, as amended, limits to three times within any 12-month period a district's opportunity to cure when an inaccurate or incomplete list has been provided to an exclusive representative. The following paragraph offers a way to avoid or minimize possible violation and may be revised to reflect district practice.

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

CSBA NOTE: Bargaining unit employees who choose to join the employee organization pay membership dues, which are deducted from the employee's salary or wage payment as provided below. Pursuant to the U.S. Supreme Court's decision in *Janus v. American Federation of State, County, and Municipal Employees*, bargaining unit employees who choose not to join an employee organization cannot be required to pay any fees to the employee organization. However, pursuant to Education Code 45060 and 45168, an employee who chooses not to join an employee organization may be charged fees for applicable services, programs, or committees provided to the employee by the employee organization if that nonmember employee first affirmatively and voluntarily consents to pay those fees to the employee organization, as required by *Janus v. AFSCME*.

Education Code 45060 and 45168 set forth the process for handling authorizations, changes, and cancellations for dues or other payments, and provide safeguards for districts that rely on information provided by an employee organization concerning such payroll deductions (i.e., the employee organization's indemnification of the district against any employee's claim based on such reliance).

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

| | Description |
|------------------------|---|
| 8 CCR 33015-33490 | Recognition of exclusive representative; proceedings |
| 8 CCR 33700-33710 | Severance of established unit |
| 8 CCR 34020 | Petition to rescind organizational security arrangement |
| 8 CCR 34055 | Reinstatement of organizational security arrangement |
| Ed. Code 45060-45061.5 | Deduction of fees from salary or wage payment; certificated employees |
| Ed. Code 45100.5 | Senior classified management positions |
| Ed. Code 45104.5 | Abolishment of senior classified management positions |
| Ed. Code 45108.5 | Definition of senior classified management employees |
| Ed. Code 45108.7 | Waiver of provisions of 45108.5 |
| Ed. Code 45168 | Deduction of fees from salary or wage payment; classified employees |
| Ed. Code 45220-45320 | Merit system; classified employees |
| Gov. Code 3540-3549.3 | Educational Employment Relations Act |
| Gov. Code 3540.1 | Public employment; definitions |
| Gov. Code 3543.4 | Management position; representation |
| Gov. Code 3545 | Appropriateness of unit; basis |
| Gov. Code 3550-3552 | Prohibition on public employers deterring or discouraging union membership |
| Gov. Code 3555-3559 | Public employee communication, information and orientation |
| Gov. Code 53260-53264 | Employment contracts |
| Gov. Code 6205-6210 | Confidentiality of addresses for victims of domestic violence, sexual assault or stalking |
| Gov. Code 6254.3 | Disclosure of employee contact information to employee organization |
| Gov. Code 6503.5 | Joint powers agencies |

Federal References

| | Description |
|-------------------|--|
| 8 CFR 33015-33490 | Recognition of exclusive representative; proceedings |

| | |
|-------------------|---|
| 8 CFR 33700-33710 | Severance of established unit |
| 8 CFR 34020 | Petition to rescind organizational security arrangement |
| 8 CFR 34055 | Reinstatement of organizational security arrangement |

Management Resources References

Description

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|--|---|
| Court Decision | County of Los Angeles v. Service Employees International Union, Local 721, (2013) 56 Cal. 4th 905 |
| Court Decision | Friedrichs v. California Teachers Association, et al., (2016) 136 S.Ct. 1083 |
| Court Decision | Janus v. American Federation of State, County and Municipal Employees, Council 31, (2018) 138 S.Ct. 2448 |
| Public Employment Relations Board Ruling | East Whittier School District, (2004) PERB Dec. No. 1727 |
| Public Employment Relations Board Ruling | City of Sacramento, (2019) PERB Dec. No. 2702m |
| Website | CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ== |
| Website | California Federation of Teachers - https://simbli.eboardsolutions.com/SU/6TJInbikoQhGwsWiH4ztXQ== |
| 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/DMWjqGR6N1ooUHyxBdPXeA== |
| Website | CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg== |

Cross References

Description

| | |
|------|---|
| 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== |
| 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/9BuYxzx0B2I1rRqC5ldthA== |
| 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/FkeMlvswqn3LcJJdgUB9slshA==>
- 4119.25 Political Activities Of Employees -
<https://simbli.eboardsolutions.com/SU/dvZ7mfqfvA0YM7xxypEMfw==>
- 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/bUKajshf9NH4tnZI9utk7g==>
- 4161.2 Personal Leaves -
<https://simbli.eboardsolutions.com/SU/v9O8SWMTRbBXq5cOByblqw==>
- 4219.1 Civil And Legal Rights -
<https://simbli.eboardsolutions.com/SU/qlnWNgN2LFslshTdzTCLslsh592A==>
- 4219.25 Political Activities Of Employees -
<https://simbli.eboardsolutions.com/SU/EpuQDzLygwpluseQSqTDILbw==>
- 4219.25 Political Activities Of Employees -
<https://simbli.eboardsolutions.com/SU/7hEQzj8hdkRLUYbn3mcUYw==>
- 4241 Collective Bargaining Agreement -
<https://simbli.eboardsolutions.com/SU/HilDt0mq6toKwOvAGRcktA==>
- 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/4MRmnj4J0iqDWVVDL3OkzA==>
- 4261.2 Personal Leaves -
<https://simbli.eboardsolutions.com/SU/uEkwbwYWw5nplus48h2ZcgRMw==>
- 4300 Administrative And Supervisory Personnel -
<https://simbli.eboardsolutions.com/SU/LFXzXmpvUZIVfhoVlrAWtQ==>
- 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/Qqh1ZB30DJcLlXmSo6Ca3A== |
| 4319.25 | Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/yaplusFLKGYeK7yfxXubPVLrQ== |
| 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/rplusmwwksFJslufmMEbAX0vQ== |
| 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/6Qkac2n002IH7QiOyqvira== |
| 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 4161.2: Personal Leaves

Status: ADOPTED

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

CSBA NOTE: The following administrative regulation is subject to collective bargaining agreements.

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

CSBA NOTE: Family Code 297.5 extends to registered domestic partners the same rights that are available under state law to spouses. Thus, any reference to an employee's spouse throughout this administrative regulation also applies to a registered domestic partner, even if not expressly stated in the applicable state statute (e.g., Education Code, Military and Veterans Code). Districts should consult CSBA District and County Office of Education Legal Services or the district's legal counsel if a question arises as to leave provisions relative to an employee's domestic partner.

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

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

Bereavement

CSBA NOTE: Education Code 44985 and 45194 allow the Governing Board to expand the class of relatives listed below as "immediate family" and enlarge the benefits provided by law. In addition, Government Code 12945.2, as amended by AB 1033 (Ch. 327, Statutes of 2021), includes a parent-in-law in the definition of "parent" for purposes of California Family Rights Act (CFRA) leave. Thus, to ensure consistency, the definition of "immediate family" below includes "mother-in-law" and father-in-law," as permitted by law. The following two paragraphs may be revised to reflect district practice.

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

Members of an employee's immediate family include: (Education Code 44985, 45194)

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

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

Personal Necessity

CSBA NOTE: Employees may use a maximum of seven days of accumulated personal illness/injury leave (sick leave) for reasons of personal necessity pursuant to Education Code 44981 (certificated employees) and 45207 (classified employees). Pursuant to Education Code 44981 and 45207, a higher maximum may be set for certificated and/or classified employees in the applicable collective bargaining agreement, or by Board resolution for classified employees who are not covered by a collective bargaining agreement. Districts that have established a maximum that is higher than seven days should modify the following paragraph accordingly.

Education Code 45207 clarifies that provisions pertaining to personal necessity leave also apply to districts that have adopted the merit system for classified employees in accordance with Education Code 45240-45320.

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

Acceptable reasons for the use of personal necessity leave include:

1. Death of a member of the employee's immediate family when the number of days of absence exceeds the limits set by bereavement leave provisions (Education Code 44981, 45207)
2. An accident involving the employee or the employee's property, or the person or property of a member of the employee's immediate family (Education Code 44981, 45207)

CSBA NOTE: Pursuant to Education Code 44981, a certificated employee may use personal necessity leave for the serious illness of a member of the employee's immediate family. The Board may extend these provisions to classified employees under the authority granted to the Board by Education Code 45207. Districts are cautioned to consult CSBA District and County Office of Education Legal Services or the district's legal counsel regarding any interaction of Education Code provisions with Labor Code 233, 245.5, and 246.5, which allow the use of sick leave for the need of the employee or family member for the diagnosis, care, or treatment of an existing health condition or for preventive care and which include in the definition of "family member" a registered domestic partner, grandparent, and sibling. See AR 4161.1/4361.1 - Personal Illness/Injury Leave and AR 4261.1 - Personal Illness/Injury Leave.

Also see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave for federal and state provisions related to leaves for the birth, adoption, or foster placement of a new child; the care of a seriously ill child, parent, parent-in-law, or spouse/registered domestic partner or the employee's own serious health condition.

3. Illness, preventive care, or other need of a member of the employee's family, as defined in Labor Code 245.5 (Education Code 44981; Labor Code 246.5)

CSBA NOTE: Education Code 45207 provides that classified employees may use sick leave for required court appearances, as provided in Item #4 below. Circumstances under which employees may take time off, with pay, for court appearances are described in the section on "Leave to Perform Legal Duties" below.

4. A classified employee's appearance in any court or before any administrative tribunal as a litigant, party, or witness under subpoena or other order (Education Code 45207)

CSBA NOTE: Items #5 and #6 are optional and may be deleted or modified to reflect district practice.

5. Fire, flood, or other immediate danger to the home of the employee
6. Personal business of a serious nature which the employee cannot disregard

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

CSBA NOTE: The following paragraph is optional. The district is prohibited from requiring employees to obtain advance permission prior to taking leaves in certain situations. Pursuant to Education Code 44981 and 45207, the district may not require advance permission for leaves taken by classified employees for the reasons specified in Items #1-2 above and by certificated employees for the reasons specified in Items #1-3 above. In addition, Labor Code 246.5 requires an employer to grant paid sick leave "upon the oral or written request of an employee." According to the Department of Industrial Relations, employers may not require advance notice when the need for the leave was unforeseeable, as in the case of unanticipated illness or a medical emergency.

Also see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave for requirements pertaining to requests for leaves that qualify under the federal Family and Medical Leave Act (29 USC 2601-2654) or CFRA (Government Code 12945.1-12945.2), including provisions that allow employees to provide notice as soon as practicable when 30-day advance notice is not practicable due to lack of knowledge of the date the leave will be needed, a change in circumstances, or a medical emergency.

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

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

CSBA NOTE: Education Code 44981 and 45207 mandate the adoption of regulations requiring proof of personal necessity and prescribing the manner of the required proof. The following paragraph may be revised to specify the manner of proof required by the district.

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

Leave to Perform Legal Duties

CSBA NOTE: Labor Code 230 prohibits the discharge of or discrimination or retaliation against an employee for taking time off for the activities specified in Items #1-2 below.

Pursuant to Education Code 44037, it is unlawful for the district or personnel commission to (1) adopt any rule, regulation, or policy that encourages classified employees to seek exemption from jury duty; (2) directly or indirectly solicit or suggest to any employee that the employee seek exemption from jury duty; or (3) discriminate against any employee with respect to assignment, employment, promotion, or in any other manner because of the employee's service on a jury panel. However, the Board or personnel commission may establish a rule providing that only a percentage of district staff, which shall not be less than two percent, shall be granted such leave with pay at any one time. The following section may be revised to reflect district practice.

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

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

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

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

CSBA NOTE: The following optional paragraph is for use by districts that choose to provide leave of absence with pay for certificated employees called for jury duty, as authorized by Education Code 44036. Districts that do not grant such leave should delete this paragraph.

A certificated employee who is called for jury duty also shall be granted leave with pay up to the difference between the employee's regular earnings and any jury fees received. (Education Code 44036)

CSBA NOTE: The following paragraph is optional. Education Code 44036 allows the Board, at its discretion, to provide paid leaves for employees to appear in court as witnesses other than as litigants or to respond to orders from another governmental jurisdiction. Districts that do not grant such leave should delete this paragraph.

An employee shall be granted leave with pay to appear in court as a witness other than a litigant or to respond to an official order from another governmental jurisdiction for reasons not brought about through the connivance or misconduct of the employee. Such an employee shall receive the difference between the employee's regular earnings and any witness fees received. (Education Code 44036)

Leaves for Crime Victims for Judicial Proceedings

CSBA NOTE: Labor Code 230.2 prohibits a district from taking adverse employment action against an employee who takes leave as described below.

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

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

CSBA NOTE: Pursuant to Labor Code 230.2, employees may use any of the types of leave listed in the following paragraph, unless otherwise provided by a collective bargaining agreement, although a collective bargaining

agreement cannot diminish the entitlement of an employee.

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

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

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

Leaves for Victims of Crime or Abuse

CSBA NOTE: Labor Code 230 and 230.1 allow employees who are victims of domestic violence, sexual assault, stalking, or a crime that caused physical injury or mental injury with a threat of physical injury, and employees whose immediate family member is deceased as the direct result of a crime to use any available vacation, personal leave, or compensatory time off for the purposes described in Items #1-5 below, and prohibit a district from taking adverse employment action against an employee for taking leave for any of those purposes. Pursuant to Labor Code 230.1, Items #2-5 apply to districts with 25 or more employees.

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

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

CSBA NOTE: Pursuant to Labor Code 230, the following certification may include documentation from a victim advocate (defined as an individual, whether paid or serving as a volunteer, who provides services to victims under the auspices or supervision of an agency or organization that has a documented record of providing services to victims, a court, or a law enforcement or prosecution agency) or any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf.

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

1. A police report indicating that the employee was a victim
2. A court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court
3. Documentation from a domestic violence or sexual assault counselor as defined in Evidence Code 1037.1 or 1035.2, licensed medical professional or health care provider, victim advocate, or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse

4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf certifying that the absence is for a purpose authorized under Labor Code 230 or 230.1

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

CSBA NOTE: Pursuant to Labor Code 230.1, districts with 25 or more employees are required to notify district employees of employee rights under Labor Code 230 and 230.1. The district may use a form developed by the Labor Commissioner for this purpose, when available on the web site of the Department of Industrial Relations, or may develop its own form that is substantially similar in content and clarity to the Labor Commissioner's form.

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

Personal Leave for Child-Related Activities

CSBA NOTE: Pursuant to Labor Code 230.8, the following section applies to any district employing 25 or more employees at the same location. A district with fewer than 25 employees at the same location may use or delete this section at its discretion.

Pursuant to Labor Code 230.8, an employee who is discharged, threatened with discharge, demoted, suspended, or otherwise discriminated against for using the leave is entitled to reinstatement and reimbursement for lost wages and benefits, and an employer who willfully refuses to rehire, promote, or otherwise reinstate such an employee is subject to a civil penalty equal to three times the amount of the lost wages and benefits.

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

1. Find, enroll, or reenroll a child in a school or with a licensed child care provider or to participate in activities of the school or child care provider, provided the employee gives reasonable advance notice of the absence. Time off for this purpose shall not exceed eight hours in any calendar month.
2. Address a school or child care emergency, provided the employee gives notice. An emergency exists when the child cannot remain in school or with a child care provider due to one of the following circumstances:
 - a. A request by the school or child care provider that the child be picked up
 - b. An attendance policy, excluding planned holidays, that prohibits the child from attending or requires that the child be picked up from the school or child care provider
 - c. Behavioral or discipline problems
 - d. Closure or unexpected unavailability of the school or child care provider, excluding planned holidays
 - e. A natural disaster, including, but not limited to, fire, earthquake, or flood

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

CSBA NOTE: Labor Code 230.8 provides that the employee may use time off without pay to the extent the district makes it available. The following optional paragraph may be revised to reflect district practice.

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

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

Upon request by the Superintendent or designee, the employee shall provide documentation from the school or

licensed child care provider that the employee engaged in permitted child-related activities on a specific date and at a particular time. (Labor Code 230.8)

Service on Education Boards and Committees

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

1. The service is performed within the state.
2. The board, commission, organization, or group informs the district in writing of the service.
3. The board, commission, organization, or group agrees, prior to the service, to reimburse the district, upon the district's request, for compensation paid to the employee's substitute and for actual related administrative costs.

Employee Organization Activities

CSBA NOTE: The following optional section may be deleted by any district whose collective bargaining agreements expressly provide for a paid leave of absence for participation in the activities described in this section.

Education Code 44987 and 45210 provide that any certificated or classified employee may take time off without loss of compensation to serve as an elected officer of any local, statewide, or national employee organization of which the employee is a member. Following the district's payment to the employee for the leave of absence, the employee organization must reimburse the district within 10 days after receiving the district's certification of payment of compensation to the employee. This leave of absence is in addition to the release time granted to representatives of an employee organization pursuant to Government Code 3543.1.

Pursuant to Education Code 44987 and 45210, as amended by SB 294 (Ch. 539, Statutes of 2021), an employee's leave of absence to serve as an elected officer of an employee organization is additional to any other leave available for the employee's use by law or in agreement with the district.

Upon request, any certificated or classified employee shall be granted a leave of absence without loss of compensation, to serve as an elected officer of a district employee organization or any statewide or national employee organization with which the employee organization is affiliated. Such leave shall be in addition to any other leave to which the employee may be entitled by other laws or a memorandum of understanding or collective bargaining agreement. (Education Code 44987, 45210)

The leave shall include, but is not limited to, absence for purposes of attending periodic, stated, special, or regular meetings of the body of the organization on which the employee serves as an officer. (Education Code 44987, 45210)

CSBA NOTE: Education Code 45210 requires districts to grant a paid leave of absence to a reasonable number of classified employees serving as unelected members of the employee organization or a statewide or national public employee organization when the employee attends "important organizational activities authorized by the public employee organization." Compensation must include the required retirement fund contributions. The employee will continue to earn full service credit during the leave and must pay member contributions as specified. Education Code 45210 also requires that an employee organization provide reasonable notification to the district when requesting a leave of absence without loss of compensation for an employee.

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

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

Religious Leave

CSBA NOTE: The following optional section is for use by any district that chooses to grant religious leave and may be revised to reflect district practice. A district that does not grant such leave should delete this section. However, the district should consult CSBA District and County Office of Education Legal Services or the district's legal counsel before denying a request for religious leave since the Constitution requires districts to provide "reasonable accommodation" to employee religious practices.

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

CSBA NOTE: The following optional paragraph reflects the California Supreme Court's interpretation of Article 1, Section 8 of the California Constitution as stated in Rankin v. Commission on Professional Competence.

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

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

Spouse on Leave from Military Deployment

CSBA NOTE: Military and Veterans Code 395.10 requires any district with 25 or more employees to allow up to 10 days of unpaid leave to an employee whose spouse is on leave from military deployment. A district with fewer than 25 employees may use the following section at its discretion. In addition, 29 USC 2612 authorizes an employee to take up to 26 work weeks of unpaid military caregiver leave or up to 12 weeks of "exigency" leave during a single 12-month period, as determined by the district; see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave.

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

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

Leave for Emergency Duty

CSBA NOTE: Labor Code 230.3 prohibits a district from discharging or discriminating against an employee who takes time off to perform emergency duty as specified below. Labor Code 230.3 defines emergency rescue personnel as a member of a federal, state, local, or private fire department or agency, as well as a sheriff or police department.

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

CSBA NOTE: Pursuant to Labor Code 230.4, a district with 50 or more employees must grant an employee who is a volunteer firefighter, reserve peace officer, or emergency rescue personnel a leave of absence for up to 14 days per calendar year for training purposes. A district with fewer than 50 employees may use or delete this paragraph at its discretion.

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

Civil Air Patrol Leave

CSBA NOTE: Labor Code 1500-1507 require a district with more than 15 employees to provide at least 10 days of unpaid leave per year, beyond any leave otherwise available to employees, to employees who volunteer with the Civil Air Patrol and are directed to respond to an emergency operational mission, as provided below. Labor Code 1503 specifies that a district may not require an employee to first exhaust all accrued vacation, personal, sick, or any other available leave in order to use Civil Air Patrol leave.

If the district chooses to offer more than 10 days of such leave per year or to provide paid leave, it should modify

the following paragraph accordingly. A district with 15 or fewer employees may use or delete this section at its discretion.

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

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

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

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|--------------------------------------|---|
| CA Constitution Article 1, Section 8 | Religious discrimination - https://simbli.eboardsolutions.com/SU/aVyer3HNWhenL24lj43Z8w== |
| Ed. Code 44036-44037 | Leaves of absence for judicial and official appearances |
| Ed. Code 44963 | Power to grant leaves of absence; certificated |
| Ed. Code 44981 | Leave of absence for personal necessity |
| Ed. Code 44985 | Leave of absence due to death in immediate family; certificated |
| Ed. Code 44987 | Service as officer of employee organization; certificated |
| Ed. Code 44987.3 | Leave of absence to serve on certain boards, commissions, etc. |
| Ed. Code 45190 | Leaves of absence and vacations; classified |
| Ed. Code 45194 | Bereavement leave of absence; classified |
| Ed. Code 45198 | Effect of provisions authorizing leaves of absence |
| Ed. Code 45207 | Personal necessity; classified |
| Ed. Code 45210 | Service as officer of employee organization; classified |
| Ed. Code 45240-45320 | Merit system |
| Evid. Code 1035.2 | Sex assault counselor; definition |
| Evid. Code 1037.1 | Domestic violence counselor; definition |
| Fam. Code 297-297.5 | Rights, protections, benefits under the law; registered domestic partners |
| Gov. Code 12945.1-12945.2 | California Family Rights Act |
| Gov. Code 3543.1 | Rights of employee organizations |
| Lab. Code 1500-1507 | Civil Air Patrol leave |
| Lab. Code 230-230.2 | Leaves for victims of domestic violence, sexual assault or specified felonies |
| Lab. Code 230.3 | Leave for emergency personnel |
| Lab. Code 230.4 | Leave for volunteer firefighters |
| Lab. Code 230.8 | Time off to visit child's school |
| Lab. Code 233 | Illness of child, parent, spouse or domestic partner |
| Lab. Code 234 | Absence control policy |
| Lab. Code 246.5 | Paid sick days; purposes for use |
| M&V Code 395.10 | Leave when spouse on leave from military deployment |
| Pen. Code 1192.7 | Plea bargaining limitation |
| Pen. Code 667.5 | Prior prison terms; enhancement of prison terms |

Federal References

29 USC 2601-2654
 42 USC 2000d-2000d-7

Description

Family Care and Medical Leave Act
 Title VI, Civil Rights Act of 1964

Management Resources References

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

Description

Rankin v. Commission on Professional Competence, (1988) 24 Cal.3d 167
 Berkeley Council of Classified Employees v. Berkeley Unified School District, (2008) PERB Decision No. 1954
 CSBA District and County Office of Education Legal Services - <https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>
 California Department of Industrial Relations - <https://simbli.eboardsolutions.com/SU/Lh5JVplusYhNJm5slshcgG07zsOQ==>
 California Federation of Teachers - <https://simbli.eboardsolutions.com/SU/6TJInbikoQhGwsWiH4ztXQ==>
 California Public Employment Relations Board - <https://simbli.eboardsolutions.com/SU/7Fndg3k626KwCb511Tslsh2ew==>
 California School Employees Association - <https://simbli.eboardsolutions.com/SU/NOB1plusNOcLNRMHnggHE1slshjg==>
 California Teachers Association - <https://simbli.eboardsolutions.com/SU/w58tUBBtGnaF0rMUPlwN0g==>

Cross References

2121
 4112.9
 4112.9-E(1)
 4112.9-E PDF(1)
 4121
 4121
 4140
 4141.6
 4141.6
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Description

Superintendent's Contract - <https://simbli.eboardsolutions.com/SU/fcslsh1ixO2EdCt2pz2NabYqA==>
 Employee Notifications - <https://simbli.eboardsolutions.com/SU/lzOl6slshnwrwplusn8LplusKslshsvfw==>
 Employee Notifications - <https://simbli.eboardsolutions.com/SU/nxsNzGlnhGviEz28zpluswizg==>
 Employee Notifications - <https://simbli.eboardsolutions.com/SU/BjEd40hv6bJfirolKsHpQQ==>
 Temporary/Substitute Personnel - <https://simbli.eboardsolutions.com/SU/UQVHOa8Qzs52Adry5FhGeA==>
 Temporary/Substitute Personnel - <https://simbli.eboardsolutions.com/SU/Eytslsh362LVDh2oTivuLm8gA==>
 Bargaining Units - <https://simbli.eboardsolutions.com/SU/ZdmcuZUIYv3uD1O7CuaxXA==>
 Concerted Action/Work Stoppage - <https://simbli.eboardsolutions.com/SU/TtH8mfb4Zwc222YN76OTdg==>
 Concerted Action/Work Stoppage - <https://simbli.eboardsolutions.com/SU/nCKbnl3vsF4vwc2CzN850A==>
 Negotiations/Consultation - <https://simbli.eboardsolutions.com/SU/plusQw524YQnq7oFZ8zRrV6Pg==>
 Employee Security - <https://simbli.eboardsolutions.com/SU/FNXlvGTuDgTcLGIWKDo75Q==>
 Employee Security - <https://simbli.eboardsolutions.com/SU/Lldu39d9d8NTNOW1shZPzA==>
 Leaves - <https://simbli.eboardsolutions.com/SU/EEXMgObslshqslshiKqtJJUX7vSg==>
 Leaves - <https://simbli.eboardsolutions.com/SU/1j87G85jaeaw3FbkyNX3fw==>

4161.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/wmtZ2H4oDc4HcrB9slshN1zcw==>

4161.8 Family Care And Medical Leave - <https://simbli.eboardsolutions.com/SU/R0ajur05Y0LDobGfDwFO7A==>

4212.9 Employee Notifications - <https://simbli.eboardsolutions.com/SU/mHaW9EbnocL5Pl6rr10dMw==>

4212.9-E(1) Employee Notifications - <https://simbli.eboardsolutions.com/SU/dRLduplushLitByDflajDntw==>

4212.9-E PDF(1) Employee Notifications - <https://simbli.eboardsolutions.com/SU/U68jKBBwiztUHegLtPjM0w==>

4240 Bargaining Units - <https://simbli.eboardsolutions.com/SU/ltAmE15lyRuHVP4IWWhd7tg==>

4241.6 Concerted Action/Work Stoppage - <https://simbli.eboardsolutions.com/SU/8ghHTloULRupEkUU4HVtdg==>

4241.6 Concerted Action/Work Stoppage - <https://simbli.eboardsolutions.com/SU/W5ExJpluss6yHnOMElqyCk9IQ==>

4243 Negotiations/Consultation - <https://simbli.eboardsolutions.com/SU/rymBvD6zXpDjldwBE51jfg==>

4258 Employee Security - <https://simbli.eboardsolutions.com/SU/xTiwiJO7zP5pnvrwnkPcdw==>

4258 Employee Security - <https://simbli.eboardsolutions.com/SU/HzleDphm05nyuDFSTUwAmg==>

4261 Leaves - <https://simbli.eboardsolutions.com/SU/NEon3h0paWxSWoNITTqbmA==>

4261 Leaves - <https://simbli.eboardsolutions.com/SU/cns2ox14MXb4vglRIm84fA==>

4261.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/7IGWMkFdeFkQBbHk7qxzig==>

4261.8 Family Care And Medical Leave - <https://simbli.eboardsolutions.com/SU/nBLZm9LwJchMFF3Yja1slshFg==>

4312.9 Employee Notifications - <https://simbli.eboardsolutions.com/SU/CqQQlb4XnDnSONdYu7jm2Q==>

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==>

4340 Bargaining Units - <https://simbli.eboardsolutions.com/SU/mzWyX5FBWwfpZYYNlaKORA==>

4358 Employee Security - <https://simbli.eboardsolutions.com/SU/E2TOLpogkDECpTZGFtslshdMQ==>

4358 Employee Security - <https://simbli.eboardsolutions.com/SU/C6fpUPMjplus2yAmh3nNvvObg==>

4361 Leaves - <https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgLwUOQ==>

4361 Leaves - <https://simbli.eboardsolutions.com/SU/m93RQnCPlyUeeeBo4hULBQ==>

4361.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/VCSQ7zJplus5y1nFHLGslshrl5oA==>

4361.8 Family Care And Medical Leave - <https://simbli.eboardsolutions.com/SU/qfxyeoli1L04rJjMbB8XNA==>

5148 Child Care And Development - <https://simbli.eboardsolutions.com/SU/TkxFLplusg1be5kdCBI21w67A==>

5148

Child Care And Development -
<https://simbli.eboardsolutions.com/SU/Ez52VnD9tECorZJzyrh5plusg==>

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

CSBA NOTE: Employment and re-employment rights of employees who take military leave of absence are protected by the federal Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 USC 4301-4334. The district may not refuse to grant military leave, regardless of the length of employment or whether the employee volunteers for military service or is called up involuntarily.

USERRA applies to all employees, except individuals employed for a brief, nonrecurrent period for which there was no reasonable expectation that such employment would continue indefinitely or for a significant period.

20 CFR 1002.149-1002.150 and 1002.210-1002.213 and guidelines issued by the Veterans' Employment and Training Service (VETS) of the U.S. Department of Labor, "A Non-Technical Resource Guide to the Uniformed Services Employment and Reemployment Rights Act," clarify that federal law generally protects seniority-based benefits (i.e., a right or benefit that is determined by or that accrues with length of service) that would have accrued "with reasonable certainty" had the employee remained continuously employed. Non-seniority-based benefits are generally protected to the same extent that those benefits are preserved during comparable kinds of leave under local policies or state law. The district should consult legal counsel regarding any questions about entitlements to benefits.

Note that in cases where state law provides greater protections to employees, state law supersedes federal law. In addition, the district should consult its collective bargaining agreements to determine if the bargaining agreements provide greater military leave benefits than provided by law and should modify or delete the following optional regulation accordingly.

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

CSBA NOTE: Pursuant to Military and Veterans Code 395.01-395.05, employees on military leave are entitled to receive their salary or compensation for a maximum of 30 calendar days for any one leave or during one fiscal year. However, Military and Veterans Code 395.03 allows the Governing Board to extend compensation beyond the maximum of 30 calendar days for leaves taken pursuant to Items #1, 2, and 4 below through a Board resolution or a Memorandum of Understanding with an employee organization. In addition, Education Code 44018 authorizes, but does not require, the Board to provide an employee who is on active military duty as a member of the California National Guard or a U.S. Military Reserve organization, for up to 180 days, the difference between the amount of the military pay and allowances and the employee's salary.

The following paragraph should be revised to reflect decisions of the Board, if any, to extend compensation beyond 30 days' pay.

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)

CSBA NOTE: Pursuant to Military and Veterans Code 395 and 395.01, the district has discretion as to whether employees are compensated for military leave for periods of inactive duty training. Optional Item #4 is for use by districts that choose to provide compensation to such employees.

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.

CSBA NOTE: When calculating whether the employee has been employed by the district for a minimum of one year for purposes of determining the employee's right to a paid military leave of absence pursuant to Items #1, 2, and 4 above, the Attorney General opined in 77 Ops.Cal.Atty.Gen. 209 (1994), that all prior military service is to be counted as public agency service (i.e., the military service is "tacked on" to the amount of time employed in the district), even when a period of time lapses between the military service and district employment. However, as opined by the Attorney General in 18 Ops.Cal.Atty.Gen. 178 (1951), an employee may not "tack on" prior employment in another district. If a question arises as to whether prior service should be counted, district legal counsel should be consulted.

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)

CSBA NOTE: The following optional paragraph is for use by any district whose Board has taken action to extend benefits for up to 180 days to employees who are on active military duty as members of the California National Guard or a U.S. Military Reserve organization, as authorized, but not required, by Education Code 44018.

Any employee called into active military duty as a member of the California National Guard or a United States Military Reserve organization shall receive, for up to 180 days, the difference between the amount of the employee's military pay and the amount the employee would have received from the district and all benefits that the employee would have received had the employee not been called to active military duty, unless the benefits are prohibited or limited by vendor contracts. (Education Code 44018)

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

CSBA NOTE: Pursuant to Government Code 20997, employers that participate in the California Public Employees' Retirement System (CalPERS) are required to inform employees who are CalPERS members, of the rights of returning military veterans to receive employer-paid service credits for the period of active military service.

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

CSBA NOTE: Employees on military leave are deemed to be on furlough or leave of absence, pursuant to 20 CFR 1002.149 and, during the period of military leave, maintain non-seniority rights and benefits generally provided by the employer to other employees with similar seniority, status, and pay who are on furlough or leave of absence. However, pursuant to Education Code 44800 and Military and Veterans Code 395, absence due to military leave may not be counted in satisfaction of an uncompleted probationary period.

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

CSBA NOTE: 38 USC 4334 requires employers to post a notice of rights and benefits as provided below. The U.S. Secretary of Labor has provided a sample notice listing these rights which is available on the Department of Labor's USERRA web site.

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)

CSBA NOTE: 38 USC 4334 states that the notice may be placed where the district customarily places employee notices, as provided below. However, the VETS', "A Non-Technical Resource Guide to the Uniformed Services Employment and Reemployment Rights Act (USERRA)," clarifies that an employer may provide the notice in an alternative manner as long as the full text of the notice is provided. Examples include handing the notice to

employees, mailing it, or distributing it via email. The district may revise the following paragraph to reflect district practice.

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

| | Description |
|-----------------------|---|
| 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 |

Federal References

| | Description |
|------------------------|---|
| 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 |

Management Resources References

| | Description |
|--------------------------------------|--|
| 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/lzOl6slshnrcwplusn8LplusKslshvfw==>

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==>

4116 Probationary/Permanent Status - <https://simbli.eboardsolutions.com/SU/Gy4GUysBDt2XEfyrzyQxvw==>

4116 Probationary/Permanent Status - <https://simbli.eboardsolutions.com/SU/5Oi4FjGaDLWBXlrAxpA2fg==>

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/dRLduplushLitByDflajDntw==>

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/cns2ox14MXb4vglRIm84fA==>

4261.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/7IGWMkFdeFkQBbHk7qxyzig==>

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 Leaves - <https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgLwUOQ==>

4361 Leaves - <https://simbli.eboardsolutions.com/SU/m93RQnCplyUeeeBo4hULBQ==>

4361.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/VCSQ7zJplus5y1nFHLGslshrl5oA==>

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

CSBA NOTE: Education Code 45113 mandates the Governing Board in a non-merit system district to develop rules and regulations for the personnel management of classified employees. For districts establishing the merit system pursuant to Education Code 45240-45320, rules for the efficient running of the classified service are established by the personnel commission pursuant to Education Code 45260. The following policy may be revised to reflect district practice, any applicable collective bargaining agreement, or personnel commission rules.

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.

CSBA NOTE: The following paragraph should be revised to reflect the specific length of the probationary period prescribed by the district, provided the probationary period does not exceed the time limits specified below.

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)

CSBA NOTE: Pursuant to Education Code 45113 (non-merit system districts) and 45301 (merit system districts), as amended by AB 486 (Ch. 666, Statutes of 2021), in order to receive permanent classified service status, a full-time district police officer and public safety dispatcher who operates a dispatch center certified by the Commission on Peace Officer Standards and Training must serve in a probationary status for not less than one year from the date of appointment to the full-time position. See AR 3515.3 - District Police/Security Department.

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.

CSBA NOTE: Pursuant to Education Code 45301, as amended by SB 874 (Ch. 150, Statutes of 2022), the paragraph below also applies to districts that have adopted the merit system.

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

Description

Ed. Code 45113

Notification of charges; classified employees

Ed. Code 45240-45320

Merit system

Management Resources References

Description

Website

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**Description**

| | |
|-----------------|--|
| 3515.3 | District Police/Security Department - https://simbli.eboardsolutions.com/SU/xzE1kDD6MeebnuiCYEM5mw== |
| 3515.3 | District Police/Security Department - https://simbli.eboardsolutions.com/SU/11J1QKjZow3q8v7pZhTCDQ== |
| 4112.9 | Employee Notifications - https://simbli.eboardsolutions.com/SU/lzOl6slshnrcwplusn8LplusKslshvfw== |
| 4112.9-E(1) | Employee Notifications - https://simbli.eboardsolutions.com/SU/nxsNzGlnhGviEz28zpluswjz== |
| 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/dRLduplushLitByDflajDntw== |
| 4212.9-E PDF(1) | Employee Notifications - https://simbli.eboardsolutions.com/SU/U68jKBBwiztUHegLtPjM0w== |
| 4215 | Evaluation/Supervision - https://simbli.eboardsolutions.com/SU/KVo7Z1slshuyf6nLyCOYsslshzAQ== |
| 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

CSBA NOTE: The following policy is for use by districts that have not incorporated the merit system for classified employees pursuant to Education Code 45240-45320. For procedures applicable to districts that have incorporated the merit system, see BP/AR 4218.1 - Dismissal/Suspension/Disciplinary Action (Merit System).

The following policy is subject to collective bargaining and may be deleted or revised by any district whose collective bargaining agreement covers classified employee dismissal, suspension, and other disciplinary action. To the extent that this policy is inconsistent with provisions of the collective bargaining agreement, the collective bargaining agreement would prevail.

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.

CSBA NOTE: When disciplining an employee, the district must ensure that all the surrounding facts and circumstances are considered and analyzed within the parameters of any applicable constitutional or legal framework. In *Kennedy v. Bremerton School District*, the U.S. Supreme Court held that the district violated the employee's protected free exercise and free speech rights when the district did not rehire the employee, a coach, for refusing to follow the district's direction to refrain from kneeling and praying at the 50-yard line immediately after each football game. The district's direction was based on a concern that the employee's prayer violated the district's religious practices policy and could subject the district to an Establishment Clause violation.

Notwithstanding that the prayer occurred at a school event and in the presence of students, the court reasoned that the timing and circumstances indicated that the coach's prayers were offered as a private citizen rather than as a district employee. According to the Court, since the prayer, a religious activity, occurred during a period when employees would ordinarily be free to engage in personal secular activities such as speaking with friends, checking email, calling for restaurant reservations, etc., the district's concerns about a possible Establishment Clause violation did not justify restricting the employee's free exercise and free speech rights to engage in a personal religious activity such as offering a prayer. Employee discipline, especially with respect to suspension and dismissal, involves complex legal considerations and districts are advised to consult CSBA District and County Office of Education Legal Services or the district's legal counsel, accordingly.

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.

CSBA NOTE: Education Code 45113 mandates districts not incorporating the merit system to prescribe, by written rule or regulation, causes and procedures for disciplinary action against permanent classified employees. Also see the accompanying administrative regulation.

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

CSBA NOTE: The following section should be revised to reflect district practice.

In *Skelly v. State Personnel Board*, the California Supreme Court held that permanent public employees have a right to certain due process protections prior to any punitive disciplinary action, such as termination, suspension, or demotion. These procedural rights include notice of the proposed materials upon which the action is based and the right to respond, either orally or in writing, to the individual recommending that discipline be imposed. These procedural rights are designed to protect an employee who may be wrongfully disciplined, without necessitating a full evidentiary hearing before the Governing Board. Therefore, CSBA recommends that the Superintendent or designee appoint a Skelly officer to evaluate whether there are reasonable grounds for believing that the employee engaged in the alleged misconduct and whether the proposed discipline is justified.

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.

CSBA NOTE: Pursuant to Education Code 45113 and 45116, a permanent classified employee must be given notice of any disciplinary action against the employee, including a time period during which the employee may request a Board hearing on the charges. See the section "Initiation and Notification of Charges" in the accompanying administrative regulation.

Pursuant to Education Code 45113, the Board may delegate its authority to determine whether sufficient cause exists for disciplinary action against classified employees, excluding peace officers as defined in Penal Code 830.32, to an impartial third-party hearing officer. Hearings conducted by the Board or a hearing officer are not subject to the procedures used by the Office of Administrative Hearings pursuant to Government Code 11500-11529. Districts that refer all serious disciplinary matters to a third-party hearing officer rather than holding Board hearings should revise the remainder of this section accordingly.

Education Code 45113 requires the Board to delegate its authority to an administrative law judge in cases involving allegations of egregious misconduct with a minor. Egregious misconduct is defined as immoral conduct leading to an allegation of a sex offense pursuant to Education Code 44010, a controlled substance offense pursuant to Education Code 44011, or child abuse or neglect pursuant to Penal Code 11165.2-11165.6.

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)

CSBA NOTE: Pursuant to Education Code 44990, an administrative law judge in a suspension or dismissal hearing is required to preserve the integrity of the truth-finding function by balancing the right of a classified employee against the need to protect a minor witness.

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

| | Description |
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| 42 USC 12101-12213 | Americans with Disabilities Act |
| U.S. Constitution | Amendment 1, Free exercise, free speech, and establishment clauses |

Management Resources References

Description

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|----------------|--|
| 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/9nslshuTpTNHO70H14jlrLeA== |
| 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/GPX87YasyLIgrwrAjTkQsG== |
| 1114 | District-Sponsored Social Media - https://simbli.eboardsolutions.com/SU/yjVorBCGm2rPCjkELGVV5A== |
| 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/YsqKpKY3LEBnr4vNoyMVGAA== |
| 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/htmpuswvNopsrGRvHnZml57Q== |
| 3513.3 | Tobacco-Free Schools - https://simbli.eboardsolutions.com/SU/YcXDckQsxwpNclpvl3ATIA== |
| 3513.3 | Tobacco-Free Schools - https://simbli.eboardsolutions.com/SU/PDOMCVslshDCYPHDWjcAvbVoQ== |
| 3513.4 | Drug And Alcohol Free Schools - https://simbli.eboardsolutions.com/SU/ryiOKslshMplusW4HslshslshWMh5sSZ1w== |
| 3515.2 | Disruptions - https://simbli.eboardsolutions.com/SU/CwDXzUwOzplusMOB2FjxUVQ== |
| 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/IVIK9slshAIIKtBcZcF8v5agg== |
| 3542 | School Bus Drivers - https://simbli.eboardsolutions.com/SU/4QWcENQXnTQFBLEpluszfCyyw== |
| 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/Fe6BHP6DOzDpVRGUqP8hQ== |
| 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/iMqubXqetDmZQ7GVyqkl7w== |
| 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/cwaQhFQnPhGFvskogTSslshvoA== |
| 4119.12-E(1) | Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/rOB42EIpIyuEXBiI5SctVQ== |
| 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/RUG2Aozy5plusrWMBTJVdlisg== |
| 4119.21-E(1) | Professional Standards - https://simbli.eboardsolutions.com/SU/YZXplusYQTz0U6OMJGsfSgPwQ== |

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|------------------|--|
| 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/FkeMlvswqn3LcJJdgUB9slshA== |
| 4119.25 | Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/dvZ7mfqfvA0YM7xxypEMfw== |
| 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/kG34JHzi7hlemKdooJNm9g== |
| 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/bUKajshf9NH4tnZI9utk7g== |
| 4157 | Employee Safety - https://simbli.eboardsolutions.com/SU/URy09LOe63e3ejYa2WLVTQ== |
| 4157 | Employee Safety - https://simbli.eboardsolutions.com/SU/pCyFLiyDAxQFkx8hUbSHFA== |
| 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/EEFMgObslshqslshiKqtJJUX7vSg== |
| 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/KJOYndqnU7HBTrGOG6lY9g== |
| 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== |

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|------------------|--|
| 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/y3QVGjp7mUPym2Tw8APoplusA== |
| 4219.1 | Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/qlnWNgn2LFslshDzTCLslsh592A== |
| 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/DzT84jcjN31dA5odXslshEoA== |
| 4219.24 | Maintaining Appropriate Adult-Student Interactions - https://simbli.eboardsolutions.com/SU/5jMxddslshCGQnzzslshENYSWHWA== |
| 4219.25 | Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/EpuQDzLygwpplussQSqTDILbw== |
| 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/gh6iL9tkxViyly74pfsyvg== |
| 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/4MRmnj4J0iqDWVVDL3OkrzA== |

| | |
|------------------|--|
| 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/cns2ox14MXb4vgIRIm84fA== |
| 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/CgnDx1BIZbUtFWHVgyEOgA== |
| 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/4ekuJY8plusKIIYnslshRBAHkptw== |
| 4312.6 | Personnel Files - https://simbli.eboardsolutions.com/SU/fiFVux1oWapNdGxQ1UZ7Fg== |
| 4313.5 | Working Remotely - https://simbli.eboardsolutions.com/SU/ktlIO4qOhdfvliiFg1dcww== |
| 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/tclIULDJ5tC01jFJvlegqoA== |
| 4319.23 | Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/X3ta8p18splcxmJVplusXplusnZQ== |
| 4319.24 | Maintaining Appropriate Adult-Student Interactions - https://simbli.eboardsolutions.com/SU/TfmyZrlu6Sbfbf82Jo04jQ== |
| 4319.25 | Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/Qqh1ZB30DJcLIxmSo6Ca3A== |

4319.25 Political Activities Of Employees - <https://simbli.eboardsolutions.com/SU/yaplusFLKGYeK7yfxXubPVLrQ==>

4327 Temporary Athletic Team Coaches - <https://simbli.eboardsolutions.com/SU/wF87II1DiM4BuNlpmMp4jw==>

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/rplumwwksFJslufmMfBAX0vQ==>

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/E2T0LpogkDECpTZGFtshdMQ==>

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==>

4361.11 Industrial Accident/Illness Leave - <https://simbli.eboardsolutions.com/SU/SsWihes2DRXblzgW5Aplus4xw==>

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/1uChFzb4I7hEf7qS6MfqAw==>

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 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

CSBA NOTE: The following section should be revised to reflect district practice. Education Code 45113 mandates districts not incorporating the merit system to prescribe, by rule or regulation, causes for disciplinary action against permanent classified employees. Pursuant to Education Code 45101, such employees may be disciplined only for cause as so prescribed.

A permanent classified employee may be subject to suspension, demotion, involuntary reassignment, or dismissal for one or more of the following causes:

CSBA NOTE: Pursuant to Education Code 45122.1, 45123, and 45124, districts must not continue to employ anyone who has been convicted of a specified sex offense, controlled substance offense, or violent or serious offense as defined, except for employees who have been rehabilitated or had their conviction reversed or the charges dismissed. Also see AR 4112.5/4212.5/4312.5 - Criminal Record Check.

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

CSBA NOTE: Pursuant to the federal Americans with Disabilities Act (42 USC 12101-12213) and the state's Fair Employment and Housing Act (Government Code 12900-12996), the district has a duty to reasonably accommodate qualified employees with known disabilities, except when such accommodation would cause an undue hardship to the district. This accommodation is not required for individuals who are not otherwise qualified for the job.

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

CSBA NOTE: Pursuant to *Skelly v. State Personnel Board*, permanent public employees are entitled to due process before any punitive disciplinary action, such as termination, suspension, or demotion, may be taken against such employees. These procedural rights include provision of notice of the materials upon which the proposed action is based and the right to respond, either orally or in writing, to a district official ("Skelly officer") who is designated to decide whether the recommended discipline should be imposed.

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.

CSBA NOTE: Education Code 45113 mandates districts to adopt disciplinary procedures which contain provisions for giving classified employees a written notice of specific charges, the employee's right to a hearing on those charges, the time within which the hearing may be requested, and a card or paper to complete to request a hearing.

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

CSBA NOTE: As provided in the section "Initiation and Notification of Charges" above, Education Code 45113 requires that the notice of disciplinary action include the time within which a hearing may be requested, which cannot be less than five days after service of the notice to the employee. In *California School Employees Association v. Livingston Union School District*, the appeals court ruled that the district failed to provide due process to an employee when it denied the employee the opportunity to request a hearing based on the employee's failure to respond within five days after service of the notice. The district's policy had established the date of "service of the notice" as the date of mailing, but the employee was a 10-month employee who was out of town when the notice was delivered. The court held that the notice was not "reasonably calculated" to provide an opportunity to timely request a hearing. Thus, it is recommended that districts use the date of the employee's receipt of the notice as the date upon which the five-day response period begins. For further information on the evidentiary hearing conducted by the Board or a hearing officer, see the accompanying Board policy.

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

CSBA NOTE: State law requires that classified employees in merit system districts and certificated employees be immediately placed on compulsory leave of absence following conviction for certain offenses specified in Education Code 44940, and gives districts discretion to place such employees on leave for other specified offenses. Although existing state law does not explicitly provide for application to classified employees in nonmerit system districts, such districts have authority pursuant to Education Code 45113 to establish causes for suspension or dismissal. The following section may be revised to reflect district practice.

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

Description

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|--------------------------------------|---|
| 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 |

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| 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

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| 42 USC 12101-12213 | Americans with Disabilities Act |
| U.S. Constitution | Amendment 1, Free exercise, free speech, and establishment clauses |

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/9nslshuTpTNHO70H14lJrLeA== |
| 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/GPX87YasyLlgrwrAjTkQsG== |
| 1114 | District-Sponsored Social Media - https://simbli.eboardsolutions.com/SU/yjVorBCGm2rPCjkELGVV5A== |
| 1312.1 | Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/dlGslshfvyOqyWh8DLTuprGWw== |
| 1312.1 | Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/ZCplusqf8OJfVdSVEedfwjAA== |
| 1312.3 | Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qvzpYbttZOPNWrpR2Lc9VQ== |
| 1312.3 | Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/U5PKMAksIsh8XdmxbODX9gY2A== |
| 1312.3-E PDF(1) | Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/YsqKpKY3LEBnr4vNoyMVGAA== |
| 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== |

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|-----------------|--|
| 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/CwDXzUwOzplusMOB2FjxUVQ== |
| 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/IVIK9slshAIlKtBcZcF8v5agg== |
| 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/Fe6BHP6DOzDpVRGUqP8hQ== |
| 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/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== |

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|------------------|--|
| 4113.5 | Working Remotely - https://simbli.eboardsolutions.com/SU/lplusUYB21IDXQLwz12vjW3Eg== |
| 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/rOB42ElpiyuEXBil5SCtVQ== |
| 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/RUg2Aozy5plurWMBTJVdlsyg== |
| 4119.21-E(1) | Professional Standards - https://simbli.eboardsolutions.com/SU/YZXplusYQTz0U6OMJGFSgPwQ== |
| 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/FkeMlvswqn3LcJjdgUB9slshA== |
| 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/kG34JHzi7hlemKdooJNm9g== |
| 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/URy09LOe63e3ejYa2WLVLTQ== |
| 4157 | Employee Safety - https://simbli.eboardsolutions.com/SU/pCyFLiyDAxQFkxkUbSHFA== |
| 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/HD5z3OhqJS1829uMir9NEw==>

4200 Classified Personnel - <https://simbli.eboardsolutions.com/SU/slshltwGTKOogyT4GXakWHcMg==>

4200 Classified Personnel - <https://simbli.eboardsolutions.com/SU/KJ0YndqnU7HBTTrG0G6Y9g==>

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/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==>

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/qlnWNgn2LFslshDzTCLslsh592A==>

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/5jMxddslshCGQnzslshENYSWHwA==>

4219.25 Political Activities Of Employees - <https://simbli.eboardsolutions.com/SU/EpuQDzLygwplussQsqTDILbw==>

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/gh6iL9tkxViylly74pfsyvg==>

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/4MRmnj4J0iqDWWDL3OkrzA==>

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/cns2ox14MXb4vgIRIm84fA==>

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/CgnDx1BIZbUtFWHVgyEOgA==>

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/4ekuJY8plusKIIYnslshRBAHkptw==>

4312.6 Personnel Files - <https://simbli.eboardsolutions.com/SU/fiFVux1oWapNdGxQ1UZ7Fg==>

4313.5 Working Remotely - <https://simbli.eboardsolutions.com/SU/ktlIO4qOhdvIilFg1dcww==>

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==>

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| 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/tcIUJDJ5tC01jFJvlegqoA== |
| 4319.23 | Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/X3ta8p18splcxmJVplusXplusnZQ== |
| 4319.24 | Maintaining Appropriate Adult-Student Interactions - https://simbli.eboardsolutions.com/SU/TfmyZrlu6Sbfbf82Jo04jQ== |
| 4319.25 | Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/Qqh1ZB30DJcLIxmSo6Ca3A== |
| 4319.25 | Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/yaplusFLKGYeK7yfxXubPVLrQ== |
| 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/rplumwwksFJslufmMEbAX0vQ== |
| 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== |
| 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/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/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 4218.1: Dismissal/Suspension/Disciplinary Action (Merit System)

Status: ADOPTED

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

CSBA NOTE: The following optional policy is for use by districts that have incorporated the merit system for classified employees pursuant to Education Code 45240-45320. For procedures applicable to districts that have not incorporated the merit system, see BP/AR 4218 -Dismissal/Suspension/Disciplinary Action.

Pursuant to Education Code 45260-45261, in a merit system district, the personnel commission has authority to prescribe rules for the efficiency of the classified service, including rules pertaining to demotions, transfers, and dismissals of classified employees. The following policy may be replaced by and/or supplemented with the personnel commission rules.

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

CSBA NOTE: When disciplining an employee, the district must ensure that all the surrounding facts and circumstances are considered and analyzed within the parameters of any applicable constitutional or legal framework. In *Kennedy v. Bremerton School District*, the U.S. Supreme Court held that the district violated the employee's protected free exercise and free speech rights when the district did not rehire the employee, a coach, for refusing to follow the district's direction to refrain from kneeling and praying at the 50-yard line immediately after each football game. The district's direction was based on a concern that the employee's prayer violated the district's religious practices policy and could subject the district to an Establishment Clause violation.

Notwithstanding that the prayer occurred at a school event and in the presence of students, the court reasoned that the timing and circumstances indicated that the coach's prayers were offered as a private citizen rather than as a district employee. According to the Court, since the prayer, a religious activity, occurred during a period when employees would ordinarily be free to engage in personal secular activities such as speaking with friends, checking email, calling for restaurant reservations, etc., the district's concerns about a possible Establishment Clause violation did not justify restricting the employee's free exercise and free speech rights to engage in a personal religious activity such as offering a prayer. Employee discipline, especially with respect to suspension and dismissal, involves complex legal considerations and districts are advised to consult CSBA District and County Office of Education Legal Services or the district's legal counsel, accordingly.

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.

A permanent classified employee shall be subject to suspension, demotion, or dismissal only for one or more of the causes designated by rule of the personnel commission. (Education Code 45302, 45304)

CSBA NOTE: The following paragraph should be revised to reflect district practice. In *Skelly v. State Personnel Board*, the California Supreme Court held that permanent public employees have a property right to continued public employment and that due process is required before any punitive disciplinary action, such as termination, suspension, or demotion, may be taken against such employees. These procedural rights include notice of the

proposed materials upon which the action is based and the right to respond, either orally or in writing, to the individual recommending that discipline be imposed. These procedural rights are designed to protect an employee against wrongful discipline without necessitating a full evidentiary hearing.

In addition, pursuant to Education Code 45306, an employee for whom disciplinary action is recommended may request a hearing before the personnel commission. The personnel commission may modify the disciplinary action, but may not make the action more stringent than was approved by the Governing Board. If the personnel commission sustains the employee's appeal, it may order all or part of the full compensation from the time of suspension, demotion, or dismissal and may establish other terms and conditions for the employee's reinstatement (e.g., compensation of the employee's expenses in pursuit of the appeal, transfer of the employee, expunction of the disciplinary action from the employee's personnel file).

When such serious disciplinary action is being contemplated against an employee, the district shall adhere to disciplinary procedures developed by the personnel commission. Due process shall be afforded to the employee, including proper notice, an opportunity for the employee to meet with a designated district official ("Skelly officer") or to respond in writing to the charges, and an opportunity to appeal the district's decision with the personnel commission in accordance with Education Code 45305-45307. If the matter is addressed in a hearing before the personnel commission, the decision of the personnel commission shall be final.

CSBA NOTE: Education Code 45312 requires the personnel commission to delegate its authority to an administrative law judge in cases involving allegations of egregious misconduct with a minor. Egregious misconduct is defined as immoral conduct leading to an allegation of a sex offense pursuant to Education Code 44010, a controlled substance offense pursuant to Education Code 44011, or child abuse or neglect pursuant to Penal Code 11165.2-11165.6.

However, if the 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. The ruling of the administrative law judge shall be binding on the district and the employee. (Education Code 45312)

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

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| CA Constitution Article 1, Section 1 | Inalienable rights |
| Civ. Code 1286.2 | Grounds for vacating decision of arbitrator - https://simbli.eboardsolutions.com/SU/l83sAV1PToNrlj4NXUbb8Q== |
| Ed. Code 11500-11506 | Programs to encourage parent involvement - https://simbli.eboardsolutions.com/SU/wKyoGhsy1ENTUaG49NVwoA== |
| 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 44031 | Personnel file contents and inspection |
| 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 44990-44994 | Testimony of minor witnesses at dismissal or suspension hearings |
| Ed. Code 45101 | Definitions; disciplinary action and cause |
| Ed. Code 45109 | Fixing of duties |
| Ed. Code 45123 | Employment after conviction of controlled substance offense |
| Ed. Code 45124 | Dismissal of sexual psychopath |
| Ed. Code 45202 | Transfer of accumulated sick leave and other benefits |
| Ed. Code 45240-45320 | Merit system |
| Ed. Code 45302-45307 | Suspension, dismissal, or other disciplinary action; classified employees |

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| Gov. Code 12900-12996 | Fair Employment and Housing Act |
| Gov. Code 54957 | Complaints against employees; right to open session |
| 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 667.5 | Prior prison terms; enhancement of prison terms |
| Pen. Code 830.32 | School district and community college police |
| Veh. Code 1808.8 | School bus drivers; dismissal for safety-related cause |

Federal References

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| 42 USC 12101-12213 | Americans with Disabilities Act |
| U.S. Constitution | Amendment 1, Free exercise, free speech, and establishment clauses |

Management Resources References

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| CA School Personnel Comm Association Publication | Merit Rules and Regulations: CSPCA Recommended Personnel Policies and Procedures Manual for California School Merit Systems, 2014 |
| Court Decision | Kennedy v. Bremerton (2022) 142 S.Ct. 2407 |
| Court Decision | California School Employees Association v. Personnel Commission (1970) 3 Cal.3d 139 |
| Court Decision | California School Employees Association v. Bonita Unified School District (2008) No. B200141 |
| 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/hkXUvTmkSbRSTIh3V79tXg== |
| 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/UdykszdmPETuDslshXk6R5akQ== |
| Website | California School Personnel Commissioners Association - https://simbli.eboardsolutions.com/SU/67J2ZGIOTPLIPkJLPNZBKQ== |

Cross References

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| 1312.1 | Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/dlGslshfeyOqyWh8DLTuprGWw== |
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| 1312.1 | Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/ZCplusrqf8OJfVdSVEdfwjAA== |
| 3230 | Federal Grant Funds - https://simbli.eboardsolutions.com/SU/OVH379RjC0a1aO71TFHYg== |
| 3230 | Federal Grant Funds - https://simbli.eboardsolutions.com/SU/pHfysr2KHcXTIDFyCkoN8w== |
| 4000 | Concepts And Roles - https://simbli.eboardsolutions.com/SU/3mx5slshSslshVUX9evNt7pb637w== |
| 4030 | Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/Xb5ZIMMO0i2aRzB52IGiCg== |
| 4030 | Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/vx943OTXDnJq9P0DHTilzg== |
| 4112.5 | Criminal Record Check - https://simbli.eboardsolutions.com/SU/XxVcsvXeI4TKDtGnWVslshaAA== |
| 4112.5-E(1) | Criminal Record Check - https://simbli.eboardsolutions.com/SU/iMqubXqetDmZQ7GVyqkq7w== |
| 4112.5-E PDF(1) | Criminal Record Check - https://simbli.eboardsolutions.com/SU/UxsEts3DeYslshRZpXyPvEL7w== |
| 4112.6 | Personnel Files - https://simbli.eboardsolutions.com/SU/slshc7i5jiVI8pLyA79vr9rhw== |
| 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== |
| 4119.21 | 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== |
| 4119.24 | Maintaining Appropriate Adult-Student Interactions - https://simbli.eboardsolutions.com/SU/xhAslsh4UhGwmbKwkbLSlf4Q== |
| 4141 | Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/wSbplusNslshzmwtp8Du1J7fxoGg== |
| 4200 | Classified Personnel - https://simbli.eboardsolutions.com/SU/slshltwGTKOogyT4GXakWHcMg== |
| 4200 | Classified Personnel - https://simbli.eboardsolutions.com/SU/KJ0YndqnU7HBTrG0G6lY9g== |
| 4212.5 | Criminal Record Check - https://simbli.eboardsolutions.com/SU/zlCQLKslshYYocj135d8hWslshpQ== |
| 4212.5-E(1) | Criminal Record Check - https://simbli.eboardsolutions.com/SU/LslshSXSeZT2aDisDUZFoIGOQ== |
| 4212.5-E PDF(1) | Criminal Record Check - https://simbli.eboardsolutions.com/SU/sDVasU4nkvGVxDODtvXKqg== |
| 4212.6 | Personnel Files - https://simbli.eboardsolutions.com/SU/Kp3DemXWMRr4slshb8EnhyJPw== |
| 4216 | Probationary/Permanent Status - https://simbli.eboardsolutions.com/SU/y3QVGjp7mUPym2Tw8APoplusA== |

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| 4219.1 | Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/qInWNgn2LFslshDzTCLslsh592A== |
| 4219.11 | Sexual Harassment - https://simbli.eboardsolutions.com/SU/ThsBkTwebyi3QrSE9Ipm2w== |
| 4219.11 | Sexual Harassment - https://simbli.eboardsolutions.com/SU/f0lz7oK8fOTNnMJg3w7aWA== |
| 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== |
| 4219.24 | Maintaining Appropriate Adult-Student Interactions - https://simbli.eboardsolutions.com/SU/5jMxddslshCGQnzslshENYSWHwA== |
| 4241 | Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/HilDt0mq6toKw0vAGRcktA== |
| 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/4ekuJY8plusKIIYnslshRBAHkptw== |
| 4312.6 | Personnel Files - https://simbli.eboardsolutions.com/SU/fiFVux1oWapNdGxQ1UZ7Fg== |
| 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== |
| 4319.21 | 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== |
| 4319.24 | Maintaining Appropriate Adult-Student Interactions - https://simbli.eboardsolutions.com/SU/TfmyZrlu6Sbfbf82Jo04jQ== |

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

CSBA NOTE: The following policy is optional and may be revised to reflect district practice. Though employees have the same constitutional and statutory rights as other citizens, there are situations in which the district may limit some of those rights. In *Johnson v. Poway Unified School District*, the federal court of appeals found that a district's action controlling the speech of its employee when the employee posted two large banners that contained text which when taken out of context promoted a religious viewpoint did not violate the employee's First Amendment right when the speech occurred at work in the employee's role as a teacher.

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.

CSBA NOTE: When disciplining an employee, the district must ensure that all the surrounding facts and circumstances are considered and analyzed within the parameters of any applicable constitutional or legal framework. In *Kennedy v. Bremerton School District*, the U.S. Supreme Court held that the district violated the employee's protected free exercise and free speech rights when the district did not rehire the employee, a coach, for refusing to follow the district's direction to refrain from kneeling and praying at the 50-yard line immediately after each football game. The district's direction was based on a concern that the employee's prayer violated the district's religious practices policy and could subject the district to an Establishment Clause violation. Notwithstanding that the prayer occurred at a school event and in the presence of students, the court reasoned that the timing and circumstances indicated that the coach's prayers were offered as a private citizen rather than as a district employee. The Court held that since the prayer occurred during a break, a period when employees would ordinarily be free to engage in personal activities such as speaking with friends, checking email, calling for restaurant reservations, etc., the district's concerns about a possible Establishment Clause violation did not justify restricting the employee's free exercise and free speech rights to offer a private, personal prayer. Employee discipline, especially with respect to suspension and dismissal, involves complex legal considerations and districts are advised to consult CSBA District and County Office of Education Legal Services or the district's legal counsel, accordingly.

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.

CSBA NOTE: The following optional paragraph provides for the right to privacy of district employees pursuant to Article 1, Section 1 of the California Constitution. In addition, Education Code 49091.24 allows teachers the right to refuse to submit to district surveys or evaluations concerning certain personal beliefs as stated below.

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.

CSBA NOTE: Education Code 48907 gives students the right to exercise freedom of speech and of the press and mandates districts to adopt reasonable rules and regulations concerning the time, place, and manner for students to engage in those activities; see BP/AR 5145.2 - Freedom of Speech/Expression. In addition, Education Code 48950 prohibits a district from disciplining any high school student solely for the student's speech or other communication which would be protected by either the U.S. or California Constitution if engaged in outside of school campus. Both these provisions prohibit the disciplining of any employee who acts to protect a student engaged in any conduct authorized under these provisions.

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.

CSBA NOTE: When investigating an allegation of employee misconduct, the district may need to consider whether a search of the employee's desk, files, or other district-provided equipment, such as a computer or cell phone, is warranted. The determination of whether a search is legally justified is complex and depends on whether the employee has a reasonable expectation of privacy in the items to be searched and whether the search is reasonable at its inception. Given the legal complexities, it is recommended that CSBA District and County Office of Education Legal Services or district legal counsel be consulted prior to a search and that employees conducting searches receive appropriate instruction as to how the search is to be conducted.

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

CSBA NOTE: Education Code 44110-44114, the Reporting by School Employees of Improper Governmental Activities Act, and Labor Code 1102.5 provide "whistleblower protection" to employees who refuse to be a party to, or who report, noncompliance with a state or federal law or regulation. This protection does not cover employees when they speak out within their employment setting on matters related to their official duties. In *Garcetti v. Ceballos*, the U.S. Supreme Court held that when public employees speak out in the workplace about work-related issues, they may be subject to employee discipline since they are not speaking as citizens for First Amendment purposes. However, employees have the right to speak out as concerned citizens outside of the work environment. In addition, to the extent that the employee's speech is on an issue subject to whistleblower protection, then the protections provided to employees by the whistleblower statutes would be applicable.

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)

CSBA NOTE: An employee may be liable for an action in civil damages for interfering with the right of another employee to disclose an improper governmental action. In *Hartnett v. Crosier*, a California appellate court ruled that "management employees" could also be held liable for their acts of retaliation committed when acting in a supervisory role.

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

CSBA NOTE: 20 USC 7941-7948 limit the liability of teachers, principals, and other school personnel who maintain discipline and/or ensure safety when harm is caused while they are acting within the scope of their employment. The law also applies to Governing Board members; see BB 9260 - Legal Protection. The following section is made applicable to all employees; however, any district that wishes to apply the section only to teachers should modify the section accordingly.

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

| | Description |
|--------------------------------------|---|
| CA Constitution Article 1, Section 1 | Inalienable rights |
| Ed. Code 200-262.4 | Prohibition of discrimination - https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ== |
| Ed. Code 44040 | Discrimination based on employee's appearance before certain boards or committees |
| Ed. Code 44110-44114 | Reporting by school employees of improper governmental activity |
| Ed. Code 48907 | Exercise of free expression; time, place and manner rules and regulations |
| Ed. Code 48950 | Speech and other communication |
| Ed. Code 49091.24 | Teacher rights to refuse evaluation/survey of personal life |
| Ed. Code 7050-7058 | Political activities of school officers and employees |
| Gov. Code 12650-12656 | False claims actions |
| Gov. Code 12940-12953 | Discrimination prohibited; unlawful practices |
| Gov. Code 3540.1 | Public employment; definitions |
| Gov. Code 3543.5 | Interference with employee's rights prohibited |
| Gov. Code 815.3 | Intentional torts |
| Gov. Code 820-823 | Tort claims act |
| Gov. Code 825.6 | Indemnification of public entity |
| Lab. Code 1102.5-1106 | Whistleblower protections |

Federal References

| | Description |
|-----------------------|---|
| 18 USC 16 | Crime of violence; definition |
| 20 USC 1681-1688 | Title IX of the Education Amendments of 1972; discrimination based on sex |
| 20 USC 7941-7948 | 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

| | Description |
|----------------|--|
| 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 |

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| 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

| | Description |
|-----------------|---|
| 1312.1 | Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/dIGslshfVQqYWh8DLTuprGWw== |
| 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/U5PKMAksh8XdmxbODX9gY2A== |
| 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/sDRNJKOFJdr6rBfMAplusbMplu== |
| 3320 | Claims And Actions Against The District - https://simbli.eboardsolutions.com/SU/ucnDWxF6hGHEFroNGOKmFg== |
| 3320 | Claims And Actions Against The District - https://simbli.eboardsolutions.com/SU/c91k4TalBYjVbGbM2oPzSw== |
| 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/1feQnJxnTqXT1BhIvWdeWA== |
| 4118 | Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/L6i9RwB51Lbplusbnl35tH3Bg== |
| 4119.21 | Professional Standards - https://simbli.eboardsolutions.com/SU/RUg2Aozy5plusWMBTJVdlsyg== |

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| 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/FkeMlvswnq3LcJJdgUB9slshA== |
| 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/53ooK6mub4JLplus3BKAlOeLA== |
| 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/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== |
| 4219.23 | Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/DzT84jjiN31dA5odXslshEoA== |
| 4219.25 | Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/EpuQDzLygwplusseQsqTDILbw== |
| 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/ltAmE15lyRuHVP4lWhd7tg== |
| 4244 | Complaints - https://simbli.eboardsolutions.com/SU/dpWU08slsh6hjddsVYvxoilag== |
| 4244 | Complaints - https://simbli.eboardsolutions.com/SU/T94gjCe5she2llLWxwooVA== |
| 4319.21 | Professional Standards - https://simbli.eboardsolutions.com/SU/53YbPV2hoKqYj7h7jg34plusA== |

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| 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/Qqh1ZB30DJcLlxmSo6Ca3A== |
| 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/mzWyX5FBWwfpZYYNlaKORA== |
| 4344 | Complaints - https://simbli.eboardsolutions.com/SU/0m0xiT7oKn9m9TLZpluszeRyA== |
| 4344 | Complaints - https://simbli.eboardsolutions.com/SU/35PWlyWDSzcYbz2slshslshaWog== |
| 9260 | Legal Protection - https://simbli.eboardsolutions.com/SU/TdGgHj7XaYoQFbqsm2aaplusg== |

Policy 4240: Bargaining Units

Status: ADOPTED

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

CSBA NOTE: Pursuant to Government Code 3544, an employee organization may become the employees' exclusive representative for negotiations by filing a request with the district providing proof that a majority of the employees in an appropriate unit wish to be represented by that organization. Notice of such request must be immediately posted conspicuously on all employee bulletin boards in each district facility in which members of the unit are employed. Government Code 3544.1 requires the district to grant the request for recognition unless (1) the district doubts the appropriateness of the unit, (2) another employee organization files a challenge to the appropriateness of the unit or submits a competing claim of representation within 15 work days of the posting of notice of the written request, or (3) the district currently has a lawful written agreement with another employee organization representing the same employees.

"Exclusive representative," as defined in Government Code 3540.1, means an employee organization recognized or certified as the exclusive negotiating representative for all district employees other than management and confidential employees.

Government Code 3543 provides that public school employees have the right to represent themselves individually in their employment relations with the district except that, once an exclusive representative has been recognized, an employee in that unit is prohibited from meeting and negotiating with the district.

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)

CSBA NOTE: In East Whittier School District, the Public Employment Relations Board (PERB) found that the district's policy limiting the wearing of union buttons that favor or oppose any matter that is the subject of negotiations in the classroom or in other instructional areas in the presence of students violated the Educational Employment Relations Act, as there was no finding of special circumstances which would limit the established right of employees to wear union buttons in the workplace, nor was there a finding that wearing the union buttons was a political activity. PERB continues to use a case-by-case approach to determine whether a district's policy restricting the wearing of union buttons by employees is justified by special circumstances. See PERB's ruling in City of Sacramento. Due to the legal uncertainty in this area, districts are encouraged to consult CSBA District and County Office of Education Legal Services or the district's legal counsel prior to limiting the wearing of union buttons that support the union's position in collective bargaining.

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

CSBA NOTE: The following section contains legal requirements for the certification or recognition of bargaining units for different categories of employees.

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)

CSBA NOTE: Pursuant to Government Code 3543.4, management and confidential employees, as defined in Government Code 3540.1, are excluded from the right to be represented in negotiations by an employee

organization. PERB ultimately determines, based upon the duties of the position, which positions qualify as "management" or "confidential" and thus are excluded from bargaining.

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)

CSBA NOTE: The remainder of this section is optional. Government Code 3553 establishes requirements for districts that choose to disseminate a mass communication regarding employees' rights to join, support, or refrain from joining or supporting an employee organization. A "mass communication" means any written document, including a script for an oral or recorded presentation or message, intended for multiple employees.

Districts should exercise caution and consult with CSBA District and County Office of Education Legal Services or the district's legal counsel before communicating with employees about their rights to join or not join an employee organization to avoid violating the law against unfair labor practices. When an employee approaches the district with questions specifically about the benefits of the membership in an employee organization, the employee should be referred to the employee organization.

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)

CSBA NOTE: The following paragraph applies until June 30, 2025, unless the date is extended by law. Government Code 3556, as amended by SB 191 (Ch. 67, Statutes of 2022), provides additional obligations for public employers under the conditions specified in the following paragraph.

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

CSBA NOTE: Pursuant to Government Code 3558, districts are required to provide recognized employee organizations with specified contact information for new employees in the bargaining unit, as provided below. The information required by Government Code 3558 must be provided in a manner consistent with Government Code 6254.3, which authorizes disclosure of an employee's home address, home telephone number(s), and personal cell phone number to an employee organization unless the district receives a written request by the employee to not disclose the information. Pursuant to Government Code 6254.3, the personal email address of an employee is not disclosable unless used by the employee to conduct public business. The following paragraph should be revised if districts have an agreement with their employee organization(s) requiring more frequent or more detailed contact lists.

In County of Los Angeles v. Service Employees International Union, Local 721, the California Supreme Court held that (1) an employer has a duty to provide information relevant to collective bargaining to the applicable bargaining unit and failure to do so is a violation of the employer's obligation to bargain in good faith; (2) the disclosure of an employee's home address and phone number(s) by an employer to the union is presumptively relevant to the union's role as bargaining agent and does not violate the employee's constitutional right of privacy; and (3) other avenues for implementing privacy safeguards are available, such as bargaining for a notice and opt-out procedure or drafting employment contracts that will notify employees that their home contact information is subject to disclosure to the union and that they may request nondisclosure.

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)

CSBA NOTE: Pursuant to Government Code 3558, an employee organization is authorized, after notifying the district of a violation of the district's employee information disclosure obligations, to file a special unfair labor practice charge with PERB. Government Code 3558, as amended by SB 270 (Ch. 330, Statutes of 2021), allows the district 20 calendar days to cure an alleged violation that involves the provision of an inaccurate or incomplete list of employees, and to give the exclusive representative written notice of the actions taken. If a violation is found, PERB is required to assess against the district a civil penalty of \$10,000 and attorney's fees and costs in addition to any other remedy provided by law.

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)

CSBA NOTE: Government Code 3558, as amended, limits to three times within any 12-month period a district's opportunity to cure when an inaccurate or incomplete list has been provided to an exclusive representative. The following paragraph offers a way to avoid or minimize possible violation and may be revised to reflect district practice.

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

CSBA NOTE: Bargaining unit employees who choose to join the employee organization pay membership dues, which are deducted from the employee's salary or wage payment as provided below. Pursuant to the U.S. Supreme Court's decision in *Janus v. American Federation of State, County, and Municipal Employees*, bargaining unit employees who choose not to join an employee organization cannot be required to pay any fees to the employee organization. However, pursuant to Education Code 45060 and 45168, an employee who chooses not to join an employee organization may be charged fees for applicable services, programs, or committees provided to the employee by the employee organization if that nonmember employee first affirmatively and voluntarily consents to pay those fees to the employee organization, as required by *Janus v. AFSCME*.

Education Code 45060 and 45168 set forth the process for handling authorizations, changes, and cancellations for dues or other payments, and provide safeguards for districts that rely on information provided by an employee organization concerning such payroll deductions (i.e., the employee organization's indemnification of the district against any employee's claim based on such reliance).

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

| State References | Description |
|-------------------------|---|
| 8 CCR 33015-33490 | Recognition of exclusive representative; proceedings |
| 8 CCR 33700-33710 | Severance of established unit |
| 8 CCR 34020 | Petition to rescind organizational security arrangement |
| 8 CCR 34055 | Reinstatement of organizational security arrangement |
| Ed. Code 45060-45061.5 | Deduction of fees from salary or wage payment; certificated employees |
| Ed. Code 45100.5 | Senior classified management positions |
| Ed. Code 45104.5 | Abolishment of senior classified management positions |
| Ed. Code 45108.5 | Definition of senior classified management employees |
| Ed. Code 45108.7 | Waiver of provisions of 45108.5 |
| Ed. Code 45168 | Deduction of fees from salary or wage payment; classified employees |
| Ed. Code 45220-45320 | Merit system; classified employees |
| Gov. Code 3540-3549.3 | Educational Employment Relations Act |
| Gov. Code 3540.1 | Public employment; definitions |
| Gov. Code 3543.4 | Management position; representation |
| Gov. Code 3545 | Appropriateness of unit; basis |
| Gov. Code 3550-3552 | Prohibition on public employers deterring or discouraging union membership |
| Gov. Code 3555-3559 | Public employee communication, information and orientation |
| Gov. Code 53260-53264 | Employment contracts |
| Gov. Code 6205-6210 | Confidentiality of addresses for victims of domestic violence, sexual assault or stalking |
| Gov. Code 6254.3 | Disclosure of employee contact information to employee organization |
| Gov. Code 6503.5 | Joint powers agencies |

Federal References

| Federal References | Description |
|---------------------------|--|
| 8 CFR 33015-33490 | Recognition of exclusive representative; proceedings |

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|-------------------|---|
| 8 CFR 33700-33710 | Severance of established unit |
| 8 CFR 34020 | Petition to rescind organizational security arrangement |
| 8 CFR 34055 | Reinstatement of organizational security arrangement |

Management Resources References

Description

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|--|---|
| Court Decision | County of Los Angeles v. Service Employees International Union, Local 721, (2013) 56 Cal. 4th 905 |
| Court Decision | Friedrichs v. California Teachers Association, et al., (2016) 136 S.Ct. 1083 |
| Court Decision | Janus v. American Federation of State, County and Municipal Employees, Council 31, (2018) 138 S.Ct. 2448 |
| Public Employment Relations Board Ruling | East Whittier School District, (2004) PERB Dec. No. 1727 |
| Public Employment Relations Board Ruling | City of Sacramento, (2019) PERB Dec. No. 2702m |
| Website | CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ== |
| Website | California Federation of Teachers - https://simbli.eboardsolutions.com/SU/6TJInbikoQhGwsWiH4ztXQ== |
| 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/DMWjqGR6N1ooUHyxBdPXeA== |
| Website | CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg== |

Cross References

Description

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|------|---|
| 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== |
| 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/9BuYxzx0B2I1rRqC5ldthA== |
| 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/FkeMlvswqn3LcJJdgUB9slshA==>

4119.25 Political Activities Of Employees -
<https://simbli.eboardsolutions.com/SU/dvZ7mfqfvA0YM7xxypEMfw==>

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/bUKajshf9NH4tnZI9utk7g==>

4161.2 Personal Leaves -
<https://simbli.eboardsolutions.com/SU/v9O8SWMTRbBXq5cOByblqw==>

4219.1 Civil And Legal Rights -
<https://simbli.eboardsolutions.com/SU/qlnWNgN2LFslshTdzTCLslsh592A==>

4219.25 Political Activities Of Employees -
<https://simbli.eboardsolutions.com/SU/EpuQDzLygwpluseQSqTDILbw==>

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/4MRmnj4J0iqDWVVDL3OkrzA==>

4261.2 Personal Leaves -
<https://simbli.eboardsolutions.com/SU/uEkwbwYWw5nplus48h2ZcgRMw==>

4300 Administrative And Supervisory Personnel -
<https://simbli.eboardsolutions.com/SU/LFXzXmpvUZIVfhoVlrAWtQ==>

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==>

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|---------------|--|
| 4319.1 | Civil And Legal Rights - https://simbli.eboardsolutions.com/SU/XWa15T9slshJVGmRW95yTHU1Q== |
| 4319.25 | Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/Qqh1ZB30DJcLlXmSo6Ca3A== |
| 4319.25 | Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/yaplusFLKGYeK7yfxXubPVLrQ== |
| 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/rplusmwwksFJslufmMEbAX0vQ== |
| 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/6Qkac2n002IH7QiOyqvira== |
| 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

CSBA NOTE: The following administrative regulation is subject to collective bargaining agreements.

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

CSBA NOTE: Family Code 297.5 extends to registered domestic partners the same rights that are available under state law to spouses. Thus, any reference to an employee's spouse throughout this administrative regulation also applies to a registered domestic partner, even if not expressly stated in the applicable state statute (e.g., Education Code, Military and Veterans Code). Districts should consult CSBA District and County Office of Education Legal Services or the district's legal counsel if a question arises as to leave provisions relative to an employee's domestic partner.

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

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

Bereavement

CSBA NOTE: Education Code 44985 and 45194 allow the Governing Board to expand the class of relatives listed below as "immediate family" and enlarge the benefits provided by law. In addition, Government Code 12945.2, as amended by AB 1033 (Ch. 327, Statutes of 2021), includes a parent-in-law in the definition of "parent" for purposes of California Family Rights Act (CFRA) leave. Thus, to ensure consistency, the definition of "immediate family" below includes "mother-in-law" and father-in-law," as permitted by law. The following two paragraphs may be revised to reflect district practice.

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

Members of an employee's immediate family include: (Education Code 44985, 45194)

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

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

Personal Necessity

CSBA NOTE: Employees may use a maximum of seven days of accumulated personal illness/injury leave (sick leave) for reasons of personal necessity pursuant to Education Code 44981 (certificated employees) and 45207 (classified employees). Pursuant to Education Code 44981 and 45207, a higher maximum may be set for certificated and/or classified employees in the applicable collective bargaining agreement, or by Board resolution for classified employees who are not covered by a collective bargaining agreement. Districts that have established a maximum that is higher than seven days should modify the following paragraph accordingly.

Education Code 45207 clarifies that provisions pertaining to personal necessity leave also apply to districts that have adopted the merit system for classified employees in accordance with Education Code 45240-45320.

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

Acceptable reasons for the use of personal necessity leave include:

1. Death of a member of the employee's immediate family when the number of days of absence exceeds the limits set by bereavement leave provisions (Education Code 44981, 45207)
2. An accident involving the employee or the employee's property, or the person or property of a member of the employee's immediate family (Education Code 44981, 45207)

CSBA NOTE: Pursuant to Education Code 44981, a certificated employee may use personal necessity leave for the serious illness of a member of the employee's immediate family. The Board may extend these provisions to classified employees under the authority granted to the Board by Education Code 45207. Districts are cautioned to consult CSBA District and County Office of Education Legal Services or the district's legal counsel regarding any interaction of Education Code provisions with Labor Code 233, 245.5, and 246.5, which allow the use of sick leave for the need of the employee or family member for the diagnosis, care, or treatment of an existing health condition or for preventive care and which include in the definition of "family member" a registered domestic partner, grandparent, and sibling. See AR 4161.1/4361.1 - Personal Illness/Injury Leave and AR 4261.1 - Personal Illness/Injury Leave.

Also see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave for federal and state provisions related to leaves for the birth, adoption, or foster placement of a new child; the care of a seriously ill child, parent, parent-in-law, or spouse/registered domestic partner or the employee's own serious health condition.

3. Illness, preventive care, or other need of a member of the employee's family, as defined in Labor Code 245.5 (Education Code 44981; Labor Code 246.5)

CSBA NOTE: Education Code 45207 provides that classified employees may use sick leave for required court appearances, as provided in Item #4 below. Circumstances under which employees may take time off, with pay, for court appearances are described in the section on "Leave to Perform Legal Duties" below.

4. A classified employee's appearance in any court or before any administrative tribunal as a litigant, party, or witness under subpoena or other order (Education Code 45207)

CSBA NOTE: Items #5 and #6 are optional and may be deleted or modified to reflect district practice.

5. Fire, flood, or other immediate danger to the home of the employee
6. Personal business of a serious nature which the employee cannot disregard

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

CSBA NOTE: The following paragraph is optional. The district is prohibited from requiring employees to obtain advance permission prior to taking leaves in certain situations. Pursuant to Education Code 44981 and 45207, the district may not require advance permission for leaves taken by classified employees for the reasons specified in Items #1-2 above and by certificated employees for the reasons specified in Items #1-3 above. In addition, Labor Code 246.5 requires an employer to grant paid sick leave "upon the oral or written request of an employee." According to the Department of Industrial Relations, employers may not require advance notice when the need for the leave was unforeseeable, as in the case of unanticipated illness or a medical emergency.

Also see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave for requirements pertaining to requests for leaves that qualify under the federal Family and Medical Leave Act (29 USC 2601-2654) or CFRA (Government Code 12945.1-12945.2), including provisions that allow employees to provide notice as soon as practicable when 30-day advance notice is not practicable due to lack of knowledge of the date the leave will be needed, a change in circumstances, or a medical emergency.

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

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

CSBA NOTE: Education Code 44981 and 45207 mandate the adoption of regulations requiring proof of personal necessity and prescribing the manner of the required proof. The following paragraph may be revised to specify the manner of proof required by the district.

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

Leave to Perform Legal Duties

CSBA NOTE: Labor Code 230 prohibits the discharge of or discrimination or retaliation against an employee for taking time off for the activities specified in Items #1-2 below.

Pursuant to Education Code 44037, it is unlawful for the district or personnel commission to (1) adopt any rule, regulation, or policy that encourages classified employees to seek exemption from jury duty; (2) directly or indirectly solicit or suggest to any employee that the employee seek exemption from jury duty; or (3) discriminate against any employee with respect to assignment, employment, promotion, or in any other manner because of the employee's service on a jury panel. However, the Board or personnel commission may establish a rule providing that only a percentage of district staff, which shall not be less than two percent, shall be granted such leave with pay at any one time. The following section may be revised to reflect district practice.

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

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

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

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

CSBA NOTE: The following optional paragraph is for use by districts that choose to provide leave of absence with pay for certificated employees called for jury duty, as authorized by Education Code 44036. Districts that do not grant such leave should delete this paragraph.

A certificated employee who is called for jury duty also shall be granted leave with pay up to the difference between the employee's regular earnings and any jury fees received. (Education Code 44036)

CSBA NOTE: The following paragraph is optional. Education Code 44036 allows the Board, at its discretion, to provide paid leaves for employees to appear in court as witnesses other than as litigants or to respond to orders from another governmental jurisdiction. Districts that do not grant such leave should delete this paragraph.

An employee shall be granted leave with pay to appear in court as a witness other than a litigant or to respond to an official order from another governmental jurisdiction for reasons not brought about through the connivance or misconduct of the employee. Such an employee shall receive the difference between the employee's regular earnings and any witness fees received. (Education Code 44036)

Leaves for Crime Victims for Judicial Proceedings

CSBA NOTE: Labor Code 230.2 prohibits a district from taking adverse employment action against an employee who takes leave as described below.

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

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

CSBA NOTE: Pursuant to Labor Code 230.2, employees may use any of the types of leave listed in the following paragraph, unless otherwise provided by a collective bargaining agreement, although a collective bargaining

agreement cannot diminish the entitlement of an employee.

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

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

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

Leaves for Victims of Crime or Abuse

CSBA NOTE: Labor Code 230 and 230.1 allow employees who are victims of domestic violence, sexual assault, stalking, or a crime that caused physical injury or mental injury with a threat of physical injury, and employees whose immediate family member is deceased as the direct result of a crime to use any available vacation, personal leave, or compensatory time off for the purposes described in Items #1-5 below, and prohibit a district from taking adverse employment action against an employee for taking leave for any of those purposes. Pursuant to Labor Code 230.1, Items #2-5 apply to districts with 25 or more employees.

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

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

CSBA NOTE: Pursuant to Labor Code 230, the following certification may include documentation from a victim advocate (defined as an individual, whether paid or serving as a volunteer, who provides services to victims under the auspices or supervision of an agency or organization that has a documented record of providing services to victims, a court, or a law enforcement or prosecution agency) or any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf.

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

1. A police report indicating that the employee was a victim
2. A court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court
3. Documentation from a domestic violence or sexual assault counselor as defined in Evidence Code 1037.1 or 1035.2, licensed medical professional or health care provider, victim advocate, or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse

4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf certifying that the absence is for a purpose authorized under Labor Code 230 or 230.1

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

CSBA NOTE: Pursuant to Labor Code 230.1, districts with 25 or more employees are required to notify district employees of employee rights under Labor Code 230 and 230.1. The district may use a form developed by the Labor Commissioner for this purpose, when available on the web site of the Department of Industrial Relations, or may develop its own form that is substantially similar in content and clarity to the Labor Commissioner's form.

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

Personal Leave for Child-Related Activities

CSBA NOTE: Pursuant to Labor Code 230.8, the following section applies to any district employing 25 or more employees at the same location. A district with fewer than 25 employees at the same location may use or delete this section at its discretion.

Pursuant to Labor Code 230.8, an employee who is discharged, threatened with discharge, demoted, suspended, or otherwise discriminated against for using the leave is entitled to reinstatement and reimbursement for lost wages and benefits, and an employer who willfully refuses to rehire, promote, or otherwise reinstate such an employee is subject to a civil penalty equal to three times the amount of the lost wages and benefits.

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

1. Find, enroll, or reenroll a child in a school or with a licensed child care provider or to participate in activities of the school or child care provider, provided the employee gives reasonable advance notice of the absence. Time off for this purpose shall not exceed eight hours in any calendar month.
2. Address a school or child care emergency, provided the employee gives notice. An emergency exists when the child cannot remain in school or with a child care provider due to one of the following circumstances:
 - a. A request by the school or child care provider that the child be picked up
 - b. An attendance policy, excluding planned holidays, that prohibits the child from attending or requires that the child be picked up from the school or child care provider
 - c. Behavioral or discipline problems
 - d. Closure or unexpected unavailability of the school or child care provider, excluding planned holidays
 - e. A natural disaster, including, but not limited to, fire, earthquake, or flood

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

CSBA NOTE: Labor Code 230.8 provides that the employee may use time off without pay to the extent the district makes it available. The following optional paragraph may be revised to reflect district practice.

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

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

Upon request by the Superintendent or designee, the employee shall provide documentation from the school or

licensed child care provider that the employee engaged in permitted child-related activities on a specific date and at a particular time. (Labor Code 230.8)

Service on Education Boards and Committees

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

1. The service is performed within the state.
2. The board, commission, organization, or group informs the district in writing of the service.
3. The board, commission, organization, or group agrees, prior to the service, to reimburse the district, upon the district's request, for compensation paid to the employee's substitute and for actual related administrative costs.

Employee Organization Activities

CSBA NOTE: The following optional section may be deleted by any district whose collective bargaining agreements expressly provide for a paid leave of absence for participation in the activities described in this section.

Education Code 44987 and 45210 provide that any certificated or classified employee may take time off without loss of compensation to serve as an elected officer of any local, statewide, or national employee organization of which the employee is a member. Following the district's payment to the employee for the leave of absence, the employee organization must reimburse the district within 10 days after receiving the district's certification of payment of compensation to the employee. This leave of absence is in addition to the release time granted to representatives of an employee organization pursuant to Government Code 3543.1.

Pursuant to Education Code 44987 and 45210, as amended by SB 294 (Ch. 539, Statutes of 2021), an employee's leave of absence to serve as an elected officer of an employee organization is additional to any other leave available for the employee's use by law or in agreement with the district.

Upon request, any certificated or classified employee shall be granted a leave of absence without loss of compensation, to serve as an elected officer of a district employee organization or any statewide or national employee organization with which the employee organization is affiliated. Such leave shall be in addition to any other leave to which the employee may be entitled by other laws or a memorandum of understanding or collective bargaining agreement. (Education Code 44987, 45210)

The leave shall include, but is not limited to, absence for purposes of attending periodic, stated, special, or regular meetings of the body of the organization on which the employee serves as an officer. (Education Code 44987, 45210)

CSBA NOTE: Education Code 45210 requires districts to grant a paid leave of absence to a reasonable number of classified employees serving as unelected members of the employee organization or a statewide or national public employee organization when the employee attends "important organizational activities authorized by the public employee organization." Compensation must include the required retirement fund contributions. The employee will continue to earn full service credit during the leave and must pay member contributions as specified. Education Code 45210 also requires that an employee organization provide reasonable notification to the district when requesting a leave of absence without loss of compensation for an employee.

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

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

Religious Leave

CSBA NOTE: The following optional section is for use by any district that chooses to grant religious leave and may be revised to reflect district practice. A district that does not grant such leave should delete this section. However, the district should consult CSBA District and County Office of Education Legal Services or the district's legal counsel before denying a request for religious leave since the Constitution requires districts to provide "reasonable accommodation" to employee religious practices.

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

CSBA NOTE: The following optional paragraph reflects the California Supreme Court's interpretation of Article 1, Section 8 of the California Constitution as stated in Rankin v. Commission on Professional Competence.

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

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

Spouse on Leave from Military Deployment

CSBA NOTE: Military and Veterans Code 395.10 requires any district with 25 or more employees to allow up to 10 days of unpaid leave to an employee whose spouse is on leave from military deployment. A district with fewer than 25 employees may use the following section at its discretion. In addition, 29 USC 2612 authorizes an employee to take up to 26 work weeks of unpaid military caregiver leave or up to 12 weeks of "exigency" leave during a single 12-month period, as determined by the district; see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave.

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

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

Leave for Emergency Duty

CSBA NOTE: Labor Code 230.3 prohibits a district from discharging or discriminating against an employee who takes time off to perform emergency duty as specified below. Labor Code 230.3 defines emergency rescue personnel as a member of a federal, state, local, or private fire department or agency, as well as a sheriff or police department.

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

CSBA NOTE: Pursuant to Labor Code 230.4, a district with 50 or more employees must grant an employee who is a volunteer firefighter, reserve peace officer, or emergency rescue personnel a leave of absence for up to 14 days per calendar year for training purposes. A district with fewer than 50 employees may use or delete this paragraph at its discretion.

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

Civil Air Patrol Leave

CSBA NOTE: Labor Code 1500-1507 require a district with more than 15 employees to provide at least 10 days of unpaid leave per year, beyond any leave otherwise available to employees, to employees who volunteer with the Civil Air Patrol and are directed to respond to an emergency operational mission, as provided below. Labor Code 1503 specifies that a district may not require an employee to first exhaust all accrued vacation, personal, sick, or any other available leave in order to use Civil Air Patrol leave.

If the district chooses to offer more than 10 days of such leave per year or to provide paid leave, it should modify

the following paragraph accordingly. A district with 15 or fewer employees may use or delete this section at its discretion.

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

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

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 8 | Religious discrimination - https://simbli.eboardsolutions.com/SU/aVyer3HNWhenL24lj43Z8w== |
| Ed. Code 44036-44037 | Leaves of absence for judicial and official appearances |
| Ed. Code 44963 | Power to grant leaves of absence; certificated |
| Ed. Code 44981 | Leave of absence for personal necessity |
| Ed. Code 44985 | Leave of absence due to death in immediate family; certificated |
| Ed. Code 44987 | Service as officer of employee organization; certificated |
| Ed. Code 44987.3 | Leave of absence to serve on certain boards, commissions, etc. |
| Ed. Code 45190 | Leaves of absence and vacations; classified |
| Ed. Code 45194 | Bereavement leave of absence; classified |
| Ed. Code 45198 | Effect of provisions authorizing leaves of absence |
| Ed. Code 45207 | Personal necessity; classified |
| Ed. Code 45210 | Service as officer of employee organization; classified |
| Ed. Code 45240-45320 | Merit system |
| Evid. Code 1035.2 | Sex assault counselor; definition |
| Evid. Code 1037.1 | Domestic violence counselor; definition |
| Fam. Code 297-297.5 | Rights, protections, benefits under the law; registered domestic partners |
| Gov. Code 12945.1-12945.2 | California Family Rights Act |
| Gov. Code 3543.1 | Rights of employee organizations |
| Lab. Code 1500-1507 | Civil Air Patrol leave |
| Lab. Code 230-230.2 | Leaves for victims of domestic violence, sexual assault or specified felonies |
| Lab. Code 230.3 | Leave for emergency personnel |
| Lab. Code 230.4 | Leave for volunteer firefighters |
| Lab. Code 230.8 | Time off to visit child's school |
| Lab. Code 233 | Illness of child, parent, spouse or domestic partner |
| Lab. Code 234 | Absence control policy |
| Lab. Code 246.5 | Paid sick days; purposes for use |
| M&V Code 395.10 | Leave when spouse on leave from military deployment |
| Pen. Code 1192.7 | Plea bargaining limitation |
| Pen. Code 667.5 | Prior prison terms; enhancement of prison terms |

Federal References

29 USC 2601-2654
 42 USC 2000d-2000d-7

Description

Family Care and Medical Leave Act
 Title VI, Civil Rights Act of 1964

Management Resources References

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

Description

Rankin v. Commission on Professional Competence, (1988) 24 Cal.3d 167
 Berkeley Council of Classified Employees v. Berkeley Unified School District, (2008) PERB Decision No. 1954
 CSBA District and County Office of Education Legal Services - <https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>
 California Department of Industrial Relations - <https://simbli.eboardsolutions.com/SU/Lh5JVplusYhNJm5slshcgG07zsOQ==>
 California Federation of Teachers - <https://simbli.eboardsolutions.com/SU/6TJInbikoQhGwsWiH4ztXQ==>
 California Public Employment Relations Board - <https://simbli.eboardsolutions.com/SU/7Fndg3k626KwCb511Tslsh2ew==>
 California School Employees Association - <https://simbli.eboardsolutions.com/SU/NOB1plusNOcLNRMHnggHE1slshjg==>
 California Teachers Association - <https://simbli.eboardsolutions.com/SU/w58tUBBtGnaF0rMUPlwN0g==>

Cross References

2121
 4112.9
 4112.9-E(1)
 4112.9-E PDF(1)
 4121
 4121
 4140
 4141.6
 4141.6
 4143
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Description

Superintendent's Contract - <https://simbli.eboardsolutions.com/SU/fcslsh1ixO2EdCt2pz2NabYqA==>
 Employee Notifications - <https://simbli.eboardsolutions.com/SU/lzOl6slshnwrwplusn8LplusKslshvfw==>
 Employee Notifications - <https://simbli.eboardsolutions.com/SU/nxsNzGlnhGviEz28zpluswzjg==>
 Employee Notifications - <https://simbli.eboardsolutions.com/SU/BjEd40hv6bJfirolKsHpQQ==>
 Temporary/Substitute Personnel - <https://simbli.eboardsolutions.com/SU/UQVHOa8Qzs52Adry5FhGeA==>
 Temporary/Substitute Personnel - <https://simbli.eboardsolutions.com/SU/Eytslsh362LVDh2oTivuLm8gA==>
 Bargaining Units - <https://simbli.eboardsolutions.com/SU/ZdmcuZUIYv3uD1O7CuaxXA==>
 Concerted Action/Work Stoppage - <https://simbli.eboardsolutions.com/SU/TtH8mfb4Zwc222YN76OTdg==>
 Concerted Action/Work Stoppage - <https://simbli.eboardsolutions.com/SU/nCKbnl3vsF4vwc2CzN850A==>
 Negotiations/Consultation - <https://simbli.eboardsolutions.com/SU/plusQw524YQnq7oFZ8zRrV6Pg==>
 Employee Security - <https://simbli.eboardsolutions.com/SU/FNXlvGTuDgTcLGIWKDo75Q==>
 Employee Security - <https://simbli.eboardsolutions.com/SU/Lldu39d9d8NTNOW1shZPzA==>
 Leaves - <https://simbli.eboardsolutions.com/SU/EEXMgObslshqslshiKqtJJUX7vSg==>
 Leaves - <https://simbli.eboardsolutions.com/SU/1j87G85jaeaw3FbkyNX3fw==>

4161.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/wmtZ2H4oDc4HcrB9slshN1zcw==>

4161.8 Family Care And Medical Leave - <https://simbli.eboardsolutions.com/SU/R0ajur05Y0LDobGfDwFO7A==>

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==>

4240 Bargaining Units - <https://simbli.eboardsolutions.com/SU/ltAmE15lyRuHVP4lWWhd7tg==>

4241.6 Concerted Action/Work Stoppage - <https://simbli.eboardsolutions.com/SU/8ghHTloULRupEkUU4HVtdg==>

4241.6 Concerted Action/Work Stoppage - <https://simbli.eboardsolutions.com/SU/W5ExJpluss6yHnOMElqyCk9IQ==>

4243 Negotiations/Consultation - <https://simbli.eboardsolutions.com/SU/rymBvD6zXpDjldwBE51jfg==>

4258 Employee Security - <https://simbli.eboardsolutions.com/SU/xTiwiJO7zP5pnvrwnkPcdw==>

4258 Employee Security - <https://simbli.eboardsolutions.com/SU/HzleDphm05nyuDFSTUwAmg==>

4261 Leaves - <https://simbli.eboardsolutions.com/SU/NEon3h0paWxSWoNITTqbmA==>

4261 Leaves - <https://simbli.eboardsolutions.com/SU/cns2ox14MXb4vglRIm84fA==>

4261.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/7lGWMkFdeFkQBbHk7qxzig==>

4261.8 Family Care And Medical Leave - <https://simbli.eboardsolutions.com/SU/nBLZm9LwJchMFF3Yja1slshFg==>

4312.9 Employee Notifications - <https://simbli.eboardsolutions.com/SU/CqQQlb4XnDnSONdYu7jm2Q==>

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==>

4340 Bargaining Units - <https://simbli.eboardsolutions.com/SU/mzWyX5FBWwfpZYYNlaKORA==>

4358 Employee Security - <https://simbli.eboardsolutions.com/SU/E2TOLpogkDECpTZGFtslshdMQ==>

4358 Employee Security - <https://simbli.eboardsolutions.com/SU/C6fpUPMjplus2yAmh3nNvvObg==>

4361 Leaves - <https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgLwUOQ==>

4361 Leaves - <https://simbli.eboardsolutions.com/SU/m93RQnCPlyUeeeBo4hULBQ==>

4361.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/VCSQ7zJplus5y1nFHLGslshrl5oA==>

4361.8 Family Care And Medical Leave - <https://simbli.eboardsolutions.com/SU/qfxyeoli1L04rJjMbB8XNA==>

5148 Child Care And Development - <https://simbli.eboardsolutions.com/SU/TkxFLplusg1be5kdCBI21w67A==>

5148

Child Care And Development -
<https://simbli.eboardsolutions.com/SU/Ez52VnD9tECorZJzyrh5plusg==>

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

CSBA NOTE: Employment and re-employment rights of employees who take military leave of absence are protected by the federal Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 USC 4301-4334. The district may not refuse to grant military leave, regardless of the length of employment or whether the employee volunteers for military service or is called up involuntarily.

USERRA applies to all employees, except individuals employed for a brief, nonrecurrent period for which there was no reasonable expectation that such employment would continue indefinitely or for a significant period.

20 CFR 1002.149-1002.150 and 1002.210-1002.213 and guidelines issued by the Veterans' Employment and Training Service (VETS) of the U.S. Department of Labor, "A Non-Technical Resource Guide to the Uniformed Services Employment and Reemployment Rights Act," clarify that federal law generally protects seniority-based benefits (i.e., a right or benefit that is determined by or that accrues with length of service) that would have accrued "with reasonable certainty" had the employee remained continuously employed. Non-seniority-based benefits are generally protected to the same extent that those benefits are preserved during comparable kinds of leave under local policies or state law. The district should consult legal counsel regarding any questions about entitlements to benefits.

Note that in cases where state law provides greater protections to employees, state law supersedes federal law. In addition, the district should consult its collective bargaining agreements to determine if the bargaining agreements provide greater military leave benefits than provided by law and should modify or delete the following optional regulation accordingly.

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

CSBA NOTE: Pursuant to Military and Veterans Code 395.01-395.05, employees on military leave are entitled to receive their salary or compensation for a maximum of 30 calendar days for any one leave or during one fiscal year. However, Military and Veterans Code 395.03 allows the Governing Board to extend compensation beyond the maximum of 30 calendar days for leaves taken pursuant to Items #1, 2, and 4 below through a Board resolution or a Memorandum of Understanding with an employee organization. In addition, Education Code 44018 authorizes, but does not require, the Board to provide an employee who is on active military duty as a member of the California National Guard or a U.S. Military Reserve organization, for up to 180 days, the difference between the amount of the military pay and allowances and the employee's salary.

The following paragraph should be revised to reflect decisions of the Board, if any, to extend compensation beyond 30 days' pay.

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)

CSBA NOTE: Pursuant to Military and Veterans Code 395 and 395.01, the district has discretion as to whether employees are compensated for military leave for periods of inactive duty training. Optional Item #4 is for use by districts that choose to provide compensation to such employees.

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.

CSBA NOTE: When calculating whether the employee has been employed by the district for a minimum of one year for purposes of determining the employee's right to a paid military leave of absence pursuant to Items #1, 2, and 4 above, the Attorney General opined in 77 Ops.Cal.Atty.Gen. 209 (1994), that all prior military service is to be counted as public agency service (i.e., the military service is "tacked on" to the amount of time employed in the district), even when a period of time lapses between the military service and district employment. However, as opined by the Attorney General in 18 Ops.Cal.Atty.Gen. 178 (1951), an employee may not "tack on" prior employment in another district. If a question arises as to whether prior service should be counted, district legal counsel should be consulted.

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)

CSBA NOTE: The following optional paragraph is for use by any district whose Board has taken action to extend benefits for up to 180 days to employees who are on active military duty as members of the California National Guard or a U.S. Military Reserve organization, as authorized, but not required, by Education Code 44018.

Any employee called into active military duty as a member of the California National Guard or a United States Military Reserve organization shall receive, for up to 180 days, the difference between the amount of the employee's military pay and the amount the employee would have received from the district and all benefits that the employee would have received had the employee not been called to active military duty, unless the benefits are prohibited or limited by vendor contracts. (Education Code 44018)

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

CSBA NOTE: Pursuant to Government Code 20997, employers that participate in the California Public Employees' Retirement System (CalPERS) are required to inform employees who are CalPERS members, of the rights of returning military veterans to receive employer-paid service credits for the period of active military service.

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

CSBA NOTE: Employees on military leave are deemed to be on furlough or leave of absence, pursuant to 20 CFR 1002.149 and, during the period of military leave, maintain non-seniority rights and benefits generally provided by the employer to other employees with similar seniority, status, and pay who are on furlough or leave of absence. However, pursuant to Education Code 44800 and Military and Veterans Code 395, absence due to military leave may not be counted in satisfaction of an uncompleted probationary period.

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

CSBA NOTE: 38 USC 4334 requires employers to post a notice of rights and benefits as provided below. The U.S. Secretary of Labor has provided a sample notice listing these rights which is available on the Department of Labor's USERRA web site.

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)

CSBA NOTE: 38 USC 4334 states that the notice may be placed where the district customarily places employee notices, as provided below. However, the VETS', "A Non-Technical Resource Guide to the Uniformed Services Employment and Reemployment Rights Act (USERRA)," clarifies that an employer may provide the notice in an alternative manner as long as the full text of the notice is provided. Examples include handing the notice to

employees, mailing it, or distributing it via email. The district may revise the following paragraph to reflect district practice.

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

| | Description |
|-----------------------|---|
| 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 |

Federal References

| | Description |
|------------------------|---|
| 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 |

Management Resources References

| | Description |
|--------------------------------------|--|
| 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/lzOl6slshnrcwplusn8LplusKslshvfw==>

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==>

4116 Probationary/Permanent Status - <https://simbli.eboardsolutions.com/SU/Gy4GUysBDt2XEfyrzyQxvw==>

4116 Probationary/Permanent Status - <https://simbli.eboardsolutions.com/SU/5Oi4FjGaDLWBXlrAxpA2fg==>

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/dRLduplushLitByDflajDntw==>

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/cns2ox14MXb4vglRIm84fA==>

4261.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/7IGWMkFdeFkQBbHk7qzsig==>

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 Leaves - <https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgLwUOQ==>

4361 Leaves - <https://simbli.eboardsolutions.com/SU/m93RQnCplyUeeeBo4hULBQ==>

4361.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/VCSQ7zJplus5y1nFHLGslshrl5oA==>

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

CSBA NOTE: The following policy is optional and may be revised to reflect district practice. Though employees have the same constitutional and statutory rights as other citizens, there are situations in which the district may limit some of those rights. In *Johnson v. Poway Unified School District*, the federal court of appeals found that a district's action controlling the speech of its employee when the employee posted two large banners that contained text which when taken out of context promoted a religious viewpoint did not violate the employee's First Amendment right when the speech occurred at work in the employee's role as a teacher.

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.

CSBA NOTE: When disciplining an employee, the district must ensure that all the surrounding facts and circumstances are considered and analyzed within the parameters of any applicable constitutional or legal framework. In *Kennedy v. Bremerton School District*, the U.S. Supreme Court held that the district violated the employee's protected free exercise and free speech rights when the district did not rehire the employee, a coach, for refusing to follow the district's direction to refrain from kneeling and praying at the 50-yard line immediately after each football game. The district's direction was based on a concern that the employee's prayer violated the district's religious practices policy and could subject the district to an Establishment Clause violation. Notwithstanding that the prayer occurred at a school event and in the presence of students, the court reasoned that the timing and circumstances indicated that the coach's prayers were offered as a private citizen rather than as a district employee. The Court held that since the prayer occurred during a break, a period when employees would ordinarily be free to engage in personal activities such as speaking with friends, checking email, calling for restaurant reservations, etc., the district's concerns about a possible Establishment Clause violation did not justify restricting the employee's free exercise and free speech rights to offer a private, personal prayer. Employee discipline, especially with respect to suspension and dismissal, involves complex legal considerations and districts are advised to consult CSBA District and County Office of Education Legal Services or the district's legal counsel, accordingly.

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.

CSBA NOTE: The following optional paragraph provides for the right to privacy of district employees pursuant to Article 1, Section 1 of the California Constitution. In addition, Education Code 49091.24 allows teachers the right to refuse to submit to district surveys or evaluations concerning certain personal beliefs as stated below.

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.

CSBA NOTE: Education Code 48907 gives students the right to exercise freedom of speech and of the press and mandates districts to adopt reasonable rules and regulations concerning the time, place, and manner for students to engage in those activities; see BP/AR 5145.2 - Freedom of Speech/Expression. In addition, Education Code 48950 prohibits a district from disciplining any high school student solely for the student's speech or other communication which would be protected by either the U.S. or California Constitution if engaged in outside of school campus. Both these provisions prohibit the disciplining of any employee who acts to protect a student engaged in any conduct authorized under these provisions.

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.

CSBA NOTE: When investigating an allegation of employee misconduct, the district may need to consider whether a search of the employee's desk, files, or other district-provided equipment, such as a computer or cell phone, is warranted. The determination of whether a search is legally justified is complex and depends on whether the employee has a reasonable expectation of privacy in the items to be searched and whether the search is reasonable at its inception. Given the legal complexities, it is recommended that CSBA District and County Office of Education Legal Services or district legal counsel be consulted prior to a search and that employees conducting searches receive appropriate instruction as to how the search is to be conducted.

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

CSBA NOTE: Education Code 44110-44114, the Reporting by School Employees of Improper Governmental Activities Act, and Labor Code 1102.5 provide "whistleblower protection" to employees who refuse to be a party to, or who report, noncompliance with a state or federal law or regulation. This protection does not cover employees when they speak out within their employment setting on matters related to their official duties. In *Garcetti v. Ceballos*, the U.S. Supreme Court held that when public employees speak out in the workplace about work-related issues, they may be subject to employee discipline since they are not speaking as citizens for First Amendment purposes. However, employees have the right to speak out as concerned citizens outside of the work environment. In addition, to the extent that the employee's speech is on an issue subject to whistleblower protection, then the protections provided to employees by the whistleblower statutes would be applicable.

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)

CSBA NOTE: An employee may be liable for an action in civil damages for interfering with the right of another employee to disclose an improper governmental action. In *Hartnett v. Crosier*, a California appellate court ruled that "management employees" could also be held liable for their acts of retaliation committed when acting in a supervisory role.

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

CSBA NOTE: 20 USC 7941-7948 limit the liability of teachers, principals, and other school personnel who maintain discipline and/or ensure safety when harm is caused while they are acting within the scope of their employment. The law also applies to Governing Board members; see BB 9260 - Legal Protection. The following section is made applicable to all employees; however, any district that wishes to apply the section only to teachers should modify the section accordingly.

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

| | Description |
|--------------------------------------|---|
| CA Constitution Article 1, Section 1 | Inalienable rights |
| Ed. Code 200-262.4 | Prohibition of discrimination - https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ== |
| Ed. Code 44040 | Discrimination based on employee's appearance before certain boards or committees |
| Ed. Code 44110-44114 | Reporting by school employees of improper governmental activity |
| Ed. Code 48907 | Exercise of free expression; time, place and manner rules and regulations |
| Ed. Code 48950 | Speech and other communication |
| Ed. Code 49091.24 | Teacher rights to refuse evaluation/survey of personal life |
| Ed. Code 7050-7058 | Political activities of school officers and employees |
| Gov. Code 12650-12656 | False claims actions |
| Gov. Code 12940-12953 | Discrimination prohibited; unlawful practices |
| Gov. Code 3540.1 | Public employment; definitions |
| Gov. Code 3543.5 | Interference with employee's rights prohibited |
| Gov. Code 815.3 | Intentional torts |
| Gov. Code 820-823 | Tort claims act |
| Gov. Code 825.6 | Indemnification of public entity |
| Lab. Code 1102.5-1106 | Whistleblower protections |

Federal References

| | Description |
|-----------------------|---|
| 18 USC 16 | Crime of violence; definition |
| 20 USC 1681-1688 | Title IX of the Education Amendments of 1972; discrimination based on sex |
| 20 USC 7941-7948 | 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

| | Description |
|----------------|--|
| 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 |

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|----------------|--|
| 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

| | Description |
|-----------------|---|
| 1312.1 | Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/dIGslshfVQqYWh8DLTuprGWw== |
| 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/ucnDWxF6hGHEFroNGOKmFg== |
| 3320 | Claims And Actions Against The District - https://simbli.eboardsolutions.com/SU/c91k4TalBYjVbGbM2oPzSw== |
| 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/1feQnJxnTqXT1BhIvWdeWA== |
| 4118 | Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/L6i9RwB51Lbplusbnl35tH3Bg== |
| 4119.21 | Professional Standards - https://simbli.eboardsolutions.com/SU/RUg2Aozy5plusWMBTJVdlsyg== |

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/FkeMlvswnq3LcJJdgUB9slshA==>

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/53ooK6mub4JLplus3BKAlOeLA==>

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/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==>

4219.23 Unauthorized Release Of Confidential/Privileged Information - <https://simbli.eboardsolutions.com/SU/DzT84jjiN31dA5odXslshEoA==>

4219.25 Political Activities Of Employees - <https://simbli.eboardsolutions.com/SU/EpuQDzLygwplusseQSqTDILbw==>

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/ltAmE15lyRuHVP4IWhd7tg==>

4244 Complaints - <https://simbli.eboardsolutions.com/SU/dpWU08slsh6hjddsVYvxoilag==>

4244 Complaints - <https://simbli.eboardsolutions.com/SU/T94gjCe5she2IILWxwooVA==>

4319.21 Professional Standards - <https://simbli.eboardsolutions.com/SU/53YbPV2hoKqYj7h7jg34plusA==>

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| 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/Qqh1ZB30DJcLlxmSo6Ca3A== |
| 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/mzWyX5FBWwfpZYYNlaKORA== |
| 4344 | Complaints - https://simbli.eboardsolutions.com/SU/0m0xiT7oKn9m9TLZpluszeRyA== |
| 4344 | Complaints - https://simbli.eboardsolutions.com/SU/35PWlyWDSzcYbz2slshslshaWog== |
| 9260 | Legal Protection - https://simbli.eboardsolutions.com/SU/TdGgHj7XaYoQFbqsm2aaplusg== |

Policy 4340: Bargaining Units

Status: ADOPTED

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

CSBA NOTE: Pursuant to Government Code 3544, an employee organization may become the employees' exclusive representative for negotiations by filing a request with the district providing proof that a majority of the employees in an appropriate unit wish to be represented by that organization. Notice of such request must be immediately posted conspicuously on all employee bulletin boards in each district facility in which members of the unit are employed. Government Code 3544.1 requires the district to grant the request for recognition unless (1) the district doubts the appropriateness of the unit, (2) another employee organization files a challenge to the appropriateness of the unit or submits a competing claim of representation within 15 work days of the posting of notice of the written request, or (3) the district currently has a lawful written agreement with another employee organization representing the same employees.

"Exclusive representative," as defined in Government Code 3540.1, means an employee organization recognized or certified as the exclusive negotiating representative for all district employees other than management and confidential employees.

Government Code 3543 provides that public school employees have the right to represent themselves individually in their employment relations with the district except that, once an exclusive representative has been recognized, an employee in that unit is prohibited from meeting and negotiating with the district.

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)

CSBA NOTE: In East Whittier School District, the Public Employment Relations Board (PERB) found that the district's policy limiting the wearing of union buttons that favor or oppose any matter that is the subject of negotiations in the classroom or in other instructional areas in the presence of students violated the Educational Employment Relations Act, as there was no finding of special circumstances which would limit the established right of employees to wear union buttons in the workplace, nor was there a finding that wearing the union buttons was a political activity. PERB continues to use a case-by-case approach to determine whether a district's policy restricting the wearing of union buttons by employees is justified by special circumstances. See PERB's ruling in City of Sacramento. Due to the legal uncertainty in this area, districts are encouraged to consult CSBA District and County Office of Education Legal Services or the district's legal counsel prior to limiting the wearing of union buttons that support the union's position in collective bargaining.

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

CSBA NOTE: The following section contains legal requirements for the certification or recognition of bargaining units for different categories of employees.

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)

CSBA NOTE: Pursuant to Government Code 3543.4, management and confidential employees, as defined in Government Code 3540.1, are excluded from the right to be represented in negotiations by an employee

organization. PERB ultimately determines, based upon the duties of the position, which positions qualify as "management" or "confidential" and thus are excluded from bargaining.

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)

CSBA NOTE: The remainder of this section is optional. Government Code 3553 establishes requirements for districts that choose to disseminate a mass communication regarding employees' rights to join, support, or refrain from joining or supporting an employee organization. A "mass communication" means any written document, including a script for an oral or recorded presentation or message, intended for multiple employees.

Districts should exercise caution and consult with CSBA District and County Office of Education Legal Services or the district's legal counsel before communicating with employees about their rights to join or not join an employee organization to avoid violating the law against unfair labor practices. When an employee approaches the district with questions specifically about the benefits of the membership in an employee organization, the employee should be referred to the employee organization.

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)

CSBA NOTE: The following paragraph applies until June 30, 2025, unless the date is extended by law. Government Code 3556, as amended by SB 191 (Ch. 67, Statutes of 2022), provides additional obligations for public employers under the conditions specified in the following paragraph.

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

CSBA NOTE: Pursuant to Government Code 3558, districts are required to provide recognized employee organizations with specified contact information for new employees in the bargaining unit, as provided below. The information required by Government Code 3558 must be provided in a manner consistent with Government Code 6254.3, which authorizes disclosure of an employee's home address, home telephone number(s), and personal cell phone number to an employee organization unless the district receives a written request by the employee to not disclose the information. Pursuant to Government Code 6254.3, the personal email address of an employee is not disclosable unless used by the employee to conduct public business. The following paragraph should be revised if districts have an agreement with their employee organization(s) requiring more frequent or more detailed contact lists.

In *County of Los Angeles v. Service Employees International Union, Local 721*, the California Supreme Court held that (1) an employer has a duty to provide information relevant to collective bargaining to the applicable bargaining unit and failure to do so is a violation of the employer's obligation to bargain in good faith; (2) the disclosure of an employee's home address and phone number(s) by an employer to the union is presumptively relevant to the union's role as bargaining agent and does not violate the employee's constitutional right of privacy; and (3) other avenues for implementing privacy safeguards are available, such as bargaining for a notice and opt-out procedure or drafting employment contracts that will notify employees that their home contact information is subject to disclosure to the union and that they may request nondisclosure.

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)

CSBA NOTE: Pursuant to Government Code 3558, an employee organization is authorized, after notifying the district of a violation of the district's employee information disclosure obligations, to file a special unfair labor practice charge with PERB. Government Code 3558, as amended by SB 270 (Ch. 330, Statutes of 2021), allows the district 20 calendar days to cure an alleged violation that involves the provision of an inaccurate or incomplete list of employees, and to give the exclusive representative written notice of the actions taken. If a violation is found, PERB is required to assess against the district a civil penalty of \$10,000 and attorney's fees and costs in addition to any other remedy provided by law.

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)

CSBA NOTE: Government Code 3558, as amended, limits to three times within any 12-month period a district's opportunity to cure when an inaccurate or incomplete list has been provided to an exclusive representative. The following paragraph offers a way to avoid or minimize possible violation and may be revised to reflect district practice.

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

CSBA NOTE: Bargaining unit employees who choose to join the employee organization pay membership dues, which are deducted from the employee's salary or wage payment as provided below. Pursuant to the U.S. Supreme Court's decision in *Janus v. American Federation of State, County, and Municipal Employees*, bargaining unit employees who choose not to join an employee organization cannot be required to pay any fees to the employee organization. However, pursuant to Education Code 45060 and 45168, an employee who chooses not to join an employee organization may be charged fees for applicable services, programs, or committees provided to the employee by the employee organization if that nonmember employee first affirmatively and voluntarily consents to pay those fees to the employee organization, as required by *Janus v. AFSCME*.

Education Code 45060 and 45168 set forth the process for handling authorizations, changes, and cancellations for dues or other payments, and provide safeguards for districts that rely on information provided by an employee organization concerning such payroll deductions (i.e., the employee organization's indemnification of the district against any employee's claim based on such reliance).

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

| | Description |
|------------------------|---|
| 8 CCR 33015-33490 | Recognition of exclusive representative; proceedings |
| 8 CCR 33700-33710 | Severance of established unit |
| 8 CCR 34020 | Petition to rescind organizational security arrangement |
| 8 CCR 34055 | Reinstatement of organizational security arrangement |
| Ed. Code 45060-45061.5 | Deduction of fees from salary or wage payment; certificated employees |
| Ed. Code 45100.5 | Senior classified management positions |
| Ed. Code 45104.5 | Abolishment of senior classified management positions |
| Ed. Code 45108.5 | Definition of senior classified management employees |
| Ed. Code 45108.7 | Waiver of provisions of 45108.5 |
| Ed. Code 45168 | Deduction of fees from salary or wage payment; classified employees |
| Ed. Code 45220-45320 | Merit system; classified employees |
| Gov. Code 3540-3549.3 | Educational Employment Relations Act |
| Gov. Code 3540.1 | Public employment; definitions |
| Gov. Code 3543.4 | Management position; representation |
| Gov. Code 3545 | Appropriateness of unit; basis |
| Gov. Code 3550-3552 | Prohibition on public employers deterring or discouraging union membership |
| Gov. Code 3555-3559 | Public employee communication, information and orientation |
| Gov. Code 53260-53264 | Employment contracts |
| Gov. Code 6205-6210 | Confidentiality of addresses for victims of domestic violence, sexual assault or stalking |
| Gov. Code 6254.3 | Disclosure of employee contact information to employee organization |
| Gov. Code 6503.5 | Joint powers agencies |

Federal References

| | Description |
|-------------------|--|
| 8 CFR 33015-33490 | Recognition of exclusive representative; proceedings |

| | |
|-------------------|---|
| 8 CFR 33700-33710 | Severance of established unit |
| 8 CFR 34020 | Petition to rescind organizational security arrangement |
| 8 CFR 34055 | Reinstatement of organizational security arrangement |

Management Resources References

Description

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| Court Decision | County of Los Angeles v. Service Employees International Union, Local 721, (2013) 56 Cal. 4th 905 |
| Court Decision | Friedrichs v. California Teachers Association, et al., (2016) 136 S.Ct. 1083 |
| Court Decision | Janus v. American Federation of State, County and Municipal Employees, Council 31, (2018) 138 S.Ct. 2448 |
| Public Employment Relations Board Ruling | East Whittier School District, (2004) PERB Dec. No. 1727 |
| Public Employment Relations Board Ruling | City of Sacramento, (2019) PERB Dec. No. 2702m |
| Website | CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ== |
| Website | California Federation of Teachers - https://simbli.eboardsolutions.com/SU/6TJInbikoQhGwsWiH4ztXQ== |
| 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/DMWjqGR6N1ooUHyxBdPXeA== |
| Website | CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg== |

Cross References

Description

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|------|---|
| 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== |
| 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/9BuYxzx0B2I1rRqC5ldthA== |
| 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/FkeMlvswqn3LcJJdgUB9slshA==>
- 4119.25 Political Activities Of Employees -
<https://simbli.eboardsolutions.com/SU/dvZ7mfqfvA0YM7xxypEMfw==>
- 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/bUKajshf9NH4tnZI9utk7g==>
- 4161.2 Personal Leaves -
<https://simbli.eboardsolutions.com/SU/v9O8SWMTRbBXq5cOByblqw==>
- 4219.1 Civil And Legal Rights -
<https://simbli.eboardsolutions.com/SU/qlnWNgN2LFslshTdzTCLslsh592A==>
- 4219.25 Political Activities Of Employees -
<https://simbli.eboardsolutions.com/SU/EpuQDzLygwpluseQSqTDILbw==>
- 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/4MRmnj4J0iqDWVVDL3OkzA==>
- 4261.2 Personal Leaves -
<https://simbli.eboardsolutions.com/SU/uEkwbwYWw5nplus48h2ZcgRMw==>
- 4300 Administrative And Supervisory Personnel -
<https://simbli.eboardsolutions.com/SU/LFXzXmpvUZIVfhoVlrAWtQ==>
- 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/Qqh1ZB30DJcLlXmSo6Ca3A== |
| 4319.25 | Political Activities Of Employees - https://simbli.eboardsolutions.com/SU/yaplusFLKGYeK7yfxXubPVLrQ== |
| 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/rplusmwwksFJslufmMEbAX0vQ== |
| 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/6Qkac2n002IH7QiOyqvira== |
| 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 4361.2: Personal Leaves

Status: ADOPTED

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

CSBA NOTE: The following administrative regulation is subject to collective bargaining agreements.

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

CSBA NOTE: Family Code 297.5 extends to registered domestic partners the same rights that are available under state law to spouses. Thus, any reference to an employee's spouse throughout this administrative regulation also applies to a registered domestic partner, even if not expressly stated in the applicable state statute (e.g., Education Code, Military and Veterans Code). Districts should consult CSBA District and County Office of Education Legal Services or the district's legal counsel if a question arises as to leave provisions relative to an employee's domestic partner.

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

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

Bereavement

CSBA NOTE: Education Code 44985 and 45194 allow the Governing Board to expand the class of relatives listed below as "immediate family" and enlarge the benefits provided by law. In addition, Government Code 12945.2, as amended by AB 1033 (Ch. 327, Statutes of 2021), includes a parent-in-law in the definition of "parent" for purposes of California Family Rights Act (CFRA) leave. Thus, to ensure consistency, the definition of "immediate family" below includes "mother-in-law" and father-in-law," as permitted by law. The following two paragraphs may be revised to reflect district practice.

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

Members of an employee's immediate family include: (Education Code 44985, 45194)

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

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

Personal Necessity

CSBA NOTE: Employees may use a maximum of seven days of accumulated personal illness/injury leave (sick leave) for reasons of personal necessity pursuant to Education Code 44981 (certificated employees) and 45207 (classified employees). Pursuant to Education Code 44981 and 45207, a higher maximum may be set for certificated and/or classified employees in the applicable collective bargaining agreement, or by Board resolution for classified employees who are not covered by a collective bargaining agreement. Districts that have established a maximum that is higher than seven days should modify the following paragraph accordingly.

Education Code 45207 clarifies that provisions pertaining to personal necessity leave also apply to districts that have adopted the merit system for classified employees in accordance with Education Code 45240-45320.

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

Acceptable reasons for the use of personal necessity leave include:

1. Death of a member of the employee's immediate family when the number of days of absence exceeds the limits set by bereavement leave provisions (Education Code 44981, 45207)
2. An accident involving the employee or the employee's property, or the person or property of a member of the employee's immediate family (Education Code 44981, 45207)

CSBA NOTE: Pursuant to Education Code 44981, a certificated employee may use personal necessity leave for the serious illness of a member of the employee's immediate family. The Board may extend these provisions to classified employees under the authority granted to the Board by Education Code 45207. Districts are cautioned to consult CSBA District and County Office of Education Legal Services or the district's legal counsel regarding any interaction of Education Code provisions with Labor Code 233, 245.5, and 246.5, which allow the use of sick leave for the need of the employee or family member for the diagnosis, care, or treatment of an existing health condition or for preventive care and which include in the definition of "family member" a registered domestic partner, grandparent, and sibling. See AR 4161.1/4361.1 - Personal Illness/Injury Leave and AR 4261.1 - Personal Illness/Injury Leave.

Also see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave for federal and state provisions related to leaves for the birth, adoption, or foster placement of a new child; the care of a seriously ill child, parent, parent-in-law, or spouse/registered domestic partner or the employee's own serious health condition.

3. Illness, preventive care, or other need of a member of the employee's family, as defined in Labor Code 245.5 (Education Code 44981; Labor Code 246.5)

CSBA NOTE: Education Code 45207 provides that classified employees may use sick leave for required court appearances, as provided in Item #4 below. Circumstances under which employees may take time off, with pay, for court appearances are described in the section on "Leave to Perform Legal Duties" below.

4. A classified employee's appearance in any court or before any administrative tribunal as a litigant, party, or witness under subpoena or other order (Education Code 45207)

CSBA NOTE: Items #5 and #6 are optional and may be deleted or modified to reflect district practice.

5. Fire, flood, or other immediate danger to the home of the employee
6. Personal business of a serious nature which the employee cannot disregard

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

CSBA NOTE: The following paragraph is optional. The district is prohibited from requiring employees to obtain advance permission prior to taking leaves in certain situations. Pursuant to Education Code 44981 and 45207, the district may not require advance permission for leaves taken by classified employees for the reasons specified in Items #1-2 above and by certificated employees for the reasons specified in Items #1-3 above. In addition, Labor Code 246.5 requires an employer to grant paid sick leave "upon the oral or written request of an employee." According to the Department of Industrial Relations, employers may not require advance notice when the need for the leave was unforeseeable, as in the case of unanticipated illness or a medical emergency.

Also see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave for requirements pertaining to requests for leaves that qualify under the federal Family and Medical Leave Act (29 USC 2601-2654) or CFRA (Government Code 12945.1-12945.2), including provisions that allow employees to provide notice as soon as practicable when 30-day advance notice is not practicable due to lack of knowledge of the date the leave will be needed, a change in circumstances, or a medical emergency.

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

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

CSBA NOTE: Education Code 44981 and 45207 mandate the adoption of regulations requiring proof of personal necessity and prescribing the manner of the required proof. The following paragraph may be revised to specify the manner of proof required by the district.

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

Leave to Perform Legal Duties

CSBA NOTE: Labor Code 230 prohibits the discharge of or discrimination or retaliation against an employee for taking time off for the activities specified in Items #1-2 below.

Pursuant to Education Code 44037, it is unlawful for the district or personnel commission to (1) adopt any rule, regulation, or policy that encourages classified employees to seek exemption from jury duty; (2) directly or indirectly solicit or suggest to any employee that the employee seek exemption from jury duty; or (3) discriminate against any employee with respect to assignment, employment, promotion, or in any other manner because of the employee's service on a jury panel. However, the Board or personnel commission may establish a rule providing that only a percentage of district staff, which shall not be less than two percent, shall be granted such leave with pay at any one time. The following section may be revised to reflect district practice.

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

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

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

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

CSBA NOTE: The following optional paragraph is for use by districts that choose to provide leave of absence with pay for certificated employees called for jury duty, as authorized by Education Code 44036. Districts that do not grant such leave should delete this paragraph.

A certificated employee who is called for jury duty also shall be granted leave with pay up to the difference between the employee's regular earnings and any jury fees received. (Education Code 44036)

CSBA NOTE: The following paragraph is optional. Education Code 44036 allows the Board, at its discretion, to provide paid leaves for employees to appear in court as witnesses other than as litigants or to respond to orders from another governmental jurisdiction. Districts that do not grant such leave should delete this paragraph.

An employee shall be granted leave with pay to appear in court as a witness other than a litigant or to respond to an official order from another governmental jurisdiction for reasons not brought about through the connivance or misconduct of the employee. Such an employee shall receive the difference between the employee's regular earnings and any witness fees received. (Education Code 44036)

Leaves for Crime Victims for Judicial Proceedings

CSBA NOTE: Labor Code 230.2 prohibits a district from taking adverse employment action against an employee who takes leave as described below.

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

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

CSBA NOTE: Pursuant to Labor Code 230.2, employees may use any of the types of leave listed in the following paragraph, unless otherwise provided by a collective bargaining agreement, although a collective bargaining

agreement cannot diminish the entitlement of an employee.

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

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

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

Leaves for Victims of Crime or Abuse

CSBA NOTE: Labor Code 230 and 230.1 allow employees who are victims of domestic violence, sexual assault, stalking, or a crime that caused physical injury or mental injury with a threat of physical injury, and employees whose immediate family member is deceased as the direct result of a crime to use any available vacation, personal leave, or compensatory time off for the purposes described in Items #1-5 below, and prohibit a district from taking adverse employment action against an employee for taking leave for any of those purposes. Pursuant to Labor Code 230.1, Items #2-5 apply to districts with 25 or more employees.

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

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

CSBA NOTE: Pursuant to Labor Code 230, the following certification may include documentation from a victim advocate (defined as an individual, whether paid or serving as a volunteer, who provides services to victims under the auspices or supervision of an agency or organization that has a documented record of providing services to victims, a court, or a law enforcement or prosecution agency) or any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf.

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

1. A police report indicating that the employee was a victim
2. A court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court
3. Documentation from a domestic violence or sexual assault counselor as defined in Evidence Code 1037.1 or 1035.2, licensed medical professional or health care provider, victim advocate, or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse

4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf certifying that the absence is for a purpose authorized under Labor Code 230 or 230.1

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

CSBA NOTE: Pursuant to Labor Code 230.1, districts with 25 or more employees are required to notify district employees of employee rights under Labor Code 230 and 230.1. The district may use a form developed by the Labor Commissioner for this purpose, when available on the web site of the Department of Industrial Relations, or may develop its own form that is substantially similar in content and clarity to the Labor Commissioner's form.

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

Personal Leave for Child-Related Activities

CSBA NOTE: Pursuant to Labor Code 230.8, the following section applies to any district employing 25 or more employees at the same location. A district with fewer than 25 employees at the same location may use or delete this section at its discretion.

Pursuant to Labor Code 230.8, an employee who is discharged, threatened with discharge, demoted, suspended, or otherwise discriminated against for using the leave is entitled to reinstatement and reimbursement for lost wages and benefits, and an employer who willfully refuses to rehire, promote, or otherwise reinstate such an employee is subject to a civil penalty equal to three times the amount of the lost wages and benefits.

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

1. Find, enroll, or reenroll a child in a school or with a licensed child care provider or to participate in activities of the school or child care provider, provided the employee gives reasonable advance notice of the absence. Time off for this purpose shall not exceed eight hours in any calendar month.
2. Address a school or child care emergency, provided the employee gives notice. An emergency exists when the child cannot remain in school or with a child care provider due to one of the following circumstances:
 - a. A request by the school or child care provider that the child be picked up
 - b. An attendance policy, excluding planned holidays, that prohibits the child from attending or requires that the child be picked up from the school or child care provider
 - c. Behavioral or discipline problems
 - d. Closure or unexpected unavailability of the school or child care provider, excluding planned holidays
 - e. A natural disaster, including, but not limited to, fire, earthquake, or flood

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

CSBA NOTE: Labor Code 230.8 provides that the employee may use time off without pay to the extent the district makes it available. The following optional paragraph may be revised to reflect district practice.

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

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

Upon request by the Superintendent or designee, the employee shall provide documentation from the school or

licensed child care provider that the employee engaged in permitted child-related activities on a specific date and at a particular time. (Labor Code 230.8)

Service on Education Boards and Committees

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

1. The service is performed within the state.
2. The board, commission, organization, or group informs the district in writing of the service.
3. The board, commission, organization, or group agrees, prior to the service, to reimburse the district, upon the district's request, for compensation paid to the employee's substitute and for actual related administrative costs.

Employee Organization Activities

CSBA NOTE: The following optional section may be deleted by any district whose collective bargaining agreements expressly provide for a paid leave of absence for participation in the activities described in this section.

Education Code 44987 and 45210 provide that any certificated or classified employee may take time off without loss of compensation to serve as an elected officer of any local, statewide, or national employee organization of which the employee is a member. Following the district's payment to the employee for the leave of absence, the employee organization must reimburse the district within 10 days after receiving the district's certification of payment of compensation to the employee. This leave of absence is in addition to the release time granted to representatives of an employee organization pursuant to Government Code 3543.1.

Pursuant to Education Code 44987 and 45210, as amended by SB 294 (Ch. 539, Statutes of 2021), an employee's leave of absence to serve as an elected officer of an employee organization is additional to any other leave available for the employee's use by law or in agreement with the district.

Upon request, any certificated or classified employee shall be granted a leave of absence without loss of compensation, to serve as an elected officer of a district employee organization or any statewide or national employee organization with which the employee organization is affiliated. Such leave shall be in addition to any other leave to which the employee may be entitled by other laws or a memorandum of understanding or collective bargaining agreement. (Education Code 44987, 45210)

The leave shall include, but is not limited to, absence for purposes of attending periodic, stated, special, or regular meetings of the body of the organization on which the employee serves as an officer. (Education Code 44987, 45210)

CSBA NOTE: Education Code 45210 requires districts to grant a paid leave of absence to a reasonable number of classified employees serving as unelected members of the employee organization or a statewide or national public employee organization when the employee attends "important organizational activities authorized by the public employee organization." Compensation must include the required retirement fund contributions. The employee will continue to earn full service credit during the leave and must pay member contributions as specified. Education Code 45210 also requires that an employee organization provide reasonable notification to the district when requesting a leave of absence without loss of compensation for an employee.

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

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

Religious Leave

CSBA NOTE: The following optional section is for use by any district that chooses to grant religious leave and may be revised to reflect district practice. A district that does not grant such leave should delete this section. However, the district should consult CSBA District and County Office of Education Legal Services or the district's legal counsel before denying a request for religious leave since the Constitution requires districts to provide "reasonable accommodation" to employee religious practices.

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

CSBA NOTE: The following optional paragraph reflects the California Supreme Court's interpretation of Article 1, Section 8 of the California Constitution as stated in Rankin v. Commission on Professional Competence.

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

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

Spouse on Leave from Military Deployment

CSBA NOTE: Military and Veterans Code 395.10 requires any district with 25 or more employees to allow up to 10 days of unpaid leave to an employee whose spouse is on leave from military deployment. A district with fewer than 25 employees may use the following section at its discretion. In addition, 29 USC 2612 authorizes an employee to take up to 26 work weeks of unpaid military caregiver leave or up to 12 weeks of "exigency" leave during a single 12-month period, as determined by the district; see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave.

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

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

Leave for Emergency Duty

CSBA NOTE: Labor Code 230.3 prohibits a district from discharging or discriminating against an employee who takes time off to perform emergency duty as specified below. Labor Code 230.3 defines emergency rescue personnel as a member of a federal, state, local, or private fire department or agency, as well as a sheriff or police department.

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

CSBA NOTE: Pursuant to Labor Code 230.4, a district with 50 or more employees must grant an employee who is a volunteer firefighter, reserve peace officer, or emergency rescue personnel a leave of absence for up to 14 days per calendar year for training purposes. A district with fewer than 50 employees may use or delete this paragraph at its discretion.

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

Civil Air Patrol Leave

CSBA NOTE: Labor Code 1500-1507 require a district with more than 15 employees to provide at least 10 days of unpaid leave per year, beyond any leave otherwise available to employees, to employees who volunteer with the Civil Air Patrol and are directed to respond to an emergency operational mission, as provided below. Labor Code 1503 specifies that a district may not require an employee to first exhaust all accrued vacation, personal, sick, or any other available leave in order to use Civil Air Patrol leave.

If the district chooses to offer more than 10 days of such leave per year or to provide paid leave, it should modify

the following paragraph accordingly. A district with 15 or fewer employees may use or delete this section at its discretion.

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

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

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

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|--------------------------------------|---|
| CA Constitution Article 1, Section 8 | Religious discrimination - https://simbli.eboardsolutions.com/SU/aVyer3HNWhenL24lj43Z8w== |
| Ed. Code 44036-44037 | Leaves of absence for judicial and official appearances |
| Ed. Code 44963 | Power to grant leaves of absence; certificated |
| Ed. Code 44981 | Leave of absence for personal necessity |
| Ed. Code 44985 | Leave of absence due to death in immediate family; certificated |
| Ed. Code 44987 | Service as officer of employee organization; certificated |
| Ed. Code 44987.3 | Leave of absence to serve on certain boards, commissions, etc. |
| Ed. Code 45190 | Leaves of absence and vacations; classified |
| Ed. Code 45194 | Bereavement leave of absence; classified |
| Ed. Code 45198 | Effect of provisions authorizing leaves of absence |
| Ed. Code 45207 | Personal necessity; classified |
| Ed. Code 45210 | Service as officer of employee organization; classified |
| Ed. Code 45240-45320 | Merit system |
| Evid. Code 1035.2 | Sex assault counselor; definition |
| Evid. Code 1037.1 | Domestic violence counselor; definition |
| Fam. Code 297-297.5 | Rights, protections, benefits under the law; registered domestic partners |
| Gov. Code 12945.1-12945.2 | California Family Rights Act |
| Gov. Code 3543.1 | Rights of employee organizations |
| Lab. Code 1500-1507 | Civil Air Patrol leave |
| Lab. Code 230-230.2 | Leaves for victims of domestic violence, sexual assault or specified felonies |
| Lab. Code 230.3 | Leave for emergency personnel |
| Lab. Code 230.4 | Leave for volunteer firefighters |
| Lab. Code 230.8 | Time off to visit child's school |
| Lab. Code 233 | Illness of child, parent, spouse or domestic partner |
| Lab. Code 234 | Absence control policy |
| Lab. Code 246.5 | Paid sick days; purposes for use |
| M&V Code 395.10 | Leave when spouse on leave from military deployment |
| Pen. Code 1192.7 | Plea bargaining limitation |
| Pen. Code 667.5 | Prior prison terms; enhancement of prison terms |

Federal References

29 USC 2601-2654
 42 USC 2000d-2000d-7

Description

Family Care and Medical Leave Act
 Title VI, Civil Rights Act of 1964

Management Resources References

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

Description

Rankin v. Commission on Professional Competence, (1988) 24 Cal.3d 167
 Berkeley Council of Classified Employees v. Berkeley Unified School District, (2008) PERB Decision No. 1954
 CSBA District and County Office of Education Legal Services - <https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>
 California Department of Industrial Relations - <https://simbli.eboardsolutions.com/SU/Lh5JVplusYhNJm5slshcgG07zsOQ==>
 California Federation of Teachers - <https://simbli.eboardsolutions.com/SU/6TJInbikoQhGwsWiH4ztXQ==>
 California Public Employment Relations Board - <https://simbli.eboardsolutions.com/SU/7Endg3k626KwCb511Tslsh2ew==>
 California School Employees Association - <https://simbli.eboardsolutions.com/SU/NOB1plusNOcLNRMHnggHE1slshjg==>
 California Teachers Association - <https://simbli.eboardsolutions.com/SU/w58tUBBtGnaF0rMUPlwN0g==>

Cross References

2121
 4112.9
 4112.9-E(1)
 4112.9-E PDF(1)
 4121
 4121
 4140
 4141.6
 4141.6
 4143
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 4158
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Description

Superintendent's Contract - <https://simbli.eboardsolutions.com/SU/fcslsh1ixO2EdCt2pz2NabYqA==>
 Employee Notifications - <https://simbli.eboardsolutions.com/SU/lzOl6slshnwrwplusn8LplusKslshvfw==>
 Employee Notifications - <https://simbli.eboardsolutions.com/SU/nxsNzGlnhGviEz28zpluswizg==>
 Employee Notifications - <https://simbli.eboardsolutions.com/SU/BjEd40hv6bJfirolKsHpQQ==>
 Temporary/Substitute Personnel - <https://simbli.eboardsolutions.com/SU/UQVHOa8Qzs52Adry5FhGeA==>
 Temporary/Substitute Personnel - <https://simbli.eboardsolutions.com/SU/Eytslsh362LVDh2oTivuLm8gA==>
 Bargaining Units - <https://simbli.eboardsolutions.com/SU/ZdmcuZUIYv3uD1O7CuaxXA==>
 Concerted Action/Work Stoppage - <https://simbli.eboardsolutions.com/SU/TtH8mfb4Zwc222YN76OTdg==>
 Concerted Action/Work Stoppage - <https://simbli.eboardsolutions.com/SU/nCKbnl3vsF4vwc2CzN850A==>
 Negotiations/Consultation - <https://simbli.eboardsolutions.com/SU/plusQw524YQnq7oFZ8zRrV6Pg==>
 Employee Security - <https://simbli.eboardsolutions.com/SU/FNXlvGTuDgTcLGIWKDo75Q==>
 Employee Security - <https://simbli.eboardsolutions.com/SU/Lldu39d9d8NTNOW1shZPzA==>
 Leaves - <https://simbli.eboardsolutions.com/SU/EEXMgObslshqslshiKqtJJUX7vSg==>
 Leaves - <https://simbli.eboardsolutions.com/SU/1j87G85jaeaw3FbkyNX3fw==>

4161.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/wmtZ2H4oDc4HcrB9slshN1zcw==>

4161.8 Family Care And Medical Leave - <https://simbli.eboardsolutions.com/SU/R0ajur05Y0LDobGfDwFO7A==>

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==>

4240 Bargaining Units - <https://simbli.eboardsolutions.com/SU/ltAmE15lyRuHVP4lWWhd7tg==>

4241.6 Concerted Action/Work Stoppage - <https://simbli.eboardsolutions.com/SU/8ghHTloULRupEkUU4HVtdg==>

4241.6 Concerted Action/Work Stoppage - <https://simbli.eboardsolutions.com/SU/W5ExJpluss6yHnOMElqyCk9IQ==>

4243 Negotiations/Consultation - <https://simbli.eboardsolutions.com/SU/rymBvD6zXpDjldwBE51jfg==>

4258 Employee Security - <https://simbli.eboardsolutions.com/SU/xTiwiJO7zP5pnvrwnkPcdw==>

4258 Employee Security - <https://simbli.eboardsolutions.com/SU/HzleDphm05nyuDFSTUwAmg==>

4261 Leaves - <https://simbli.eboardsolutions.com/SU/NEon3h0paWxSWoNITTqbmA==>

4261 Leaves - <https://simbli.eboardsolutions.com/SU/cns2ox14MXb4vglRIm84fA==>

4261.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/7lGWMkFdeFkQBbHk7qxzig==>

4261.8 Family Care And Medical Leave - <https://simbli.eboardsolutions.com/SU/nBLZm9LwJchMFF3Yja1slshFg==>

4312.9 Employee Notifications - <https://simbli.eboardsolutions.com/SU/CqQQlb4XnDnSONdYu7jm2Q==>

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==>

4340 Bargaining Units - <https://simbli.eboardsolutions.com/SU/mzWyX5FBWwfpZYYNlaKORA==>

4358 Employee Security - <https://simbli.eboardsolutions.com/SU/E2T0LpogkDECpTZGFtslshdMQ==>

4358 Employee Security - <https://simbli.eboardsolutions.com/SU/C6fpUPMjplus2yAmh3nNvvObg==>

4361 Leaves - <https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgLwUOQ==>

4361 Leaves - <https://simbli.eboardsolutions.com/SU/m93RQnCPlyUeeeBo4hULBQ==>

4361.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/VCSQ7zJplus5y1nFHLGslshrl5oA==>

4361.8 Family Care And Medical Leave - <https://simbli.eboardsolutions.com/SU/qfxyeoli1L04rJjMbB8XNA==>

5148 Child Care And Development - <https://simbli.eboardsolutions.com/SU/TkxFLplusg1be5kdCBI21w67A==>

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

CSBA NOTE: Employment and re-employment rights of employees who take military leave of absence are protected by the federal Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 USC 4301-4334. The district may not refuse to grant military leave, regardless of the length of employment or whether the employee volunteers for military service or is called up involuntarily.

USERRA applies to all employees, except individuals employed for a brief, nonrecurrent period for which there was no reasonable expectation that such employment would continue indefinitely or for a significant period.

20 CFR 1002.149-1002.150 and 1002.210-1002.213 and guidelines issued by the Veterans' Employment and Training Service (VETS) of the U.S. Department of Labor, "A Non-Technical Resource Guide to the Uniformed Services Employment and Reemployment Rights Act," clarify that federal law generally protects seniority-based benefits (i.e., a right or benefit that is determined by or that accrues with length of service) that would have accrued "with reasonable certainty" had the employee remained continuously employed. Non-seniority-based benefits are generally protected to the same extent that those benefits are preserved during comparable kinds of leave under local policies or state law. The district should consult legal counsel regarding any questions about entitlements to benefits.

Note that in cases where state law provides greater protections to employees, state law supersedes federal law. In addition, the district should consult its collective bargaining agreements to determine if the bargaining agreements provide greater military leave benefits than provided by law and should modify or delete the following optional regulation accordingly.

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

CSBA NOTE: Pursuant to Military and Veterans Code 395.01-395.05, employees on military leave are entitled to receive their salary or compensation for a maximum of 30 calendar days for any one leave or during one fiscal year. However, Military and Veterans Code 395.03 allows the Governing Board to extend compensation beyond the maximum of 30 calendar days for leaves taken pursuant to Items #1, 2, and 4 below through a Board resolution or a Memorandum of Understanding with an employee organization. In addition, Education Code 44018 authorizes, but does not require, the Board to provide an employee who is on active military duty as a member of the California National Guard or a U.S. Military Reserve organization, for up to 180 days, the difference between the amount of the military pay and allowances and the employee's salary.

The following paragraph should be revised to reflect decisions of the Board, if any, to extend compensation beyond 30 days' pay.

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)

CSBA NOTE: Pursuant to Military and Veterans Code 395 and 395.01, the district has discretion as to whether employees are compensated for military leave for periods of inactive duty training. Optional Item #4 is for use by districts that choose to provide compensation to such employees.

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.

CSBA NOTE: When calculating whether the employee has been employed by the district for a minimum of one year for purposes of determining the employee's right to a paid military leave of absence pursuant to Items #1, 2, and 4 above, the Attorney General opined in 77 Ops.Cal.Atty.Gen. 209 (1994), that all prior military service is to be counted as public agency service (i.e., the military service is "tacked on" to the amount of time employed in the district), even when a period of time lapses between the military service and district employment. However, as opined by the Attorney General in 18 Ops.Cal.Atty.Gen. 178 (1951), an employee may not "tack on" prior employment in another district. If a question arises as to whether prior service should be counted, district legal counsel should be consulted.

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)

CSBA NOTE: The following optional paragraph is for use by any district whose Board has taken action to extend benefits for up to 180 days to employees who are on active military duty as members of the California National Guard or a U.S. Military Reserve organization, as authorized, but not required, by Education Code 44018.

Any employee called into active military duty as a member of the California National Guard or a United States Military Reserve organization shall receive, for up to 180 days, the difference between the amount of the employee's military pay and the amount the employee would have received from the district and all benefits that the employee would have received had the employee not been called to active military duty, unless the benefits are prohibited or limited by vendor contracts. (Education Code 44018)

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

CSBA NOTE: Pursuant to Government Code 20997, employers that participate in the California Public Employees' Retirement System (CalPERS) are required to inform employees who are CalPERS members, of the rights of returning military veterans to receive employer-paid service credits for the period of active military service.

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

CSBA NOTE: Employees on military leave are deemed to be on furlough or leave of absence, pursuant to 20 CFR 1002.149 and, during the period of military leave, maintain non-seniority rights and benefits generally provided by the employer to other employees with similar seniority, status, and pay who are on furlough or leave of absence. However, pursuant to Education Code 44800 and Military and Veterans Code 395, absence due to military leave may not be counted in satisfaction of an uncompleted probationary period.

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

CSBA NOTE: 38 USC 4334 requires employers to post a notice of rights and benefits as provided below. The U.S. Secretary of Labor has provided a sample notice listing these rights which is available on the Department of Labor's USERRA web site.

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)

CSBA NOTE: 38 USC 4334 states that the notice may be placed where the district customarily places employee notices, as provided below. However, the VETS', "A Non-Technical Resource Guide to the Uniformed Services Employment and Reemployment Rights Act (USERRA)," clarifies that an employer may provide the notice in an alternative manner as long as the full text of the notice is provided. Examples include handing the notice to

employees, mailing it, or distributing it via email. The district may revise the following paragraph to reflect district practice.

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

| | Description |
|-----------------------|---|
| 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 |

Federal References

| | Description |
|------------------------|---|
| 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 |

Management Resources References

| | Description |
|--------------------------------------|--|
| 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/lzOl6slshnrcwplusn8LplusKslshvfw==>

4112.9-E(1) Employee Notifications - <https://simbli.eboardsolutions.com/SU/nxsNzGlnhGviEz28zpluswizg==>

4112.9-E PDF(1) Employee Notifications - <https://simbli.eboardsolutions.com/SU/BjEd40hv6bJfirolKsHpQQ==>

4116 Probationary/Permanent Status - <https://simbli.eboardsolutions.com/SU/Gy4GUysBDt2XEfyrzyQxvw==>

4116 Probationary/Permanent Status - <https://simbli.eboardsolutions.com/SU/5Oi4FjGaDLWBXlrAxpA2fg==>

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/dRLduplushLitByDflajDntw==>

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/cns2ox14MXb4vglRIm84fA==>

4261.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/7IGWMkFdeFkQBbHk7qxyzig==>

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 Leaves - <https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgLwUOQ==>

4361 Leaves - <https://simbli.eboardsolutions.com/SU/m93RQnCplyUeeeBo4hULBQ==>

4361.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/VCSQ7zJplus5y1nFHLGslshrl5oA==>

Policy 6146.1: High School Graduation Requirements

Status: ADOPTED

Original Adopted Date: 12/01/2017 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

CSBA NOTE: The following policy is for use by districts that maintain grades 9-12.

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

CSBA NOTE: Education Code 51225.3 specifies the courses that a student is required to complete in order to graduate from high school as listed in Items #1-7 below.

Pursuant to Education Code 66204, each district that maintains a high school is required to develop a process for submitting courses to the University of California (UC) to review and certify that they align with the "A-G" course requirements for college admission.

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. Three 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)

CSBA NOTE: The following paragraph is for districts that require more than two mathematics courses for high school graduation. Pursuant to Education Code 51225.3 and 51225.35, a district that requires more than two courses in mathematics may award up to one mathematics course credit for an approved computer science course. Any such course must have been approved by UC as a "category C" (mathematics) course in the university's "A-G" course admission criteria; see BP 6143 - Courses of Study.

Successful completion of an approved computer science course that is classified as a "category C" course based on the University of California (UC) and California State University (CSU) "A-G" admission requirements shall be counted toward the satisfaction of additional graduation requirements in mathematics. (Education Code 51225.3, 51225.35)

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)

CSBA NOTE: Education Code 51225.3, as amended by AB 101 (Ch. 661, Statutes of 2021), no longer authorizes a course in career technical education (CTE) to serve as an alternative to the visual or performing arts or world language course requirement for high school graduation. However, if a student completed a CTE course prior to July 1, 2022 that met the requirements of Education Code 51225.3, such course will fulfill the visual or performing arts or world language graduation requirement.

5. One course in visual or performing arts or world language. For purposes of this requirement, a course in American Sign Language shall be deemed a course in world language. (Education Code 51225.3)

If a student completed a career technical education course prior to July 1, 2022 that met the requirements of Education Code 51225.3, such course will fulfill the visual or performing arts or world language requirement.

(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)

CSBA NOTE: Pursuant to Education Code 51225.3, as amended by AB 101, beginning with the 2029-30 school year, a student is required to complete a one-semester course in ethnic studies, as specified, in order to graduate from high school. At its discretion, a district may require a full-year course. Districts that require a full-year course should revise Item #7 accordingly.

7. Beginning with the 2029-30 school year, a one-semester course in ethnic studies (Education Code 51225.3)

CSBA NOTE: Pursuant to Education Code 51225.3, the Governing Board may prescribe additional coursework (e.g., health education or service learning) or other requirements (e.g., portfolios or senior projects) that district students must complete in order to obtain a diploma. If the Board does so, such courses or projects should be listed below.

If the district requires a course in health education for graduation, Education Code 51225.36 requires that the district include instruction in sexual harassment and violence, including, but not limited to, information on the affirmative consent standard pursuant to Education Code 67386. See BP 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction. In addition, pursuant to Education Code 51225.6, a district that requires a course in health education for graduation is required to include instruction in compression-only cardiopulmonary resuscitation (CPR). See AR 6143 - Courses of Study.

Pursuant to Education Code 51230, if the district requires the completion of community service hours for high school graduation, the district may provide a student with credit towards that requirement for completion of a course in community emergency response training. However, if the district chooses to offer credit for the completion of such a course, the Board is still obligated to notify parents/guardians, students, and the public of information specified in Education Code 51225.3.

- 8.

CSBA NOTE: Education Code 51225.3 requires the Board to adopt alternative means for students to complete the prescribed course of study. See BP/AR 6146.11 - Alternative Credits Toward Graduation.

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

CSBA NOTE: Pursuant to Education Code 51225.31, as added by AB 181 (Ch. 52, Statutes of 2022), districts are required to exempt an eligible student with disabilities from all coursework and other requirements adopted by the Board that are in addition to the statewide course requirements specified in Education Code 51225.3, and award such student a high school diploma, as reflected below. Awarding a diploma pursuant to this exception does not change the district's obligation to provide a free appropriate public education or otherwise constitute a change in placement.

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

CSBA NOTE: Education Code 51225.1 requires the district to exempt from any district-adopted graduation requirements that are in addition to the state requirements specified in Education Code 51225.3 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 high schools any time after completing the second year of high school, or an

immigrant student who is in the third or fourth year of high school and is participating in a newcomer program (i.e., a program designed to meet the academic and transitional needs of newly arrived immigrant students that has as a primary objective the development of English language proficiency). This exemption does 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. Also see AR 6173 - Education for Homeless Children, AR 6173.1 - Education for Foster Youth, AR 6173.2 - Education of Children of Military Families, AR 6173.3 - Education for Juvenile Court School Students, and AR 6175 - Migrant Education Program.

Pursuant to Education Code 51225.1, within 30 calendar 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 newly arrived immigrant student, or of the commencement of participation in a newcomer program, as applicable, the district is required to notify any eligible student and/or the student's parent/guardian, the person holding the right to make education decisions for the student, the district's liaison for homeless children, and the student's social worker or probation officer, as applicable, of the availability of the exemption from local graduation requirements and whether the student qualifies for it. If the district fails to provide that notification, the student will be eligible for the exemption once notified, even if the notification is received after the termination of the court's jurisdiction over the foster youth or former juvenile court school student, after the homeless student ceases to be homeless, or after the student no longer meets the definition of a child of a military family, a migrant student, or a student participating in a newcomer program, as applicable.

Education Code 51225.1 also provides that, if an exempted student completes the statewide coursework requirements before the end of the fourth year of high school, the district or a district school must not require or request that the student graduate before the end of the fourth year of high school.

Any complaint alleging the district's failure to comply with the requirements of Education Code 51225.1 may be filed using the district's uniform complaint procedures pursuant to 5 CCR 4600-4670. See BP/AR 1312.3 - Uniform Complaint Procedures.

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)

CSBA NOTE: Items #1-4 below are optional and may be revised to reflect district practice.

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

CSBA NOTE: The following optional section reflects the Board's authority to confer honorary high school diplomas pursuant to Education Code 51225.5 and may be revised to reflect district practice.

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 References

Description

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| 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 |

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| 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 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 References

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| Court Decision | O'Connell v. Superior Court (Valenzuela) (2006) 141 Cal.App.4th 1452 |
| Website | CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ== |
| Website | California Department of Education, High School - https://simbli.eboardsolutions.com/SU/Rvp3XpluswycjdbcyIbqTXF1Q== |
| Website | University of California, List of Approved A-G Courses - https://simbli.eboardsolutions.com/SU/aSMzVkGKefSjbrpGzGqxDw== |
| Website | CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg== |

Cross References

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|--------|---|
| 0460 | Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdI7DbzBBg== |
| 0460 | Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/N8bGSx8fXall_gcLPJYKR9w== |
| 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 | Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/U5PKMAksh8XdmxbODX9gY2A== |
| 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/sDRNJKOFJdr6rBfMAlplusMplusg== |
| 4112.2 | Certification - https://simbli.eboardsolutions.com/SU/NtHKleuKt9J8bge0adj3gg== |
| 4112.2 | Certification - https://simbli.eboardsolutions.com/SU/tUslshewyAvQpluseaA5VjOFaFlw== |
| 5113.2 | Work Permits - https://simbli.eboardsolutions.com/SU/LlplusEgDe8hDVsmSpluf0Minfw== |
| 5113.2 | Work Permits - https://simbli.eboardsolutions.com/SU/2En6wnlSEgfSfkSp6tsW2Q== |
| 5126 | Awards For Achievement - https://simbli.eboardsolutions.com/SU/TplusoH8S98CsCgplusZqI8kuKplusA== |
| 5126 | Awards For Achievement - https://simbli.eboardsolutions.com/SU/3vcVxdI9QTMjNZKGMbVvug== |
| 5127 | Graduation Ceremonies And Activities - https://simbli.eboardsolutions.com/SU/PGFSmCUoVPc4YclFO2MISg== |
| 5145.6 | Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/SuvNxTtlUJ0XfalLui15AA== |
| 5145.6-E(1) | Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/RdNSntUjWlclshJyFn1Yfqfw== |
| 5145.6-E PDF(1) | Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/ninmwtTREiIJOBJ9P7Qi7g== |
| 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== |
| 6141 | Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/LdZqO8PdBm96KAMTQJmplusqA== |
| 6141 | Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/sJjsFNaej0ooUN9G7aplusvrw== |
| 6142.1 | Sexual Health And HIV/AIDS Prevention Instruction - https://simbli.eboardsolutions.com/SU/i3XomFLE8x7UPBmv115kHA== |
| 6142.1 | Sexual Health And HIV/AIDS Prevention Instruction - https://simbli.eboardsolutions.com/SU/FfslshXARVXlf43WIWI13HCQ== |
| 6142.2 | World Language Instruction - https://simbli.eboardsolutions.com/SU/yOy1VgTRDrylKVQwgWHZvA== |
| 6142.2 | World Language Instruction - https://simbli.eboardsolutions.com/SU/fxDFGil2LvYgTU2QAxp6Lg== |
| 6142.3 | Civic Education - https://simbli.eboardsolutions.com/SU/dUY6XHItTK05slshFds18pGtA== |
| 6142.4 | Service Learning/Community Service Classes - https://simbli.eboardsolutions.com/SU/iVnd1RslshrYn5G7DW0f2PmUw== |
| 6142.6 | Visual And Performing Arts Education - https://simbli.eboardsolutions.com/SU/MOSLG87SSN4D9X6Sr9slshHqQ== |

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| 6142.7 | Physical Education And Activity - https://simbli.eboardsolutions.com/SU/ZmshJWRRGIhooOnK0kYcl2w== |
| 6142.7 | Physical Education And Activity - https://simbli.eboardsolutions.com/SU/7Tuzch26C948slshkHXr3eriw== |
| 6142.8 | Comprehensive Health Education - https://simbli.eboardsolutions.com/SU/26yNHUwMmAXRvJ1b3jpT2g== |
| 6142.8 | Comprehensive Health Education - https://simbli.eboardsolutions.com/SU/tbwOlmdoEz4Q1Vjo8rYnlQ== |
| 6142.91 | Reading/Language Arts Instruction - https://simbli.eboardsolutions.com/SU/u0kwqXzoJslsh1zkA4neAslsh7eA== |
| 6142.92 | Mathematics Instruction - https://simbli.eboardsolutions.com/SU/fTMquy4qCooO0o5vPBAIDA== |
| 6142.93 | Science Instruction - https://simbli.eboardsolutions.com/SU/TOhfkNbpplusplusFXRgAIBNXiw== |
| 6142.94 | History-Social Science Instruction - https://simbli.eboardsolutions.com/SU/8w9q6NcK71bTU94Rqcm7g== |
| 6143 | Courses Of Study - https://simbli.eboardsolutions.com/SU/zJXVIX5MALJLJUeTQnbQA== |
| 6143 | Courses Of Study - https://simbli.eboardsolutions.com/SU/bUCwdpAJjX5ggLMG3GsxDA== |
| 6145 | Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/TkiGKzMnAo9vQwZU56wqVw== |
| 6145 | Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/Fr5qETtTn48ak1ITDSX9jg== |
| 6145.2 | Athletic Competition - https://simbli.eboardsolutions.com/SU/WjFHslshd0qO8WHJq9f7Kfh5Q== |
| 6145.2 | Athletic Competition - https://simbli.eboardsolutions.com/SU/3b046reWKA4At9vT9uKSHg== |
| 6145.6 | International Exchange - https://simbli.eboardsolutions.com/SU/W9EQU19GTNylrEPplusnb44uw== |
| 6145.6 | International Exchange - https://simbli.eboardsolutions.com/SU/rgvimV2OWiwdzB6z19krmQ== |
| 6146.11 | Alternative Credits Toward Graduation - https://simbli.eboardsolutions.com/SU/HdoEplusqqACPGdeIVR7rpXvQ== |
| 6146.11 | Alternative Credits Toward Graduation - https://simbli.eboardsolutions.com/SU/ZBPxaMqEcdplus8plus1uCxi9Yug== |
| 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== |
| 6146.3 | Reciprocity Of Academic Credit - https://simbli.eboardsolutions.com/SU/rdkgdyDZ2KnybshslshopFL8Q== |
| 6146.3 | Reciprocity Of Academic Credit - https://simbli.eboardsolutions.com/SU/xXvuy2muzpaSVMrtWFWi3A== |
| 6146.4 | Differential Graduation And Competency Standards For Students With Disabilities - https://simbli.eboardsolutions.com/SU/Xs7XqDX5xXWGTjFqvve54w== |

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|-----------------|---|
| 6151 | Class Size - https://simbli.eboardsolutions.com/SU/vYW5X18plusvzq1WlfyVz868A== |
| 6152.1 | Placement In Mathematics Courses - https://simbli.eboardsolutions.com/SU/jt6w4Ob9I5Fk3Zp4xZKDSQ== |
| 6152.1 | Placement In Mathematics Courses - https://simbli.eboardsolutions.com/SU/oGGI7Kob81Is1e8P3iauiA== |
| 6155 | Challenging Courses By Examination - https://simbli.eboardsolutions.com/SU/WKvDn9DmbM84AOA22GrqiA== |
| 6155 | Challenging Courses By Examination - https://simbli.eboardsolutions.com/SU/AAbO61Z3xNUB8xUeVXBslshYg== |
| 6158 | Independent Study - https://simbli.eboardsolutions.com/SU/Rqslsh4Fd5HLPwBBONpjsQGTg== |
| 6158 | Independent Study - https://simbli.eboardsolutions.com/SU/2tRYy222MXLXnvV9vrMP4w== |
| 6159 | Individualized Education Program - https://simbli.eboardsolutions.com/SU/nRtcKBP3haQcPUiLWOYqgA== |
| 6159 | Individualized Education Program - https://simbli.eboardsolutions.com/SU/IBIWJmfAP00e3xnVhUQNYg== |
| 6159.2 | Nonpublic, Nonsectarian School And Agency Services For Special Education - https://simbli.eboardsolutions.com/SU/ueu2nVzHClsqlsh5Oplus8osvjg== |
| 6159.2 | Nonpublic, Nonsectarian School And Agency Services For Special Education - https://simbli.eboardsolutions.com/SU/8tj64Eb0rA04NXwDCLkGbQ== |
| 6161.1 | Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/OknJQUnz7OqdbiwOmRU3OQ== |
| 6161.1 | Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/fXBclMA6WABwBGWhEnOY9Q== |
| 6161.1-E(1) | Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/K0mKplus4MCEnklmnlh2cspg== |
| 6161.1-E PDF(1) | Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/b1DLaOxc8rcgTsfoplusV89zg== |
| 6162.5 | Student Assessment - https://simbli.eboardsolutions.com/SU/qVgntyqQy60o6cg8rziBgg== |
| 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/cBBPHW6bnzwszslshP8S2Cj02w== |
| 6173 | Education For Homeless Children - https://simbli.eboardsolutions.com/SU/zsjkyhfKAplusFQR21mnjd3hw== |
| 6173 | Education For Homeless Children - https://simbli.eboardsolutions.com/SU/vD4ZxTplusVHjDjcdnxYRslshO3g== |
| 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/D7vRHZxZslshBORslshL7t0wPgw== |
| 6173.1 | Education For Foster Youth - https://simbli.eboardsolutions.com/SU/hwZQyTeELA0lr5Chn5ZTpg== |
| 6173.1 | Education For Foster Youth - https://simbli.eboardsolutions.com/SU/r9gaWHVtSEiLuKk6s8KjNw== |
| 6173.2 | Education Of Children Of Military Families - https://simbli.eboardsolutions.com/SU/tHYVlliplusEhWFeo0lI2RHBMg== |

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| 6173.2 | Education Of Children Of Military Families - https://simbli.eboardsolutions.com/SU/p9islshfffiWNXpwsKgKC41A== |
| 6173.3 | Education For Juvenile Court School Students - https://simbli.eboardsolutions.com/SU/EKUslsh7IXVvCb4Sf5TG3Y9mQ== |
| 6175 | Migrant Education Program - https://simbli.eboardsolutions.com/SU/roLeyXGgp5I03jclK5slshG1A== |
| 6175 | Migrant Education Program - https://simbli.eboardsolutions.com/SU/eEi167SF33ZkvAHsw1fl7g== |
| 6176 | Weekend/Saturday Classes - https://simbli.eboardsolutions.com/SU/gT9qUoycslshwAqFdyRaQF4w== |
| 6177 | Summer Learning Programs - https://simbli.eboardsolutions.com/SU/ezqaj3pDRTAplus4B05IJJGzw== |
| 6178 | Career Technical Education - https://simbli.eboardsolutions.com/SU/GOGbInrY33slshvwnnQn0jw8A== |
| 6178 | Career Technical Education - https://simbli.eboardsolutions.com/SU/S4qxTuQvqZW507diDlxw9g== |
| 6178.1 | Work-Based Learning - https://simbli.eboardsolutions.com/SU/avQYbt3iAAr7wfk1xeEMuA== |
| 6178.1 | Work-Based Learning - https://simbli.eboardsolutions.com/SU/wLcNslshgmplumQlg9zvVgyCIMQ== |
| 6178.2 | Regional Occupational Center/Program - https://simbli.eboardsolutions.com/SU/zpluswb3uMkLaEnDGYEUtDXjQ== |
| 6179 | Supplemental Instruction - https://simbli.eboardsolutions.com/SU/zi8aQRQAs4kCAuX1Bu2Mslshg== |
| 6181 | Alternative Schools/Programs Of Choice - https://simbli.eboardsolutions.com/SU/Sa5uR0ng884KxBYpfmslshFiQ== |
| 6181 | Alternative Schools/Programs Of Choice - https://simbli.eboardsolutions.com/SU/2T3JQQ3ETpzAugVUUKL2plusA== |
| 6184 | Continuation Education - https://simbli.eboardsolutions.com/SU/3Ht4rBWGplusXBfB2lhozFRg== |
| 6184 | Continuation Education - https://simbli.eboardsolutions.com/SU/cdslsh69Uc64Uvliuo5C1RewQ== |
| 6200 | Adult Education - https://simbli.eboardsolutions.com/SU/GBFlqzmqwZQwt8slshR7plusdHYQQ== |
| 6200 | Adult Education - https://simbli.eboardsolutions.com/SU/plus0bvJoejC0EIMYEaP8Bpgg== |
| 9000 | Role Of The Board - https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOFduR9FE4g== |

Policy 6158: Independent Study

Status: ADOPTED

Original Adopted Date: 03/01/2005 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

CSBA NOTE: Education Code 51744-51749.6 authorize districts to establish independent study programs to meet the educational needs of students.

Education Code 51747 and 51749.5 mandate the Governing Board to adopt a policy with specified components as a condition of receiving state apportionments for traditional and course-based independent study, and to implement the policy in accordance with the rules and regulations adopted by the Superintendent of Public Instruction. The mandated components for traditional independent study and course-based independent study are reflected throughout this policy and the accompanying administrative regulation.

Education Code 51744, as added by AB 181 (Ch. 52, Statutes of 2022), encourages districts, when adopting policy, to consider offering more than one independent study model for short- and long-term placements in accordance with Education Code 51747, 51747.5 and 51749.6.

In the event of a school closure necessitated by an emergency condition pursuant to Education Code 46392, districts must develop a plan for offering independent study to affected students pursuant to Education Code 46393. See BP 3516.5 - Emergency Schedules.

Independent study may be offered as a program within a school, as a charter school, or as an alternative school of choice pursuant to Education Code 58500-58512; see AR 0420.4 - Charter School Authorization, BP 6146.11 - Alternative Credits Toward Graduation and BP/AR 6181 - Alternative Schools/Programs of Choice.

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.

CSBA NOTE: 5 CCR 11701 requires the Board to hold a public hearing when setting policy regarding the maximum length of time that may elapse between the time an independent study assignment is made and the date by which the student must complete it, and the level of satisfactory educational progress and the number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the student's best interests to remain in independent study. See "General Independent Study Requirements" below for more information regarding these requirements.

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)

CSBA NOTE: Pursuant to Education Code 46300, the attendance of students participating in independent study for only three or more consecutive school days will be included in computing average daily attendance for apportionment purposes.

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.

CSBA NOTE: Pursuant to Education Code 46100, the Board is required to fix the length of the school day for each grade level, in accordance with law. The California Department of Education, in its "Frequently Asked Questions," clarifies that independent study is not an alternative curriculum and that students in independent study are required to meet the same number of instructional minutes as their peers who are physically at the school site for their instruction.

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)

CSBA NOTE: Education Code 51747 mandates the Board to adopt policy on the maximum length of time, by grade level and type of program, which may elapse between the time an independent study assignment is made and the date by which the student must complete the assignment. 5 CCR 11700 defines "type of program" as the statutory program category for purposes of attendance accounting, such as adult education or continuation high school. In addition, 5 CCR 11701 mandates that Board policy reflect an awareness that excessive leniency in the duration of independent study assignments can result in a student falling so far behind peers as to increase, rather than decrease, the risk of dropping out of school.

The following paragraph sets one week for all grade levels and types of programs as the maximum length of time an independent study assignment should be completed, and should be revised to reflect the length of time determined by the Board. In order to ensure that apportionment credits are received, the length of time determined by the Board in its policy should be reflected in the student's written agreement. See the section "Master Agreement" below.

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.

CSBA NOTE: Education Code 51747 mandates the Board, to adopt policy which specifies the level of satisfactory educational progress and the number of missed assignments allowed before an evaluation is conducted to determine whether it is in a student's best interest to remain in independent study. The following paragraph specifies a maximum of three assignments and should be revised to reflect the Board's determination of the number of missed assignments that will trigger an evaluation.

The number of missed assignments that will trigger an evaluation must be included 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

CSBA NOTE: Education Code 51747, as amended by AB 181, mandates the Board to adopt policy that includes the

provision of content aligned to grade level standards that is substantially equivalent to in-person instruction. For high schools, this requirement includes access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria. See BP/AR 6143 - Courses of Study.

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)

CSBA NOTE: Education Code 51747 mandates the Board to adopt policy that includes plans, by grade level, to provide students with specified levels of live interaction and/or synchronous instruction as described in Items #1-3 below and defined in the accompanying administrative regulation. This requirement does not apply to students participating in an independent study program for fewer than 15 school days, or, pursuant to Education Code 51747, as amended by AB 181, students enrolled in a comprehensive school for classroom-based instruction who participate in independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse, as described below.

Pursuant to Education Code 51747.5, as amended by AB 181, the district may claim apportionment credit for independent study only to the extent of the time value of student work products as personally judged by a certificated employee of the district, or the combined time value of student work products and participation in synchronous instruction, as long as the synchronous instructional offering augments the time value of the student work product and evidence of student participation is furnished and maintained. Evidence of student participation may include, but is not limited to, student work produced or performed as verified by a certificated employee and maintained by the district for each hour or fraction of an hour of the synchronous instructional offering.

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

CSBA NOTE: Education Code 51747, as amended by AB 181, mandates the Board to adopt policy that includes procedures for tiered reengagement strategies for students who meet the conditions specified in Items #1-3 below. This requirement does not apply to students participating in an independent study program for fewer than 15 school days, or students who participate in independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse, as described below.

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

CSBA NOTE: Education Code 51747, as amended by AB 181, requires that the district's tiered reengagement strategies procedures include local programs intended to address chronic absenteeism, as applicable.

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

CSBA NOTE: Education Code 51747, as amended by AB 181, requires that the district's tiered reengagement strategies procedures include local programs intended to address chronic absenteeism, as applicable.

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

CSBA NOTE: Education Code 51747 mandates the Board to adopt policy that includes a plan to expeditiously, and not longer than five instructional days, transition students whose families wish to return to in-person instruction from independent study. This requirement does not apply to students participating in an independent study program for fewer than 15 school days. Pursuant to Education Code 51747, as amended by AB 181, the requirement is also not applicable to students who participate in independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse, as described below.

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)

CSBA NOTE: Pursuant to Education Code 51747, as amended by AB 181, the live interaction and/ or synchronous learning requirements, tiered reengagement strategies, and transition plan obligations do not apply to students enrolled in a comprehensive school for classroom-based instruction who, under the care of an appropriate licensed professional(s), participate in independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse, provided the district obtains evidence of the need as specified in 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)

CSBA NOTE: Education Code 51747 mandates the Board to adopt policy providing that a current written agreement (i.e., the "master agreement") will be maintained for each student who participates in independent study and for whom apportionment is claimed. Education Code 51747 provides that no independent study agreement can be valid for longer than one school year. Pursuant to Education Code 51747, as amended by AB 181, the district is required to obtain a signed written agreement for an independent study program of 15 school days or more before the beginning of independent study, and for an independent program of less than 15 school days, within ten school days of the beginning of the first day of the student's enrollment.

In addition, Education Code 51749.5 mandates the Board to adopt policy providing that a "learning agreement" be maintained for each student participating in course-based independent study.

See the section "Master Agreement" below for required content of these agreements.

The Superintendent or designee shall ensure that a written agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

CSBA NOTE: Education Code 51747 requires districts to hold a student-parent-educator conference upon the request of a parent/guardian prior to enrollment or disenrollment in independent study. The term student-parent-educator conference is defined in Education 51745.5, and reflected in the accompanying administrative regulation.

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

CSBA NOTE: Education Code 51747 mandates that, in order to receive apportionments for independent study, the district must adopt and implement policy providing for a signed written independent study agreement which contains the components listed in the following section. Because apportionments are only provided for independent study of three or more consecutive school days pursuant to Education Code 46300, written agreements are required only in such instances.

Education Code 46300.7 states that apportionments shall be received for a student in independent study only if the district receives written permission from the parent/guardian before the independent study begins, specifying the actual dates of participation, methods of study and evaluation, and resources to be made available for the student's independent study. However, pursuant to Education Code 51747, as amended by AB 181, for independent study programs of less than 15 school days the written agreement may be signed within ten school days of the student's enrollment in independent study. As Education Code 46300.7 and 51747 are inconsistent as to when written agreements need to be signed for programs of less than 15 school days, districts are encouraged to consult CSBA District and County Office of Education Legal Services, or the district's legal counsel.

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

CSBA NOTE: As described in the section "General Independent Study Requirements" above, pursuant to Education Code 51747, the written agreement must contain statements reflecting Board policy pertaining to (1) the maximum length of time, by grade level and type of program, which may elapse between the time an independent study assignment is made and the date by which the student must complete the assignment and (2) the number of missed assignments allowed before an evaluation would be required to determine whether it is in a student's best interest to remain in independent study. Education Code 51747 also requires that the written agreement contain a statement of the Board's policy regarding the level of satisfactory educational progress for students participating in independent study.

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

CSBA NOTE: Pursuant to Education Code 51747, as amended by AB 181, the date upon which a written agreement needs to be signed will vary depending on the projected length of independent study, as specified below. In addition, for students with disabilities, the certificated employee designated as having responsibility for the special education programming of the student is required to sign the written agreement.

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

CSBA NOTE: This section is for districts that provide independent study courses to its students. Education Code 51749.5-51749.6 establish a course-based independent study option that may be offered if certain requirements are met, as described below. Education Code 51749.5 mandates that boards adopt policies that comply with the legal requirements listed in the following section and any applicable regulations adopted by the State Board of Education.

The following paragraph may be revised to reflect the grade levels offered by the district.

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
- CSBA NOTE: Pursuant to Education Code 51749.5, as amended by AB 181, a student with disabilities may participate in a course-based independent study program if the student's individualized education program specifically provides for such participation.
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.

CSBA NOTE: Pursuant to Education Code 51749.6, as amended by AB 181, the date upon which a learning agreement needs to be signed will vary depending on the projected length of an independent study course, as specified below. In addition, for students with disabilities, the certificated employee designated as having responsibility for the special education programming of the student is required to sign the learning agreement.

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

CSBA NOTE: Education Code 51747 and 51749.5 require districts to hold student-parent-educator conferences as defined by Education Code 51745.5, at specified times. See the accompanying administrative regulation for the definition of student-parent-educator conference.

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

CSBA NOTE: Pursuant to Education Code 51745.6, 51747, 51747.5, and 51749.5, the Education Audit Appeals Panel's, "Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting," includes verification of compliance with specified components of law related to independent study, with loss of apportionment for independent study for districts found to be noncompliant.

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)

CSBA NOTE: Education Code 51747.5 requires districts to 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 the student is provided independent study. Any student who does not participate in scheduled live interaction or synchronous instruction on a school day must be documented as nonparticipatory for that school day. In addition, Education Code 51747.5 requires districts to maintain written or computer-based evidence of student engagement that includes, but is not limited to, a grade book or summary document that, for each class, lists all assignments, assessments, and associated grades.

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)

CSBA NOTE: Education Code 51747 and 51749.6 authorize specified records to be maintained in an electronic file, as provided in the following paragraph. Pursuant to Education Code 51747 and 51749.6, an electronic file includes a computer or electronically stored image of an original document, including, but not limited to, a PDF, JPEG, or other digital file type, that may be sent via fax machine, email, or other electronic means.

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

CSBA NOTE: The following optional section may be revised to reflect district practice.

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

Description

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| 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 |

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| 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

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| 20 USC 6301 | Highly qualified teachers |
| 20 USC 6311 | State plan |

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Management Resources References

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| California Department of Education Publication | 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/UdykszdmPETuDslshXk6R5akQ== |
| 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/6VovW08Qz3ek2v0oFNslshtMg== |

Description

Cross References

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| 0410 | Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ== |
| 0420.4 | Charter School Authorization - https://simbli.eboardsolutions.com/SU/yqvHtAwxzffp9smLplumfcaQ== |
| 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== |

Description

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| 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/WEk7cYywcvcslshPFoIgJHPZg== |
| 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/IYMIYfYPYXEiEMhaRz6slshWJQ== |
| 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/kD97qlfelg37ShzuEcmlplusBw== |
| 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/D2LIg7JcgumhuWnRLo2bAw== |
| 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/3vcVxdI9QTMjNZKGMbvug== |
| 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== |

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| 5141.31 | Immunizations - https://simbli.eboardsolutions.com/SU/xIV11kQJSpluf7slshAnBIYIIPA== |
| 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/Tplus1ybplusF7QGkEslshLEej7PvA== |
| 6111 | School Calendar - https://simbli.eboardsolutions.com/SU/CplusGxnVZdQjf3rslshEslshKMosslshZA== |
| 6112 | School Day - https://simbli.eboardsolutions.com/SU/O5atqxQBa68mIO84XP5vNw== |
| 6112 | School Day - https://simbli.eboardsolutions.com/SU/XRplus7M06NPTlz3YyiADAJMA== |
| 6142.4 | Service Learning/Community Service Classes - https://simbli.eboardsolutions.com/SU/iVnd1RslshYn5G7DW0f2PmUw== |
| 6143 | Courses Of Study - https://simbli.eboardsolutions.com/SU/zJXVIX5MALJLJUeETQnbQA== |
| 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/HdoEplusqqACPGdeIVR7rpXvQ== |
| 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/qVgntyqQy60o6cg8rziBgg== |
| 6162.51 | State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/NdqSEfNslshhwaBKplusUkkHo40A== |
| 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/G268I3K6kr8FEbTmbKVva2A==>
- 6181 Alternative Schools/Programs Of Choice -
<https://simbli.eboardsolutions.com/SU/Sa5uR0ng884KxBYpfmslshFiQ==>
- 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 -
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- 6185 Community Day School -
<https://simbli.eboardsolutions.com/SU/4lhiHc7rwaMmB800XOZt3A==>
- 6200 Adult Education -
<https://simbli.eboardsolutions.com/SU/GBFlqzmqwZQwt8slshR7plusdHYQQ==>
- 6200 Adult Education -
<https://simbli.eboardsolutions.com/SU/plus0bvJoejC0EIMYEaP8Bpgg==>

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

CSBA NOTE: The following section is optional. Pursuant to Education Code 51745, as amended by AB 181 (Ch. 52, Statutes of 2022), the list of educational opportunities that may be provided through independent study includes Items #1-5 below, and may be revised or expanded to reflect district practice.

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.

CSBA NOTE: The following paragraph is for use by districts maintaining high schools.

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

CSBA NOTE: Pursuant to Education Code 51748, independent study students must be enrolled in school as a condition of receiving state apportionments.

To participate in independent study, a student shall be enrolled in a district school. (Education Code 51748)

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

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.

CSBA NOTE: The following paragraph limits eligibility for independent study to those students for whom state apportionments can be claimed. Education Code 46300.2 provides that districts will receive state funding for independent study for students who are residents of the county or an adjacent county. Pursuant to Education Code 51747.3, students whose residency status is based on parent/guardian employment within district boundaries in accordance with Education Code 48204 are not eligible for funds apportioned for average daily attendance (ADA).

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)

CSBA NOTE: Pursuant to Education Code 51745, as amended by AB 181, a student with disabilities may participate in independent study if the student's individualized education program specifically provides for such participation, as specified below.

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)

CSBA NOTE: The following paragraph is based on uncodified Section 110 of AB 181 and will remain in effect only until July 1, 2024.

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)

CSBA NOTE: The following paragraph limits enrollment in independent study to those students for whom state apportionments can be claimed. Pursuant to Education Code 51745, as amended by AB 181, no more than 10 percent of the students enrolled in a continuation high school or opportunity school or program are eligible for apportionment credit for independent study, with the exception of students participating in independent study due to an emergency as described in Education Code 41422 and 46392. A pregnant student or a parenting student who is the primary caregiver for the student's child(ren) is not included in this cap.

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

CSBA NOTE: The following optional section may be revised to reflect district practice.

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

CSBA NOTE: The following optional section may be revised to reflect district practice.

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)

CSBA NOTE: Pursuant to Education Code 51745.6, the equivalency of teacher-student ratios as described below is a necessary condition for the district to receive apportionments for independent study. The district may exceed these ratios, but those additional units of independent study ADA would not be funded.

The Education Audit Appeals Panel's, "Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting," includes verification that the district calculated its independent study teacher-student ratio consistent with Education Code 51745.6.

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)

CSBA NOTE: The remainder of this section is optional and may be revised to reflect district practice.

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

CSBA NOTE: Pursuant to Education Code 51747.5, as amended by AB 181, the district may claim apportionment credit for independent study only to the extent of the time value of student work products as personally judged by a certificated employee of the district, or the combined time value of student work products and participation in synchronous instruction, as long as the synchronous instructional offering augments the time value of the student work product and evidence of student participation is furnished and maintained. Evidence of student participation may include, but is not limited to, student work produced or performed as verified by a certificated employee and maintained by the district for each hour or fraction of an hour of the synchronous instructional offering. Education Code 51747.5 specifies that the teacher is not required to sign and date the work products.

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

CSBA NOTE: Education Code 51747.5 requires districts to 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 on a school day shall be documented as nonparticipatory for that school day, for purposes of student participation reporting and tiered reengagement pursuant to Education Code 51747.

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

5 CCR 11700-11705

Ed. Code 17289

Description

Independent study

Exemption for facilities

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| 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
20 USC 6311

Description

Highly qualified teachers
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

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| 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/aXxHIGI4L70pDRS6Jnl2Jw== |
| Website | Education Audit Appeals Panel - https://simbli.eboardsolutions.com/SU/6VovW08Qz3ek2v0oFNslshtMg== |

Cross References

Description

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| 0410 | Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ== |
| 0420.4 | Charter School Authorization - https://simbli.eboardsolutions.com/SU/yqvHtAwxfzfp9smLplumfcaQ== |
| 0420.4 | Charter School Authorization - https://simbli.eboardsolutions.com/SU/6aKw9KbSgexgJfcQrYo5eQ== |
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| 3580 | District Records - https://simbli.eboardsolutions.com/SU/WEk7cYywcvcslshPFoIlgJHPZg== |
| 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== |
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| 5112.3 | Student Leave Of Absence - https://simbli.eboardsolutions.com/SU/kD97qlfelg37ShzuEcplusBw== |
| 5113 | Absences And Excuses - https://simbli.eboardsolutions.com/SU/OvU6blFneYGxiu8HTsCaIQ== |

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| 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/3vcVxdI9QTMjNZKGMbvug== |
| 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/xIV11kQJSplusf7slshAnBIYJPA== |
| 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/El88u7DdXyy0auDplus9Wul3g== |
| 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/05atqxQBa68mIO84XP5vNw== |
| 6112 | School Day - https://simbli.eboardsolutions.com/SU/XRplus7M06NPTlz3YyiADAJMA== |
| 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== |

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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== |
| 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/NdqSEfnslshwaBKplusUkKH040A== |
| 6162.51 | State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/oZbkKwYtcu0mkplusF9H7PNfQ== |
| 6164.5 | Student Success Teams - https://simbli.eboardsolutions.com/SU/XrnslshQIPaFW9wMoMV2IEKpg== |
| 6164.5 | Student Success Teams - https://simbli.eboardsolutions.com/SU/UkLsYeA03YN6xcWenpZIVQ== |
| 6172 | Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/wTl8EVvu0t0484S390RuGw== |
| 6172 | Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/G268l3K6kr8FEbTmbKV2A== |
| 6181 | Alternative Schools/Programs Of Choice - https://simbli.eboardsolutions.com/SU/Sa5uR0ng884KxBYpfmslshFiQ== |
| 6181 | Alternative Schools/Programs Of Choice - https://simbli.eboardsolutions.com/SU/2T3JQQ3ETpzAugVUUkL2plusA== |
| 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/m8dwsLshTayjm6k58NpbUxTJA== |
| 6185 | Community Day School - https://simbli.eboardsolutions.com/SU/4lhiHc7rwaMmB800XOZt3A== |
| 6200 | Adult Education - https://simbli.eboardsolutions.com/SU/GBFlqzmqwZQwt8slshR7plusdHYQQ== |
| 6200 | Adult Education - https://simbli.eboardsolutions.com/SU/plus0bvJoejCOEIMYEaP8Bpgg== |

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

CSBA NOTE: The following optional Board policy should be revised to reflect district practice. Education Code 49600, as amended by AB 2508 (Ch. 153, Statutes of 2022) urges districts to offer students a comprehensive educational counseling program that is implemented in a structured and coherent manner within a Multi-Tiered Systems of Support framework. Pursuant to Education Code 49600, as amended by AB 2508, specialized services offered under such a program must be provided by appropriately credentialed school counselors.

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.

CSBA NOTE: Pursuant to Education Code 44266 and 5 CCR 80049-80049.1, persons authorized to provide services in school counseling, school psychology, or school social work must possess a Pupil Personnel Services credential, with the appropriate specialization, issued by the Commission on Teacher Credentialing.

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.

CSBA NOTE: The following optional list may be revised to reflect district practice. Education Code 49600, as amended by AB 2508, expresses the Legislature's intent that school counselors fulfill the following responsibilities.

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

CSBA NOTE: Item #10 below may be revised to specify only English learners, students eligible for free and reduced-price meals, and foster youth, as provided in Education Code 49600. However, a district is permitted to provide such services to other categories of students who may be in need, such as students experiencing homelessness

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

CSBA NOTE: The following optional section is for use by districts that maintain any of grades 7-12 and may be revised to reflect district practice and the grade levels offered by the district.

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)

CSBA NOTE: Items #1-5 below reflect required components of educational counseling programs specified in Education Code 49600, as amended by AB 2508.

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

CSBA NOTE: Pursuant to Education Code 49600, educational counseling must include career and vocational counseling as described in Item #5 below. As amended by AB 2508, Education Code 49600 requires that professional development related to career and vocational counseling include strategies for counseling students pursuing postsecondary education, career technical education, multiple pathways, college, and global career opportunities.

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

CSBA NOTE: Education Code 49600, as amended by AB 2508, adds the following component to educational counseling programs, reflected below.

- g. Understanding entrance requirements to the Armed Forces of the United States, including the benefits of the Armed Services Vocational Aptitude Battery (ASVAB) test

CSBA NOTE: In addition to the required components listed above, Education Code 49600, as amended by AB 2508, includes a list of optional components which a district may, at its discretion, offer as part of the educational counseling program.

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)

CSBA NOTE: As amended by AB 2508, Education Code 49600 also permits districts to offer mental and behavioral health services as provided in the following paragraph.

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.

CSBA NOTE: Education Code 221.5 prohibits school counselors from offering vocational or school program guidance to a student of one sex that is different from that offered to a student of the opposite sex. In addition, 5 CCR 4930 prohibits discrimination in counseling programs to the same extent that discrimination is prohibited in all other district programs and activities. Prohibited bases for discrimination in district programs are specified in BP 0410 - Nondiscrimination in District Programs and Activities.

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)

CSBA NOTE: 20 USC 7908 requires districts receiving funds under the Elementary and Secondary Education Act (ESEA) to provide military recruiters with the same access to students as is provided to colleges and prospective employers. Districts that do not grant similar access may lose those funds and may be subject to specific interventions, such as notification to the Governor and Congress, so that public officials can work with the district. Districts that do not receive ESEA funds and that choose to grant access to college and employment recruiters should do so on a nondiscriminatory basis. Education Code 49603 provides that military service recruiters may not be denied on-campus access to students in grades 9-12 if the district provides such access to other employers. For information regarding military recruiter access to student directory information, see BP/AR 5125.1 - Release of Directory Information.

Option 1 below is for use by districts that choose to adopt a policy that permits college and employment recruiters, including military recruiters, access to students. Option 2 is for districts that choose to adopt a policy that does not permit such access.

OPTION 1: 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)

OPTION 1 ENDS HERE

OPTION 2: Colleges and prospective employers, including military recruiters, shall not have access to students for recruiting purposes. (Education Code 49603; 10 USC 503)

OPTION 2 ENDS HERE

CSBA NOTE: Pursuant to Labor Code 3074.2, as added by AB 643 (Ch. 324, Statutes of 2021), districts are encouraged to provide students with opportunities to explore, make career choices, and seek appropriate instruction and training to support those choices, by hosting locally focused apprenticeship and/or career and technical education fair events, such as college and career fairs.

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.

CSBA NOTE: Labor Code 3074.2, as added by AB 643, requires any district planning to hold a college or career fair to identify approved apprenticeship programs in the county and notify such programs that they are hosting a college or career fair. To identify approved programs the district is required to rely on the Division of Apprenticeship Standards' database of approved apprenticeship programs, published by the Division of Apprenticeship Standards located on its internet web site.

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

CSBA NOTE: The following optional section may be revised to reflect district practice. A school counselor, school psychologist, or school social worker may offer personal or family counseling in accordance with the authorizations on their credentials. In addition, districts may provide mental health services through school-based health centers (see BP 5141.6 - School Health Services) and/or may collaborate with community agencies, organizations, and health care providers to ensure that services are available.

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.

CSBA NOTE: If a minor is 11 years old or younger, consent by a parent/guardian is required before providing the minor with outpatient mental health counseling or treatment services. Family Code 6920-6929 and Health and Safety Code 124260 allow a minor age 12 or older to consent to outpatient mental health counseling or treatment services without parent/guardian consent if, in the opinion of a school psychologist or other professional person, as defined, the minor is mature enough to participate intelligently in the services. However, the child's parent/guardian must still be involved unless the professional person determines it would be inappropriate.

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

CSBA NOTE: The following optional section is for use by districts that choose to provide a teacher-based advisory program as authorized by Education Code 49600. The following section may be revised to reflect district practice, including the grade levels at which the program will operate. It should be deleted by districts in which all student counseling is provided by credentialed school counselors.

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**

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| 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/R1ggYp24tGNHpluszwmaMrEvg== |
| Website | U.S. Department of Education, access to military recruiters - https://simbli.eboardsolutions.com/SU/bm4rELAxzOncS8mvxauVUg== |
| Website | Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNIqRUulsaq7efc7aH4Q== |
| Website | California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ== |

Cross References**Description**

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|-----------------|---|
| 0410 | Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ== |
| 0415 | Equity - https://simbli.eboardsolutions.com/SU/ZGZhz17ATfHJBPO13Jplus7cw== |
| 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== |
| 0470 | COVID-19 Mitigation Plan - https://simbli.eboardsolutions.com/SU/xBPc1Aeplus3wePETE5KI2ziA== |
| 1312.3 | Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qvzpzYbttZOPNWrpR2Lc9VQ== |
| 1312.3 | Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/U5PKMAksh8XdmxbODX9gY2A== |
| 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== |
| 1313 | Civility - https://simbli.eboardsolutions.com/SU/cERNNranyLpshshshpqrqyRyAw== |
| 1400 | Relations Between Other Governmental Agencies And The Schools - https://simbli.eboardsolutions.com/SU/vJHizKctUNWljEfGnHx4CA== |
| 3515 | Campus Security - https://simbli.eboardsolutions.com/SU/cslshKzg34plus8Yflugiz2YLUrw== |
| 3515 | Campus Security - https://simbli.eboardsolutions.com/SU/ROslshkemJzfdllrBjXYxC1w== |

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|-----------------|--|
| 3516 | Emergencies And Disaster Preparedness Plan - https://simbli.eboardsolutions.com/SU/x6NWrX0FV0TusDr7guOmSQ== |
| 3516 | Emergencies And Disaster Preparedness Plan - https://simbli.eboardsolutions.com/SU/UzirPzb2Tud8LJ2LDo5W5w== |
| 3516.2 | Bomb Threats - https://simbli.eboardsolutions.com/SU/IVIK9slshAIkKtBcZcF8v5agg== |
| 4112.2 | Certification - https://simbli.eboardsolutions.com/SU/NtHKleuKt9J8bge0adj3gg== |
| 4112.2 | Certification - https://simbli.eboardsolutions.com/SU/tUslshewyAvQpluseaA5VjOFaFlw== |
| 4119.23 | Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/2wFCPnGtM48I3kplusPslshI0slshSw== |
| 4131 | Staff Development - https://simbli.eboardsolutions.com/SU/IYMIfYPYXEiEMhaRz6slshWJQ== |
| 4219.23 | Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/DzT84cjiN31dA5odXslshEoA== |
| 4319.23 | Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/X3ta8p18splcxmJVplusXplusnZQ== |
| 5022 | Student And Family Privacy Rights - https://simbli.eboardsolutions.com/SU/3to8RplnokMSGvb2EJ8Qmg== |
| 5022 | Student And Family Privacy Rights - https://simbli.eboardsolutions.com/SU/nplusdgJwa04NhAQWxYfv3GKA== |
| 5113 | Absences And Excuses - https://simbli.eboardsolutions.com/SU/OvU6bIFneYGxiu8HTsCaIQ== |
| 5113 | Absences And Excuses - https://simbli.eboardsolutions.com/SU/b06pfpfibDK5qKNeA2321g== |
| 5113.1 | Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/Hw5C1aEnixhuUFV0E9Vntg== |
| 5113.1 | Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/D2LIg7JcgumhuWnRLo2bAw== |
| 5113.11 | Attendance Supervision - https://simbli.eboardsolutions.com/SU/Lz97LnzWjMXSu91JfHK6HA== |
| 5125 | Student Records - https://simbli.eboardsolutions.com/SU/Jw4xw3nB7slshn7ptplustrREa5A== |
| 5125 | Student Records - https://simbli.eboardsolutions.com/SU/uVgslshw0u1SygQrOqplus8VkhAQ== |
| 5125.1 | Release Of Directory Information - https://simbli.eboardsolutions.com/SU/jYtwXJDslshkuKNsmoetBdSzQ== |
| 5125.1 | Release Of Directory Information - https://simbli.eboardsolutions.com/SU/A00pFFSMUsIshDODL2a9HlbtQ== |
| 5125.1-E PDF(1) | Release Of Directory Information - https://simbli.eboardsolutions.com/SU/u8Wpluss34VJFsqplusSplusApU7gow== |
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| 5131.2 | Bullying - https://simbli.eboardsolutions.com/SU/MwcrPaiVN3oQ15PFbAoQPA== |
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| 5131.6 | Alcohol And Other Drugs - https://simbli.eboardsolutions.com/SU/7eplus9F20al43StxVcQXvoig== |

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| 5136 | Gangs - https://simbli.eboardsolutions.com/SU/TeIQJmrs5CMY7ZslshwzqlPaQ== |
| 5136 | Gangs - https://simbli.eboardsolutions.com/SU/J2plusQxKCdQp6eCW0ucjhxKw== |
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| 5141.22 | Infectious Diseases - https://simbli.eboardsolutions.com/SU/DdkxP6lo0oUT7dmBE1eK0g== |
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| 5141.4 | Child Abuse Prevention And Reporting - https://simbli.eboardsolutions.com/SU/KHJ4Ryf9WsiRVpcslsheV7VGg== |
| 5141.52 | Suicide Prevention - https://simbli.eboardsolutions.com/SU/WM38treDjLEIDeRTkCMSCA== |
| 5141.52 | Suicide Prevention - https://simbli.eboardsolutions.com/SU/eAe18Pkbslshqyslsh5aoMoF7ksQ== |
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| 5141.6 | School Health Services - https://simbli.eboardsolutions.com/SU/0vHj1CrosCLePopplusArHjplug== |
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| 5144 | Discipline - https://simbli.eboardsolutions.com/SU/uCGNmZB4i0EHAGGnMD6jCg== |
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| 5145.3 | Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/be0JrP9vB8YKcEI8kaV3gg== |
| 5145.6 | Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/SuvNxTtlUJ0XfalLui15AA== |
| 5145.6-E(1) | Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/RdNSntUjWlcsJyFn1Yfqfw== |
| 5145.6-E PDF(1) | Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/ninmwtTREilJ0BJ9P7Qi7g== |
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| 6142.8 | Comprehensive Health Education - https://simbli.eboardsolutions.com/SU/tbwOImdoEz4Q1Vjo8rYnlQ== |
| 6143 | Courses Of Study - https://simbli.eboardsolutions.com/SU/zJXVIX5MALJLIUsETQnbQA== |
| 6143 | Courses Of Study - https://simbli.eboardsolutions.com/SU/bUCwdpAJjX5ggLMG3GsxDA== |
| 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/plus8xwE8lQn3xfTtyZCiphKQ== |
| 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/XrnsIshQlPaFW9wMoMV2IEKpg== |
| 6164.5 | Student Success Teams - https://simbli.eboardsolutions.com/SU/UkLsYeA03YN6xcWenpZIVQ== |
| 6171 | Title I Programs - https://simbli.eboardsolutions.com/SU/p4BMACj6yFUh6jSjgfA2gA== |
| 6171 | Title I Programs - https://simbli.eboardsolutions.com/SU/Dbh9ejHszdfmzm1699QEQQ== |
| 6172 | Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/wTl8EVvu0t0484S390RuGw== |
| 6172 | Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/G268l3K6kr8FEbTmbKVva2A== |
| 6173 | Education For Homeless Children - https://simbli.eboardsolutions.com/SU/zsjkyhfkAplusFQR21mnd3hw== |
| 6173 | Education For Homeless Children - https://simbli.eboardsolutions.com/SU/vD4ZxTplusVHjDJcdnxYRslshO3g== |
| 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/D7vRHxZslshBORslshzL7t0wPgw== |
| 6173.1 | Education For Foster Youth - https://simbli.eboardsolutions.com/SU/hwZQyTeELA0lr5Chn5ZTpg== |
| 6173.1 | Education For Foster Youth - https://simbli.eboardsolutions.com/SU/r9gaWHVtSEiLuKk6s8KjNw== |
| 6175 | Migrant Education Program - https://simbli.eboardsolutions.com/SU/roLeyXGgp5i03jclK5slshG1A== |
| 6175 | Migrant Education Program - https://simbli.eboardsolutions.com/SU/eEi1675F33ZkvAHsw1fl7g== |
| 6178 | Career Technical Education - https://simbli.eboardsolutions.com/SU/GOGbINrY33slshvwnnQn0jw8A== |
| 6178 | Career Technical Education - https://simbli.eboardsolutions.com/SU/S4qxTuQvqZW507diDlxw9g== |
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- 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/GBFlqzmqwZQwt8slshR7plusdHYQQ==>
- 6200 Adult Education -
<https://simbli.eboardsolutions.com/SU/plus0bvJoejCOEIMYEaP8Bpgg==>

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

CSBA NOTE: The following policy is for use by districts that maintain any of grades 7-12. Education Code 51220 requires that the adopted course of study for grades 7-12 include courses in career technical education (CTE); see BP/AR 6143 - Courses of Study.

Funding for CTE programs may be available through the federal Strengthening Career and Technical Education for the 21st Century Act, sometimes referred to as Perkins V (20 USC 2301-2414), and state grant programs such as the California Career Pathways Trust pursuant to Education Code 53010-53016, the California Career Technical Education Incentive Grant Program pursuant to Education Code 53070-53076.4, the Golden State Pathways Program pursuant to Education Code 53020-53025, the Apprenticeship Innovation Funding Program pursuant to Labor Code 3110-3112.1, and Youth Apprenticeship pursuant to Labor Code 3120-3122.4. In addition, secondary schools may offer CTE through partnership academies (Education Code 54690-54697), regional occupational centers and programs (ROC/Ps) (Education Code 52300-52335.12), and/or district-funded programs.

The following policy should be revised to reflect program(s) offered by the district and grade levels at which such programs shall be offered.

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.

CSBA NOTE: State model curriculum standards for CTE for grades 7-12 integrate the state's academic content standards with industry-specific knowledge and skills in 58 career pathways organized into 15 industry sectors: agriculture and natural resources; arts, media, and entertainment; building trades and construction; education, child development, and family services; energy and utilities; engineering and design; fashion and interior design; finance and business; health science and medical technology; hospitality, tourism, and recreation; information technology; manufacturing and product development; marketing, sales, and service; public services; and transportation. The state's curriculum framework for CTE provides guidance in implementing the state content standards. Any district that adopts a course of study that meets or exceeds the state model curriculum standards will be deemed to have satisfied the requirement of Education Code 51228 that the district offer students in grades 7-12 the opportunity to attain entry-level employment skills in business or industry upon high school graduation; see BP 6143 - Courses of Study.

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.

CSBA NOTE: Pursuant to Education Code 52376, the following two paragraphs are mandated for districts that accept funds for the purpose of developing and implementing, in consultation with the ROC/P and community college serving the geographic area of the district, a CTE program for high school students.

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)

CSBA NOTE: Education Code 52376 requires districts to determine the extent to which their CTE courses may offer an alternative means for completing course requirements for high school graduation.

Education Code 51225.3, as amended by AB 101 (Ch. 661, Statutes of 2021), no longer authorizes a course in CTE to serve as an alternative to the visual or performing arts or world language course requirement for high school graduation. However, if a student completed a CTE course prior to July 1, 2022 that met the requirements of Education Code 51225.3, such course will fulfill the visual or performing arts or world language graduation requirement; see BP 6146.1 - High School Graduation Requirements.

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)

CSBA NOTE: Education Code 51760.1 authorizes districts, county offices of education, ROC/Ps, and partnership academies to provide work-based learning opportunities which may include, but are not limited to, work experience education as defined in Education Code 51764, community classrooms or cooperative CTE programs as defined in Education Code 52372.1, and job shadowing as defined in Education Code 51769; see BP/AR 6178.1 - Work-Based Learning. In addition, although not specified in state law, other examples of work-based learning opportunities cited in CDE's publication, "Multiple Pathways to Student Success: Envisioning the New California High School," include student internships/field study, apprenticeships, service learning, work in social/civic enterprises or school-based enterprises such as student stores, and technology-based or other simulated work experiences.

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.

CSBA NOTE: Education Code 8070 requires the Board to appoint a CTE advisory committee composed of representatives from specified groups, as detailed below. During the Federal Program Monitoring process, CDE staff will review whether the district has appointed such a committee.

In addition, pursuant to 20 USC 2354 districts that receive Perkins V funding are required to involve specified stakeholders in conducting a needs assessment and developing the district application, and on a continuing basis thereafter. One way to accomplish this is to include such stakeholders on the CTE advisory committee. Other programs may have similar requirements for stakeholder involvement. The following paragraph may be revised to reflect requirements applicable to programs offered by the district.

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)

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. Among the criteria for admission to the University of California (UC) or California State University (CSU) system is a requirement that high school students satisfactorily complete 15 units of specified courses ("A-G" courses). These include a growing number of CTE courses that connect knowledge of academic content with practical or work-related applications. Education Code 51229 requires that districts annually provide parents/guardians of students in grades 9-12 with (1) a brief explanation of the A-G course requirements; (2) a list of UC and CSU web sites that provide related information and a list of certified A-G courses; (3) a brief description of CTE, as defined by CDE; (4) the Internet address for the portion of CDE's web site where students can learn more about CTE; and (5) information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or to enroll in CTE courses. See AR 6143 - Courses of Study and E(1) 5145.6 - Parental Notifications.

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.

CSBA NOTE: Pursuant to 34 CFR 100 (Appendix B), the notice specified below may be made in local newspapers, publications or media reaching target populations, or by other means and should include a brief summary of program offerings, admission criteria, and the name and contact information of the person designated to coordinate Title IX and Section 504 compliance activity. If the population within the district contains a community of persons with limited English language skills, the notification must be disseminated in the languages of the community. See BP 5145.6 - Parental Notifications for state requirements pertaining to the translation of parental notifications.

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)

CSBA NOTE: The following paragraph is for use by districts that receive funding through Perkins V for basic CTE programs pursuant to 20 USC 2301-2414. See the accompanying administrative regulation for further information regarding the participation of private school students and staff in district programs.

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)

CSBA NOTE: Pursuant to Labor Code 3074.2, as added by AB 643 (Ch. 324, Statutes of 2021), districts are encouraged to provide students with opportunities to explore, make career choices, and seek appropriate instruction and training to support those choices, by hosting locally focused apprenticeship and/or career technical education fair events, such as college and career fairs.

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.

CSBA NOTE: Labor Code 3074.2, as added by AB 643, requires any district planning to hold a college or career fair to identify approved apprenticeship programs in the county and notify such programs that they are hosting a college or career fair. To identify approved programs the district is required to rely on the Division of Apprenticeship Standards' database of approved apprenticeship programs, located on its web site.

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)

CSBA NOTE: Teachers of technical, trade, or vocational courses must possess a single subject credential or a designated subjects credential issued by the Commission on Teacher Credentialing which authorizes teaching CTE courses. The designated subjects CTE credential is available in 15 subjects which reflect the 15 industry sectors identified in the state's model curriculum standards; see AR 4112.2 - Certification. In order to obtain the preliminary designated subjects credential, teachers must have at least three years of work experience directly related to each industry sector specified on the credential.

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.

CSBA NOTE: The following paragraph is optional. Education Code 17078.72 provides funding for improving and expanding CTE programs through construction of new facilities, remodeling of existing facilities, and/or purchase of equipment.

The Superintendent or designee shall regularly assess district needs for facilities, technologies, and equipment to increase students' access to the district's CTE program.

CSBA NOTE: The following paragraph may be revised to reflect requirements applicable to programs offered by the district. Pursuant to Education Code 52060, the district must annually review its progress toward the goals identified in its local control and accountability plan, including, when applicable, measures of student achievement such as the percentage of students who have successfully completed courses that satisfy the requirements for CTE sequences or programs of study that align with state CTE standards and frameworks. The California School Dashboard provides a tool to assist in evaluation of district and school performance and includes measures of CTE pathway completion within the college/career readiness indicator.

In addition, each district receiving Perkins V funding must evaluate its progress in achieving specific performance levels on core indicators as detailed in the state plan and 20 USC 2323. Pursuant to 20 USC 2343, if the district falls below 90 percent on any of these targets, the district will be required to develop and implement an improvement plan.

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

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| 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 |

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| 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

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| 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 |

Description

Management Resources References

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| 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== |

Description

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| Website | California Workforce Development Board - https://simbli.eboardsolutions.com/SU/ROXhmuEJ5Iz69DPxdslshDSuA== |
| 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/aiMKC0wlc2eTMogaBMcl9g== |
| 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/dl7biMSP81bUfpxMPCFyyA== |
| Website | Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNiqRUulsaq7efc7aH4Q== |
| Website | CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg== |

Cross References

Description

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| 0410 | Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ== |
| 0415 | Equity - https://simbli.eboardsolutions.com/SU/ZGZhz17ATfHJBpQ13Jplus7cw== |
| 0420.4 | Charter School Authorization - https://simbli.eboardsolutions.com/SU/yqvHtAwxzf9smLplusmfcAQ== |
| 0420.4 | Charter School Authorization - https://simbli.eboardsolutions.com/SU/6aKw9KbSgexgJfcQrYo5eQ== |
| 0440 | District Technology Plan - https://simbli.eboardsolutions.com/SU/c3TEEZEDFLVMDh05wl0TCQ== |
| 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== |
| 1220 | Citizen Advisory Committees - https://simbli.eboardsolutions.com/SU/WXKjOn8KOpplusMplZpTd3ujpQ== |
| 1312.3 | Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qvzpYbttZOPNWrpR2Lc9VQ== |
| 1312.3 | Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/U5PKMAksh8XdmxbODX9gY2A== |
| 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/sDRNJKOFJdr6rBfMplusMplusg== |
| 1700 | Relations Between Private Industry And The Schools - https://simbli.eboardsolutions.com/SU/ZCumr5xglcyZr9nTlplusn4LA== |

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| 3230 | Federal Grant Funds - https://simbli.eboardsolutions.com/SU/OVH379RjC0a1aO7I1TFHYg== |
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| 3440 | Inventories - https://simbli.eboardsolutions.com/SU/cB5LbBZLYT7A9NIP1rkFQQ== |
| 3512 | Equipment - https://simbli.eboardsolutions.com/SU/eZslshZHMnYpluscHnfpO2vztUslshg== |
| 3512-E(1) | Equipment - https://simbli.eboardsolutions.com/SU/htmlpluswvNopsrGRvHnZmL57Q== |
| 4112.2 | Certification - https://simbli.eboardsolutions.com/SU/NtHKleuKt9J8bge0adj3gg== |
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| 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/LlplusEgDe8hDVsmSpluf0Minfw== |
| 5113.2 | Work Permits - https://simbli.eboardsolutions.com/SU/2En6wnlSEgfSfkSp6tsW2Q== |
| 5145.6 | Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/SuvNxTtlUJ0XfalLui15AA== |
| 5145.6-E(1) | Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/RdNSntUjWlclshJyFn1Yfqfw== |
| 5145.6-E PDF(1) | Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/ninmwtTREilJ0BJ9P7Qi7g== |
| 5148.2 | Before/After School Programs - https://simbli.eboardsolutions.com/SU/AOMrIh0ISNE6AkENQ3qyBg== |
| 5148.2 | Before/After School Programs - https://simbli.eboardsolutions.com/SU/4jwYuGplust2xplusjh7Z1YX0JFQ== |
| 6011 | Academic Standards - https://simbli.eboardsolutions.com/SU/Tplus1ybplusF7QGkEslshLEej7PvA== |
| 6020 | Parent Involvement - https://simbli.eboardsolutions.com/SU/8BBILRHFPN4Ze3IDgijtlg== |
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| 6112 | School Day - https://simbli.eboardsolutions.com/SU/05atqxQBa68mlO84XP5vNw== |
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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== |
| 6143 | Courses Of Study - https://simbli.eboardsolutions.com/SU/zJXVIX5MALJLJUeETQnbQA== |
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| 6145 | Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/TkiGKzMnAo9vQwZU56wqVw== |
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| 6145.5 | Student Organizations And Equal Access - https://simbli.eboardsolutions.com/SU/0qp5CDCPz8M9qc7jKUhzag== |
| 6145.5 | Student Organizations And Equal Access - https://simbli.eboardsolutions.com/SU/tkCu7yQSUwQ7chWkDREDlg== |
| 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== |
| 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== |
| 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== |
| 6164.2 | Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/QEsZgzQo3AFYxslshFZf9HBrG== |
| 6164.5 | Student Success Teams - https://simbli.eboardsolutions.com/SU/XrnsIshQIPaFW9wMoMV2IEKpg== |
| 6164.5 | Student Success Teams - https://simbli.eboardsolutions.com/SU/UkLsYeA03YN6xcWenpZIVQ== |
| 6171 | Title I Programs - https://simbli.eboardsolutions.com/SU/p4BMACj6yFUh6jSJgfA2gA== |
| 6171 | Title I Programs - https://simbli.eboardsolutions.com/SU/Dbh9ejHszdfmzm1699QEQQ== |
| 6172 | Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/wTI8EVvu0t0484S390RuGw== |

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| 6172 | Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/G268I3K6kr8FEbTmbKV2A== |
| 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/cBBPHW6bnozwsishP8S2Cj02w== |
| 6173 | Education For Homeless Children - https://simbli.eboardsolutions.com/SU/zsjkyhfKAplusFQR21mnjd3hw== |
| 6173 | Education For Homeless Children - https://simbli.eboardsolutions.com/SU/vD4ZxTplusVHjDjcdnxYRslshO3g== |
| 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/D7vRHxXZslshBORslshzL7t0wPgw== |
| 6175 | Migrant Education Program - https://simbli.eboardsolutions.com/SU/roLeyXGgp5I03jclK5slshG1A== |
| 6175 | Migrant Education Program - https://simbli.eboardsolutions.com/SU/eFi167SF33ZkvAHsw1fl7g== |
| 6176 | Weekend/Saturday Classes - https://simbli.eboardsolutions.com/SU/gT9qUoycslshwAqFdyRaQF4w== |
| 6178.1 | Work-Based Learning - https://simbli.eboardsolutions.com/SU/avQYbt3iAAr7wkf1xeEMuA== |
| 6178.1 | Work-Based Learning - https://simbli.eboardsolutions.com/SU/wLcNslshgmplumQlg9zvVgyCIMQ== |
| 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/3Ht4rBWGplusXBfB2lhozFRg== |
| 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

CSBA NOTE: The following optional administrative regulation should be revised to reflect program(s) offered by the district.

Federal Grants for Career Technical Education (Perkins)

CSBA NOTE: The following optional section is for use by districts that receive basic grants to support programs of career technical education (CTE) pursuant to the Strengthening Career and Technical Education for the 21st Century Act, often referred to as Perkins V (20 USC 2301-2355), which guarantees that each state will receive a minimum grant equal to 90 percent of its prior year allocation.

During the Federal Program Monitoring (FPM) process, California Department of Education (CDE) staff will review whether the district uses these federal funds to supplement, not supplant, state and local funds for CTE activities, as required by 20 USC 2391, and whether funds are used for appropriate purposes as described in 20 USC 2355 and in the four-year state plan adopted pursuant to 20 USC 2342.

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)

CSBA NOTE: The district may use Perkins V and other federal, state, and/or district funds to meet the program requirements listed below.

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

CSBA NOTE: Pursuant to 20 USC 2354, the district application for Perkins V funding must describe how individuals will not be discriminated against based on their status as members of "special populations," as defined in 20 USC 2302. In addition, a district that receives federal aid is required by 34 CFR 100 (Appendix B), 104.8, and 106.9 to take "continuing steps" to notify students, parents/guardians, employees, employee organizations, and applicants for admission and employment that it does not discriminate in its educational programs or activities. See BP 0410 - Nondiscrimination in District Programs and Activities.

During the FPM process, CDE staff will check whether the district complies with requirements to (1) ensure equitable access by special population students through outreach, recruitment, enrollment, and placement activities; (2) identify and adopt strategies to overcome barriers to access or success in the program; (3) ensure that counseling materials and activities, including student program selection and career/employment selection, and promotional and recruitment efforts are nondiscriminatory; and (4) advise students, parents/guardians, employees, and the general public, prior to the beginning of the school year, that all CTE opportunities are offered without regard to race, color, national origin, sex, or disability in accordance with 34 CFR 100 (Appendix B).

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)

Linked Learning Programs

CSBA NOTE: The following optional section is for use by districts that offer "linked learning" programs integrating academic and career technical study (sometimes called "multiple pathways") and may be revised to reflect district practice.

The district shall offer one or more comprehensive, multi-year linked learning programs in grades 9-12 that are organized around a broad theme, interest area, or industry sector including, but not limited to, the industry sectors identified in model standards adopted by the State Board of Education pursuant to Education Code 51226. The program shall provide all participating students with curriculum choices that prepare them for career entry and a full range of postsecondary options, including two-year and four-year colleges, apprenticeships, and formal employment training.

At a minimum, the district's linked learning program shall include:

1. An integrated core curriculum that meets the eligibility requirements for admission to the University of California (UC) and the California State University (CSU) and is delivered through project-based learning and

other engaging instructional strategies that bring real-world context and relevance to the curriculum where broad themes, interest areas, and CTE are emphasized

2. An integrated technical core of a sequence of at least four related courses that may reflect CTE standards-based courses and that provide students with career skills, are aligned to academic principles, and fulfill academic core requirements described in Item #1 above to the extent possible
3. A series of work-based learning opportunities that begin with mentoring and job shadowing and evolve into intensive internships, school-based enterprises, or virtual apprenticeships
4. Support services, including supplemental instruction in reading and mathematics, that help students master the advanced academic and technical content that is necessary for success in college and career

Partnership Academies

CSBA NOTE: The following optional section is for use by districts that have established a partnership academy pursuant to Education Code 54690-54699.1 and 54750-54760. A partnership academy functions as a school-within-a-school with a career theme and related academic courses primarily directed at students who are at risk of dropping out.

The district shall operate one or more partnership academies as a school-within-a-school focused on a broad career theme. The program shall be available to students in grades 10-12, at least half of whom shall be students who are at risk of dropping out of school as indicated by three or more of the following criteria: (Education Code 54690-54691)

1. Past record of irregular attendance, with absence from school 20 percent or more of the school year
2. Past record of underachievement in which the student is at least one-third of a year behind the coursework for the respective grade level, or as demonstrated by credits achieved
3. Past record of low motivation or disinterest in the regular school program
4. Economic disadvantage
5. Scores below basic or far below basic on the mathematics or English language arts test of the California Assessment of Student Performance and Progress
6. A grade point average of 2.2 or below or the equivalent of a C minus

Ninth-grade teachers and counselors shall identify students eligible to participate in a partnership academy. Participating students shall be selected by academy staff from among those who have expressed an interest in the academy and whose parents/guardians have approved the student's participation. (Education Code 54695)

The district's program shall provide: (Education Code 54692)

1. During each regular school term, instruction in at least three academic subjects that:
 - a. Prepares students for a regular high school diploma
 - b. Where possible and appropriate, prepares students to meet subject requirements for admission to UC and CSU
 - c. Contributes to an understanding of the occupational field of the academy

CSBA NOTE: Education Code 54692, as amended by AB 1923 (Ch. 114, Statutes of 2022), includes science, technology, engineering, and mathematics courses as required alternative courses that must be offered to students participating in partnership academies.

2. CTE or science, technology, engineering, and mathematics courses offered at each grade level at the academy that are part of an occupational course sequence that targets comprehensive skills and meets the criteria specified in Education Code 54692
3. Classes that are block scheduled in a cluster whenever possible to provide flexibility to academy teachers and which may vary in number during grade 12

4. A mentor from the business community for students during grade 11
5. An employer-based internship or work experience that occurs during the summer following grade 11 or during grade 12
6. Additional motivational activities with private sector involvement to encourage academic and occupational preparation

Attendance in academy classes shall be limited to students enrolled in the academy. (Education Code 54692)

The Superintendent or designee shall establish an advisory committee consisting of individuals involved in academy operations, including district and school administrators, lead teachers, and representatives of the private sector. (Education Code 54692)

Apprenticeship Programs

CSBA NOTE: The following optional paragraph may be used by districts that provide a program of "orientation to apprenticeships" to students who have not yet applied to an apprenticeship program. Such programs are sometimes referred to as "pre-apprenticeship programs." However, the Department of Industrial Relations (DIR), in its publication, "Orientation to Apprenticeship: A Guide for Educators," notes that "pre-apprentice" is used by some trades as a classification of worker and therefore prefers the term "orientation to apprenticeship" to refer to a program offered by secondary schools. Items #1-5 below reflect key program components recommended in the DIR publication and may be revised to reflect district practice.

The district shall offer high school and/or adult education students a program of orientation to apprenticeships that acquaints students with a broad range of career options, provides information regarding available apprenticeship programs, and provides classroom instructional job training which guides students to a registered apprenticeable occupation.

The district's program shall:

1. Introduce students to what they need to know in order to apply, test, and interview for acceptance into an apprenticeship program
2. Demonstrate the need for proficiency in reading and comprehension, mathematics, science, and technology
3. Emphasize the necessity to have the ability to communicate in reading, writing, speaking, listening, and numeration skills
4. Identify the knowledge, skills, and attitudes needed to enter and successfully complete an apprenticeship program
5. Provide an orientation to a specific craft or trade or to an industry

CSBA NOTE: The following optional paragraph is for use by districts that contract with sponsors of approved apprenticeship programs (e.g., individual employers, labor or management apprenticeship committees, or joint labor-management apprenticeship committees) pursuant to Education Code 8150-8155 and Labor Code 3070-3099.5 to provide classes of related and supplemental instruction. Apprenticeship programs are offered for a period of one to six years (typically four years) and provide specialized on-the-job training that prepares an individual for employment in a craft or trade profession.

The district may enter into an agreement with a local business, labor or management apprenticeship committee, and/or joint labor-management apprenticeship committee that has been approved by the Department of Industrial Relations' Division of Apprenticeship Standards to sponsor an apprenticeship program in order to develop and deliver related and supplemental instruction to students participating in a registered apprenticeship program. (Education Code 8150-8155; Labor Code 3074, 3075, 3078)

Regional Occupational Center/Program

CSBA NOTE: The following optional section is for use by districts that partner with or offer their own local regional occupational center or program (ROC/P) pursuant to Education Code 52300-52335.12, and may be revised to reflect district practice. Education Code 52301 authorizes the establishment of an ROC/P by (1) the County

Superintendent of Schools, with the approval of the State Board of Education (SBE); (2) two or more districts maintaining high schools, with the approval of SBE and the County Superintendent; or (3) a single district with an average daily attendance (ADA) of 50,000 or more located in a class 1 county or a district with an ADA of 100,000 or more located in a class 2 county, as defined in Education Code 1205. ROC/P courses are open to secondary students, with priority enrollment given to students ages 16-18 or in grades 11-12. See BP 6178.2 - Regional Occupational Center/Program for additional program requirements.

The district shall operate and/or partner with a regional occupational center or program (ROC/P), established pursuant to Education Code 52335.12, which offers CTE courses, linked learning programs, partnership academies, and/or pre-apprenticeship and apprenticeship programs as appropriate.

Occupational course sequences offered by ROC/P shall provide prerequisite courses needed to enter apprenticeship or postsecondary vocational certificate or degree programs, focus on occupations requiring comprehensive skills leading to high entry-level wages and/or the possibility of significant wage increases after a few years on the job, offer as many courses as possible that meet college admission requirements, and lead to attainment of an occupational skill certificate. (Education Code 52302)

Student Organizations

CSBA NOTE: The following optional section may be used by districts providing any CTE program(s). 20 USC 2355 permits the use of Perkins V funding to support career technical student organizations and related activities. According to CDE, state-supported organizations include California DECA: A Marketing Association (formerly Distributive Education Clubs of America), Future Business Leaders of America (FBLA), Future Farmers of America (FFA), Future Homemakers of America-Home Economics Related Occupations (FHA-HERO), Health Occupations Students of America (HOSA), and Skills USA (formerly Vocational Industrial Clubs of America-VICA).

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

| 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

| | |
|---------------------|---|
| 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/ROXhmuEJ5IZ69DPxdsIshDSuA== |
| Website | Association for Career and Technical Education - https://simbli.eboardsolutions.com/SU/LiN69hrw6tCdoheEkgSaFQ== |
| 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/aiMKC0wlc2eTMogaBMcl9g== |
| 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/dl7biMSP81bUfpxMPCFyyA== |
| 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/ZGZhz17ATfhJBPQ13Jplus7cw== |
| 0420.4 | Charter School Authorization - https://simbli.eboardsolutions.com/SU/yqvHtAwxzfzp9smLplumfcaQ== |
| 0420.4 | Charter School Authorization - https://simbli.eboardsolutions.com/SU/6aKw9KbSgexgJfcQrYo5eQ== |
| 0440 | District Technology Plan - https://simbli.eboardsolutions.com/SU/c3TEEZEDFLVMDh05wl0TCQ== |
| 0440 | District Technology Plan - https://simbli.eboardsolutions.com/SU/xvf0pluskxWXJhSWUIB3QBmhA== |
| 0460 | Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg== |
| 0460 | Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/N8bGSx8fXallgcLPJYKR9w== |
| 0500 | Accountability - https://simbli.eboardsolutions.com/SU/PDWiti8tEaGKnqJbgZ4Q3g== |
| 1220 | Citizen Advisory Committees - https://simbli.eboardsolutions.com/SU/7wRcaQ9gjBXCouqWB54wfA== |
| 1220 | Citizen Advisory Committees - https://simbli.eboardsolutions.com/SU/WXKjOn8KQoplusMplZpTd3ujpQ== |
| 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== |
| 1700 | Relations Between Private Industry And The Schools - https://simbli.eboardsolutions.com/SU/ZCumr5xglcyZr9nTlplusn4LA== |
| 3230 | Federal Grant Funds - https://simbli.eboardsolutions.com/SU/OVH379RjC0a1aO7I1TFHYg== |
| 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/ezslshZHMnYpluscHnfpO2vztUslshg== |
| 3512-E(1) | Equipment - https://simbli.eboardsolutions.com/SU/htmlpluswvNopsrGRvHnZmL57Q== |
| 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/IYMIIfYPYXEiEMhaRz6slshWJQ== |
| 4331 | Staff Development - https://simbli.eboardsolutions.com/SU/3BIIBFE9slshf2AInllsFw7ag== |
| 5113.1 | Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/Hw5C1aEnixhuUFV0E9Vntg== |
| 5113.1 | Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/D2Llg7JcgumhuWnRLo2bAw== |
| 5113.2 | Work Permits - https://simbli.eboardsolutions.com/SU/LlplusEgDe8hDVsmSpluf0Minfw== |
| 5113.2 | Work Permits - https://simbli.eboardsolutions.com/SU/2En6wnlSEgfSfkSp6tsW2Q== |
| 5145.6 | Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/SuvNxTtlUJXfalLui15AA== |
| 5145.6-E(1) | Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/RdNSntUjWlclshJyFn1Yfqfw== |
| 5145.6-E PDF(1) | Parent/guardian Notifications - https://simbli.eboardsolutions.com/SU/ninmwtTREiIJOBj9P7Qi7g== |
| 5148.2 | Before/After School Programs - https://simbli.eboardsolutions.com/SU/AOMrlh0ISNE6AkENQ3qyBg== |
| 5148.2 | Before/After School Programs - https://simbli.eboardsolutions.com/SU/4jwYuGplust2xplusjh7Z1YX0JFQ== |
| 6011 | Academic Standards - https://simbli.eboardsolutions.com/SU/Tplusl1ybplusF7QGkEslshLEej7PvA== |
| 6020 | Parent Involvement - https://simbli.eboardsolutions.com/SU/8BBILRHFPN4Ze3IDgijtlg== |
| 6020 | Parent Involvement - https://simbli.eboardsolutions.com/SU/Q0ib1gK3KHGsHNlpTjql8A== |

| | |
|-----------------|---|
| 6112 | School Day - https://simbli.eboardsolutions.com/SU/05atqxQB68mlO84XP5vNw== |
| 6112 | School Day - https://simbli.eboardsolutions.com/SU/XRplus7M06NPTIz3YyiADAJMA== |
| 6141 | Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/LdZqO8PdBm96KAMTQJmplusqA== |
| 6141 | Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/sJjsFNaej0ooUN9G7aplusvrw== |
| 6141.4 | International Baccalaureate Program - https://simbli.eboardsolutions.com/SU/3HplusWL7OI2YANMyMpgmHLBQ== |
| 6143 | Courses Of Study - https://simbli.eboardsolutions.com/SU/zJXVIX5MALJLJUeETQnbQA== |
| 6143 | Courses Of Study - https://simbli.eboardsolutions.com/SU/bUCwdpAJjX5ggLMG3GsxDA== |
| 6145 | Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/TkiGkzMnAo9vQwZU56wqVw== |
| 6145 | Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/Fr5qETtTn48ak1ITDSX9jg== |
| 6145.5 | Student Organizations And Equal Access - https://simbli.eboardsolutions.com/SU/0qp5CDCPz8M9qc7jKUhzag== |
| 6145.5 | Student Organizations And Equal Access - https://simbli.eboardsolutions.com/SU/tkCu7yQSUwQ7chWkDREDlg== |
| 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== |
| 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/plus8xwE8lQn3xfTtyZCiphKQ== |
| 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== |
| 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/NdqSEfNslshhwaBKplusUkKH040A== |
| 6162.51 | State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/oZbkKwYtcu0mkplusF9H7PNfQ== |
| 6164.2 | Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/QEsZgzQo3AFYxslshFZf9HBrg== |
| 6164.5 | Student Success Teams - https://simbli.eboardsolutions.com/SU/XrnsIshQIPaFW9wMoMV2IEKpg== |

6164.5 Student Success Teams -
<https://simbli.eboardsolutions.com/SU/UkLsYeA03YN6xcWenpZIVQ==>

6171 Title I Programs -
<https://simbli.eboardsolutions.com/SU/p4BMACj6yFUh6JSJgfA2gA==>

6171 Title I Programs -
<https://simbli.eboardsolutions.com/SU/Dbh9ejHszdfmzm1699QEQQ==>

6172 Gifted And Talented Student Program -
<https://simbli.eboardsolutions.com/SU/wTl8EVvu0t0484S390RuGw==>

6172 Gifted And Talented Student Program -
<https://simbli.eboardsolutions.com/SU/G268l3K6kr8FEbTmbKV2A==>

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/cBBPHW6bnozwsishP8S2Cj02w==>

6173 Education For Homeless Children -
<https://simbli.eboardsolutions.com/SU/zsjkyhfKAplusFQR21mnjd3hw==>

6173 Education For Homeless Children -
<https://simbli.eboardsolutions.com/SU/vD4ZxTplusVHjDJcdnxYRslshO3g==>

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/D7vRHxXZslshBORslshzL7t0wPgw==>

6175 Migrant Education Program -
<https://simbli.eboardsolutions.com/SU/roLeyXGgp5l03jclK5slshG1A==>

6175 Migrant Education Program -
<https://simbli.eboardsolutions.com/SU/eEi167SF33ZkvAHsw1fl7g==>

6176 Weekend/Saturday Classes -
<https://simbli.eboardsolutions.com/SU/gT9qUoycslshwAqFdyaRaqF4w==>

6178.1 Work-Based Learning -
<https://simbli.eboardsolutions.com/SU/avQYbt3iAAr7wkf1xeEMuA==>

6178.1 Work-Based Learning -
<https://simbli.eboardsolutions.com/SU/wLcNslshgmplusmQlg9zvVgyCIMQ==>

6178.2 Regional Occupational Center/Program -
<https://simbli.eboardsolutions.com/SU/zpluswb3uMkLaEnDGYEUtDXjQ==>

6181 Alternative Schools/Programs Of Choice -
<https://simbli.eboardsolutions.com/SU/Sa5uR0ng884KxBYpfmshFiQ==>

6181 Alternative Schools/Programs Of Choice -
<https://simbli.eboardsolutions.com/SU/2T3JOQ3ETpzAugVUUKL2plusA==>

6184 Continuation Education -
<https://simbli.eboardsolutions.com/SU/3Ht4rBWGplusXBfB2lhozFRg==>

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/GBFlqzwmwZQwt8slshR7plusdHYQQ==>

6200 Adult Education -
<https://simbli.eboardsolutions.com/SU/plus0bvJoejCOEIMYEaP8Bpgg==>

7110 Facilities Master Plan -
<https://simbli.eboardsolutions.com/SU/CTyHH1bl8WMyv7LT883UOw==>

Policy 6200: Adult Education

Status: ADOPTED

Original Adopted Date: 06/01/1997 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

CSBA NOTE: The following policy is for use by any high school district or unified school district that maintains an adult education school or program or that participates in a program offered by the county office of education.

Education Code 84900-84920 establish the Adult Education Program to provide adult education services through a regional consortium of school districts, county offices of education, community college districts, and joint powers authorities consisting of those entities. Other funding for adult education may be available through local control funding formula apportionments, California Work Opportunity and Responsibility to Kids (CalWORKs) funds for education and job training (Welfare and Institutions Code 11320-11329.5), the federal Workforce Innovation and Opportunity Act (29 USC 3101-3255), Adult Education and Literacy Act (29 USC 3271-3333), and/or Strengthening Career and Technical Education for the 21st Century Act (20 USC 2301-2414). Pursuant to Education Code 41976, as amended by AB 486 (Ch. 666, Statutes of 2021), funds allocated through the Adult Education Program may only be used in accordance with law and as specified in the accompanying administrative regulation. The district may revise the following policy to reflect requirements of the program(s) it offers.

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.

CSBA NOTE: Education Code 51056 and 52515 require approval by the California Department of Education (CDE) of courses offered in adult education programs. For further information regarding course approval see the accompanying administrative regulation and CDE's web site.

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)

CSBA NOTE: Classes organized primarily for adults may be taught by holders of the designated subjects adult teaching credential pursuant to Education Code 44260.2-44260.3. See the Commission on Teacher Credentialing's web site for further information and credential requirements.

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.

CSBA NOTE: Education Code 52620 permits the Governing Board to authorize an adult education student pursuing a high school diploma or a high school equivalency certificate to enroll as a special part-time student at a community college.

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)

CSBA NOTE: Pursuant to Education Code 52508, the Board is authorized to 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, as long as the Board has prescribed the requirements for the awarding of any such diplomas pursuant to Education Code 52509.

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)

CSBA NOTE: Education Code 52509 mandates the Board of any district maintaining an adult school or program to prescribe requirements for the granting of a high school diploma. Courses required for a high school diploma in California are specified in Education Code 51225.3; see BP 6146.1 - High School Graduation Requirements. Students seeking their high school diploma through adult education must meet those course requirements.

However, the district may waive any additional district-established high school graduation requirements. Districts that have so revised their local graduation requirements for adult education students should modify the following paragraph as appropriate.

Adult education students who fulfill the district's graduation requirements shall receive a diploma of high school graduation.

CSBA NOTE: Pursuant to Education Code 52511, a district may contract with another district to provide adult education instruction in any of the situations specified in the following paragraph.

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)

CSBA NOTE: The following two optional paragraphs may be used by districts that participate in the regional consortium established for purposes of the Adult Education Program pursuant to Education Code 84900-84920. Education Code 84906 requires the consortium to approve a three-year adult education plan that addresses a three-year fiscal planning cycle, and fulfills the components specified in Education Code 84906. The plan is required to be updated at least once each year based on available data.

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)

CSBA NOTE: The following paragraph may be revised to reflect indicators of program effectiveness identified by the district and/or adult education regional consortium in which the district participates. Education Code 84920 requires the Superintendent of Public Instruction and California Community College Chancellor (CCCC) to identify common measures for determining consortium members effectiveness in meeting the educational needs of adults, which is provided for in CDE's and CCCC's, "Adult Education Block Grant (AEBG) Measures of Effectiveness". In addition, for districts participating in the federal Adult Education and Family Literacy Act, CDE requires the use of the Comprehensive Adult Student Assessment Systems (CASAS), a set of standardized assessment instruments developed by the nonprofit organization CASAS, to track the progress of adult students.

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

Description

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|-------------------------|---|
| 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== |
| Ed. Code 41975-41976.1 | Adult education; authorized classes and courses |
| 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

- 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

Description

- Adult Education Block Grant (AEBG) Measures of Effectiveness
- Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020
- CSBA District and County Office of Education Legal Services - <https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>
- California Department of Education, Adult Education - <https://simbli.eboardsolutions.com/SU/gAzTIB92QDIgv66uCVmplusw==>
- California Department of Industrial Relations, Division of Apprenticeship Standards - <https://simbli.eboardsolutions.com/SU/bflwmgcl9A2X6bB1bsnz4g==>

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| Website | California Council for Adult Education - https://simbli.eboardsolutions.com/SU/Espa0cpFsAr9xZVyslshqkZg== |
| Website | Comprehensive Adult Student Assessment Systems - https://simbli.eboardsolutions.com/SU/i4duplusM9plusOMt75lXpka2l3A== |
| Website | Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNIqRUulsaq7efc7aH4Q== |

Cross References

Description

| | |
|-----------------|--|
| 0410 | Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ== |
| 0440 | District Technology Plan - https://simbli.eboardsolutions.com/SU/c3TEEZEDFLVMDh05wl0TCQ== |
| 0440 | District Technology Plan - https://simbli.eboardsolutions.com/SU/xvf0pluskxWXJhSWUIB3QBmhA== |
| 0500 | Accountability - https://simbli.eboardsolutions.com/SU/PDWiti8tEaGKnqJbgZ4Q3g== |
| 1312.3 | Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qvzpYbttZOPNWrpR2Lc9VQ== |
| 1312.3 | Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/U5PKMAksh8XdmxbODX9gY2A== |
| 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/sDRNJKOFJdr6rBfMAplusMplusg== |
| 3260 | Fees And Charges - https://simbli.eboardsolutions.com/SU/46smJEFyHQTgoxbzQIEJJA== |
| 3260 | Fees And Charges - https://simbli.eboardsolutions.com/SU/FeWbTzBdYgA9xdZd3xUExA== |
| 3541 | Transportation Routes And Services - https://simbli.eboardsolutions.com/SU/x9xslshKxLvYXXvWxrplus6eUEMg== |
| 4112.2 | Certification - https://simbli.eboardsolutions.com/SU/NtHKleuKt9J8bge0adj3gg== |
| 4112.2 | Certification - https://simbli.eboardsolutions.com/SU/tUslshewyAvQpluseaA5VjOFaFlw== |
| 4121 | Temporary/Substitute Personnel - https://simbli.eboardsolutions.com/SU/UQVHOa8Qzs52Adry5FhGeA== |
| 4121 | Temporary/Substitute Personnel - https://simbli.eboardsolutions.com/SU/Eytslsh362LVDh2oTivuLm8gA== |
| 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/NNjfbFeTHYMLXa2oyKWJTg== |
| 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/iVnd1RslshrYn5G7DW0f2PmUw== |

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| 6145.6 | International Exchange - https://simbli.eboardsolutions.com/SU/W9EQU19GTNylrEPplusnb44uw== |
| 6145.6 | International Exchange - https://simbli.eboardsolutions.com/SU/rgvimV2OWiwdzB6z19krmQ== |
| 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== |
| 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== |
| 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== |
| 6178 | Career Technical Education - https://simbli.eboardsolutions.com/SU/GOGblNrY33slshvwnnQn0jw8A== |
| 6178 | Career Technical Education - https://simbli.eboardsolutions.com/SU/S4qxTuQvqZWso7diDlxw9g== |
| 6178.2 | Regional Occupational Center/Program - https://simbli.eboardsolutions.com/SU/zpluswb3uMkLaEnDGYEUtDXjQ== |
| 6184 | Continuation Education - https://simbli.eboardsolutions.com/SU/3Ht4rBWGplusXBfB2lhozFRg== |
| 6184 | Continuation Education - https://simbli.eboardsolutions.com/SU/cdslsh69Uc64Uvliuo5C1RewQ== |
| 9140 | Board Representatives - https://simbli.eboardsolutions.com/SU/yjmslshNKV8wpR65FwNX38SKg== |

Regulation 6200: Adult Education

Status: ADOPTED

Original Adopted Date: 06/01/1997 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

CSBA NOTE: The following administrative regulation may be revised for consistency with the adult education plan adopted by the regional consortium established for the Adult Education Program, pursuant to Education Code 84906.

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.

CSBA NOTE: The following paragraph is optional.

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

CSBA NOTE: The following paragraph is optional. Education Code 52500.1 does not require that the above statement be signed. However, obtaining the signature of all parties is one way to document the student's voluntary participation in the program and the high school representative's determination that the program will enhance the student's progress toward 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

CSBA NOTE: The following list should be revised to reflect the types of adult education programs offered by the district. Education Code 41976, as amended by AB 486 (Ch. 666, Statutes of 2022), authorizes the use of Adult Education Program funds to support the programs listed in Items #1-7 below. Local control funding formula (LCFF) and/or other district funds may be used for many of these same purposes.

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

CSBA NOTE: Education Code 52550-52555 require establishing citizenship programs in high school districts when 25 or more persons residing in the district apply for such training, and permit such classes upon demand when there are a lesser number of applicants. Pursuant to Education Code 41976, as amended by AB 486, the course may include immigrant integration.

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.

CSBA NOTE: Education Code 52540 sets conditions for establishing English as a second language classes in high school districts when 20 or more adults residing in the district apply for such classes.

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.

CSBA NOTE: Pursuant to Education Code 51056 and 52515, adult education courses must be approved by the California Department of Education (CDE). According to CDE's website, within 20 working days of receiving a request, CDE will provide electronic certification of course approval. Authorized courses are listed in the Adult Education Course Approval System (A-22) on CDE's web site.

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.

CSBA NOTE: The following optional paragraph is for use by districts that offer community service classes; see BP 6142.4 - Service Learning/Community Service Classes. Pursuant to Education Code 51810, the district may provide community service classes in specified subjects without the approval of CDE.

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

CSBA NOTE: Education Code 52612-52613 authorize the district to charge fees for adult education classes, with certain exceptions. The total of these fees plus revenues derived from average daily attendance must not exceed the estimated cost of all such classes. The following section should be revised to reflect district practice.

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.

CSBA NOTE: The following paragraph is optional.

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

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| 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== |
| Ed. Code 41975-41976.1 | Adult education; authorized classes and courses |
| 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 |

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| 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

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| 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 |

Description

Management Resources References

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| 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/UdykszdmPETuDslshXk6R5akQ== |
| 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/bflwmgcl9A2X6bB1bsnz4g== |
| Website | California Council for Adult Education - https://simbli.eboardsolutions.com/SU/Espa0cpFsAr9xZVyslshqkZg== |
| Website | Comprehensive Adult Student Assessment Systems - https://simbli.eboardsolutions.com/SU/i4duplusM9plusOMt75IXpka2I3A== |
| Website | Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNIqRUuIsaq7efc7aH4Q== |

Description

Cross References

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| 0410 | Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ== |
| 0440 | District Technology Plan - https://simbli.eboardsolutions.com/SU/c3TEEZEDFLVMDh05wl0TCQ== |

Description

0440 District Technology Plan -
<https://simbli.eboardsolutions.com/SU/xvf0pluskxWXJhSWUIB3QBmhA==>

0500 Accountability -
<https://simbli.eboardsolutions.com/SU/PDWiti8tEaGKnqJbgZ4Q3g==>

1312.3 Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/qvzpYbttZOPNWrpR2Lc9VQ==>

1312.3 Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/U5PKMAksh8XdmbODX9gY2A==>

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/sDRNJKOFJdr6rBfMAplusMplusg==>

3260 Fees And Charges -
<https://simbli.eboardsolutions.com/SU/46smJEFyHQTgoxbzQIEJJA==>

3260 Fees And Charges -
<https://simbli.eboardsolutions.com/SU/FeWbTzBdYgA9xdZd3xUExA==>

3541 Transportation Routes And Services -
<https://simbli.eboardsolutions.com/SU/x9xslshKxLvYXXvWxrplus6eJEMg==>

4112.2 Certification -
<https://simbli.eboardsolutions.com/SU/NtHKLeuKt9J8bge0adj3gg==>

4112.2 Certification -
<https://simbli.eboardsolutions.com/SU/tUslshewyAvQpluseaA5VjOFaFlw==>

4121 Temporary/Substitute Personnel -
<https://simbli.eboardsolutions.com/SU/UQVHOa8Qzs52Adry5FhGeA==>

4121 Temporary/Substitute Personnel -
<https://simbli.eboardsolutions.com/SU/Eytslsh362LVDh2oTivuLm8gA==>

4131 Staff Development -
<https://simbli.eboardsolutions.com/SU/IYMIIfYPYXEiEMhaRz6slshWJQ==>

5148.3 Preschool/Early Childhood Education -
<https://simbli.eboardsolutions.com/SU/RTDH1giQv3pNi6GwaFYplusw==>

5148.3 Preschool/Early Childhood Education -
<https://simbli.eboardsolutions.com/SU/NNjfbFeTHYMLXa2oyKWJTg==>

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/iVnd1RslshrYn5G7DW0f2PmUw==>

6145.6 International Exchange -
<https://simbli.eboardsolutions.com/SU/W9EQU19GTNylrEPplusnb44uw==>

6145.6 International Exchange -
<https://simbli.eboardsolutions.com/SU/rgvimV2OWiwdzB6z19krmQ==>

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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| 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/plus8xwE8lQn3xfTtyZCiphKQ== |
| 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/Xs7XqDX5xXWGTjEqvve54w== |
| 6146.5 | Elementary/Middle School Graduation Requirements - https://simbli.eboardsolutions.com/SU/fAstBYp2I21WTHslshGrKpnSQ== |
| 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/cBBPHW6bnozwsishP8S2Cj02w== |
| 6178 | Career Technical Education - https://simbli.eboardsolutions.com/SU/GOGblNrY33slshvwnnQn0jw8A== |
| 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/3Ht4rBWGplusXBfB2lhozFRg== |
| 6184 | Continuation Education - https://simbli.eboardsolutions.com/SU/cdslsh69Uc64Uvliuo5C1RewQ== |
| 9140 | Board Representatives - https://simbli.eboardsolutions.com/SU/yjmslshNKV8wpR65FwNX38SKg== |

Policy 7110: Facilities Master Plan

Status: ADOPTED

Original Adopted Date: 02/01/1996 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

CSBA NOTE: The following optional policy may be revised to reflect district practice. Pursuant to the School Facility Program (Education Code 17070.10-17079.30), the State Allocation Board (SAB) and Office of Public School Construction administer state funding programs for new construction, modernization, career technical education facilities, charter school facilities, critically overcrowded school facilities, facility hardships, seismic mitigation, high performance incentives (environmentally efficient schools), joint use programs, labor compliance, overcrowding relief, emergency repairs, and deferred maintenance.

For additional information about the facilities master planning process, see CSBA's fact sheet, "Facilities Master Planning." In addition, CSBA's Facilities Planning program provides assistance with enrollment projections and/or the development of facilities master plans.

Although not required by law, the California Department of Education's (CDE) publication, "Educational Specifications: Linking Design of School Facilities to Educational Program," recommends that the district's facilities master plan be adopted by formal resolution of the Governing Board.

The Governing Board recognizes the importance of long-range planning for school facilities in order to address changes in student enrollment, teacher housing needs, and the district's educational program. The Superintendent or designee shall develop, for Board approval, a master plan for district facilities which describes the district's anticipated short- and long-term facilities needs and priorities.

Plan Development

The district's facilities master plan shall be based on an assessment of the condition and adequacy of existing facilities, a projection of future enrollments, and alignment of facilities with the district's vision for the instructional program.

To solicit broad input into the planning process, the Superintendent or designee may establish a facilities advisory committee consisting of staff, parents/guardians, and business, local government, and other community representatives. The Superintendent or designee shall ensure that the public is informed of the need for construction and modernization of facilities and of the district's plans for facilities.

At least 45 days prior to completion of any facilities plan that relates to the potential expansion of existing school sites or the necessity to acquire additional school sites, the Superintendent or designee shall notify and provide copies of the plan or any relevant and available information to the planning commission or agency of the city or county with land use jurisdiction within the district. (Government Code 65352.2)

If the city or county commission or agency requests a meeting, the Superintendent or designee shall meet with the commission or agency within 15 days following the notification. Items that the parties may discuss at the meeting include, but are not limited to, methods of coordinating planning with proposed revitalization efforts and recreation and park programs, options for new school sites, methods of maximizing the safety of persons traveling to and from the site, and opportunities for financial assistance. (Government Code 65352.2)

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. In its "Public School Construction Cost Reduction Guidelines," SAB recommends that facilities master plans be reevaluated whenever a new construction project is initiated or at intervals not exceeding five years.

The master plan shall be regularly reviewed and updated as necessary to reflect changes in the educational program, existing facilities, finances, or demographic data.

Plan Components

CSBA NOTE: CDE's publication, "Educational Specifications: Linking Design of School Facilities to Educational Program (Appendix 1)," recommends components that should be addressed in the facilities master plan. Items #1-8 below are optional and may be revised to reflect district practice.

The facilities master plan shall include:

1. A statement of purpose, including district goals, philosophy, and related policies

2. A description of the planning process
3. Demographics of the community, such as economic trends, migration patterns, employment base, residential base, socioeconomic makeup, historical school enrollments, and inventory of physical resources and needs
4. A description of the educational program, such as grade-level organization, class size, staffing patterns, technology plans, special programs and support services, and other educational specifications
5. Analysis of the safety, adequacy, and equity of existing facilities and potential for expansion, including the adequacy of classrooms, school cafeterias and food preparation areas, physical activity areas, playgrounds, parking areas, and other school grounds
6. Site selection criteria and process
7. Development of a capital planning budget and identification of potential funding sources
8. Policy for reviewing and updating the plan

Planning shall ensure that school facilities meet the following minimum standards: (5 CCR 14001)

1. Are aligned with the district's educational goals and objectives
2. Provide for maximum site enrollment at school facilities
3. Are located on a site that meets California Department of Education standards as specified in 5 CCR 14010
4. Are designed for the environmental comfort and work efficiency of the occupants
5. Are designed to require a practical minimum of maintenance
6. Are designed to meet federal, state, and local statutory requirements for structure, fire, and public safety
7. Are designed and engineered with flexibility to accommodate future need

CSBA NOTE: 5 CCR 14030 delineates detailed standards for developing plans for the design and construction of school facilities. All school districts must comply with these standards, whether a project is state funded or locally funded. Other legal requirements for facilities plans, including Education Code 16011, 16322, and 17251, vary depending on the funding source and type of project.

Pursuant to the Americans with Disabilities Act (ADA) (42 USC 12101-12213) and 28 CFR 35.150 and 35.151, district facilities must be accessible to and usable by individuals with disabilities. In achieving compliance, a district need not make structural changes to existing facilities if other methods are effective and the district can demonstrate that the structural change would result in a fundamental alteration in the nature of the activity or an undue financial or administrative burden. However, all newly constructed facilities must comply with the 2010 ADA Standards for Accessible Designs pursuant to 28 CFR 35.151. CSBA's ADA Compliance Program offers a variety of accessibility services including, but not limited to, facilities inspections and planning to transition facilities into full ADA compliance.

California Green Building Standards Code, Title 24, Part 11 of the California Code of Regulations, ("CALGreen") establishes both mandatory requirements and voluntary standards for "green" building, which apply to all new construction and are applicable to K-12 schools. CALGreen addresses five major areas: (1) planning and design, (2) energy efficiency, (3) water efficiency, (4) material conservation and resource efficiency, and (5) indoor environmental quality.

Health and Safety Code 53570-53574, The Teacher Housing Act of 2016, authorizes districts to establish and implement programs that address the housing needs of teachers and district employees facing challenges in securing affordable housing. Pursuant to Education Code 17283.5 and Government Code 4454.5, as added by AB 306 (Ch. 49, Statutes of 2021), residential housing, defined as any building used as a personal residence by a teacher or employee of a district, with the teacher's or employee's family, is specifically exempt from obtaining approval from the Department of General Services for earthquake safety (Field Act) and access by persons with disabilities.

Plans for the design and construction of new school facilities shall also meet the standards described in 5 CCR

14030, the California Green Building Standards Code, Title 24, Part 11 of the California Code of Regulations ("CALGreen"), the Americans with Disabilities Act (ADA) pursuant to 42 USC 12101-12213, and any other requirements applicable to the funding source and type of project.

However, plans for residential housing, which includes any building used or intended to be used by the district as a personal residence by a teacher or employee of the district, is not considered to be a "school building" and does not require approval by the Department of General Services regarding earthquake safety and/or the ADA. (Education Code 17283.5; Government Code 4454.5)

CSBA NOTE: Subject to the availability of funds, districts may apply pursuant to Education Code 17077.40-17077.45 to fund joint use projects which are part of (1) a qualifying new construction project that will either increase the size and/or create extra costs beyond that necessary for school use of the multipurpose room, gymnasium, child care facility, library, or teacher education facility; or (2) a modernization project or a stand-alone project to provide for a multipurpose room, gymnasium, child care facility, library, or teacher education facility at a school that does not have the type of facility needed or has an inadequate facility.

To facilitate the efficient use of public resources when planning for new construction or modernization of school facilities, the district may consider designs that facilitate joint use of the facility with a local governmental agency, public postsecondary institution, or nonprofit organization.

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 |
|----------------------------|---|
| 2 CCR 1859-1859.199 | Leroy F. Greene School Facilities Act - https://simbli.eboardsolutions.com/SU/nuvesXH7Af1QqDOmGTa3wA== |
| 24 CCR 101 | California Building Standards Code |
| 5 CCR 14001 | Minimum standards for school facilities |
| 5 CCR 14010 | Procedure for site acquisition |
| 5 CCR 14030-14036 | Standards, planning, and approval of school facilities |
| Ed. Code 16011 | Long-range comprehensive master plan - https://simbli.eboardsolutions.com/SU/inBIFyIkCBVWwIUslshOCxSAA== |
| Ed. Code 16322 | California Department of Education services - https://simbli.eboardsolutions.com/SU/Kys0OUslshslshslshRcKslsh1FUOzDoww== |
| Ed. Code 17017.5 | Approval of applications for projects - https://simbli.eboardsolutions.com/SU/XplusZMetKGleiY7A8UyyjshSQ== |
| Ed. Code 17070.10-17079.30 | Leroy F. Greene School Facilities Act - https://simbli.eboardsolutions.com/SU/fu4PsUtUAAb4qYYOY9breHg== |
| Ed. Code 17251-17256 | CDE powers concerning buildings and building sites - https://simbli.eboardsolutions.com/SU/NwS3Om8nmJ04Yslsho0jqlt8A== |
| Ed. Code 17260-17268 | Plans and specifications for school facilities - https://simbli.eboardsolutions.com/SU/K93eKC5SslshBGM5azLOpZgjjg== |
| Ed. Code 17280-17317 | Field Act; approval of plans and supervision of construction |
| Ed. Code 17283.5 | School building does not include residential housing |
| Ed. Code 17365-17374 | Field Act; fitness for occupancy; liability of board members |
| Ed. Code 17405 | Relocatable structures; lease requirements |
| Ed. Code 35275 | New school planning; cooperation with recreation and park authorities |
| Ed. Code 4454.5 | Approval of plans and specifications; exemption of residential housing |
| Gov. Code 53090-53097.5 | Regulation of local agencies by counties and cities |
| Gov. Code 65352.2 | Communicating and coordinating of school sites |
| Gov. Code 65995.6 | School facilities needs analysis |
| H&S Code 53570-53574 | Teacher Housing Act of 2016 |

Federal References

28 CFR 35.101-35.190
42 USC 12101-12213

Description

Americans with Disabilities Act
Americans with Disabilities Act

Management Resources References

California Department of Education Publication
California Department of Education Publication
California Department of Education Publication
CSBA Publication
CSBA Publication
Office of Public School Construction Publication
Office of Public School Construction Publication
State Allocation Board Publication

Website

Website

Website

Website

Description

Educational Specifications: Linking Design of School Facilities to Educational Program, 1997
Guide for the Development of a Long-Range Facilities Plan, 1986
Schools of the Future Report, September 2011
Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010
Facilities Master Planning, Fact Sheet, November 2007
School Facility Program Handbook, January 2019
A Brief Overview of the School Facility Program, May 2016
Public School Construction Cost Reduction Guidelines, 2000

CSBA District and County Office of Education Legal Services -
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>

Department of General Services, Office of Public School Construction -
<https://simbli.eboardsolutions.com/SU/UxUcDGuszWNedr16Dp8wuQ==>

California Department of Education -
<https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==>

CSBA -
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Cross References

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0200
0400
0410
0415
0460
0460
1220
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1330.1
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Description

Vision - <https://simbli.eboardsolutions.com/SU/KljZfslsh88rWzvlh7AJ98iog==>
Goals For The School District -
<https://simbli.eboardsolutions.com/SU/9j90oJApXGvO9is1lyD8g==>
Comprehensive Plans -
<https://simbli.eboardsolutions.com/SU/UILsVqPZvBpSMYEMSSpGQ==>
Nondiscrimination In District Programs And Activities -
<https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ==>
Equity -
<https://simbli.eboardsolutions.com/SU/ZGZhz17ATfHJBPO13Jplus7cw==>
Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg==>
Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/N8bGSx8fXalLgcLPJYKR9w==>
Citizen Advisory Committees -
<https://simbli.eboardsolutions.com/SU/7wRcaQ9gJBXCOuqWB54wfA==>
Citizen Advisory Committees -
<https://simbli.eboardsolutions.com/SU/WXKjOn8KOplusMplZpTd3ujpQ==>
Joint Use Agreements -
<https://simbli.eboardsolutions.com/SU/MAPp1vZuzplus4Gqg6jSyK5KQ==>
Access To District Records -
<https://simbli.eboardsolutions.com/SU/VQd4HhnlB5p7OgDHHuo3HA==>
Access To District Records -
<https://simbli.eboardsolutions.com/SU/fhcZPsXmszl9QLwLKW0rSw==>

3280 Sale Or Lease Of District-Owned Real Property -
<https://simbli.eboardsolutions.com/SU/nl52FBYBISbzNGRG8CrhkQ==>

3280 Sale Or Lease Of District-Owned Real Property -
<https://simbli.eboardsolutions.com/SU/dHavl4DJJ4VVVaplus02n5bFkg==>

3311.1 Uniform Public Construction Cost Accounting Procedures -
<https://simbli.eboardsolutions.com/SU/Q3stT7bsNcaKaqj5JxliBg==>

3311.1 Uniform Public Construction Cost Accounting Procedures -
<https://simbli.eboardsolutions.com/SU/VsoDfoloi2blzPF6jhD9gA==>

3311.3 Design-Build Contracts -
<https://simbli.eboardsolutions.com/SU/0HUUJ7bdoQBq6ml3pX0HeFQ==>

3470 Debt Issuance And Management -
<https://simbli.eboardsolutions.com/SU/uaUO1PslshiQVjou0LbEBFgPg==>

3510 Green School Operations -
<https://simbli.eboardsolutions.com/SU/KOGKzAB8i2S6wgjlPPfUw==>

3511 Energy And Water Management -
<https://simbli.eboardsolutions.com/SU/6U4LYM8ognqwmrbp8zWccQ==>

3511 Energy And Water Management -
<https://simbli.eboardsolutions.com/SU/iAnvY3u49coMifpxvKeARg==>

3511.1 Integrated Waste Management -
<https://simbli.eboardsolutions.com/SU/Y9FyWGORGodKIGNRslshKMofg==>

3511.1 Integrated Waste Management -
<https://simbli.eboardsolutions.com/SU/UNtBkiqKOCpoemKmiFAE2w==>

3514 Environmental Safety -
<https://simbli.eboardsolutions.com/SU/FREeZf6a8MvAoYS87Pslshlplusw==>

3514 Environmental Safety -
<https://simbli.eboardsolutions.com/SU/BSLtfUgO3jNMI5qQwVEu7A==>

3517 Facilities Inspection -
<https://simbli.eboardsolutions.com/SU/FwTPOhvRxiNJslshEW1LnHQ==>

3517-E(1) Facilities Inspection -
<https://simbli.eboardsolutions.com/SU/pluswdSb1sGBbeWLETQ8P8ylQ==>

3550 Food Service/Child Nutrition Program -
<https://simbli.eboardsolutions.com/SU/08qN2JplusCipasRtU7nhplus2qg==>

3550 Food Service/Child Nutrition Program -
<https://simbli.eboardsolutions.com/SU/Qo9sz5aT68knWpk2vi8Djg==>

5030 Student Wellness -
<https://simbli.eboardsolutions.com/SU/CvzKiInplusCH4n5fplusplusl8ljA==>

5141.7 Sun Safety -
<https://simbli.eboardsolutions.com/SU/SNqwxzDtpfEKQaffd0uRRQ==>

5142 Safety -
<https://simbli.eboardsolutions.com/SU/Tq3INak59bTplusYdOwiq8t6g==>

5142 Safety - <https://simbli.eboardsolutions.com/SU/hIU2RlznMfLY9ncLr0bzlQ==>

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==>

5145.3 Nondiscrimination/Harassment -
<https://simbli.eboardsolutions.com/SU/m3D8kgCbYf75xXSrW6Y27Q==>

5145.3 Nondiscrimination/Harassment -
<https://simbli.eboardsolutions.com/SU/be0JrP9vB8YKcEi8kaV3gg==>

| | |
|--------|---|
| 5148 | Child Care And Development - https://simbli.eboardsolutions.com/SU/TkxFLplusg1be5kdCBI21w67A== |
| 5148 | Child Care And Development - https://simbli.eboardsolutions.com/SU/Ez52VnD9tECorZJzyrh5plusg== |
| 5148.3 | Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/RTDH1giQv3plNi6GwaFYplusw== |
| 5148.3 | Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/NNjfbFeTHYMLXa2oyKWJTg== |
| 6117 | Year-Round Schedules - https://simbli.eboardsolutions.com/SU/PGJ0eo0EaMcrbETUgSfnfg== |
| 6141 | Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/LdZqO8PdBm96KAMTQJmplusqA== |
| 6141 | Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/sJjsFNaej0ooUN9G7aplusvrv== |
| 6142.7 | Physical Education And Activity - https://simbli.eboardsolutions.com/SU/ZmslshJWRRGIhooOnK0kYcl2w== |
| 6142.7 | Physical Education And Activity - https://simbli.eboardsolutions.com/SU/7Tuzch26C948slshkHXr3eriw== |
| 6145.2 | Athletic Competition - https://simbli.eboardsolutions.com/SU/WjFHslshd0qO8WHJq9f7Kfh5Q== |
| 6145.2 | Athletic Competition - https://simbli.eboardsolutions.com/SU/3b046reWKA4A9vT9uKSHg== |
| 6163.1 | Library Media Centers - https://simbli.eboardsolutions.com/SU/QOUjppuymAwZwqqwJNVcdg== |
| 6178 | Career Technical Education - https://simbli.eboardsolutions.com/SU/GOGblNrY33slshvwnnQn0jw8A== |
| 6178 | Career Technical Education - https://simbli.eboardsolutions.com/SU/S4qxTuQvqZW507diDlxw9g== |
| 7000 | Concepts And Roles - https://simbli.eboardsolutions.com/SU/N2ktQLFeCplus5t3ksz8contg== |
| 7111 | Evaluating Existing Buildings - https://simbli.eboardsolutions.com/SU/goJJck1h6pJu8MfDmEnYslshg== |
| 7131 | Relations With Local Agencies - https://simbli.eboardsolutions.com/SU/bQsW7PFw0DMY2OdLslslshg== |
| 7140 | Architectural And Engineering Services - https://simbli.eboardsolutions.com/SU/pluslZaMQGyzsVWjWTPj4pKRQ== |
| 7140 | Architectural And Engineering Services - https://simbli.eboardsolutions.com/SU/eplusxHoNRZuWE7z0AyyFABplusQ== |
| 7150 | Site Selection And Development - https://simbli.eboardsolutions.com/SU/sYsAsWmYHUGsslshuVYRgMCbA== |
| 7150 | Site Selection And Development - https://simbli.eboardsolutions.com/SU/9MaBvnOs2WPkslshb54TqcMZQ== |
| 7160 | Charter School Facilities - https://simbli.eboardsolutions.com/SU/plusx0ytUqrR6vrkEezQAlqg== |
| 7160 | Charter School Facilities - https://simbli.eboardsolutions.com/SU/WxGxcu8vOqvCeGbLR3x1KA== |
| 7210 | Facilities Financing - https://simbli.eboardsolutions.com/SU/MIGIRHTFRsKW9LuyR0bsDw== |
| 7212 | Mello-Roos Districts - https://simbli.eboardsolutions.com/SU/cl8Zy2SNDA5mv3OCBlEMCg== |

- 7213 School Facilities Improvement Districts -
<https://simbli.eboardsolutions.com/SU/IC6pRujSmT8Rz8EilGqslshzA==>
- 7214 General Obligation Bonds -
<https://simbli.eboardsolutions.com/SU/dOKQx4NVWC5LFmUtiJEplusXw==>
- 7214 General Obligation Bonds -
<https://simbli.eboardsolutions.com/SU/UHc8Hs9xMjvZltK9cK5rUw==>
- 9000 Role Of The Board -
<https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOFfduR9FE4g==>

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

CSBA NOTE: Education Code 17070.10-17077.10 sets forth eligibility requirements for the receipt of state facilities funds under the Leroy F. Greene School Facilities Act of 1998 (Proposition 1A). As a condition for receipt of the funds, Education Code 17070.50 requires districts to obtain written approval from the California Department of Education (CDE) and certify to the State Allocation Board that the district's site selection and building plans comply with the regulations developed by CDE, pursuant to Education Code 17251(b) and (c). In addition, Education Code 17070.50 requires the district to certify that the services of an architect, a structural engineer, or other design professional has been selected using a competitive process consistent with Government Code 4526. See BP/AR 7140 - Architectural and Engineering Services.

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.

CSBA NOTE: Pursuant to Education Code 17211, districts are required to ensure that property acquired for a new school or an addition to an existing school site meets standards for school site selection as specified in 5 CCR 14010-14012.

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

CSBA NOTE: Pursuant to Public Resources Code 21082, districts are mandated to adopt procedures for the evaluation of all projects (beyond just site selection) and the preparation of environmental impact reports and negative declarations required under the California Environmental Quality Act (CEQA). In order to satisfy this mandate, the district may either (1) adopt the actual CEQA guidelines, as applicable, as its own procedure, (2) adopt the county or city guidelines, (3) or develop its own procedure. In most cases, the district's environmental investigation will conclude with a simultaneous public review of both the environmental documentation and, if applicable, the Department of Toxic Substance Control (DTSC) documents.

Pursuant to Public Resources Code 21092 and 21092.2, as amended by AB 819 (Ch. 97, Statutes of 2021), when CEQA requires a draft environmental impact report, environmental impact report, negative declaration, or mitigated negative declaration (environmental review documents), the district is required to post on its web site those environmental review documents, and public notice of the preparation and availability of such documents. The district must email specified notices when written requests for notices have been filed. See Exhibit 1113-District and School Web Sites and the accompanying administrative regulation.

The following paragraph provides for the use of CEQA guidelines for the evaluation of all projects, including site selection. Districts that have adopted the city/county guidelines or their own procedure should modify the paragraph accordingly.

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

CSBA NOTE: In 82 Ops.Cal.Atty.Gen. 130 (1999), the Attorney General opined that a district may construct a school on land designated by a county ordinance for "agricultural, open space or rural land use." However, the Board must, by a two-thirds vote pursuant to Government Code 53094, render the ordinance inapplicable to the proposed use of the property. See 9323.2 - Actions by the Board. The exemption can be blocked only by a court determination that the action was "arbitrary and capricious."

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 | Description |
|----------------------------|--|
| 14 CCR 15000-15285 | Implementation of California Environmental Quality Act of 1970 |
| 5 CCR 14001-14036 | California Department of Education: school facilities construction |
| CCP 1263.710-1263.770 | Remediation of hazardous substances on property to be acquired by school district |
| Ed. Code 17006 | 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/plusTy35OslshxGAtnD3w6eRjSlshxw== |
| 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/ur7JgL2vMeIWTcC3SCXTPA== |
| 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/NwS3Om8nmJ04Yslsho0jqlt8A== |
| 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
Pub. Res. Code 21000-21177

Risk assessment
California Environmental Quality Act of 1970

Management Resources References

Attorney General Opinion

Website

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/MvslshHMG1znUbWW5UoFHTJqQ==>

Department of Toxic Substances Control -
<https://simbli.eboardsolutions.com/SU/POmXdiUm5t3RqP4HNX5AFA==>

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/UdykszdmPETuDsIshXk6R5akQ==>

Department of General Services, Office of Public School Construction -
<https://simbli.eboardsolutions.com/SU/UxUcDGuszWNedr16Dp8wuQ==>

California Department of Education, School Facilities -
<https://simbli.eboardsolutions.com/SU/ATZTQPd7NwSB3FBncFesIshYA==>

Cross References

1113

District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/Zqs0lbYX5FOKNZRBttrSjA==>

1113

District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/ZEOw4ZKHcT3nfqLxRTR1fw==>

1113-E(1)

District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/i5TLslsh83D1nplusoytHTIsM6ew==>

1220

Citizen Advisory Committees -
<https://simbli.eboardsolutions.com/SU/7wRcaQ9gjBXCouqWB54wfA==>

1220

Citizen Advisory Committees -
<https://simbli.eboardsolutions.com/SU/WXKjOn8KOplusMplZpTd3ujpQ==>

1330.1

Joint Use Agreements -
<https://simbli.eboardsolutions.com/SU/MAPp1vZuzplus4Gqg6jSyK5KQ==>

3311.2

Lease-Leaseback Contracts -
<https://simbli.eboardsolutions.com/SU/l8QSNdaRV09ZFslshUu78sxOA==>

3510

Green School Operations -
<https://simbli.eboardsolutions.com/SU/KOGKzAB8i2S6wgjLPPfUw==>

3514

Environmental Safety -
<https://simbli.eboardsolutions.com/SU/FREeZf6a8MvAoYS87Pslshlplusw==>

3514

Environmental Safety -
<https://simbli.eboardsolutions.com/SU/BSLtfUgO3jNMI5qQwVFu7A==>

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==>

7131

Relations With Local Agencies -
<https://simbli.eboardsolutions.com/SU/bQsW7PFw0DMY2OdLsldslshg==>

| | |
|-----------------|---|
| 7140 | Architectural And Engineering Services - https://simbli.eboardsolutions.com/SU/pluslZaMQGyzsWVjWTPJ4pKRQ== |
| 7140 | Architectural And Engineering Services - https://simbli.eboardsolutions.com/SU/eplusxHoNRZuWE7z0AyyFABplusQ== |
| 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/qTqIJZz7LWxdOXZSRTVLA== |
| 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/NjrqTVMZlQhYwjEpGplusWWQ== |

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)

CSBA NOTE: Education Code 17212.2 authorizes the district to request information from the following entities in order to evaluate the safety of a proposed site.

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.

CSBA NOTE: Pursuant to Public Resources Code 21092, 21092.2, 21092.3, and 21152, as amended by AB 819 (Ch. 97, Statutes of 2021), districts are required to (1) post specified notices to the district's web site, (2) submit a notice of determination or notice of exemption with the county clerk electronically, if that option is offered by the county clerk, and (3) file an environmental notice with the Office of Planning and Research using their online process.

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)

CSBA NOTE: Both a Phase I environmental assessment and a preliminary endangerment assessment, if necessary, must be conducted pursuant to Education Code 17213.1 to determine whether a release of hazardous materials has occurred, as provided in Item #1 below. The district must submit these documents to CDE and the Department of Toxic Substance Control (DTSC) for review. If hazardous substances are disclosed, Education Code 17213.1 authorizes DTSC to order the district to complete certain "response actions" prior to securing state funding.

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)

CSBA NOTE: The Office of Public School Construction recommends that districts consult with legal counsel to ensure compliance with the disabled veteran provisions of Item #4 below.

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

| State References | Description |
|----------------------------|---|
| 14 CCR 15000-15285 | Implementation of California Environmental Quality Act of 1970 |
| 5 CCR 14001-14036 | California Department of Education: school facilities construction |
| CCP 1263.710-1263.770 | Remediation of hazardous substances on property to be acquired by school district |
| Ed. Code 17006 | 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/plusTy35OslshxGAtnD3w6eRJslshxw== |
| 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/ur7JgL2vMeIWTcc3SCXTPA== |
| 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/NwS3Om8nmJ04Yslsho0jqlt8A== |
| 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

| Management Resources References | Description |
|--|---------------------------------|
| 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/ATZTQPd7NwSB3FBNcFesIshYA== |

Cross References

Description

| | |
|-----------|---|
| 1113 | District And School Web Sites - https://simbli.eboardsolutions.com/SU/Zqs0IbYX5FOKNZRBtrSjA== |
| 1113 | District And School Web Sites - https://simbli.eboardsolutions.com/SU/ZEOw4ZKHcT3nfqLxRTR1fw== |
| 1113-E(1) | District And School Web Sites - https://simbli.eboardsolutions.com/SU/i5TLslsh83D1nplusoytHTIsM6ew== |
| 1220 | Citizen Advisory Committees - https://simbli.eboardsolutions.com/SU/7wRcaQ9gJBXCOuqWB54wfA== |
| 1220 | Citizen Advisory Committees - https://simbli.eboardsolutions.com/SU/WXKjOn8KOplusMplZpTd3ujpQ== |
| 1330.1 | Joint Use Agreements - https://simbli.eboardsolutions.com/SU/MApP1vZuzplus4Gqg6jSyK5KQ== |
| 3311.2 | Lease-Leaseback Contracts - https://simbli.eboardsolutions.com/SU/l8QSNdaRV09ZFslshUu78sxOA== |
| 3510 | Green School Operations - https://simbli.eboardsolutions.com/SU/KOGKzAB8i2S6wgjILPFfUw== |
| 3514 | Environmental Safety - https://simbli.eboardsolutions.com/SU/FREeZf6a8MvAoYS87Pslshplusw== |
| 3514 | Environmental Safety - https://simbli.eboardsolutions.com/SU/BSLtfUgO3jNMI5qQwVEu7A== |
| 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== |
| 7131 | Relations With Local Agencies - https://simbli.eboardsolutions.com/SU/bQsW7PFw0DMY2OdLslslshg== |
| 7140 | Architectural And Engineering Services - https://simbli.eboardsolutions.com/SU/pluslZaMQGyzsWVjWTPJ4pKRQ== |
| 7140 | Architectural And Engineering Services - https://simbli.eboardsolutions.com/SU/epluxHoNRzuWE7z0AyyFABplusQ== |
| 7210 | Facilities Financing - https://simbli.eboardsolutions.com/SU/MIGIRHTERsKW9LuyR0bsDw== |

| | |
|-----------------|---|
| 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/qTqJJz7LWxdOXZSRTVLAA== |
| 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/NjrqTVMZIQhYwjEpGbplusWWQ== |

Bylaw 9100: Organization

Status: ADOPTED

Original Adopted Date: 09/01/1992 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

CSBA NOTE: Pursuant to Education Code 35143, as amended by AB 486 (Ch. 666, Statutes of 2021), the Governing Board is required to set and hold an annual organizational meeting, in the manner described below, prior to the end of each calendar year. If the Board fails to select a day and time for the meeting, the County Superintendent of Schools must designate and notify all Board members and members-elect of the day and time of the meeting. A city board of education whose members are elected in accordance with a city charter may, by a rule of its board, establish a different timeline for setting the annual meeting and revise the following paragraph accordingly.

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)

CSBA NOTE: Unless otherwise provided by rule of the Board, the following paragraph is required pursuant to Education Code 35143, as amended by AB 486.

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)

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

At this meeting the Board shall:

1. Elect a president and a clerk and/or vice president from its members
2. Appoint the Superintendent as secretary to the Board
3. Authorize signatures

CSBA NOTE: Item #4 below promotes the adoption of a Board calendar to ensure the scheduling of important governance matters such as evaluation of the Superintendent, Board self-evaluation, budget meetings, goal setting, and policy and program reviews.

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

CSBA NOTE: Item #6 below is recommended by CSBA through its governance trainings, including the Masters in Governance program.

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

CSBA NOTE: Option 1 below is for districts that rotate offices so that each Board member has the opportunity to become president, while Option 2 is for districts that each year elect their entire slate of officers. The following options should be revised to reflect the sequence of offices used in the district.

OPTION 1: The Board shall each year elect one of its members to be (clerk)/(vice president). This member shall be

one who previously has not served in office, unless all the Board's members have previously served in office. After serving one year as (clerk)/(vice president), the elected member shall serve one year as president of the Board.

OPTION 1 ENDS HERE

OPTION 2: The Board shall each year elect its entire slate of officers.

OPTION 2 ENDS HERE

CSBA NOTE: The following optional sentence may be used with Option 2.
 No Board member shall serve more than _____ consecutive year(s) in the same office.

CSBA NOTE: The following sentence may be used by all districts regardless of the option selected above. The California Attorney General has disapproved secret ballot voting in open meetings, as well as the casting of mail ballots (68 Ops.Cal.Atty.Gen. 65, 1985). As long as they do not use secret ballots, boards may elect their officers in any way they choose.

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

| | Description |
|-----------------|---|
| Ed. Code 35143 | Annual organizational meetings; date and notice |
| Ed. Code 35145 | Public meetings |
| Ed. Code 5017 | Term of office |
| Gov. Code 54953 | Meetings to be open and public; attendance |

Management Resources References

| | Description |
|--------------------------|---|
| Attorney General Opinion | 59 Ops.Cal.Atty.Gen. 619 (1976) |
| Attorney General Opinion | 68 Ops.Cal.Atty.Gen. 65 (1985) |
| Website | CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ== |




Cross References

| | Description |
|------|---|
| 9000 | Role Of The Board - https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOFduR9FE4g== |
| 9005 | Governance Standards - https://simbli.eboardsolutions.com/SU/b4OmvGoyuJpAPG4LxplusvkHQ== |
| 9121 | President - https://simbli.eboardsolutions.com/SU/9DePeFAaWu91NRZNdGXD0Q== |
| 9123 | Clerk - https://simbli.eboardsolutions.com/SU/qd29h4vh2vvJmtN56yncKQ== |
| 9140 | Board Representatives - https://simbli.eboardsolutions.com/SU/yjmslshNKV8wpR65FwNX38SKg== |
| 9223 | Filling Vacancies - https://simbli.eboardsolutions.com/SU/aCSIfcwXlXrZUQNe1slsheSZA== |
| 9224 | Oath Or Affirmation - https://simbli.eboardsolutions.com/SU/tKaJJ9mLslsh1HTqv3M3Bmlbw== |
| 9230 | Orientation - https://simbli.eboardsolutions.com/SU/zPgBfoLQTIvGXFVmx3IPVA== |
| 9240 | Board Training - https://simbli.eboardsolutions.com/SU/xVjnBLTBhzybPslshMDYIWDZg== |

9320 Meetings And Notices - <https://simbli.eboardsolutions.com/SU/kaWrYCz4FrrfMODjy8s6Fg==>

9323 Meeting Conduct - <https://simbli.eboardsolutions.com/SU/RAkJZH5h2NVGgOLslshw4BNKA==>



| | |
|--------------------------------|---|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Action Items |
| Type: | Action |
| Subject: | 10.3 Consideration of and Possible Action on Resolution 2022-23-6 Regarding Certificated Reduction in Force (1.0 F.T.E. – Layoff) |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: |  Letter to Board re 2022-23 Layoff Resolution Certificated 1.0 FTE.pdf  2022-23 Layoff Resolution Certificated 1.0 FTE.pdf |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | That the board approve Resolution 2022-23-6 Regarding Certificated Reduction in Force (1.0 F.T.E. – Layoff) |
| Approvals: | Recommended By:  Matthew Morgan - Superintendent/Principal |



Harmony
Union School District

1935 Bohemian Highway
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March 9, 2023

RECOMMENDATION OF THE DISTRICT SUPERINTENDENT
CONCERNING REDUCTION OF CERTIFICATED SERVICES
FOR THE 2023-2024 SCHOOL YEAR

Dear Governing Board:

I, Matthew Morgan, District Superintendent, Harmony Union School District (“District”), hereby recommend to this Board that as of the end of the 2022-2023 school year, the following particular kinds of services now being provided by the District be reduced or discontinued as follows:

1. Eliminate the equivalent of 1.0 (F.T.E.) Temporary: Long-term based on the need for additional certificated employees because of leave or illness of another employee;

Based upon the reduction or discontinuance of the particular kinds of services set forth above, it will be necessary to decrease the number of certificated employees in the District by the equivalent of 1.0 full-time positions for the ensuing 2023-2024 school year. It is further my recommendation that you authorize and direct me, or my designee, to initiate and pursue those procedures necessary not to reemploy the equivalent of 1.0 full-time equivalent certificated employees of this District pursuant to Education Code sections 44949 and 44955 because of such reduction or discontinuance of services.

Respectfully submitted,

Matthew Morgan
District Superintendent

**BEFORE THE GOVERNING BOARD OF THE
HARMONY UNION SCHOOL DISTRICT
SONOMA COUNTY, CALIFORNIA**

In the Matter of the Reduction or) RESOLUTION NO. 2022/2023 - 6
Discontinuance of Certain)
Particular Kinds of Services for)
the 2023-2024 School Year)

WHEREAS the Board hereby finds that it is in the best interest of the Harmony Union School District (“District”) that, as of the end of the 2022-2023 school year, certain particular kinds of services now being provided by the District be reduced or discontinued as follows:

1. Eliminate the equivalent of 1.0 (F.T.E.) Temporary: Long-term based on the need for additional certificated employees because of leave or illness of another employee;

WHEREAS, in the opinion of the Governing Board of this District it is necessary by reason of the aforementioned reduction and discontinuance of services to decrease the number of certificated employees by the equivalent of 1.0 full-time equivalent employees for the 2022-2023 school year;

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Harmony Union School District that, as of the end of the 2022-2023 school year the foregoing particular kinds of services now being provided by said District be and hereby are reduced to the extent hereinabove set forth.

BE IT FURTHER RESOLVED that the District Superintendent or Superintendent’s designee, be and hereby is authorized and directed to initiate and pursue procedures necessary not to reemploy the equivalent 1.0 full time equivalent certificated employees of this District pursuant to Education Code section 44920 because of said reduction and discontinuance of services.

The foregoing Resolution was adopted by the Governing Board of the Harmony Union School District on the 9th day of March, 2023, by the following vote:

AYES:

NOES:

ABSENT:

President, Governing Board

I, Mariah Lander, Clerk of the Governing Board of the Harmony Union School District do hereby certify that the foregoing Resolution was regularly introduced, passed and adopted by the Governing Board at its meeting held on March 9, 2023.

Clerk, Governing Board



Harmony Union School District

AGENDA ITEM

| | |
|--------------------------------|--|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Action Items |
| Type: | Action |
| Subject: | 10.4 Layoff Classified Position: Business Services Technician (formerly Data Systems Technician) |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: |  Letter to Board re Resolution 2022-23 7 re Elimination of a PERMANENT CLASSIFIED Position.pdf.pdf  Resolution 2022-23 7 re Elimination of a PERMANENT CLASSIFIED Position.pdf |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | That the board approve Layoff Classified Position: Business Office Assistant (formerly Data Systems Technician) |
| Approvals: | Recommended By:  Matthew Morgan - Superintendent/Principal |



Harmony
Union School District

1935 Bohemian Highway
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March 9, 2023

**RECOMMENDATION OF MATTHEW MORGAN, SUPERINTENDENT
CONCERNING REDUCTION OF PERMANENT CLASSIFIED SERVICES
FOR THE 2023-2024 SCHOOL YEAR**

Dear Board of Trustees:

I, Matthew Morgan, Superintendent, of the Harmony Union School District hereby recommend to you that, due to lack of work and/or lack of funds and/or compliance with the seniority requirements of the Education Code, the classified position below be eliminated effective at the end of the 2022-2023 school year,

1. ***Business Services Technician (formerly Data Systems Technician) - 1.0 FTE position***

Respectfully submitted,

Matthew Morgan
Superintendent

RESOLUTION

**BEFORE THE BOARD OF TRUSTEES OF THE
HARMONY UNION SCHOOL DISTRICT
SONOMA COUNTY, CALIFORNIA**

| | | |
|--|---|-------------------------------------|
| In the Matter of the Elimination |) | |
| of a Certain Position in the Permanent |) | RESOLUTION NO. 2022/2023 - 7 |
| Classified Service and Directing |) | |
| <u>Notification of Classified Employee</u> |) | |

WHEREAS, Harmony Union School District (“District”) maintains the following positions within the classified service:

1. ***Business Services Technician (formerly Data Systems Technician) - 1.0 FTE position***

WHEREAS, due to cause, including lack of work and/or lack of funds and/or for compliance with the seniority requirements of the Education Code, the Board of Trustees hereby finds that it will be necessary to eliminate certain services to the following extent:

2. ***Business Services Technician (formerly Data Systems Technician) - 1.0 FTE position***

NOW, THEREFORE, IT IS RESOLVED by the Board of Trustees that as of the end of the 2022-2023 school year the above-referenced classified positions shall be eliminated or reduced by the District to the extent set forth herein.

BE IT FURTHER RESOLVED that, pursuant to Education Code sections 45117, 45298, and 45308, the Superintendent or Superintendent’s designee is authorized and directed to initiate and pursue procedures necessary terminate the employment of classified employees due to the elimination of the above-referenced classified positions.

The foregoing Resolution was passed and adopted by the Board of Trustees of the
Harmony Union School District on March 9, 2023, by the following vote:

AYES: _____

NOES: _____


ABSENT: _____

President, Board of Trustees

I, Mariah Lander, Secretary/Clerk of the Board of Trustees, do hereby certify that
the foregoing Resolution was regularly introduced, passed, and adopted by the Board of
Trustees of the District at its meeting on March 9, 2023.

Clerk/Secretary, Board of Trustees



| | |
|--------------------------------|---|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Action Items |
| Type: | Action |
| Subject: | 10.5 Consideration of adopting transitional kindergarten age requirements to turning 4 by September 1 (mandatory age requirement at 2025-26) |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: | |
| Description: | TK Admission Information Who is age-eligible for Transitional Kindergarten (TK)? (Updated 26-September-2022) In 2022–23, children are eligible for TK if they turn 5 years old between September 2 and February 2*, In 2023–24, children are eligible for TK if they turn 5 between September 2 and April 2*, In 2024–25, children are eligible for TK if they turn 5 between September 2 and June 2*, In 2025–26, LEAs are required to make TK available to all children who will have their fourth birthday by September 1* of the school year. *Inclusive of these dates |
| Background Information: | However, pursuant to EC Section 48000(c)(2)(A), a school district or charter school may, at any time during a school year (including at the beginning of the school year) admit a child to a TK program who will have his or her fifth birthday after the TK eligibility cut-off dates listed above, but during that same school year, with the approval of the parent or guardian, if the governing board of the school district or the governing body of the charter school determines that the admittance is in the best interests of the child and the parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance. Average Daily Attendance (ADA) can be claimed for these students once they attain the age of five (EC Section 48000(c)(2)(B)). |
| Fiscal Implications: | |
| Recommendation: | That the board approve adoption of transitional kindergarten age requirements to turning 4 by September 1 (mandatory age requirement at 2025-26) |
| Approvals: | Recommended By:  Matthew Morgan - Superintendent/Principal |



| | |
|--------------------------------|--|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Action Items |
| Type: | Action |
| Subject: | 10.6 Consideration of updated Cal OSHA Covid Safety Plan |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: | |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | That the board approves the updated Cal OSHA Covid Safety Plan |

Approvals:




Recommended
By:

Matthew Morgan - Superintendent/Principal



Harmony Union School District

AGENDA ITEM

| | |
|--------------------------------|---|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Action Items |
| Type: | Action |
| Subject: | 10.7 Consideration and approval of Potential Change Order#59 ADA Parking Lot and Drop Off CCD#10 |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |
| File Attachment: |  PCO Log 3.1.23 (1).pdf  PCO #59 CCD #10 ADA Parking & Drop Off (1).pdf |
| Description: | |
| Background Information: | |
| Fiscal Implications: | |
| Recommendation: | That the board approve Potential Change Order#59 ADA Parking Lot and Drop Off CCD#10 |
| Approvals: | Recommended By:  Matthew Morgan - Superintendent/Principal |

2125 - Harmony Field - Phase 3, LLB
 1935 Bohemian Hwy.
 Occidental, CA 95465

Potential Change Orders

| Number | Revision | Title | Status | Execute | Amount | Schedule Impact | Date Initiated | Change Reason | PCCO |
|--------|----------|--|---------------------|---------|----------------|-----------------|----------------|--------------------|------|
| 059 | 0 | ADA Parking & Drop Off - CCD #10 | PENDING - IN REVIEW | No | \$51,325.99 | -- | 3/1/2023 | Design Development | |
| 058 | 0 | CCD 5 Casework Allowance | PENDING - IN REVIEW | No | (\$3,473.00) | -- | 2/8/2023 | Allowance | |
| 057 | 0 | CCD 5 AV Allowance | PENDING - IN REVIEW | No | (\$7,500.00) | -- | 2/8/2023 | Allowance | |
| 056 | 0 | UG Utility Relocation-repair Allowance | PENDING - IN REVIEW | No | (\$50,000.00) | -- | 2/8/2023 | Allowance | |
| 055 | 0 | Construction Water Allowance | PENDING - IN REVIEW | No | (\$30,000.00) | -- | 2/8/2023 | Allowance | |
| 054 | 0 | Add GSM curb cap & Nailer | PENDING - IN REVIEW | No | \$43,941.40 | -- | 2/8/2023 | Design Development | |
| 053 | 0 | EVA Road Alignment | PENDING - IN REVIEW | No | \$16,397.91 | -- | 2/8/2023 | Client Request | |
| 052 | 0 | East retaining wall material backfill | PENDING - IN REVIEW | No | \$4,679.29 | -- | 2/8/2023 | Allowance | |
| 051 | 0 | Landscape changes @ Meadow Area | PENDING - IN REVIEW | No | \$21,187.10 | -- | 2/8/2023 | Client Request | |
| 050 | 0 | Pumps & Panel RFI 68, 80 & CCD 13 | PENDING - IN REVIEW | No | \$46,220.18 | -- | 2/8/2023 | Design Development | |
| 049 | 0 | Shoring Standby | PENDING - IN REVIEW | No | \$14,658.34 | -- | 2/8/2023 | Design Development | |
| 048 | 0 | 5-12 Play Area Design Changes | PENDING - IN REVIEW | No | \$3,425.59 | 5 days | 2/8/2023 | Design Development | |
| 047 | 0 | Lengthen Ramp @ Cistern | PENDING - IN REVIEW | No | \$24,941.86 | -- | 2/8/2023 | Client Request | |
| 046 | 0 | Dewatering Allowance | PENDING - IN REVIEW | No | (\$80,851.39) | -- | 2/8/2023 | Allowance | |
| 045 | 0 | Builders Risk Extension | PENDING - IN REVIEW | No | \$14,924.70 | -- | 2/8/2023 | Design Development | |
| 044 | 0 | New wall in Falls building | PENDING - IN REVIEW | No | \$8,883.75 | -- | 2/8/2023 | Allowance | |
| 043 | 0 | Stainless Steel Ladders | PENDING - IN REVIEW | No | \$3,096.84 | -- | 2/8/2023 | Design Development | |
| 042 | 0 | Delete Stainless GW | PENDING - IN REVIEW | No | (\$22,660.00) | -- | 2/7/2023 | Client Request | |
| 041 | 0 | Contingency Credit | PENDING - IN REVIEW | No | (\$353,407.77) | -- | 2/1/2023 | Allowance | |
| 040 | 0 | Playground Inspection Services | PENDING - IN REVIEW | No | \$2,605.90 | -- | 12/21/2022 | Allowance | |
| 039 | 0 | Demo Curb @ Stage per RFI 64 | PENDING - IN REVIEW | No | \$5,899.94 | 5 days | 12/21/2022 | Design Development | |
| 038 | 0 | Raised Curb & Grading per RFI 60 | PENDING - IN REVIEW | No | \$40,732.33 | 10 days | 12/21/2022 | Design Development | |
| 037 | 0 | CCD 5 Owner added Electrical | PENDING - IN REVIEW | No | \$10,669.51 | 4 days | 12/8/2022 | Allowance | |

2125 - Harmony Field - Phase 3, LLB
1935 Bohemian Hwy.
Occidental, CA 95465

| | | | | | | | | | |
|-------|---|---|---------------------|----|---------------|---------|------------|--------------------|-------------|
| 036 | 0 | Cistern overflow box | PENDING - IN REVIEW | No | \$8,754.75 | -- | 11/10/2022 | Design Development | |
| 035 | 0 | CLS ASI 4 added curb | APPROVED | No | \$9,312.91 | -- | 10/28/2022 | Design Development | PCCO #001.1 |
| 034 | 0 | Add Stainless Gopher wire back into field | APPROVED | No | \$22,660.00 | -- | 10/28/2022 | Client Request | PCCO #001.1 |
| 033 | 0 | CCD 1 (E) Irrigation Repair | APPROVED | No | \$3,428.91 | -- | 10/28/2022 | Existing Condition | PCCO #001.1 |
| 032 | 0 | ASI 3 Irrigation Sleeves | APPROVED | No | \$926.06 | -- | 10/28/2022 | Client Request | PCCO #001.1 |
| 031 | 0 | ASI 5 Cistern Roof Changes | APPROVED | No | \$38,493.00 | 15 days | 10/28/2022 | Design Development | PCCO #001.1 |
| 030 | 0 | RFI #45 Added DI and grading | APPROVED | No | \$5,113.23 | -- | 10/28/2022 | Design Development | PCCO #001.1 |
| 029 | 0 | Conveyance drain key per RFI 40 | APPROVED | No | \$762.51 | -- | 10/28/2022 | Design Development | PCCO #001.1 |
| 028 | 0 | Delete GSM curb cap | APPROVED | No | (\$63,110.00) | -- | 10/28/2022 | Design Development | PCCO #001.1 |
| 027 | 0 | Delete Roof Drains | APPROVED | No | (\$29,688.00) | -- | 10/28/2022 | Design Development | PCCO #001.1 |
| 026 | 0 | 3" Conduit - future power to cistern RFI 12 | APPROVED | No | \$18,655.98 | -- | 10/27/2022 | Client Request | PCCO #001.1 |
| 025 | 0 | District credit due trade damage | APPROVED | No | (\$3,969.13) | -- | 10/25/2022 | Allowance | PCCO #001.1 |
| 024 | 0 | Cistern Baffle walls | APPROVED | No | \$31,344.81 | 10 days | 10/19/2022 | Client Request | PCCO #001.1 |
| 023 | 0 | Cistern Exterior Only waterproofing | APPROVED | No | \$194,371.71 | 10 days | 10/6/2022 | Design Development | PCCO #001.1 |
| 022 | 0 | Add Xypex to Topping Slab | VOID | No | \$0.00 | -- | 10/4/2022 | Client Request | |
| 021 | 0 | Gopher Mesh @ DG | APPROVED | No | \$29,231.40 | 14 days | 9/29/2022 | Client Request | PCCO #001.1 |
| 020.1 | 0 | Interior Cistern Waterproofing | APPROVED | No | \$414,951.09 | 45 days | 9/27/2022 | Design Development | PCCO #001.1 |
| 019 | 0 | Alternative Irrigation Supply | APPROVED | No | \$8,179.35 | 7 days | 9/12/2022 | Allowance | PCCO #001.1 |
| 018 | 0 | ASI #3 changes | APPROVED | No | \$7,925.31 | 7 days | 9/12/2022 | Allowance | PCCO #001.1 |
| 017 | 0 | Premium Time for scheduling | APPROVED | No | \$11,886.17 | 2 days | 9/12/2022 | Allowance | PCCO #001.1 |
| 016 | 0 | Leaf Eater Changes ASI 2- RFI 36 | APPROVED | No | \$32,897.17 | 14 days | 9/12/2022 | Design Development | PCCO #001.1 |
| 015 | 0 | Over Excavation at 2-5 Playground | APPROVED | No | \$4,570.84 | 7 days | 9/12/2022 | Design Development | PCCO #001.1 |
| 014 | 0 | Electrical boxes in CCD 1 Planting Island | APPROVED | No | \$719.46 | 2 days | 8/17/2022 | Design Development | PCCO #001.1 |
| 013 | 0 | Delete First Flush Diverters | APPROVED | No | (\$28,800.00) | -- | 8/17/2022 | -- | PCCO #001.1 |
| 012 | 0 | Flashing at building Foundations-CCD 1 | APPROVED | No | \$5,997.13 | 7 days | 8/17/2022 | Design Development | PCCO #001.1 |
| 011 | 0 | CCD #1 added storm water tie ins | APPROVED | No | \$14,517.38 | 7 days | 8/17/2022 | Design Development | PCCO #001.1 |
| 010 | 0 | Relocate utilities under deck | APPROVED | No | \$11,271.66 | 7 days | 8/17/2022 | Design Development | PCCO #001.1 |

2125 - Harmony Field - Phase 3, LLB
 1935 Bohemian Hwy.
 Occidental, CA 95465

| | | | | | | | | | | |
|-----------------------|---|---|----------|----|---------------------|-----------------|-----------|--------------------|-------------|--|
| 009 | 0 | Delete drain rock @ Cistern perimeter drain | APPROVED | No | (\$12,384.00) | -- | 7/28/2022 | Allowance | PCCO #001.1 | |
| 008 | 0 | Delete exposed retaining wall finish | APPROVED | No | (\$4,800.00) | -- | 7/28/2022 | Client Request | PCCO #001.1 | |
| 007 | 0 | Delete Rain Gardens | APPROVED | No | (\$2,874.04) | -- | 7/28/2022 | Design Development | PCCO #001.1 | |
| 006 | 0 | Delete Perimeter and Underdrains @ Cistern | APPROVED | No | (\$8,051.00) | -- | 7/28/2022 | Design Development | PCCO #001.1 | |
| 005 | 0 | Delete 6" drain to creek | APPROVED | No | (\$20,558.00) | -- | 7/28/2022 | Design Development | PCCO #001.1 | |
| 004.1 | 0 | Delete Xypex And OKON S40 | APPROVED | No | (\$28,100.00) | -- | 7/28/2022 | Design Development | PCCO #001.1 | |
| 003 | 0 | Play structure remove/salvage | APPROVED | No | \$5,166.79 | 7 days | 7/21/2022 | Client Request | PCCO #001.1 | |
| 002 | 0 | Cistern Soil Stabilization | APPROVED | No | \$316,555.33 | -- | 7/13/2022 | Existing Condition | PCCO #001 | |
| 001 | 0 | Drinking Fountain Changes | APPROVED | No | \$2,678.32 | -- | 6/16/2022 | Client Request | PCCO #001.1 | |
| Total: 59 PCOs | | | | | \$763,735.57 | 185 days | | | | |



FRC, Inc.
9680 Old Redwood Highway
Windsor, California 95492
Phone: 707-837-5065

Project: - 2125 - Harmony Field - Phase 3, LLB
1935 Bohemian Hwy.
Occidental, California 95465

Potential Change Order #059: ADA Parking & Drop Off - CCD #10

| | | | |
|-------------------------------|---|---|--|
| TO: | Harmony School District 1935 Bohemian Hwy, Occidental California, 95465 | FROM: | FRC, Inc. 9680 Old Redwood Highway Windsor California, 95492 |
| PCO NUMBER/REVISION: | 059 / 0 | CONTRACT: | 2125-1 - 2125 - Harmony Field - Phase 3, LLB Prime Contract |
| REQUEST RECEIVED FROM: | | CREATED BY: | Clark D Kulack (FRC, Inc.) |
| STATUS: | Pending - In Review | CREATED DATE: | 3/1/2023 |
| REFERENCE: | | PRIME CONTRACT CHANGE ORDER: | None |
| FIELD CHANGE: | No | | |
| LOCATION: | | ACCOUNTING METHOD: | Amount Based |
| SCHEDULE IMPACT: | | PAID IN FULL: | No |
| | | TOTAL AMOUNT: | \$51,325.99 |

POTENTIAL CHANGE ORDER TITLE: ADA Parking & Drop Off - CCD #10

CHANGE REASON: Design Development

POTENTIAL CHANGE ORDER DESCRIPTION: (The Contract Is Changed As Follows)

CE #061 - ADA Parking & Drop Off CCD #10

Furnish labor and materials to complete all added work within CCD 10 drawings. **Excludes fencing** (need direction for type of fence) Fencing will get picked up in the owner requested PCO for landscaping @ Falls building.

ATTACHMENTS:

| # | Description | Amount |
|--|-------------|--------------------|
| 1 | Grading | \$21,652.00 |
| 2 | Concrete | \$22,358.96 |
| 3 | Striping | \$1,290.00 |
| Subtotal: | | \$45,300.96 |
| Markup on GC Labor Equipment and Materials 15%: | | \$0.00 |
| Markup on Subcontractor 10%: | | \$4,530.10 |
| Markup on Bonds and Insurance 3%: | | \$1,494.93 |
| Grand Total: | | \$51,325.99 |

Carl Servais (TLCD)
520 Third St.
Santa Rosa California 95401

Harmony School District
1935 Bohemian Hwy,
Occidental California 95465

FRC, Inc.
9680 Old Redwood Highway
Windsor California 95492

SIGNATURE DATE

SIGNATURE DATE

SIGNATURE DATE

W. R. FORDE ASSOCIATES, INC.
984 Hensley Street
Richmond, CA 94801
Phone: (510) 215-9338 Fax: (510) 215-9867

PROPOSED CHANGE ORDER #17
Excavation and Grading for New Concrete Areas
WRF File #34, CCD #10

TO: Dennis Lucchesi, Project Manager
Phone: (707) 837-5035
Email: Dennis@frcinc.biz

FROM: W. R. Forde Associates, Inc.

PROJECT NAME: **Harmony Elementary School Field**

DATE: 02/06/23

PROPOSED CHANGE: Excavation and Grading for New Concrete Areas Shown on CCD #10 Drawing

- Excavation and Grading for New Concrete at Walkway Adjacent to Handicap Stalls per CCD #10 Drawing
- Excavation and Grading for New Concrete Area Adjacent to West Drop Off Area per CCD #10 Drawing
- AC Conform at New Concrete Area

Total Proposed Cost = \$21,652

AGREED COST: \$

AGREED TIME: Calendar Days

OWNER / AGENCY: FRC, Inc.

Date:

Signature:

Dennis Lucchesi

Execution of this document constitutes a change to the Contract price and authorization to perform the work.



W.R. FORDE ASSOCIATES, INC.

984 HENSLEY STREET
 RICHMOND, CALIFORNIA 94804
 PHONE (510) 215-9338
 FAX (510) 215-9867

2022-22 - WRF File #34

| | | |
|--|------------------|-------------------------------|
| SOLD TO: FRC, Inc. | DATE: TBD | SALES NO: WRF File #34 |
| WORK PERFORMED AT LOCATION / STATION: Harmony Elementary School, Occidental, CA | | |
| COMPLETE DESCRIPTION OF WORK PERFORMED: Excavation and Grading for Concrete Walkway Adjacent to Handicap Stall and New Concrete Area Adjacent to West Drop Off Area | | |
| POSITION | PERSONNEL | TOTAL REG. |
| Foreman: | | 24.00 |
| Operator: | | 24.00 |
| Laborer: | | 24.00 |
| Teamster: | | 16.00 |
| Super: | | |
| Other: | | |
| TOTAL OF ALL LABOR COLUMN COSTS: | | \$ 9,192.00 |

| HOURS WORKED | EQUIPMENT | RATE | COLUMN "A" \$\$ TOTAL | HOURS WORKED | EQUIPMENT | RATE | COLUMN "B" \$\$ TOTAL |
|--|--|-----------|-----------------------|--------------|------------------------------------|-----------|-----------------------|
| | BACKHOE 580: BH-6,8,11,14-17 | \$ 60.38 | \$ - | 4.00 | PAVING UNIT | \$ 98.25 | \$ 393.00 |
| | BACKHOE JD 410K: BH-7 | \$ 73.83 | \$ - | | ROLLER/COMPACTOR DIRT: R10 | \$ 101.81 | \$ - |
| | BACKHOE W/ HOE RAM ATTACHMENT | \$ 112.95 | \$ - | | ROLLER/COMPACTOR AC-2 | \$ 82.64 | \$ - |
| 24.00 | EXCAVATOR MINI: EX-1, 6, 9-14, 16, 17, 20, 21, 23, 25-27 | \$ 49.49 | \$ 1,187.76 | | ROLLER/COMPACTOR ROCK: PAC-5 | \$ 57.04 | \$ - |
| | EXCAVATOR- MID SIZE: EX-4, 5, 7, 18, 19, 22, 24 | \$ 80.74 | \$ - | | ROLLER/COMPACTOR TURTLE PLATE-5 | \$ 49.93 | \$ - |
| | EXCAVATOR - CAT 330: EX-8 | \$ 157.21 | \$ - | 24.00 | ROLLER BOMAG: R-3, 5, 7, 9, 11 | \$ 39.01 | \$ 936.24 |
| | EXCAVATOR W/ HOE RAM ATTACH. | \$ 104.96 | \$ - | | COMPACTOR- CAT | \$ 115.35 | \$ - |
| | DOZER JD-650K: BD-2 | \$ 61.23 | \$ - | | COMPACTOR- WALK BEHIND SHEEPS FT. | \$ 39.79 | \$ - |
| | DOZER TD-8: BD-1 | \$ 39.86 | \$ - | | COMPACTOR- VIBROPLATE/JUMPING JACK | \$ 9.32 | \$ - |
| | FORKLIFT: FL-1 | \$ 61.34 | \$ - | | TRASH PUMP (2") | \$ 27.08 | \$ - |
| | FORKLIFT: FL-2 | \$ 37.25 | \$ - | | TRASH PUMP (3") | \$ 29.99 | \$ - |
| 24.00 | LOADER- SKIP: SL-1 | \$ 44.86 | \$ 893.28 | | TRASH PUMP (4") | \$ 43.83 | \$ - |
| | LOADER- CAT 246D: L-4 | \$ 37.22 | \$ - | | TRASH PUMP (6") | \$ 51.70 | \$ - |
| | LOADER- MUSTANG: L-1-3 | \$ 43.27 | \$ - | | LEE BOY BLADE: BL-4 | \$ 65.79 | \$ - |
| | LOADER- TRACK: TL-1 | \$ 100.85 | \$ - | | ROAD GRADER/ BLADE: BL-1 | \$ 74.62 | \$ - |
| | LOADER- TAKEUCCHI: TL-2 | \$ 38.43 | \$ - | | 14" CUT OFF SAW W/DRY BLADE | \$ 20.92 | \$ - |
| | LOADER- RUBBER TIRE: WL-3 | \$ 100.99 | \$ - | | WALK BEHIND WET SAW w/BLADE | \$ 19.02 | \$ - |
| | TRUCK- BOBTAIL | \$ 73.40 | \$ - | | MUSTANG GRINDER | \$ 87.17 | \$ - |
| | TRUCK- TRANSPORT | \$ 84.36 | \$ - | | LASER | \$ 65.00 | \$ - |
| | TRUCK- WATER/FUEL | \$ 66.97 | \$ - | | LASER LEVEL/GRADE CHECK EQUIP | \$ 38.69 | \$ - |
| | TRUCK- FLATBED | \$ 32.30 | \$ - | | VACCUM TRAILER | \$ 158.50 | \$ - |
| 16.00 | TRUCK- SUPER DUMP | \$ 78.51 | \$ 1,256.16 | | AIR COMPRESSOR W/ TOOLS | \$ 34.45 | \$ - |
| 24.00 | TRUCK- WORK W/ TOOLS | \$ 59.86 | \$ 1,436.64 | | PORTABLE GENERATOR | \$ 18.03 | \$ - |
| | ROCKWHEEL- VERMEER V-650 | \$ 135.22 | \$ - | | STEEL PLATES | \$ 15.50 | \$ - |
| | ROCKWHEEL- VERMEER V-850 | \$ 249.76 | \$ - | | WATER BUGGY | \$ 45.00 | \$ - |
| | DUMPER - TEREX: D-1 | \$ 56.25 | \$ - | | SIDEWINDER | \$ 5.00 | \$ - |
| | | | \$ - | | | | \$ - |
| | | | \$ - | | | | \$ - |
| | | | \$ - | | | | \$ - |
| | | | \$ - | | | | \$ - |
| TOTAL OF EACH COLUMN EQUIPMENT COST: | | | \$ 4,773.84 | | | | \$ 1,329.24 |
| TOTAL COMBINED EQUIPMENT COLUMN COST-"A" & "B": | | | | | | \$ | 6,103.08 |

MATERIALS / SUBCONTRACTORS-DESCRIPTION
 (All material, rental and subcontractor invoices must be attached to this Sales Order.)

| SUB / SUPPLIER | INVOICE NUMBER | QUANTITY | DESCRIPTION | \$\$ VALUE | ROW \$\$ TOTAL |
|--|----------------|----------|------------------|-------------|------------------|
| | | 1 | Sawcutting | \$ 1,500.00 | \$ 1,500.00 |
| | | 54 | Tons Class II AB | \$ 17.50 | \$ 945.00 |
| | | 5 | Tons AC | \$ 92.50 | \$ 462.50 |
| | | 5 | Dump Fees | \$ 125.00 | \$ 625.00 |
| | | | | \$ - | \$ - |
| | | | | \$ - | \$ - |
| TOTAL OF ALL MATERIALS OR SUBCONTRACTORS: | | | | \$ | 3,532.50 |
| COMBINED SUBTOTAL OF ALL PERSONNEL, EQUIPMENT & MATERIALS OR SUBCONTRACTORS: | | | | \$ | 18,827.58 |
| 15% OVERHEAD MARKUP | | | | \$ | 2,824.14 |
| GRAND TOTAL OF ALL PERSONNEL, EQUIPMENT & MATERIALS OR SUBCONTRACTORS AND MARKUP: | | | | \$ | 21,651.72 |

| | |
|--------------------------------------|-----------------------------|
| BY-W.R.F. EMPLOYEE: | W.R.F. JOB # 2022-22 |
| OWNER / CLIENT REP. SIGNATURE | CLIENT REF. #: |

The above equipment is working under the renter's full direction and supervision. Renter shall indemnify W.R. Forde Associates against all claims, demands, costs, attorney fees and liability of every nature arising from injury to persons or property caused by the use of the equipment. This indemnity agreement applies to claims, demands and liability for injuries occurring after completion of the rental agreement, as well as during the performance of this agreement and extends to the negligence and liability for injury contributed by the negligence or the other misconduct of W.R. Forde Associates, as long as the injury is alleged to be or is caused in part by the negligence or misconduct of renter.

Devincenzi

Concrete Construction

3276 Dutton Ave.
Santa Rosa, CA
95407-7866
T 707.546.3113
F 707.525.8532
Lic. # 326998
DIR #1000001188

2/17/23

FRC, Inc.

Attn: Clark Kulack

Re: Harmony ES Field Ph. 3

Subject: Change Order Request #DC-21

CCD 10. Added concrete work.

| <u>Description</u> | <u>Quantity</u> | <u>Unit</u> | <u>Unit Price</u> | <u>Extension</u> |
|--------------------|-----------------|-------------|-------------------|------------------|
| Flatwork | 1,066.00 | SF | 17.56 | 18,718.96 |
| Curbing | 70.00 | LF | 52.00 | 3,640.00 |
| TOTAL ADD | | | | 22,358.96 |

The terms and conditions of our original subcontract agreement shall govern this change.

Todd Crawford
Project Manager



COMPASS

ENGINEERING CONTRACTORS, INC.

TRANSMITTAL

Date: February 21, 2023

To: Frank Ruggirello Construction, Inc. Re: **Transmittal 01 #23-504-01**
Attn: Clark Kulack PCO# 01 Drop Off Lane Striping & Curb
9680 Old Redwood Highway
Windsor, CA 95492
Email: Clark@frcinc.biz

Project: Harmony Field LLB, Phase 3

From: Mike Moore

We are hereby transmitting the following:

| <u>Qty</u> | <u>Description</u> | <u>Note</u> |
|------------|--|-------------|
| 1 ea. | PCO# 01 Drop Off Lane Striping & Curbs | |
| 1 ea. | Labor Rate Breakdown Sheet | |
| 1 ea. | Equipment rate breakdown Sheet | |

Remarks

As requested, please find attached our proposed change order (PCO) #01 in the amount of \$1,290.00 to complete the following additional work:

- 8' Wide drop off lane with two at 24" "Drop Off Only" stencils striped on center at both ends of the lane.
- Yellow painted curb adjacent to at the length of the drop off lane
- Red painted curb with 3" No Parking-Fire Lane stenciled every 25' on curb face.

If this proposed change order cost summary is acceptable, please issue your change order.

Please contact Mike Moore at (415) 760-8653 if you need any more information.

Project: Harmony ES Field and Playground Improvements
 Contractor: Frank Ruggirello Construction, Inc.
 PCO # 01 Drop Off Lane Striping and Curbs

Compass Engineering Contractors, Inc.
 22-Feb-23

| Item | Description | Qty | Unit | Unit Price | Ext. | Labor | Equip. | Perm. Material | Other | Sub | Total |
|------------------------------------|--|-----|------|------------|-----------------|---------------|---------------|----------------|--------------|-------------|--------------|
| 1 | Striping crew (paint) | | | | | | | | | | |
| | Foreman | 4 | HR | 77.97 | 311.88 | 312 | | | | | 312 |
| | Laborer | 4 | HR | 76.04 | 304.16 | 304 | | | | | 304 |
| | Stake truck (10-ton) | 4 | HR | 38.38 | 153.52 | | 154 | | | | 154 |
| | Paint striper | 4 | HR | 16.50 | 66.00 | | 66 | | | | 66 |
| | Furnish traffic paint | 10 | GAL | 22.50 | 225.00 | | | 225 | | | 225 |
| 2 | Striping crew (thermoplastic) | | | | | | | | | | |
| 3 | Small tools & expendables (10% of labor cost) | | | | | | | | | | |
| | Stencil use, tape, disposal/dump fees, etc. | 10% | \$ | 616.04 | 61.60 | | | | 62 | | 62 |
| | TOTAL DIRECT COST | | | | 1,122.16 | 616.04 | 219.52 | 225.00 | 61.60 | 0.00 | 1,122 |
| | Labor Markup | 15% | | | | 92 | | | | | 92 |
| | Equipment Markup | 15% | | | | | 33 | | | | 33 |
| | Permanent Material Markup | 15% | | | | | | 34 | | | 34 |
| | Other Markup | 15% | | | | | | | 9 | | 9 |
| | Subcontract Markup | 5% | | | | | | | | 0 | 0 |
| TOTAL PROPOSED CHANGE ORDER | | | | | | | | | | | 1,290 |

Notes:

Compass Engineering Contractors, Inc.
 Labor Rate Breakdown (non-OCIP projects)

Effective 06/27/2022

| TRAFFIC CONTROL/HIGHWAY IMPROVEMENT LABORER | | | | | | | | | | | | | | | | |
|---|---------------------------------|--------------|--------------|--------------|---------------------------------|--------------|---------------|--------------|---------------------------------|---------------|---------------|--------------|-------------------------|---------------|---------------|--------------|
| | Laborer Apprentice (1st Period) | | | | Laborer Apprentice (4th Period) | | | | Roadway Work Journeyman Laborer | | | | Laborer/Striper Foreman | | | |
| Direct Labor Costs | Straight | Over | Double | Night | Straight | Over | Double | Night | Straight | Over | Double | Night | Straight | Over | Double | Night |
| Base Wage (hourly) | 23.37 | 35.06 | 46.74 | 23.37 | 28.76 | 43.14 | 57.52 | 28.76 | 37.70 | 56.55 | 75.40 | 37.70 | 39.20 | 58.80 | 78.40 | 39.20 |
| Vacation/Holiday Pay | 0.91 | 0.91 | 0.91 | 0.91 | 3.05 | 3.05 | 3.05 | 3.05 | 3.05 | 3.05 | 3.05 | 3.05 | 3.05 | 3.05 | 3.05 | 3.05 |
| Taxable Wage Total | 24.28 | 35.97 | 47.65 | 24.28 | 31.81 | 46.19 | 60.57 | 31.81 | 40.75 | 59.60 | 78.45 | 40.75 | 42.25 | 61.85 | 81.45 | 42.25 |
| Other Union Fringes | 10.37 | 10.37 | 10.37 | 10.37 | 23.62 | 23.62 | 23.62 | 23.62 | 23.62 | 23.62 | 23.62 | 23.62 | 23.62 | 23.62 | 23.62 | 23.62 |
| Total Direct Labor | 34.65 | 46.34 | 58.02 | 34.65 | 55.43 | 69.81 | 84.19 | 55.43 | 64.37 | 83.22 | 102.07 | 64.37 | 65.87 | 85.47 | 105.07 | 65.87 |
| Taxes | | | | | | | | | | | | | | | | |
| Social Security (FICA) | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% |
| Medicare (MEDI) | 1.45% | 1.45% | 1.45% | 1.45% | 1.45% | 1.45% | 1.45% | 1.45% | 1.45% | 1.45% | 1.45% | 1.45% | 1.45% | 1.45% | 1.45% | 1.45% |
| Federal Unemployment(FUTA) | 0.60% | 0.60% | 0.60% | 0.60% | 0.60% | 0.60% | 0.60% | 0.60% | 0.60% | 0.60% | 0.60% | 0.60% | 0.60% | 0.60% | 0.60% | 0.60% |
| State Unemployment (SUI) | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% | 6.20% |
| Employment Training (ETT) | 0.10% | 0.10% | 0.10% | 0.10% | 0.10% | 0.10% | 0.10% | 0.10% | 0.10% | 0.10% | 0.10% | 0.10% | 0.10% | 0.10% | 0.10% | 0.10% |
| City Payroll Tax | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |
| Subtotal Taxes (T) | 14.55% | 14.55% | 14.55% | 14.55% | 14.55% | 14.55% | 14.55% | 14.55% | 14.55% | 14.55% | 14.55% | 14.55% | 14.55% | 14.55% | 14.55% | 14.55% |
| Insurance | | | | | | | | | | | | | | | | |
| Workers Compensation | 9.09% | 9.09% | 9.09% | 9.09% | 9.09% | 9.09% | 9.09% | 9.09% | 9.09% | 9.09% | 9.09% | 9.09% | 9.09% | 9.09% | 9.09% | 9.09% |
| General Liability | 3% | 3% | 3% | 3% | 3% | 3% | 3% | 3% | 3% | 3% | 3% | 3% | 3% | 3% | 3% | 3% |
| Automobile Liability | 2% | 2% | 2% | 2% | 2% | 2% | 2% | 2% | 2% | 2% | 2% | 2% | 2% | 2% | 2% | 2% |
| Excess Liability | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |
| Subtotal Insurance Cost | 14.09% | 14.09% | 14.09% | 14.09% | 14.09% | 14.09% | 14.09% | 14.09% | 14.09% | 14.09% | 14.09% | 14.09% | 14.09% | 14.09% | 14.09% | 14.09% |
| Total Labor Burden Rate | | | | | | | | | | | | | | | | |
| Surcharge Rate (T+I) | 28.64% | 28.64% | 28.64% | 28.64% | 28.64% | 28.64% | 28.64% | 28.64% | 28.64% | 28.64% | 28.64% | 28.64% | 28.64% | 28.64% | 28.64% | 28.64% |
| Labor Burden Amount | 6.95 | 10.30 | 13.65 | 6.95 | 9.11 | 13.23 | 17.35 | 9.11 | 11.67 | 17.07 | 22.47 | 11.67 | 12.10 | 17.71 | 23.33 | 12.10 |
| Total Labor Cost | 41.60 | 56.64 | 71.67 | 41.60 | 64.54 | 83.04 | 101.54 | 64.54 | 76.04 | 100.29 | 124.54 | 76.04 | 77.97 | 103.18 | 128.40 | 77.97 |
| GRAND TOTAL | 41.60 | 56.64 | 71.67 | 41.60 | 64.54 | 83.04 | 101.54 | 64.54 | 76.04 | 100.29 | 124.54 | 76.04 | 77.97 | 103.18 | 128.40 | 77.97 |

FRINGE BENEFIT BREAKDOWN

| | |
|-------------------------------|------|
| Annuity | 3.79 |
| Health & Welfare | 9.60 |
| ISF (other) | 0.17 |
| Pension | 9.46 |
| Traning | 0.50 |
| Vacation (taxable, see above) | 3.05 |
| Contract Admin (paid to UCON) | 0.10 |

TOTAL 26.67

Compass Engineering Contractors, Inc.
Equipment Rate Sheet 2019-2020


Effective 04/01/2019

| Equipment | Source | Hourly Rates | | |
|--|--------------------|--------------|---------------|------------|
| | | Basic Rate | Overtime Rate | Delay Rate |
| <u>TRUCKS & AUTOMOBILES</u> | | | | |
| Pickup Truck (1-ton & under) | Caltrans 2019-2020 | 26.15 | 23.01 | 3.40 |
| Stake Truck (10-ton) | Caltrans 2019-2020 | 38.38 | 33.77 | 4.99 |
| Kettle Truck (18-ton) | Caltrans 2019-2020 | 45.97 | 40.45 | 5.98 |
| <u>GENERAL EQUIPMENT</u> | | | | |
| Air Compressor (185 cfm) | Caltrans 2019-2020 | 18.54 | 16.13 | 2.60 |
| Air Tools (60 lb. & over) | Caltrans 2019-2020 | 1.60 | 0.66 | 0.98 |
| Core drill & bits | Historical | 17.50 | | |
| Generator (5kw) | Caltrans 2019-2020 | 4.04 | 3.56 | 0.53 |
| Electric Power Hand Tools | Caltrans 2019-2020 | 0.32 | 0.13 | 0.20 |
| Saws, Concrete & Masonry (10hp -) | Caltrans 2019-2020 | 3.33 | 2.83 | 0.53 |
| Blade Sawkerf (rate per 1 LF at 1" depth) | Caltrans 2019-2020 | 0.18 | | |
| Sealmaster TR550 Seal Coat Trailer (550 Gal) | Caltrans 2019-2020 | 69.72 | 59.96 | 10.46 |
| Skid steer loader (50HP or under) | Caltrans 2019-2020 | 25.36 | 22.32 | 3.30 |
| Skid steer w/auger (50HP or under) | Caltrans 2019-2020 | 25.81 | 22.71 | 3.36 |
| Equipment Trailer (10-ton) | Caltrans 2019-2020 | 4.62 | 2.86 | 1.94 |
| <u>STRIPING EQUIPMENT</u> | | | | |
| Paint Striper (Graco) | Historical | 16.50 | 16.50 | 16.50 |
| Airless Sprayer (Graco) | Historical | 9.90 | 9.90 | 9.90 |
| Thermoplastic Striper (ASE) | Historical | 20.90 | 20.90 | 20.90 |
| Thermoplastic Kettle (Trantex) | Historical | 14.30 | 14.30 | 14.30 |
| Pavement Grinder (EDCO TL) | Historical | 24.20 | 24.20 | 24.20 |
| 1000-lb Kettles (Kettle Truck) | Historical | 28.60 | 28.60 | 28.60 |



| | |
|-------------------------|---|
| Meeting Date: | 3/9/2023 - 6:00 PM |
| Category: | Action Items |
| Type: | Info/Action |
| Subject: | 10.8 Consideration of security contract |
| Strategic Plans: | |
| Policy: | |
| Enclosure | |

File Attachment:

 RECOMMENDATION OF THE DISTRICT BEGINNING THE CUPCAA BIDDING PROCESS TO INSTALL A COMPLETE VIDEO SURVEILLANCE SYSTEM.pdf

Description:**Background Information:****Fiscal Implications:**

Recommendation: That the board approves the security contract

Approvals:

Recommended
By:



Matthew Morgan - Superintendent/Principal



Harmony
Union School District

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Occidental, California, 95465
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March 9, 2023

RECOMMENDATION OF THE DISTRICT BEGINNING THE CUPCCAA BIDDING
PROCESS TO INSTALL A COMPLETE VIDEO SURVEILLANCE SYSTEM

Dear Governing Board:

I, Matthew Morgan, Superintendent, Harmony Union School District, hereby request this Board to approve up to \$100,000 of General Funds to move forward with a Complete Video Security System.

At this time, and due to the recent events at Montgomery High School, we would like to bid out a complete video surveillance system, including cameras installed on the main campus buildings, and license plate reader cameras at the front gate and the gate adjacent to the gym.

Districts expecting projects to cost over \$65,000 but under \$200,000 are required by CUPCCAA to offer contractors the opportunity to bid. With the assistance of our Bond Project Management Team, Counterpoint Construction, Harmony USD currently has three (3) companies that we will invite to bid the project, in addition to inviting all contractors on the Harmony USD CUPCCAA List (which can be found on the Harmony USD website).

The California Uniform Public Construction Cost Accounting Act (“CUPCCA”) was created in 1983, to provide public agencies the option to take action toward utilizing higher bid limits and to enhance the agency’s ability to perform the public works project with force labor. The primary goal of the formal bid process is to facilitate competition from a broad group of potential vendors and contractors.

Respectfully submitted,

Matthew Morgan