

# Galt Joint Union Elementary School District Board of Education

*"Building a Bright Future for All Learners"*

## Regular Board Meeting

**November 15, 2023**

6:00 p.m. Closed Session

7:00 p.m. Open Session

## Galt City Hall Chamber

380 Civic Drive, Galt, CA 95632

## To join the webinar remotely:

<https://galt-k12-ca.zoom.us/j/83493758048>

Or One tap mobile :

+16694449171,,83493758048# US

+16699006833,,83493758048# US (San Jose)

Or Telephone:

408-638-0968

# AGENDA

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Anyone may comment publicly on any item within the Board's subject matter jurisdiction to the Galt Joint Union Elementary School District Board of Education. However, the Board may not take action on any item not on this Board meeting agenda except as authorized by Government Code section 54954.2.

- Complete a public comment form indicating the item you want to address and give it to the board meeting assistant.
- Public comment via Zoom teleconference by notifying the board meeting assistant through the chatbox feature in Zoom (please include agenda item topic) or by using the raised hand feature in Zoom during the agenda item to be addressed. You will be identified by your Display Name in Zoom when called upon to speak.
- Individual speakers shall be allowed three minutes to address the Board on each agenda or non-agenda item.
- Public comments emailed to [superintendent@galt.k12.ca.us](mailto:superintendent@galt.k12.ca.us) 24 hours before the board meeting will be posted on the GJUESD website with the agenda. Email public comment is limited to 450 words.
- The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard.

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Board of Education Meetings are recorded.

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## A. 6:00 p.m. – Closed Session Location: Galt City Hall Conference Room

## B. Announce items to be discussed in Closed Session, Adjourn to Closed Session

### 1. CONFERENCE WITH LABOR NEGOTIATOR, Government Code §54957.6

Agency Negotiator: Lois Yount, Claudia Del Toro-Anguiano, Kuljeet Nijjar, Alejandra Garibay

- Employee Agency: (GEFA) Galt Elementary Faculty Association
- Employee Agency: (CSEA) California School Employee Association
- Non-Represented Employees

### 2. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE §54957

## C. Adjourn Closed Session, Call Meeting to Order, Flag Salute, Announce Action Taken in Closed Session

## D. Board Meeting Protocol

**E. Presentations & Recognitions**

1. Marengo Ranch Elementary Band Students

**F. Public Comments** for topics not on the agenda

*Public comment is limited to three minutes or less, pending Board President's approval.*

**G. Reports**

LCAP GOAL 1

*Engaging learners in PreK-8 through a focus on equity, access, and academic rigor with inclusive practices in various learning environments.*

1. Acceleration Blocks
2. Measures of Academic Progress (MAP)
3. California Smarter Balance Assessment Consortium (SBAC) and Chronic Absenteeism State Release

LCAP GOAL 2

*Promoting PreK-8 whole learner development through social and emotional learning opportunities in a variety of safe and supportive environments.*

1. Transportation Services

OTHER REPORTS

1. City And Schools Together (CAST)
2. School Calendars

**H. Routine Matters/New Business**

**232.435** Consent Calendar

- a. Approval of the Agenda

MOTION

At a regular meeting, the Board may act upon an item of business not appearing on the posted agenda if, first, the Board publicly identifies the item, and second, one or more of the following occurs:

- 1) The Board, by a majority vote of the entire Board, decides that an emergency (as defined in Government Code section 54956.5) exists or
- 2) Upon a decision by a two-thirds vote of the Board, or if less than two-thirds of the Board members are present, a unanimous vote of those present, the Board decides that there is a need to take immediate action and that the need for action came to the attention of the District after the agenda was posted; or
- 3) The item was posted on the agenda of a prior meeting of the Board occurring not more than five calendar days before the date of this meeting, and at the preceding meeting, the item was continued to this meeting.

- b. Minutes

- October 18, 2023

- c. Payment of Warrants

- Vendor Warrants: 2443842-24443913; 24445035-24445105; 24447258-24447350
- Payroll Warrants: 10/31/23

- d. Personnel

- Resignations/Retirements
- Leave of Absence Requests
- New Hires/Reclassifications

- e. Donations

<b>232.436</b>	Consent Calendar (Continued) – Items Removed for Later Consideration	MOTION
<b>232.437</b>	Board Consideration of Resolution No. 9: Authorizing the Filing of Documents Under the State School Facility Program and Establishing District Representative(s)	MOTION
<b>232.438</b>	Board Consideration of Approval of Memorandum Of Understanding (MOU) Between the California School Employees Association and its Galt Chapter #362 (CSEA) and the GJUESD Pertaining to the Creation of the Speech-Language Pathology Assistant (SLPA) Position.	MOTION
<b>232.439</b>	Initial Public Notice/Sunshine (Proposal) from the California School Employees Association (CSEA) and its Galt Elementary Chapter #362 to the GJUESD for 2023-24: <ul style="list-style-type: none"> <li>• Article IX Leaves</li> <li>• Article XVIII Professional Growth Program</li> <li>• Article XIX Fringe Benefits</li> <li>• Article XX Wages</li> </ul>	PUBLIC NOTICE
<b>232.440</b>	Board Consideration to Establish December 20, 2023 at 7:00 p.m. at the Galt City Hall Chamber as the Galt Joint Union Elementary School District Board of Education Annual Organizational Meeting and Regular Monthly Meeting per Education Code §35143	MOTION
<b>232.441</b>	First Reading of the following Board Policies (BP) and Administrative Regulations (AR): <ol style="list-style-type: none"> <li>1. BP 0410 – Nondiscrimination in District Programs and Activities</li> <li>2. BP 1160 – Political Process</li> <li>3. BP/AR 1312.2 – Complaints Concerning Instructional Materials</li> <li>4. BP/AR 1312.3 Uniform Complaint Procedures</li> <li>5. AR 1312.4 – Williams Uniform Complaint Procedures</li> <li>6. BP/AR 1330 Use of School Facilities</li> <li>7. BP/AR 3311 – Bids</li> <li>8. BP 3312 – Contracts</li> <li>9. BP 3460 – Financial Reports and Accountability</li> <li>10. AR 3541 Transportation Routes and Services</li> <li>11. BP/AR 3551 – Food Service Operations/Cafeteria Fund</li> <li>12. BP 4151/4251/4351 – Employee Compensation</li> <li>13. AR 4217.3 – Layoff/Rehire</li> <li>14. BP 5131.9 – Academic Honesty</li> <li>15. BP 5145.3 – Nondiscrimination/Harassment</li> <li>16. BP/AR 6143 – Courses of Study</li> <li>17. BP 6154 – Homework/Makeup Work</li> <li>18. AR 6154 – Homework/Makeup Work – Rescind</li> <li>19. BP/AR 6161.1 – Selection and Evaluation of Instructional Materials</li> <li>20. BP 6161.11 – Supplementary Instructional Materials</li> <li>21. BP 6162.5 – Student Assessment</li> <li>22. BP 6163.1 – Library Media Centers</li> <li>23. BB 9124 – Attorney</li> </ol>	FIRST READING

**I. Public Comments** for topics not on the agenda

*Public comment is limited to three minutes or less, pending Board President's approval.*

**J. Pending Agenda Items**

1. Acceleration Blocks

**K. Adjournment**

The next regular meeting of the GJUESD Board of Education: Tentatively, December 20, 2023

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Board agenda materials are available for review at the address below. Individuals who require disability-related accommodations or modifications, including auxiliary aids and services, to participate in the Board meeting should contact the Superintendent or designee in writing.

Lois Yount, District Superintendent  
Galt Joint Union Elementary School District  
1018 C Street, Suite 210, Galt, CA 95632  
superintendent@galt.k12.ca.us



## Board Meeting Agenda Item Information

<b>Meeting Date:</b> November 15, 2023	<b>Agenda Item:</b> Closed Session
<b>Presenter:</b> Lois Yount	<b>Action Item:</b> <b>Information Item:</b> XX
<p>1. CONFERENCE WITH LABOR NEGOTIATOR, Government Code §54957.6 Agency Negotiator: Lois Yount, Claudia Del Toro-Anguiano, Kuljeet Nijjar, Alejandra Garibay</p> <ul style="list-style-type: none"><li>▪ Employee Agency: (GEFA) Galt Elementary Faculty Association</li><li>▪ Employee Agency: (CSEA) California School Employee Association</li><li>▪ Non-Represented Employees</li></ul> <p>2. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE §54957</p>	



Revised October 18, 2023  
Galt Joint Union Elementary School District  
**BOARD MEETING PROTOCOL**

### **SESSION INTRODUCTION**

1. The meeting is being recorded.
2. The meeting is open to the public.
3. The meeting is being broadcast live through Zoom teleconference.

### **PUBLIC COMMENT**

1. Public comments are three minutes per agenda item.
2. The Board shall limit the total time for public comment for each agenda item to 20 minutes.
3. Please note that the Board offers the public the ability to comment during the meeting via Zoom and provide comments in person at the meeting location. If the Board experiences technical difficulties with Zoom, or the use of Zoom results in disruption of the meeting, the Board may decide to limit or not allow further comment via Zoom for the remainder of the meeting.
4. With Board consent, the Board President may increase or decrease the time allowed for public comment.
5. To make a public comment via Zoom teleconference, notify the board meeting assistant through the chatbox feature in Zoom (please include agenda item topic) or by using the raised hand feature in Zoom during the agenda item to be addressed. You will be identified by your Display Name in Zoom when called upon to speak.
6. To make a public comment in person, complete a public comment form indicating the item you would like to address and give it to the board meeting assistant.

### **EMAIL PUBLIC COMMENT**

1. Public comments emailed to [superintendent@galt.k12.ca.us](mailto:superintendent@galt.k12.ca.us) 24 hours before the board meeting will be posted to the GJUESD website with the agenda.
2. Email public comment is limited to 450 words.

### **BOARD VOTE AND CONNECTIVITY**

1. Each motion will be followed by a roll call vote for action items.
2. Should a board member attend the meeting remotely and lose connectivity by teleconference or phone, the meeting will be delayed five minutes.

**REGULAR BOARD MEETINGS SHALL BE ADJOURNED BY 10:30 P.M.**





## Board Meeting Agenda Item Information

<b>Meeting Date:</b> November 15, 2023	<b>Agenda Item: Presentations &amp; Recognitions</b>
<b>Presenter:</b> Lois Yount	<b>Action Item:</b> <b>Information Item:</b> XX

1. Marengo Ranch Elementary Band Students



## Board Meeting Agenda Item Information

<b>Meeting Date:</b> November 15, 2023	<b>Agenda Item:</b> Reports
<b>Presenter:</b> Lois Yount	<b>Action Item:</b> <b>Information Item:</b> XX

**LCAP GOAL 1**

*Engaging learners in PreK-8 through a focus on equity, access, and academic rigor with inclusive practices in various learning environments.*

1. Acceleration Blocks
2. Measures of Academic Progress (MAP)
3. California Smarter Balance Assessment Consortium (SBAC) and Chronic Absenteeism State Release

**LCAP GOAL 2**

*Promoting PreK-8 whole learner development through social and emotional learning opportunities in a variety of safe and supportive environments.*

1. Transportation Services

**OTHER REPORTS**

1. City And Schools Together (CAST)
2. School Calendars





## LCAP GOAL 1

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### **LCAP GOAL 1**

*Engaging learners in PreK-8 through a focus on equity, access, and academic rigor with inclusive practices in a variety of learning environments.*

#### **1. Acceleration Blocks**

*Claudia Del Toro-Anguiano, Curriculum Director*

#### **2. Measures of Academic Progress (MAP)**

*Claudia Del Toro-Anguiano, Curriculum Director*

#### **3. California Smarter Balance Assessment Consortium (SBAC) and Chronic Absenteeism State Release**

*Lois Yount, Superintendent and Kuljeet Nijjar, Educational Services Director*

**Acceleration Blocks  
Trimester 1, 2023**

Acceleration blocks are in place to support the academic growth of students. Services were provided after school and involved an eight-session rotation. Each one-hour session supported specific skills/standards. Participation for both the certificated staff and students was voluntary. All schools provided acceleration blocks. Students participated in one or more sessions.

Data below is a general overview of the acceleration blocks provided during the First Trimester/2023:

<b>Grade</b>	<b>Number of Rotations</b>	<b>Number of Students</b>	<b>Focus Areas</b>
Preschool	1	5	Letter names and name writing
Kindergarten	4	26	Letter names, letter sounds, sight words
First	4	37	Sums and differences up to 10, reading fluency
Second	4	24	Math skills, reading fluency, writing
Third	5	34	Multiplication fluency, reading fluency, writing
Fourth	8	59	Place value, rounding, reading accuracy/fluency/comp
Fifth	5	40	Multi-digit multiplication/division, place value, writing
Sixth	2	14	Multi-digit multiplication/division, math fluency
Sped K-8	3	22	Multiplication fluency, foundational reading skills
Seventh & Eighth	2	15	Novel study, identification of plot, vocabulary development Soccer formation/tactics/skills development
<b>Totals</b>	<b>38</b>	<b>276</b>	<b>Strongest focus area: multiplication fluency</b>

**Quotes:**

“I want the kids to feel a sense of accomplishment. Ideally, I want the parents to notice the boost in grades and/or reduction in missing assignments.” ~ MRE Teacher

*On the first day of school, a fourth grade student shared with her teacher:* “You will know me as a student who doesn’t know math.” *After the acceleration block:* “I love math!” ~ LC Student

“Sessions are going well and attendance is high.” ~ RO Administrator

“Students have gotten much more confident in math. They are able to use different strategies and math explanations.” ~ MRE Teacher

“All students passed the AR test of the novel. They used the new vocabulary when discussing the text and made great connections.” ~ MMS Teacher

# Board Meeting

## November 2023

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### Report:

#### Measures of Academic Progress (MAP) Fall 2023 Results

The MAP Growth assessment is administered to all students in Grades 1 - 8. The results are used to measure both achievement and growth. These results provide staff with actionable data to help target instruction and provide appropriate intervention. The results are reviewed by individual student and student groups. The data below reflects the percent of students who reached the target of scoring at/above the 60th percentile. Students who reach the target percentile have a greater probability of meeting/exceeding the expected achievement levels on state assessments.

#### **LCAP Goal 1: MAP results to increase by 5% each year (winter to winter)**

The table below indicates the percent of student groups (cohorts) who met/exceeded the target percentile as measured by MAP for winter 2023, fall 2023 and the expected growth (+5%) for the coming winter 2024:

Reading				Mathematics			
	Winter 2023	Fall 2023	Winter 2024 Target		Winter 2023	Fall 2023	Winter 2024 Target
First	30%	<b>40%</b>		First	26%	<b>37%</b>	
Second	34%	<b>49%</b>	35%	Second	40%	<b>56%</b>	31%
Third	53%	<b>46%</b>	39%	Third	47%	<b>45%</b>	45%
Fourth	37%	<b>50%</b>	58%	Fourth	36%	<b>32%</b>	52%
Fifth	39%	<b>47%</b>	42%	Fifth	27%	<b>31%</b>	41%
Sixth	45%	<b>41%</b>	44%	Sixth	32%	<b>22%</b>	32%
Seventh	42%	<b>41%</b>	50%	Seventh	34%	<b>38%</b>	37%
Eighth	41%	<b>35%</b>	47%	Eighth	43%	<b>32%</b>	39%

River Oaks Elementary							
Reading				Math			
	Winter 2023	Fall 2023	Winter 2024 Target		Winter 2023	Fall 2023	Winter 2024 Target
First	18%	<b>49%</b>		First	16%	<b>53%</b>	
Second	45%	<b>51%</b>	23%	Second	51%	<b>58%</b>	21%
Third	56%	<b>65%</b>	50%	Third	65%	<b>61%</b>	56%
Fourth	35%	<b>64%</b>	61%	Fourth	23%	<b>34%</b>	70%
Fifth	37%	<b>37%</b>	40%	Fifth	22%	<b>23%</b>	28%
Sixth	48%	<b>38%</b>	42%	Sixth	30%	<b>15%</b>	27%

Greer Elementary							
Reading				Math			
	Winter 2023	Fall 2023	Winter 2024 Target		Winter 2023	Fall 2023	Winter 2024 Target
First	40%	<b>32%</b>		First	41%	<b>28%</b>	
Second	32%	<b>41%</b>	45%	Second	34%	<b>58%</b>	46%
Third	54%	<b>40%</b>	37%	Third	41%	<b>41%</b>	39%
Fourth	41%	<b>59%</b>	59%	Fourth	49%	<b>41%</b>	46%
Fifth	31%	<b>43%</b>	46%	Fifth	24%	<b>37%</b>	54%
Sixth	51%	<b>32%</b>	36%	Sixth	33%	<b>22%</b>	29%

Lake Canyon Elementary							
Reading				Math			
	Winter 2023	Fall 2023	Winter 2024 Target		Winter 2023	Fall 2023	Winter 2024 Target
First	40%	<b>41%</b>		First	41%	<b>32%</b>	
Second	23%	<b>46%</b>	45%	Second	29%	<b>53%</b>	46%
Third	49%	<b>31%</b>	28%	Third	40%	<b>26%</b>	34%
Fourth	43%	<b>47%</b>	54%	Fourth	51%	<b>37%</b>	45%
Fifth	51%	<b>61%</b>	48%	Fifth	37%	<b>40%</b>	56%
Sixth	47%	<b>46%</b>	56%	Sixth	43%	<b>26%</b>	42%

Marengo Ranch Elementary							
Reading				Math			
	Winter 2023	Fall 2023	Winter 2024 Target		Winter 2023	Fall 2023	Winter 2024 Target
First	23%	44%		First	15%	45%	
Second	37%	71%	28%	Second	43%	68%	20%
Third	64%	53%	42%	Third	52%	62%	48%
Fourth	36%	51%	69%	Fourth	34%	27%	57%
Fifth	52%	56%	41%	Fifth	42%	31%	39%
Sixth	47%	51%	57%	Sixth	29%	36%	47%

Valley Oaks Elementary							
Reading				Math			
	Winter 2023	Fall 2023	Winter 2024 Target		Winter 2023	Fall 2023	Winter 2024 Target
First	31%	37%		First	13%	31%	
Second	31%	41%	36%	Second	40%	41%	18%
Third	43%	41%	36%	Third	35%	38%	45%
Fourth	26%	28%	48%	Fourth	20%	23%	40%
Fifth	23%	38%	31%	Fifth	10%	20%	25%
Sixth	36%	36%	28%	Sixth	24%	11%	15%

McCaffrey Middle School							
Reading				Math			
	Winter 2023	Fall 2023	Winter 2024 Target		Winter 2023	Fall 2023	Winter 2024 Target
Sixth	45%			Sixth	32%		
Seventh	42%	41%	50%	Seventh	34%	38%	37%
Eighth	41%	35%	47%	Eighth	43%	32%	39%

## California Smarter Balanced Assessment Consortium (SBAC) Test Results

The 2023 state's standardized test scores, Smarter Balanced, were released this month. Students in grades 3-8 take the Smarter Balanced assessments in English language arts and math each spring.

**How did students in GJUESD perform on these state tests?** Our students outperformed the state average in English language arts and math. The tables below show the change from 2022 to 2023 in the percentage of students meeting or exceeding state standards. District-wide, we demonstrated a slight increase in English language arts and an almost 3% increase in math. We are very optimistic about the growth in these test scores.

**English Language Arts: Percentage of Students Meeting or Exceeding State Standards**

State/District/School	English: Standard Met or Exceeded 2022	English: Standard Met or Exceeded 2023	English: Percentage Change
State of California	47.06%	46.6%	-1.06%
Galt Joint Union Elementary School District	46.99%	47.50%	+0.51%
McCaffrey Middle	51.41%	51.86%	+0.45%
Marengo Ranch Elementary	53.7%	52.92%	-0.78%
River Oaks Elementary	48.21%	47.25%	-0.96%
Lake Canyon Elementary	48.85%	47.93%	-0.92%
Valley Oaks Elementary	31.06%	33.54%	+2.48%
Greer Elementary	41.11%	45.84%	+4.73%

**Math: Percentage of Students Meeting or Exceeding State Standards**

State/District/School	Math: Standard Met or Exceeded 2022	Math: Standard Met or Exceeded 2023	Math: Percentage Change
State of California	33.38%	34.62%	+1.24%
Galt Joint Union Elementary School District	35.49%	38.30%	+2.81%
McCaffrey Middle	31.92%	32.92%	+1%
Marengo Ranch Elementary	42.63%	49.31%	+6.68%
River Oaks Elementary	42.48%	42.07%	-0.41%
Lake Canyon Elementary	39.67%	47.47%	+7.8%
Valley Oaks Elementary	24.67%	26.05%	+1.38%
Greer Elementary	35.97%	40%	+4.03%





# Attend Today, Achieve Tomorrow

Galt Joint Union Elementary School District, November 2023





Definition *Chronic Absenteeism Rate* represents the percentage of students who were absent for 10 percent or more of the instructional days they were enrolled to attend.

Status for the 2022 Chronic Absenteeism Rate Indicator will be calculated as follows:



**Number of Students  
Chronically Absent in  
the Current Year**

DIVIDED BY



**Number of Students  
Meeting the Absenteeism  
Enrollment Requirement\***

EQUALS

**Chronic  
Absenteeism  
Rate\*\***

- \* Students must be enrolled for at least 31 instructional days to be counted in the denominator.
- \*\* Chronic absenteeism rate is used to determine the Status level for this indicator.

	2022-2023	2021-2022	2018-2019	2017-2018
District	28.5%	46.2%	11.6%	10.7%
Fairsite	20.4%	n/a	n/a	n/a
Lake Canyon	35.4%	48.4%	9.5%	10.8%
Marengo Ranch	23.4%	48.9%	6.2%	6.3%
River Oaks	24.3%	47.5%	10.6%	9.1%
Valley Oaks	23.7%	46.6%	14.1%	11.2%
Greer Elementary	33.3%	57.3%	16.7%	15.7%
McCaffrey Middle School	30.8%	33.6%	12.1%	11.5%
Students with Disabilities	35.9%	53.9%	17.7%	16.5%

### Barriers to attendance:

1. Social/Emotional
2. Behavioral
3. Health
4. Transportation
5. Higher rates in Kindergarten



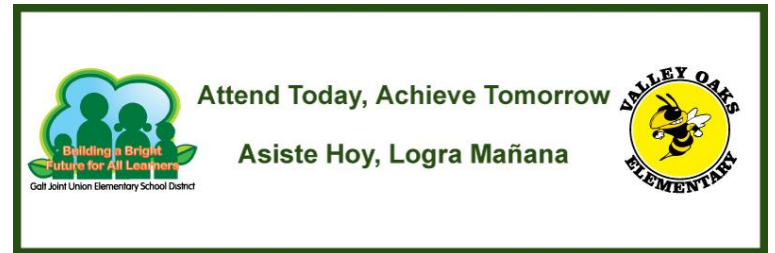
Attend Today, Achieve Tomorrow

Asiste Hoy, Logra Mañana

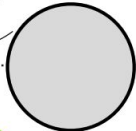


# 2023-2024 Attendance Campaign

- Develop and implement Attendance Teams: Admin, Social Worker/Counselor, Office staff-designee and parent; District team
- Implement weekly attendance monitoring, monthly district monitoring of chronic data.
- Positive Learning Conditions:
  - Building Thinking Classrooms; students are more likely to attend when positive conditions for learning are in place.
  - What intentional practices are in place to leverage teacher-student relationships?
- MTSS: Address barriers to attendance.
- Beginning of the year-outreach to families that were identified as chronically absent-phone calls, postcards, home visits (social workers/counselors)
- BTSN slides to be shared with all administrators. [GJUESD Attendance Awareness](#)
- Focus area Prek-K grades.
- Students on an IEP: Meet with families to review barriers
- McCaffrey Middle School: Parent Liaison position



hello **HOA** hey  
 aloha! hi  
 hello holla



Galt Joint Union  
 Elementary School District

Galt Joint Union Elementary School District  
 Attendance Calendar 2019-2020

Month	Days	Notes
August	1-31	Summer break
September	1-30	Start of school
October	1-31	Professional development days
November	1-30	Thanksgiving break
December	1-31	Winter break
January	1-31	Winter break
February	1-29	Winter break
March	1-31	Spring break
April	1-30	Spring break
May	1-31	End of school
June	1-30	Summer break
July	1-31	Summer break

### Attendance Matters

Attendance	Days
Present	✓
Absent	✗
Late	⊗
Excused	⊘



Attending school regularly helps children feel better about school—and themselves. Start building this habit in preschool so they learn right away that going to school on time, every day is important. Eventually, good attendance will be a skill that will help them succeed in high school and college.

[www.galt.k12.ca.us](http://www.galt.k12.ca.us)



Miss YOU



We stopped by to say *hello*  
 sorry, we missed you.  
 We can help improve attendance.

Regarding student(s): \_\_\_\_\_

Call:  Site Name \_\_\_\_\_ Phone # \_\_\_\_\_

Call:  Site Name \_\_\_\_\_ Phone # \_\_\_\_\_

### Contact Information

- Fair site Elementary and Early Learning Center (209) 745-2506
- Lake Canyon Elementary School (209) 744-5200
- Marengo Ranch Elementary School (209) 745-5470
- River Oaks Elementary School (209) 745-4614
- Valley Oaks Elementary School (209) 745-1564
- Vernon E. Greer Elementary (209) 745-2641
- Robert L. McCaffrey Middle School (209) 745-5462



Galt Joint Union  
 Elementary School District

(209) 744-4545  
 1018 C Street, Suite 201  
 Galt, CA 95632



## LCAP GOAL 2

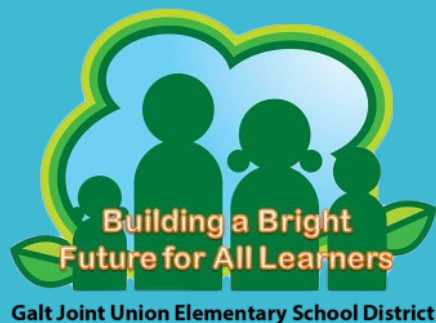
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### **LCAP GOAL 2**

*Promoting PreK-8 whole learner development through social and emotional learning opportunities in a variety of safe and supportive environments.*

#### **1. Transportation Services**

*Alejandra Garibay, Chief Business Official and Michelle Trujillo, Transportation Supervisor*



# Transportation Update

November 2023



# Our Team

The Galt Joint Union Elementary Transportation Department is committed to ensuring the safe and on-time transportation of its students. Our primary objective is to provide a reliable and efficient student transportation service. Our team, which includes drivers, mechanics, trainers, and office staff collaborate closely to uphold the highest service standards.

## **Office Staff**

- 1 Transportation Clerk - Liz Sailors
- 1 Dispatcher AM - Ashley Beckwith
- 1 Driver Instructor/Dispatch PM - Lisa Mestayer
- Supervisor - Michelle Trujillo

## **Bus Drivers**

- 7 Elementary - Lynette, Tammy, Joyce, Alexis, Theresa, Geraldo, Daryl
- 7 High School - Jim, John, Wylena, Maria, Blanca, Wendy, Melissa
- 1 Substitute - Christina

## **Bus Monitors**

- 2 Elementary - Rick, Jodi
- 0 High School
- 1 Sub - Sandra

## **Mechanics**

- 1 Elementary - Josh Little
- 1 High School - Terry Swank

# Driver Staffing Shortages

- **Bus Driver Trainee positions available on Edjoin**
- **Sub Drivers needed for both High School and Elementary also on Edjoin**



# Students and Routes

## Elementary

### Routes

5 General Education  
2 Special Needs

## High School

### Routes

5 General Education  
2 Special Needs

**Combined**  
**14** Routes

# Annual Mileage

ELEMENTARY		HIGH SCHOOL	
16-17	117,109	16-17	194,625
17-18	103,316	17-18	173,786
18-19	105,464	18-19	172,581
19-20	66,253	19-20	129,111
20-21	71,652	20-21	118,062
21-22	81,338	21-22	129,693
22-23	92,545	22-23	132,155

# Transportation Facts

Each year, this department effectively oversees the transportation of around 330 students to and from school.

GJUESD General Ed – 280 Students

GJUHSD General Ed – 290 Students

GJUESD SPED – 50 Students

GJUHSD SPED – 40 Students

Galt Elem School Bus Present Day



1930 Galt High School Bus



# Traversa Student Transportation Software Implementation



- **Tablets have been installed in the buses and are in use:**  
GPS will be utilized on all buses
- **Student bus passes:**  
Bus passes serve to identify students, specifying their school of attendance and designated bus stop. This information assists the district in planning for the correct number of buses and ensuring a safe bus stop location for students.

# Electric Bus Project

In 2020-21, both districts received grant approvals from two State agencies to acquire one electric bus and a corresponding charging station for each district.

- Our Elementary Electric bus is currently operational and assigned to a Pre-K/TK route. It features integrated seats that offer the security of a built-in child restraint system, complete with a 5-point harness designed for children weighing between 22 and 85 pounds.
- The installation of the charging station infrastructure is a distinct project, requiring collaboration with SMUD and the installation vendor. We are presently engaged in discussions with SMUD to enhance the power capacity necessary to support these charging stations.



# In -Service Meetings

# Staff Meetings

## **In-Service Meetings**

School Bus Drivers must undergo a minimum of 10 hours of in-service instruction within every 12-month training period.

This requirement is in place to maintain and refine their skills and to equip them with current knowledge concerning laws, safety protocols, the handling of students with disabilities, school bus equipment, and all other aspects pertinent to student transportation. This ensures that they can carry out their roles effectively.

In-service meetings take place on the second Tuesday of each month, from 9:15 a.m. to 10:15 a.m., in the Transportation break room.

## **Staff Meetings**

Staff meetings occur every Monday at 10:15 a.m. to address any weekly issues or concerns.

# School Buses: Reduced Visibility VC 34501.6



## Safe Bus Operations for Upcoming Winter Weather

California mandates the Governing Board of any district that provides student transportation to adopt procedures that limit bus operation when atmospheric conditions reduce visibility, as described below, and that give drivers of student activity buses discretionary authority to discontinue operation when it is unsafe.

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service.

Bus drivers for school activity trips shall have the authority to discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility.

## **Inclement Weather Evaluation Process for Cancelling Buses**

There may be times during the school year when it may be necessary to cancel student transportation services due to adverse weather conditions. The safety of students is always the first consideration when deciding to cancel buses.

- Local Dispatcher/ Drivers will: Survey a sample of roads in different areas of the Region to assess driving conditions prior to 5:30 AM when adverse conditions are anticipated.
- Discuss current road conditions and the impact of forecasted conditions on roads during bus service times.
- Supervisor and or AM dispatcher make a collective recommendation or decision and communicate with High School and Elementary CBO and Superintendent.
- Post to Parentsquare/Blackboard as soon as possible any routes or stops not being serviced due to road conditions.



# Fire Extinguisher Training

Back to work in-service on 8/16/2023 involved collaboration with the **Cosumnes Fire Department** to provide fire extinguisher training for all bus drivers and bus aides. This training was coordinated as part of our ongoing efforts to enhance the preparedness of the Transportation team for emergencies both on and around the school bus.

We practice on a regular basis to ensure excellence in our operations. We focus on strategies we know work, especially when it comes to quickly evacuating children from a school bus during emergencies. That's why we check our safety gear daily and make sure our fire extinguishers are working and practice how to use them.

Having a well-defined plan and rehearsing it is the key to achieving operational excellence.





Thank You,  
From Team  
Transportation!

Any comments or questions?



## OTHER REPORTS

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### **OTHER REPORTS**

**1. City And Schools Together (CAST)**

*Lois Yount, Superintendent*

**2. School Calendars**

*School Principals*

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# CAST Meeting Agenda



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Location: Galt City Hall  
380 Civic Drive, Galt, CA 95632

Date/Time: November 13, 2023 at 5:30 PM

<b>Members:</b>	<b>GJUESD</b>	<b>City of Galt</b>	<b>GJUHS</b>
	Lois Yount	Lorenzo Hines	Lisa Pettis
	Casey Raboy	Shawn Farmer	Terry Parker
	Traci Skinner	Kevin Papineau	Dennis Richardson

---

## Welcome!

- I. Review of CAST Purpose and Agenda Overview
- II. Standing Agenda Item
  - School and City Safety Updates
  - Student Resource Officers (SRO)
- III. Galt Joint Union Elementary School District
  - Public Opinion Survey
  - District Updates
- IV. Galt Joint Union High School District
  - District Updates
- V. City of Galt
  - City Updates
- VI. 2023-24 Quarterly meetings (2<sup>nd</sup> Monday)
  - August 14, 2023 High School District Office
  - November 13, 2023 – City Hall
  - February 13, 2024 (Monday, February 12 is a holiday) – Elementary School District Office
  - May 13, 2024 – High School District Office

*\*City and Schools Together (CAST) is a collaborative effort among leaders of the City of Galt, Galt Joint Union Elementary School District, and the Galt Joint Union High School District, united to ensure a positive future for all Galt area youth and families through strategic planning, open communication, resource sharing and coordination of events and activities.\**

~ CAST MISSION STATEMENT

2023

# DECEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
				1 ACADEMIC PROGRESS CHECK IN	1 ACADEMIC PROGRESS CHECK IN	2
3	4	5	6 STAFF MEETING  FAMILY NIGHT	7 PS TEACHING PYRAMID PD →	8	9
10	11	12	13	14	15	16
17	18	19	20	21 MIN. DAY FOR WINTER BREAK	22 WINTER BREAK →	23
24	25	26	27	28	29	30 →

FAIRSITE  
ELEMENTARY AND  
EARLY LEARNING  
CENTER

902 CAROLINE ST.  
GALT, CA 95632  
(209) 745-2506



LAURA MARQUEZ  
PRINCIPAL

# Vernon E. Greer Elementary



## December 2023

	Monday	Tuesday	Wednesday	Thursday	Friday
	<p><b>4</b>                      Bucket Filling Assemblies                      AM K-3 8:15 - 8:40                      4-6 8:50-9:30                      PM K 11:20-11:40</p> <p><b>3:00-4:00 LEADERSHIP</b></p> <p>Basketball Game                      MRE @ Greer 3-4</p>	<p><b>5</b>                      5th Grade to Staten Island                      and CRP</p> <p>3:00-4:00 SSTs</p>	<p><b>6</b></p>	<p><b>7</b>                      1:00-4:30 Admin Meeting</p> <p>3:00 GPE Meeting</p> <p>Character Counts                      Bradley 12:15                      Pennino 1:00                      Wilson 1:45</p>	<p><b>8</b>                      Change Idea Due Date...</p> <p>Greer Movie Night</p> <p>3:00-4:00 SSTs</p> <p>Basketball Game                      LC @Greer 3-4</p>
	<p><b>11</b>                      3:00-4:00 SSTs</p> <p>Basketball Game                      RO @ GREER 3-4</p>	<p><b>12</b>                      1:00 Mary Reed Meeting                      2:45-4:00 Learning Event</p> <p>5th Grade to Staten Island                      and CRP</p>	<p><b>13</b>                      LS Referrals DUE</p>	<p><b>14</b>                      9:00-2:00 SEL COP                      GEFA                      KONA ICE                      3:30 DAC Meeting                      5:00 DELAC Meeting</p>	<p><b>15</b>                      3:00-4:00 SSTs</p>
	<p><b>18</b>                      GE Pacing Log, 2023                      8:00-9:00 <b>YS Training</b></p>	<p><b>19</b>                      3:00 Attendance Team                      Meeting</p> <p>5th Grade to Staten Island                      and CRP</p>	<p><b>20</b>                      8:00-1:00 <b>LS Meetings</b></p> <p>3:00 Greer Christmas                      Party @ Kim Frizzi's House</p> <p>7:00 Board Meeting</p>	<p><b>21</b>                      SARC DUE                      8:10-9:10                      Winter Roundup</p> <p>Minimum Day                      1:00 TK-6 Dismissal                      4:30 ASES Closes</p>	<p><b>22</b>                      No School                      Winter Break</p>
	<p><b>25</b>                      No School                      Winter Break</p>	<p><b>26</b>                      No School                      Winter Break</p>	<p><b>27</b>                      No School                      Winter Break</p>	<p><b>28</b>                      No School                      Winter Break</p>	<p><b>29</b>                      No School                      Winter Break</p>

# Lake Canyon Board Calendar December 2023






Sun	Mon	Tue	Wed	Thu	Fri	Sat
					<b>1</b> Boys Basketball LC vs. Marengo Ranch 1:00 at Marengo Ranch Academic Progress Check In 12:30 PM Dismissal	<b>2</b>  Lighting of the Night Littleton Center
<b>3</b>	<b>4</b> Staff Meeting 2:45	<b>5</b> SIA Inspection Fire Drill Acceleration Blocks 2:45	<b>6</b>	<b>7</b> House Meeting 1:55 Acceleration Blocks 2:45	<b>8</b> Boys Basketball LC vs. Valley Oaks 3:00 at Valley Oaks Kinder Dismissal 1:00 pm	
Scholastic Book Fair in BFLC						
<b>10</b>	<b>11</b>	<b>12</b> Acceleration Blocks 2:45	<b>13</b> Kinder Winter/Christmas Performance 6:30PM Multi	<b>14</b> House Rally 1:55 Acceleration Blocks 2:45	<b>15</b> 3rd Grade to Cosumnes River Preserve	<b>16</b>
<b>17</b>	<b>18</b> Acceleration Blocks 2:45	<b>19</b> Acceleration Blocks 2:45	<b>20</b>	<b>21</b> Minimum Day 1:00 PM Dismissal	<b>22</b> No School Winter Break	<b>23</b>
<b>24</b>		<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>
<b>31</b>	<div style="display: flex; align-items: center;">  <div style="text-align: center;"> <h1 style="color: red; font-size: 4em; margin: 0;">WINTER BREAK</h1> <div style="background-color: red; color: white; padding: 5px; font-weight: bold; margin: 5px 0;">NO SCHOOL DECEMBER 22 - JANUARY 5, 2024</div> </div> </div>					



# December 2023

McCaffrey Middle School






Sun	Mon	Tue	Wed	Thu	Fri	Sat
Sports: 8th Grade Basketball - Oct 23 - Dec 7 Boys Indoor Soccer - Oct 25 - Dec 16  Fundraiser: Kona Ice				Academic Progress Check-in - Min Days		1 2
3	4 Club Live - Library During Lunches	5 Leadership Meeting	6 Academic Conferences	7	8 White Winter Dance 3:30-5:30pm	9
10	11 Club Live - Library During Lunches	12	13 STI Assembly	14  Kona Ice - Lunch Time	15	16
17	18 Club Live - Library During Lunches	19 Environmental Club to CRP  Staff Meeting	20	21 Minimum Day  Renaissance Rally/Celebration	22 No School Winter Break	23
24 	25 	26 27 28 29 No School - Winter Break 				30 
31						



# December 2023

Board Calendar– What’s happening this month at Marengo Ranch?

SUN	MON	TUE	WED	THU	FRI	SAT	
					1 Trimester Awards 8:10am	2	
					Basketball 1pm LC @MRE		
	3 	4 PTKC meeting 2:45pm	5 Staff Learning Event 2:50	6	7 ADMIN meeting 1pm	8 Kinder 1pm dismissal	9
		Basketball 3pm MRE @ GE		COLLEGE DAY		Basketball 3pm VO @ MRE	
	10	11 Basketball 3pm VO @MRE	12 Negotiations	13 STAFF Lunch Emergency Drill	14 ELAC meeting @1:30	15 Holiday Bingo Night 5pm Morning Sing	16
				COLLEGE DAY		Basketball 3pm MRE @ RO	
	17	18	19 MTSS Yard meeting 8:15 Leadership @2:50	20 Ugly Sweater Day	21 1pm dismissal All grades	22	23
				COLLEGE DAY			
	24	25 	26	27	28		

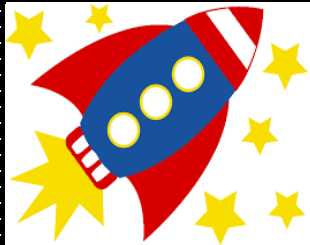
## Important Reminders

- 12/01 Progress Check-Ins  
12:30 dismissal
- 12/20 Board Meeting
- 12/22-1/05 Winter Break

## Facilities Use:

- G Town hoops on Mondays
- Parks & Rec Tues– Thur





# River Oaks Elementary December 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 Winter Family Dance  Parent Conferences 12:30 Dismissal	2
3	4	5	6	7  KONA ICE	8  Boys Basketball Game @ VO 1-2 pm	9
<i>Holiday Store</i>						
10	11  Boys Basketball Game @ Greer 3pm	12  Principals Lunch Bunch	13	14  Trait Treat celebration	15 Jolly Holiday Day  Friday Sing 8:15 Boys Basketball Game MRE v. RO 3pm-Home	16
17	18	19	20  Board Meeting 7:00	21  Minimum Day K-6th 1:00 Dismissal  GEFA/CSEA	<b>No School</b>  <b>Winter Break</b>	23
24	25 	26	27	28	29	
<i>Winter Break 12/22 - 1-5</i>						



# December

2023

**David Nelson**  
Principal

**Leah Wheeler**  
Assistant  
Principal



**Valley Oaks  
Elementary School**

21 C Street

Galt, CA 95632

Phone: (209) 745-1564

Fax: (209) 744-4565

**District Office**

1018 C Street, Suite 210

Galt, CA 95632

Phone: (209) 744-4545

Monday	Tuesday	Wednesday	Thursday	Friday
				1
			Academic Progress Check-in Dismissal @ 12:30	
				GR @ VO Intramural Basketball 1:00 pm.
4	5	6	7	8
			PTO Mtg. @ 2:45pm	Kinder dismissed at 1:00pm  RO @ VO Intramural Basketball 3:00pm
11	12	13	14	15
VO @ MRE Intramural Basketball 3:00pm	ELAC Mtg. @ 2:45pm	VO Spelling Bee @ 8:30am	VO Family Literacy Night @ 6:00pm	LC @ VO Intramural Basketball 3:00pm
18	19	20	21	22
	VO Winter Concert @6:00pm	KONA ICE 1:00-4:00pm Board Mtg. @ 7:00pm	Thursday Sing @ 8:15am  Minimum Day – Dismissal @ 1:00pm	NO SCHOOL: Winter Break
25	26	27	28	29
NO SCHOOL: Winter Break				
Merry Christmas				



## Board Meeting Agenda Item Information

<b>Meeting Date:</b> November 15, 2023	<b>Agenda Item: 232.435</b> Board Consideration of Approval of Consent Calendar
<b>Presenter:</b> Lois Yount	<b>Action Item:</b> XX <b>Information Item:</b>

- a. **Approval of the Agenda**
- b. **Minutes**
  - October 18, 2023
- c. **Payment of Warrants**
  - Vendor Warrants: 2443842-24443913; 24445035-24445105; 24447258-24447350
  - Payroll Warrants: 10/31/23
- d. **Personnel**
  - Resignations/Retirements
  - Leave of Absence Requests
  - New Hires/Reclassifications
- e. **Donations**

# Galt Joint Union Elementary School District Board of Education Minutes

## Regular Board Meeting

October 18, 2023

6:00 p.m. Closed Session

7:00 p.m. Open Session

## Galt City Hall Chamber

380 Civic Drive, Galt, CA 95632

**Zoom Meeting ID:**

Webinar ID: 892 8015 3155

## Board Members

Wesley Cagle

Traci Skinner

Casey Raboy

Annette Kunze

Katherine Harper

Lois Yount

Claudia Del Toro-Anguiano

Kuljeet Nijjar

Alejandra Garibay

## Administration

Tina Homdus

Jennifer Porter

Judith Hayes

Stephanie Simonich

David Nelson

Joshua Saldate

### A. 6:00 p.m. – Closed Session Location: Galt City Hall Conference Room

Present for closed session: Wesley Cagle, Traci Skinner, Annette Kunze, Katherine Harper, Lois Yount, Claudia Del Toro-Anguiano, Kuljeet Nijjar, Alejandra Garibay

### B. Wesley Cagle called the Closed Session to order at 6:00 p.m. to discuss the following items:

1. STUDENT MATTER, Education Code §35146, 48918(c)
  - Case No. 23/24-01
2. CONFERENCE WITH LABOR NEGOTIATOR, Government Code §54957.6  
Agency Negotiator: Lois Yount, Claudia Del Toro-Anguiano, Kuljeet Nijjar, Alejandra Garibay
  - Employee Agency: (GEFA) Galt Elementary Faculty Association
  - Employee Agency: (CSEA) California School Employee Association
  - Non-Represented Employees
3. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE §54957

### C. Closed Session adjourned at 6:50 p.m. Wesley Cagle announced no action was taken in closed session.

Mr. Cagle moved the presentation from the Student Council, River Oaks Elementary, to the top of the open session agenda.

#### 1. Student Council, River Oaks Elementary

Tina Homdus, Principal of River Oaks Elementary, introduced the Student Council members. The students shared information on the start of the school year and provided a video of all the exciting things they have done in school to date.

D. Lois Yount, Superintendent, shared the **Revised Board Meeting Protocol**.

E. **Presentations & Recognitions**

2. **Leesa Klotz, Galt Community of Character Coalition: Character Education Month**

Ms. Klotz thanked the Board for allowing her to commemorate Character Education Month.

The Galt Community Character Coalition (GCCC) is a nonprofit organization that recognizes individuals and organizations demonstrating outstanding character through their actions and focusing on the community's strengths. The coalition began in 2007 with six character traits chosen by the community to highlight individual stories, experiences, and behaviors. The six character traits are integrity, honesty, respect, responsibility, caring, and compassion. Every other month, one trait is awarded to acknowledge individuals' character efforts and accomplishments, making Galt the Great American Little Town it is. She provided a history of past recipients.

Ms. Klotz said the GCCC promotes character development in many other ways by supporting events such as diversity days, heritage festival, sunshine food pantry, community garden, and just this month, stepping up to Co-Sponsor Stars, the unique teen and adult recreation program.

Ms. Klotz asked that the Board continue encouraging ongoing participation in character-building programs. She invited the community to join their work. The GCCC meets on the second Tuesday of the month at 400 Fourth Street at 4:30 p.m.

3. **Lorenzo Hines Jr., Galt City Manager: Commercial Cannabis**

Mr. Hines reported on Galt's voter attitudes toward cannabis issues. He indicated FM3 Research was used to determine opinion, research, and strategy. Mr. Hines summarized survey specifics and methodology:

- Less than one-third of voters are aware that it is illegal to sell cannabis products in Galt.
- A majority of voters support lifting the ban on cannabis sales in Galt, with an overall increase in support in the past two years.
- Voters are most comfortable allowing 1-2 cannabis businesses within city limits.
- Voters offer the strongest support for requiring independent testing of products and onsite security.
- Prohibiting cannabis cafes and onsite consumption receives the least support.
- Nearly three-quarters of voters see a need for additional funding.
- More than two-thirds support a 10% gross receipts tax on cannabis businesses initially.
- Three in five say they will likely vote "yes" on a proposed tax measure.

Mr. Hines emphasized that this sampling of approximately 340 voters in Galt of over 25,000 residents is just a point of reference. He encouraged members of the public to contact him or city council members to express their opinions.

F. **Communications**

1. **2023-2024 LCAP and Adopted Budget Report**

Lois Yount reported the LCAP was approved by the Sacramento County Office of Education (SCOE). SCOE noted that the District collaborated in the Differentiated Assistance process to investigate root causes of disparities, develop and implement actions and services responsive to identified student needs, and integrate these actions and services into the LCAP. Additionally, the SCOE noted that both certificated and classified salary negotiations have not been settled for 2023-2024. The District must meet the public disclosure requirements of Government Code

section 3547.5 before the Board of Education takes action on a proposed collective bargaining agreement.

- G. Public Comments** for topics not on the agenda  
There were no public comments.

**H. Reports**

**LCAP GOAL 1**

*Engaging learners in PreK-8 through a focus on equity, access, and academic rigor with inclusive practices in various learning environments.*

**1. Cosumnes River Preserve and Grant Funding**

John Durand, Educator, Cosumnes River Preserve & GJUESD, provided an overview. He stated the United States Bureau of Land Management (BLM) had selected 21 restoration landscapes across 11 western states to:

- Restore public lands
- Strengthen communities and local economies

The really big news is the Cosumnes River Preserve and Galt was selected as one of the 21 sites throughout the Western United States. He indicated this is significant for the Galt community. He said the GJUESD submitted a cooperative agreement proposal to BLM to:

- Increase access for underserved youth and adults during school & afterschool
- Expand the canoe program
- Fund bus transportation
- Ensure program continuation and continuity

Mr. Durand stated that Lois Yount, Superintendent, signed a Memorandum of Understanding (MOU) to purchase large canoes and a trailer to increase outdoor education and recreation opportunities. The large canoes are 24 feet long and hold ten passengers. Funding for the canoes came from a grant from the Nature Conservancy with significant funding from the Sierra Club. He said Wilderness Inquiry updated their fleet to fiberglass boats, allowing the GJUESD to purchase the canoes.

Mr. Durand reported the National Director of Bureau of Land Management (BLM) came to Galt to learn about the Cosumnes River Preserve and see where the funds were going. Mcfarland Ranch, approximately 107 acres will be added to the preserve, partly from the funding from a Federal grant. The visit was an opportunity to highlight GJUESD education program with the BLM Director, State BLM Director, Preserve Manager, and other dignitaries.

Mr. Durand added that this funding has allowed for more than one staff person to help implement the program for the first time in 24 years. He introduced Mr. Bill Beckett.

Bill Beckett, Environmental Coordinator, reported. He indicated he has introduced himself to all school staff at site meetings to foster questions and communication between himself and those interested in outdoor education. He thanked the GJUESD staff for inviting him to participate in a Take Away Tuesday on October 3, 2023 where he provided outdoor education resources to use in classrooms and at school sites. He added that he is coordinating with Galt Expanded Learning (GEL) at all sites to revive and/or expand site gardens at all sites. Mr. Beckett shared some current activities. They include nature journaling and acorn collecting.

Claudia Del Toro-Anguiano, Curriculum Director, stated it is a unique opportunity for the GJUESD to be a partner among landowners. All the partners bring resources with them. The GJUESD brings the future. It brings children. She said John Durand has cultivated this partnership over 30 years and now Bill Beckett is a part of that. She thanked both of them.

Lois Yount said the GJUESD would like to try to partner with other districts and counties to help grow the program.

Wesley Cagle acknowledged John Durand's passion, hard work and commitment.

## **2. Professional Development Days: October 12-13, 2023**

Claudia Del Toro-Anguiano reported. She indicated each year, the District has three days during the school year that are devoted or dedicated to professional learning. Last week, the first two were held. The third professional learning day will take place in March. She shared the agenda for both days. The agenda included the following:

- **Certificated Staff**
  - Building Thinking Classrooms
  - GJUESD Mandatory Training
  - Benchmark
  - Benchmark Advance
  - Step Up To Writing
  - Pre-K, TK and K- Dual Language Immersion
  - Physical Education and Music
  - Middle School: Thinking Classrooms, MAP Analysis, Program Evaluation
  - Specialists
- **Classified Staff**
  - Positive School Culture
  - Positive Conditions of Learning & Homeless
  - GJUESD Mandatory Training
  - CPR/First Aid Skills Assessment
  - Ladder Safety
  - Crisis Prevention & Intervention (CPI)

Annette Kunze, Board Member, asked if there were any "aha" learning moments.

Principals responded with their experiences from the sessions they attended. Principals were pleased with the high level of collaboration among sites and grade levels.

Gayleen Gomez, Teacher and Galt Elementary Faculty Association (GEFA) President, responded it was good to learn how equipment and programs are intended to be used for the First Tee Golf program.

### **LCAP GOAL 2**

*Promoting PreK-8 whole learner development through social and emotional learning opportunities in a variety of safe and supportive environments.*

#### **1. 2023 Lights on Afterschool**

Kuljeet Nijjar, Educational Services Director, reported the 2023 Lights on Afterschool event is on October 26 at Greer Elementary School. She indicated the event celebrates afterschool programs and their important role in the lives of

children, families, and communities. There will be games, raffle prizes, and food that the GJUESD food services department is providing.

OTHER REPORTS

**1. Uniform Complaint Process (UCP) Quarter 1 Report**

Lois Yount reported no complaints for the Quarter 1 report.

**2. Galt Schools JPA**

Lois Yount reported the Galt Schools JPA Board took action on October 9, 2023 to approve a resolution acknowledging the termination of the Joint Powers Agreement and the Galt Schools Joint Powers Authority and assigning certain actions to the GJUESD. The current tax revenue is sufficient to make the final bond payment as scheduled on November 1, 2023 and all intended facilities projects have been completed.

Ms. Yount anticipates approximately 1.6 million dollars in revenue after paying off all professional services and the debt. This amount will be split equally between the GJUESD and the GJUHS. The funds can only be used for facility projects.

Ms. Yount said Trustee Casey Raboy and Annette Kunze currently serve on the JPA committee that is now dissolved.

**3. School Calendars**

Principals highlighted an event(s) from their school calendars. Lois Yount highlighted Fairsite Elementary's calendar.

**I. Routine Matters/New Business**

**232.427** Annette Kunze made a motion to approve the Consent Calendar, seconded by Traci Skinner. The motion carried unanimously.

- a. Approval of the Agenda
- b. Minutes
  - September 20, 2023 Regular Meeting
- c. Payment of Warrants
  - Vendor Warrants: 24438252-24438322; 24439611-24439670; 24441064-24441131; 24442572-24442628
  - Payroll Warrants: 9/29/2023, 10/10/2023
- d. Personnel

**Consent Calendar**

<b>Resignations/Retirees</b>			
<b>Name</b>	<b>Position</b>	<b>Effective Date</b>	<b>Site</b>
Butler, Krista	Teacher	10/31/23	Vernon E. Greer
Gray, Jennifer	Yard Supervisor	09/28/23	McCaffrey Middle
Velez, Cristina	Bilingual Community Outreach Assistant	10/13/23	Fairsite Preschool



<b>Leave of Absence Requests</b>			
<b>Name</b>	<b>Position</b>	<b>Effective Date</b>	<b>Site</b>
Durnell, Anna	Teacher	11/1/23	Lake Canyon
Giglia, Sarah	Teacher	11/3/23	Vernon E. Greer
Hill, Jessica	Teacher	09/28/23	Vernon E. Greer
Ketner, Danielle	Teacher	12/11/23	Lake Canyon
LaCayo, Jamie	Teacher	12/4/23	River Oaks
Narasky, Amanda	Yard Supervisor	9/25/23	Vernon E. Greer
Raygoza-Montes, Neyda	Instructional Assistant, Special Education	9/19/23	Vernon E. Greer
Soria, Veronica	Yard Supervisor	9/18/23	Lake Canyon
Suarez, Rosy	Instructional Assistant, Special Education	9/11/23	McCaffrey Middle
Sunde, Brianna	Instructional Assistant	9/18/23	Valley Oaks
Valencia, Isabel	Health Assistant 2	10/9/23	Marengo Ranch

<b>New Hires/Reclassifications/Status Changes</b>		
<b>Name</b>	<b>Position</b>	<b>Site</b>
Alcamo, Heather	Classified Substitute	N/A
Antolin, Diana	Certificated Substitute	N/A
Benxon, Ashley	Classified Substitute	N/A
Crandell, Alayna	Certificated Substitute	N/A
Debastiani, Janine	Instructional Assistant, Special Education	Fairsite Preschool
Derouen, Katie	Instructional Assistant	Valley Oaks
Heeney, Makayla	Certificated Substitute	N/A
Hooper, Kelly	Classified Substitute	N/A
Kellogg, Sheena	Classified Substitute	N/A
Koch, Reyna	Classified Substitute	N/A
Lopez De Vera, Fabiola (Status Change)	Instructional Assistant, Expanded Learning	Valley Oaks
Moe, Stehanie	Classified Substitute	N/A
Pamplona, Ariana (Status Change)	Instructional Assistant, Expanded Learning	Marengo Ranch
Pedraza, Samantha (Status Change)	Bilingual Instructional Assistant, Expanded Learning	River Oaks
Plant, Darla	Certificated Substitute School Nurse	N/A
Ramirez, Alejandro	Instructional Assistant, Expanded Learning	River Oaks
Reeve, James	Instructional Assistant	River Oaks

Sharp, Glenna (Status Change)	Preschool Instructional Assistant	Fairsite Preschool
Torres, Isabel	Bilingual Instructional Assistant	Fairsite Preschool
Usher, Claire	Yard Supervisor	River Oaks
Van Valkenburg, Barbara	Classified Substitute	N/A
Velasquez, Guadalupe	Certificated Substitute	N/A
Villalobos Hinojosa, Orlando	Instructional Assistant, Special Education	McCaffrey Middle

- e. Donations
- f. Out-of-State Conference Attendance: Vanessa Bridgeman
- g. Out-of-State Conference Attendance: Erika Duenas, Carlos Castillo, Heather Nelson, Abby Jones
- h. Non-Public Schools and Agencies Master Contracts
  - Maxim Staffing
  - Soliant

- 232.428** Consent Calendar (Continued) – Items Removed for Later Consideration  
No items were removed from the consent calendar. **CC  
Items Removed**
- 232.429** Traci Skinner made a motion to accept the recommendation Regarding Student Matter No. 23/24-01, seconded by Katherine Harper. The motion carried unanimously. **Student Matter**
- 232.430** Blair Aas, Director/Principal, SCI Consulting Group, presented the annual school facility needs analysis. This routine matter establishes the need for Level 2 developer fees for new residential construction in the District. The current fee is \$3.58 per square foot. It is being increased to \$3.85. **PUBLIC  
HEARING  
Level 2 Fees**
- A Public Hearing of Resolution No. 6 Approving the Galt Joint Union Elementary School District's School Facilities Needs Analysis, Adopting Residential School Facilities Fees in Compliance with Government Code Sections 65995.5 and 65995.6, and Making Related Findings and Determinations [Level 2 Fee] was held. There were no public comments.
- 232.431** Traci Skinner made a motion to approve Resolution No. 6 Approving the Galt Joint Union Elementary School District's School Facilities Needs Analysis, Adopting Residential School Facilities Fees in Compliance with Government Code Sections 65995.5 and 65995.6, and Making Related Findings and Determinations [Level 2 Fee], seconded by Casey Raboy. The motion carried unanimously. **Res 6  
Level 2 Fees**

**232.432** Wesley Cagle made a motion to approve Resolution No. 7, Resolution Approving a Site Lease, A Sublease, and a Construction Services Agreement Relating to the Maintenance and Operations Shop Project, seconded by Annette Kunze. The motion carried unanimously. **Res 7  
LLB M&O**

**232.433** Katherine Harper made a motion to approve Resolution No. 8, Authorizing Continued Funding Application to the California Department of Education, seconded by Traci Skinner. The motion carried unanimously. **Res 8  
Cont Funding**

**232.434** Casey Raboy made a motion to Apply for the Bus Rebate Program through the US Environmental Protection Agency, seconded by Traci Skinner. The motion carried unanimously. **Bus Rebate  
Program**

**J. Public Comments** for topics not on the agenda  
There were no public comments.

**K. Pending Agenda Items**  
1. Acceleration Blocks

**L. Adjournment** 8:33 p.m.



# CONSENT CALENDAR

## Human Resources

Recommend approval of the following:

<b>Resignations/Retirees</b>			
Name	Position	Effective Date	Site
DeRouen, Katie	Instructional Assistant	10/20/23	Valley Oaks
Navarro, Rosalba	Instructional Assistant, Special Education	10/31/23	Vernon E. Greer
Usher, Claire	Yard Supervisor	10/16/23	River Oaks

<b>Leave of Absence Requests</b>			
Name	Position	Effective Date	Site
Castillo, Carlos	Principal	10/25/23	McCaffrey Middle
Debastiani, Janine	Instructional Assistant, Special Education	10/30/23	Fairsite
Keane, Char	BFLC Technician	10/30/23	Vernon E. Greer
Nelson, Heather	Teacher	10/30/23	McCaffrey Middle
Purcell, Jillian	Instructional Assistant, Special Education	11/6/23	Valley Oaks
Romero, Rachelle	Health Assistant 2	10/2/23	Valley Oaks

<b>New Hires/Reclassifications/Status Changes</b>			
Name	Position		Site
Anaya, Jonathan	Bilingual Office Assistant		River Oaks
Buonauro, Maricel	Classified Substitute		N/A
Chavez, Christina	Yard Supervisor		McCaffrey Middle
Doty, Ursula	Certificated Substitute		N/A
Fontana, Christopher	Classified Substitute		N/A
Gonzalez-Martinez, America	Registered Behavior Technician		District Office
Harrison, Haylee	Yard Supervisor		McCaffrey Middle
Herrera Vaca, Clarisa	Bilingual Office Assistant		Valley Oaks
Madrigal, Guadalupe	Food & Nutrition Assistant 1		Vernon E. Greer
Martinez-Ferguson, Adriana	Food & Nutrition Assistant 1		Lake Canyon
Rodriguez Martinez, Miriam	Instructional Assistant		Lake Canyon
Teixeira, Paul	Classified Substitute		N/A
Torres, Maria (Status Change)	Instructional Assistant, Special Education		Vernon E. Greer
Usher, John	Yard Supervisor		River Oaks
Wilmoth, Sherri	Instructional Assistant, Special Education		Vernon E. Greer



## CONSENT CALENDAR

Donations

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### e. Donations

#### Greer Elementary

- Lodi Elks Lodge donated three adaptive tricycles valued at \$1,200.00 for SDC classroom.

#### River Oaks Elementary

- Denise Mulhern donated eighty Halloween tote bags valued at \$415.00 for kindergarten and first grade students.

#### Valley Oaks Elementary

- John Duncan donated office and school supplies valued at \$956.74.



Galt Joint Union Elementary School District

## Galt Joint Union Elementary School District

1018 C Street, Suite 210, Galt, CA 95632

209-744 4545 \* 209-744-4553 fax

### Board Meeting Agenda Item Information

<b>Meeting Date:</b> November 15, 2023	<b>Agenda Item: 232.436</b> Consent Calendar (continued)- Items Removed For Later Consideration
<b>Presenter:</b> Lois Yount	<b>Action Item:</b> XX <b>Information Item:</b>

The Board will have the opportunity to address any items that are moved from the consent calendar.



## Board Meeting Agenda Item Information

<b>Meeting Date:</b> November 15, 2023	<b>Agenda Item: 232.437</b> Board Consideration of Resolution No. 9: Authorizing the Filing of Documents Under the State School Facility Program and Establishing District Representative(s)
<b>Presenter:</b> Alejandra Garibay	<b>Action Item:</b> XX <b>Information Item:</b>

Education Code established multiple programs to be administered by the Department of General Services (DGS) as staff to the State Allocation Board (SAB). The Office of Public School Construction (OSPC) requires the Board of Education to approve the filing of documents and designate district representatives to act on behalf of the school district specifically for SAB-administered programs.

Board approval is recommended.

**GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT  
RESOLUTION NO. 9  
AUTHORIZING FILING OF DOCUMENTS UNDER THE STATE SCHOOL FACILITY PROGRAM(S) AND  
ESTABLISHING DISTRICT REPRESENTATIVE(S)**

ON A MOTION of Member \_\_\_\_\_, seconded by Member \_\_\_\_\_, the following resolution is hereby adopted:

WHEREAS, Education Code established multiple programs to be administered by the Department of General Services (DGS) as staff to the State Allocation Board (SAB); and

WHEREAS, Galt Joint Union Elementary School District intends to file applications for eligibility determination, file applications for funding, and/or certify information under one or more SAB-Administered Program(s); and

WHEREAS, the SAB and DGS requires a school district's Board of Education to authorize specific individuals to sign and submit information on behalf of a school district; and

WHEREAS, the Galt Joint Union Elementary School District understands that the signing and submittal of forms on behalf of the school district commits the school district to comply with program requirements.

WHEREAS, the Galt Joint Union Elementary School District Board of Education still recognizes the individual(s) identified below who have previously been authorized to physically sign all documents and papers or submit documents via OPSC Online that are associated with SAB-Administered Program(s), are still valid District Representative(s):

- Lois Yount, Superintendent

NOW, THEREFORE, BE IT RESOLVED that the Galt Joint Union Elementary School District Board of Education approves the submittal of applications for eligibility, applications for funding, and/or certify information under one or more SAB-Administered Program(s); and

FURTHER, THEREFORE, BE IT RESOLVED that the Galt Joint Union Elementary School District Board of Education authorizes the individual(s) identified below to physically sign all documents and papers or submit documents via OPSC Online that are associated with SAB-Administered Program(s):

- Alejandra Garibay, Chief Business Official - (Replacing Nicole Lorenz, Chief Business Official)

PASSED AND ADOPTED on \_\_\_\_\_, \_\_\_\_\_, 2023 by the Galt Joint Union Elementary School District Board of Education by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Date: \_\_\_\_\_, Board President \_\_\_\_\_  
Galt Joint Union Elementary School District

**CERTIFICATION**

I, \_\_\_\_\_, Board Secretary/Clerk, certify that the foregoing is a correct copy of a resolution passed and adopted by the Galt Joint Union Elementary School District on \_\_\_\_\_, \_\_\_\_\_, 2023.

Date: \_\_\_\_\_, Board Secretary/Clerk \_\_\_\_\_





## Board Meeting Agenda Item Information

<b>Meeting Date:</b> November 15, 2023	<b>Agenda Item: 232.438</b> Board Consideration of Approval of Memorandum Of Understanding (MOU) Between the California School Employees Association and its Galt Chapter #362 (CSEA) and the GJUESD Pertaining to the Creation of the Speech-Language Pathology Assistant (SLPA) Position
<b>Presenter:</b> Kuljeet Nijjar	<b>Action Item:</b> XX <b>Information Item:</b>

Under the direction of a Speech-Language Pathologist, with appropriate licensure by the State of California Speech-Language Pathology and Audiology Board, the Speech-Language Pathologist Assistant (SLPA) will carry out treatment plans by providing direct therapy, assist with assessments/screenings and assist with clerical duties to support the Speech-Language Pathologist.

Board approval is recommended for this new job description. This position would be represented by the classified union and be at Range CC on the salary schedule.

Attachments: MOU, Job Description and Salary Schedule.

**MEMORANDUM OF UNDERSTANDING (MOU)**  
**between the**  
**CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION**  
**and its**  
**GALT CHAPTER #362 (CSEA)**  
**and the**  
**GALT JOINT UNION ELEMENTARY SCHOOL (DISTRICT)**

**September 26, 2023**

The Galt Joint Union Elementary School District (“District”) and the California School Employees Association and its Chapter #362 (“CSEA”), have agreed to the following Memorandum of Understanding (“MOU”) pertaining to the creation of the Speech-Language Pathology Assistant position.

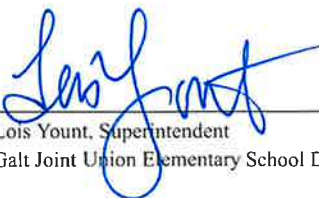
**A.**

1. Effective November 1, 2023, the District agrees to the creation of a Speech-Language Pathologist Assistant (SLPA) position placed on Range CC on the classified salary schedule.
2. The new Speech-Language Pathologist Assistant (SLPA) position will be classified.
3. The parties agree that this ongoing cost shall not be deducted from the total compensation package to be negotiated for the 2023-24 fiscal year.

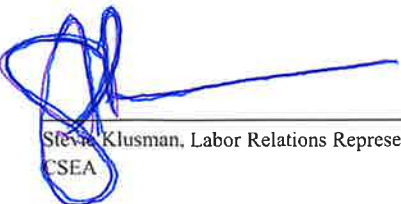
This MOU is subject to ratification by the bargaining unit and approval by the Governing Board.

  
\_\_\_\_\_  
Isabel Valencia, Chapter President  
CSEA Chapter #362

9/26/23  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Lois Yount, Superintendent  
Galt Joint Union Elementary School District

9/26/23  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Steve Klusman, Labor Relations Representative  
CSEA

9/26/23  
\_\_\_\_\_  
Date

## **GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT**

**JOB TITLE** Speech-Language Pathologist Assistant (SLPA)

### **DESCRIPTION OF BASIC RESPONSIBILITIES**

Under the direction of a Speech-Language Pathologist, with appropriate licensure by the State of California Speech-Language Pathology and Audiology Board, the SLPA will carry out treatment plans by providing direct therapy, assist with assessments/screenings and assist with clerical duties to support the Speech-Language Pathologist.

### **SUPERVISOR**

Principal

### **TYPICAL DUTIES**

1. Plan and provide appropriate individual and group speech and language therapy to students consistent with speech/language goals under the direction of a state-licensed Speech-Language Pathologist (SLP).
2. Assist with screenings and evaluations as directed by assigned SLP.
3. Administer routine speech and language tests as directed by supervisor when the licensed assigned SLP has assured proper training and administration of such tests.
4. Implement documented treatment plans or protocols developed by an assigned SLP.
5. Document student progress toward meeting established objectives and report information back to SLP.
6. Perform support duties, such as preparing materials, keeping records, maintaining supplies, and scheduling activities.
7. Schedules activities, prepares charts, records graphs, and data, assists in maintaining a neat and orderly environment.
8. Performs checks and maintenance of equipment.
9. Attend and participate in staff meetings and training provided to increase professional knowledge, as applicable.
10. May work in a variety of school locations.
11. Follows district policies and procedures.
12. Other duties as assigned.

### **KNOWLEDGE OF**

1. Speech-language pathology equipment, materials, and procedures
2. Language development in children
3. Articulation development
4. Learning challenges of students with special educational needs
5. Positive student behavior management techniques and strategies
6. Proper English language usage; spelling, grammar, punctuation

### **ABILITY TO**

1. Establish and maintain cooperative and collaborative working relationships with those contacted in the performance of required duties.
2. Understand and carry out oral and written directions, including intervention plans.
3. Utilize specialized communication systems and devices.
4. Assist in the educational program of assigned student(s).
5. Communicate effectively in oral and written form.
6. Learn and utilize current speech-language methods and procedures to be followed in an instructional setting.
7. Make independent decisions to respond to student requests and needs, and to select appropriate techniques to be used with students.
8. Manage and use time effectively.

### **REQUIREMENTS**

1. Registration with the Speech-Language Pathology and Audiology Board as a Speech-Language Pathology Assistant is required
2. California Driver's License
3. TB test clearance
4. Criminal Justice fingerprint clearance

Board approved \_\_\_\_\_

**GALT JOINT UNION SCHOOL DISTRICT  
CLASSIFIED HOURLY SALARY SCHEDULE  
2023-2024**

<b>RANGE</b>	<b>STEP 1</b>	<b>STEP 2</b>	<b>STEP 3</b>	<b>STEP 4</b>	<b>STEP 5</b>	<b>STEP 6</b>
J	16.21	16.77	17.62	18.51	19.45	19.94
K	16.61	17.19	18.06	18.98	19.94	20.44
L	17.03	17.62	18.51	19.45	20.44	20.95
M	17.45	18.06	18.98	19.94	20.95	21.47
N	17.89	18.51	19.45	20.44	21.47	22.01
O	18.34	18.98	19.94	20.95	22.01	22.56
P	18.79	19.45	20.44	21.47	22.56	23.12
Q	19.26	19.94	20.95	22.01	23.12	23.70
R	19.74	20.44	21.47	22.56	23.70	24.29
S	20.24	20.95	22.01	23.12	24.29	24.90
T	20.74	21.47	22.56	23.70	24.90	25.52
U	21.26	22.01	23.12	24.29	25.52	26.16
V	21.79	22.56	23.70	24.90	26.16	26.81
W	22.34	23.12	24.29	25.52	26.80	27.47
X	22.90	23.70	24.90	26.16	27.47	28.15
Y	23.47	24.29	25.52	26.80	28.15	28.86
Z	24.06	24.90	26.16	27.47	28.86	29.58
AA	24.66	25.52	26.80	28.15	29.58	30.32
BB	25.28	26.16	27.47	28.86	30.32	31.08
<b>CC</b>	<b>25.77</b>	<b>26.67</b>	<b>28.00</b>	<b>29.40</b>	<b>30.87</b>	<b>32.42</b>

Associate's Degree - \$250, Bachelor's Degree - \$500, Master's Degree - \$1,000

**LONGEVITY:**

10 years	\$750
15 years	\$1,250
20 years	\$2,000
25 years	\$2,500

Board Approved: January 18, 2023

<b>CLASSES/POSITIONS</b>	<b>RANGE</b>
<b>District Personnel</b>	
Accounts Payable Clerk	Y
Accounts Receivable Clerk	AA
Budget Technician	AA
District Office Clerk II	U
Information Systems Technician	W
Payroll Technician	AA
Personnel Technician	U
Purchasing Technician	AA
Technology Assistant	W
<b>Food Service</b>	
Food and Nutrition Cashier	J
Food and Nutrition District Clerk	U
Food and Nutrition Lead	R
Food and Nutrition Assistant I	J
Food and Nutrition Assistant II	N
<b>Health</b>	
Health Assistant II	R
Health Secretary	T
Licensed Vocational Nurse (LVN)	CC
<b>Library</b>	
Bright Futures Center Technician	P
<b>Maintenance/Operations</b>	
Custodian	R
Groundskeeper	S
Skilled Maintenance Technician	CC
Warehouse Worker/Delivery Driver	Q
<b>School Site Clerical</b>	
Bilingual Office Assistant	M
Bilingual Office Assistant, Special Programs	N
School Secretary I	R
School Secretary II	V
<b>Student Support</b>	
Bilingual Community Outreach Assistant	M
Bilingual Community Outreach Assistant – Special Programs	O
Bilingual Instructional Assistant/Expanded Learning	K
Early Childhood Home Visitor	J
Instructional Assistant	J
Instructional Assistant/Behavior Management	N
Instructional Assistant/Bilingual	K
Instructional Assistant/Expanded Learning	J

Instructional Assistant/Preschool	J
Instructional Assistant/Special Education	L
Registered Behavior Technician	P
<b>Speech-Language Pathologist Assistant (SLPA)</b>	<b>CC</b>
<b>Transportation</b>	
Dispatcher	AA
Mechanic	CC
School Bus Driver	Y
Trainer/Dispatcher	BB
Transportation Department Clerk	R
<b>Student Supervision</b>	
Yard Supervisor	Yard Schedule

<b>Inactive Positions</b>	
Bus Driver Instructor	X
Business Services Clerk	Q
Campus Monitor Lead	Q
Central Office Clerk	L
Crossing Guards	Yard Schedule
Curriculum Clerk	U
Educational Interpreter	L
District Office Clerk I	Q
Family Advocate	J
Health Assistant I	K
Instructional Assistant/Health	J
Instructional Assistant/Physical Education	J
Instructional Assistant/Title 1	J
Library Technician	N
Mathematics Technician	J
Office Assistant	K
Parent Liaison	J
Prevention Specialist	L
Personnel Clerk	Q
Receptionist/Clerk	M



## Board Meeting Agenda Item Information

<b>Meeting Date:</b> November 15, 2023	<b>Agenda Item: 232.439</b> Initial Public Notice/Sunshine (Proposal) from the California School Employees Association (CSEA) and it's Galt Elementary Chapter #362 to the GJUESD for 2023-24: <ul style="list-style-type: none"> <li>• Article IX Leaves</li> <li>• Article XVIII Professional Growth Program</li> <li>• Article XIX Fringe Benefits</li> <li>• Article XX Wages</li> </ul>
<b>Presenter:</b> Lois Yount Alejandra Garibay	<b>Action Item:</b> XX  <b>Information Item:</b>

The California School Employees Association and its Galt Chapter #362 (CSEA) intend to negotiate the following articles of the collective bargaining agreement for the 2023-2024 re-opener year:

Article IX: Leaves

Article XVIII: Professional Growth Program

Article XIX: Fringe Benefits

Article XX: Wages



Initial Proposal  
from the  
California School Employees Association  
and its  
Galt Chapter #362 (CSEA)  
To the  
Galt Joint Union Elementary School District (District)  
For the  
2023-2024 Re-Opener

The California School Employees Association and its Galt Chapter #362 (CSEA) intends to negotiate the following articles of the collective bargaining agreement for the 2023-2024 re-opener year:

**Article IX Leaves**

CSEA proposes revised language, including but not limited to, providing increased or alternative leave opportunities.

**Article XVIII Professional Growth Program**

CSEA proposes revised language, including but not limited to, providing increased or alternative professional growth opportunities.

**Article XIX Fringe Benefits**

CSEA proposes the District increase the employer contribution to health benefit cap.

**Article XX Wages**

CSEA proposes a fair and equitable increase to classified bargaining unit member salaries.

## ARTICLE IX

### LEAVES

#### A. Bereavement

1. a. In the event of an immediate family member's death, an employee will be entitled to three (3) days paid leave.
- b. If required travel out of state or more than four hundred (400) miles one (1) way is necessary, an employee will be entitled to two (2) additional days up to a maximum of five (5) days paid leave.
2. Immediate family means mother, father, grandmother, grandfather, grandchild of the employee or of the spouse of the employee, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, sister, sister-in-law, brother-in-law, aunt, uncle, niece, nephew of employee, or any relative living in the immediate household of the employee.

#### B. Jury Leave

1. An employee will be authorized paid leave time if required to serve on jury duty during their normal assignment.
2. Effective July 1, 2002, employees who work evening shifts who are called to jury duty shall be considered temporarily transferred to a Monday through Friday day shift when actually required to report for jury duty.
3. Employees authorized this leave shall be paid the difference between regular earnings and any amount received for jury fees.

#### C. Court Leave

1. a. An employee will be authorized paid leave time, for District related matters, if ordered to appear as a witness in court or to respond to an official order from another government agency/jurisdiction.
- b. This leave shall not be authorized for an employee to appear/respond as a litigant or for reasons of any employee misconduct
2. Employees authorized this leave shall be paid the difference between regular earnings and any amount received for witness/responding fees.

D. Sick Leave

1. An employee assigned to a regular full-time position accrues sick leave at the rate of one (1) day for each month of service. An employee assigned to a regular part-time position accrues sick leave on a pro-rated basis. Upon initial employment, an employee is credited with the sick leave that he would normally accrue during the first six (6) months of service. At the end of the six (6) month probationary period, the employee will be credited with the remaining days to be earned during the first year of employment.
2. In order to receive compensation while absent on sick leave, the employee must notify the District as soon as the absence is known.
3. Sick leave does not accrue during periods of absence without pay that are over two (2) weeks, but does accrue during all periods of leave with pay.
4. Verification by a doctor may be required after an absence of five (5) consecutive working days.
5. The District reserves the right to require medical verification of illness for shorter periods of time.
6. Immediately upon return to work after such absence, the employee shall fill out the appropriate form for reporting such absence and file it with the business office.
7. Any sick leave benefits earned, but unused on the date of termination of an employee who is retiring, shall have this unused sick leave converted to retirement credit in accordance with Government Code 20962.5.
8. Sick leave may be used for the catastrophic illness of a family member upon exhaustion of personal necessity leave. Family member is defined in Appendix D, Sick Leave Support System, and Section C.
9. The District shall provide all bargaining unit members a quarterly report on accrued sick leave and vacation.

E. Personal Necessity Leave/Personal Business Leave

1. An employee may use his/her accumulated sick leave in cases of personal necessity.
2. The employee may be required to furnish additional documentation, if the supervisor suspects abuse, misuse or a pattern in absenteeism.

3. An employee may use personal necessity to care for family illnesses.
4. Reasons which shall be considered as personal necessities are the following. (Prior notice shall be required before taking the leave), except in unforeseen circumstances.
  - a. Death of a relative or close friend.
  - b. Accident involving his/her person or property, or the person or property of a member of the immediate family of such emergency nature that the immediate presence of the employee is required during his/her workday.
  - c. Appearance in court as a litigant, party or witness under subpoena.
  - d. Serious or critical illness of a member of the immediate family calling for services of a physician, and of such an emergency nature that the presence of the employee is required during his/her workday.
  - e. Doctor's visits.
  - f. Other reasons approved by the employee's principal/supervisor.

F. Personal Reason Leave

1. An employee may elect to use two (2) days of his/her accumulated sick leave, per year, for personal reasons.
2. Personal Reason Leave requires at least one (1) workday written notice to the site supervisor, except in unforeseen or unavoidable situations.
3. Personal Reason Leave may not be used in the following situations:
  - a. Shall not be taken on the day before/after a holiday or recess period.
  - b. Shall not be used to engage in any activities related to a work stoppage.
  - c. Shall not be used to seek or engage in other employment.

G. Extended Illness Leave

1. If an employee is absent from duty because of illness or accident for a period of five (5) months or less, the amount deducted from his/her salary during the absence shall not exceed the cost of a substitute.

2. If a substitute is not employed while an employee is on extended illness leave, the bargaining unit member shall be entitled to their regular salary for all hours not worked by the substitute.
3. The five (5) month period begins on the first day of illness.
4. The differential pay commences after entitlement to all earned sick leave, comp time, vacation, and all available paid leave has been exhausted.

#### H. Industrial Accident or Illness Leave

1. An employee shall receive sixty (60) working days of leave with pay in any one fiscal year for an industrial accident or illness which is defined as one where the employee becomes ill or is injured while he/she is serving the District and the accident or illness is reported to the State Compensation Insurance Fund in accordance with their regulations, and the State Compensation Insurance Fund accepts responsibility for the treatment of the employee.
2. Allowable leave shall not accumulate from year to year.
3. Industrial accident or illness leave will commence on the first day of absence.
4. Payment for wages lost on any day shall not, when added to an award granted the employee under the workers' compensation laws of this State, exceed the normal wage for the day.
5. Industrial accident leave will be reduced by one (1) day for each day of authorized absence regardless of a compensation award made under workers' compensation.
6. When an industrial accident or illness occurs at a time when the full sixty (60) days will overlap into the next fiscal year, the employee shall be entitled to only that amount remaining at the end of the fiscal year in which the injury or illness occurred for the same illness or injury.
7. The industrial accident or illness leave of absence is to be used in lieu of sick leave. When entitlement to industrial accident or illness leave has been exhausted, entitlement to other sick leave will then be used; but if an employee is receiving workers' compensation, he/she shall be entitled to use only so much of his accumulated sick leave or available sick leave, accumulated compensatory time, vacation or other available leave which, when added to the workers' compensation award, provide for a full day's wage or salary.

8. During all paid leaves of absence, whether industrial accident leave as provided in this section, sick leave, vacation, compensatory time or other available leave provided by law, the employee shall endorse to the District wage loss benefit checks received under the workers' compensation laws of this State. The District, in turn, shall issue the employee appropriate warrants for payment of wages or salary and shall deduct normal retirement and other authorized contributions. Reduction or entitlement to leave shall be made only in accordance with this section.
9. Any employee receiving benefits provided in this section shall during the periods of injury or illness, remain within the State of California unless the Superintendent authorizes travel outside the state.
10. The Superintendent, or designee, shall require certification by the attending physician that the employee is medically able to return to and perform the duties of his/her position.
11. An accident report shall be filed with the business office within 24 hours after the occurrence of the accident.

I. Maternity Leave

1. An employee may use sick leave for disabilities caused by pregnancy, miscarriage, and/or childbirth of the employee or employee's spouse.
2. The necessity for use of this leave, including the estimated dates on which the period of disability shall begin and end shall be verified in writing by the employee's or spouse's doctor.
3. If that doctor determines that the estimated dates need to be changed, the employee will provide the doctor's written verification to the District as soon as possible.
4. The employee shall provide the District written notice of intent to use this leave sixty (60) calendar days prior to the beginning of the disability period, except in unforeseen or unavoidable situations.

J. Parental Leave

The Board may grant an unpaid parental leave, not to exceed one (1) year, to an employee for child rearing. Terms, such as beginning/ending dates and length of leave, shall be mutually developed by the employee and the administration.

K. General Leave

A request by an employee to be absent without pay from regular duties for reasons other than those covered by this agreement may be granted at the discretion of the Board. Terms, such as beginning/ending dates and length of leave, shall be mutually developed by the employee and the Administration.

L. Personal Absence Without Pay

No leave for personal business or pleasure will normally be granted to classified employees during the regular school/fiscal year. If any leave is approved by the Superintendent, full pay will be deducted from the employee's salary for those days he/she is absent. The deduction for this absence will be determined by the hourly rate of the absent employee.

M. Family Care Leave

The District and CSEA shall follow all Family Medical Leave Act (FMLA) and California Family Rights Act (CFRA) guidelines.

N. Military Leave

The rights of employees to military leave are as specified in the Military and Veteran's Code.

ARTICLE XVIII  
PROFESSIONAL GROWTH PROGRAM

A. Purpose of Program

1. The Professional Growth Program is designed to improve the job performance of classified employees and to provide training to gain new skills, abilities and education that enhance career development.

B. Professional Growth Incentive Plan

1. The District shall offer all unit members a professional growth incentive plan. The plan shall provide incentive pay for unit members who attend approved professional growth educational trainings and courses. The plan shall be voluntary.

C. Eligibility

1. All permanent or part-time classified employees are eligible to enter the Professional Growth Incentive Program.

D. Criteria for the Program

1. The studies can be related to present or future job considerations.
2. The studies shall be in skilled areas of technical, academic, communications, interpersonal/personal growth, safety/first aid and inservice training.
3. Credit can be earned in college courses, including on-line courses, business courses, adult education, seminars, conferences, correspondence course, trade schools and CSEA leadership trainings.
4. Only one correspondence course shall be approved toward the 15 units requirement.
5. Courses must be completed to receive credit, with a passing grade of a "C" or better.

E. The point system will be used to determine if a unit member will receive an award/bonus. To qualify for Professional Growth Incentive Award, the unit member must complete 15 units. This will be set in terms of college units or its equivalent. In the case of non-unit studies, hours will be used to determine units. The standard of 15 hours of participation will equal one unit.

F. Courses may be counted one time only for professional growth credit. Courses in progress at the end of one fiscal year may be carried over to another year.



- G. Unit members completing a professional growth plan shall receive a one time award/bonus of 5% of their annual salary, during the declaration year. Limited to 4 times maximum.
- H. A Declaration of Intent to complete the units must be submitted to the District by February 15<sup>th</sup>, prior to the year in which an award/bonus will be paid.
- I. No more than one Professional Growth Incentive Award will be granted in any year.
- J. In order to obtain credit for approved completed coursework unit members need to submit (1) one of the following, by September 1<sup>st</sup> of the declaration year:
  - 1. Official transcripts
  - 2. Certificate verifying the number of hours completed, including dates of attendance.
- K. Unit members interested in taking advantage of the program must obtain prior approval from their supervisor and the Superintendent/Designee.
- L. If a unit member voluntarily terminates employment with the District for any reason and is subsequently reemployed, he or she shall not be entitled to professional Growth Incentive Awards that total more than a maximum of four awards during all years of employment.
- M. Unit members returned to employment following a layoff or return employment pursuant to Education Code sections 45192 or 45195 (rehire following disability) shall be entitled to reinstatement of all earned professional growth increments.
- N. Professional growth activities occurring prior to an employee's beginning employment/reemployment with the District shall not be credited in this program.
- O. Effective 2021-2022 school year, unit members will be recognized for the college degree completion with an ongoing annual stipend of \$250 Associate's Degree, increasing to \$500 for a Bachelor's Degree and increased to \$1,000 for a Master's Degree. Beginning in 2022, annually "Declaration of Intent to Complete Units" must be submitted to district by February 15<sup>th</sup>. Classified staff with current degrees must submit official transcripts by September 1<sup>st</sup> of the declaration year.

**ARTICLE XIX**  
**FRINGE BENEFITS**

The District and CSEA agree to continue negotiating to explore alternative health care providers.

- A. 1. Effective January 1, 2023 each full-time employee may elect one (1) of the following health plan alternatives:

***One Party***

Plans	WHA - High	WHA - Low	Sutter-High	Sutter - Low	Kaiser- High	Kaiser - Mid	Kaiser – Low
Medical	786.70	593.41	816.50	751.90	825.18	756.98	534.08
Dental/Ortho	116.63	116.63	116.63	116.63	116.63	116.63	116.63
Vision	20.60	20.60	20.60	20.60	20.60	20.60	20.60
\$30,000 Life	3.75	3.75	3.75	3.75	3.75	3.75	3.75
Totals	927.68	734.39	957.48	892.88	966.16	897.96	675.06
District Allowance	900.00	900.00	900.00	90.00	900.00	900.00	900.00
<b>Employee Share</b>	<b>27.68</b>	<b>0.00</b>	<b>57.48</b>	<b>0.00</b>	<b>66.16</b>	<b>0.00</b>	<b>0.00</b>

***Two Party***

Plans	WHA - High	WHA - Low	Sutter-High	Sutter - Low	Kaiser- High	Kaiser - Mid	Kaiser – Low
Medical	1573.41	1186.83	1632.90	1503.80	1650.36	1513.96	1068.15
Dental/Ortho	116.63	116.63	116.63	116.63	116.63	116.63	116.63
Vision	20.60	20.60	20.60	20.60	20.60	20.60	20.60
\$30,000 Life	3.75	3.75	3.75	3.75	3.75	3.75	3.75
Totals	1714.39	1327.81	1773.88	1644.78	1791.34	1654.94	1209.13
District Allowance	900.00	900.00	900.00	900.00	900.00	900.00	900.00
<b>Employee Share</b>	<b>814.39</b>	<b>427.81</b>	<b>873.88</b>	<b>744.78</b>	<b>891.34</b>	<b>754.94</b>	<b>309.13</b>

***Family***

Plans	WHA - High	WHA - Low	Sutter-High	Sutter - Low	Kaiser- High	Kaiser - Mid	Kaiser – Low
Medical	2226.37	1679.36	2310.90	2128.20	2335.25	2142.25	1511.43
Dental/Ortho	116.63	116.63	116.63	116.63	116.63	116.63	116.63
Vision	20.60	20.60	20.60	20.60	20.60	20.60	20.60
\$30,000 Life	3.75	3.75	3.75	3.75	3.75	3.75	3.75
Totals	2367.35	1820.34	2451.88	2269.18	2476.23	2283.23	1652.41
District Allowance	90.00	900.00	900.00	900.00	900.00	900.00	900.00
<b>Employee Share</b>	<b>1467.35</b>	<b>920.34</b>	<b>1551.88</b>	<b>1369.18</b>	<b>1576.23</b>	<b>1383.23</b>	<b>752.41</b>

2. Employees shall pay any premium amount above the District Allowance.

- B. 1. The parties agree to continue the 125 Plan, at no cost to the District or employees.

2. Cash-in-lieu of benefits (\$150/month) is only available to classified employees hired prior to June 30, 2006.
3. Classified employees receiving cash-in-lieu of benefits, who return to district health care after June 30, 2006 will no longer be entitled to return to the cash-in-lieu status.

D. Effective December 1, 1988:

1. Full time employees who work eight (8) hours per day and at least ten (10) months per year are eligible for full fringe benefit coverage.
2. Part time employees working four (4) hours or more per day and at least ten (10) months per year are eligible for pro-rated fringe benefit coverage based on an eight (8) hour work day.
3. Employees hired prior to the above date (12/1/88) and eligible for pro-rated coverage based on a six (6) hour day, shall now have pro-rated coverage based on an eight (8) hour day. However, this shall be for purposes of increasing and not decreasing their pro-rated coverage.
4. Benefits will continue for employees working less than four (4) hours per day who were granted medical coverage prior to 10/1/84 and dental coverage prior to 11/18/85.

D. The District will provide paid medical insurance for employee only, upon retirement, after twenty (20) consecutive years of service to the District from age sixty (60) until age sixty-five (65). To be eligible, an employee must be no less than 60 years of age prior to the date of retirement.

E. The District agrees to pay employee's portion of State Disability Insurance on all earnings.

F. Both parties shall follow the rules and regulations of the carriers/administrators.

G. Pursuant to COBRA, the District will permit eligible employees and their dependents to remain in the District-offered health care plan at their own expense. Arrangements for advance payment shall be made with the Business Office.

## ARTICLE XX

### WAGES

- A.
  - 1. The District agrees to provide a one percent (1%) bonus for all bargaining unit employees during the 2019-2020 fiscal year.
  - 2. The new contract term shall be July 1, 2019 through June 30, 2022, effective July 1, 2019.
- B. Longevity bonuses are effective July 1, 2017
  - 1. A \$750 longevity bonus shall be paid to employees annually on July 1 after ten (10) consecutive years of District service per each employee's contract.
  - 2. An additional \$1,250 longevity bonus shall be paid to employees annually on July 1 after fifteen (15) consecutive years of District service per each employee's contract.
  - 3. A \$2,000 longevity bonus shall be paid to all employees annually on July 1 after twenty (20) consecutive years of District service per each employee's contract.
  - 4. A \$2,500 longevity bonus shall be paid to all employees annually on July 1 after twenty-five (25) consecutive years of District service per each employee's contract.
  - 5. Beginning in 2009/10, eligible classified employees shall be given an option to elect a one-time longevity payment in July or continue with an on-going payment over the course of the year.
- C. Employees must be in a paid status no less than seventy-five percent (75%) of the previously scheduled (10/12 months) District work year to be eligible for any July 1<sup>st</sup> step advance, earned vacation, and/or longevity bonus credit.
- D.
  - 1. CSEA and the District agree to implement the "PERS PICK UP" program effective March 1, 1996.
  - 2. There shall be no cost to the District except for normal payroll costs.
  - 3. Both parties shall follow all procedures of PERS, County Office of Education, IRS, and all other regulating agencies in implementing this program.
- E. Salary comparability studies shall be designated to a committee comprised of two (2) members of CSEA and two (2) District representatives.

- F. Bilingual compensation in the amount of a two and a half percent (2.5%) stipend shall be provided as per the provisions below:
1. Only employees in the following classifications shall be eligible for the stipend:
    - a. School Secretary I
    - b. School Secretary II
    - c. Health Assistant II
    - d. Health Secretary
    - e. District Office Clerk II
  2. Employees must work at the following sites to be eligible to received the stipend, however, each site shall be limited to the number of employees indicated below:
    - a. River Oaks Elementary  
Three (3) employees
    - b. Lake Canyon Elementary  
Three (3) employees
    - c. Marengo Ranch Elementary  
One (1) employee
    - d. Valley Oaks Elementary  
Two (2) employees
    - e. Vernon E. Greer Elementary  
Two (2) employees
    - f. Fairsite Preschool and Readiness Center  
One (1) employee
    - g. District Office  
Two (2) employees
- G. The District agrees to participate in the CSESAP in fiscal years where the State allocates an appropriation of funds in the annual Budget Act or another statute (Education Code §45500). In participating years, District shall extend this benefit option to the bargaining unit.



Galt Joint Union Elementary School District

## Galt Joint Union Elementary School District

1018 C Street, Suite 210, Galt, CA 95632  
 209-744 4545 \* 209-744-4553 fax

### Board Meeting Agenda Item Information

<b>Meeting Date:</b> November 15, 2023	<b>Agenda Item: 232.440</b> Board Consideration to Establish December 20, 2023, at 7:00 p.m. at the Galt City Hall Chamber as the Galt Joint Union Elementary School District Board of Education Annual Organizational Meeting and Regular Monthly Meeting per Education Code §35143
<b>Presenter:</b> Lois Yount	<b>Action Item:</b> XX <b>Information Item:</b>

**Under the provisions of Education Code Section 35143**, the governing board of each school district shall hold an annual **organizational meeting**. In a year in which a regular election for governing board members is conducted, the meeting shall be held on a day within a 15-day period that commences with the date upon which a governing board member elected at that election takes office.

The 15-day period for 2023 is December 1 – 20, 2023.

The day and time of the annual organizational meeting are to be selected by the governing board at its regular meeting held immediately before the beginning of the 15 day period, and the County Superintendent of Schools shall be notified of the day and time selected.



## Board Meeting Agenda Item Information

<b>Meeting Date:</b> November 15, 2023	<b>Agenda Item: 232.441</b> First Reading of the following Board Policies (BP) and Administrative Regulations (AR)
<b>Presenter:</b> Lois Yount Cabinet	<b>Action Item:</b> <b>First Reading: XX</b>
<ol style="list-style-type: none"> <li>1. BP 0410 – Nondiscrimination in District Programs and Activities</li> <li>2. BP 1160 – Political Process</li> <li>3. BP/AR 1312.2 – Complaints Concerning Instructional Materials</li> <li>4. BP/AR 1312.3 Uniform Complaint Procedures</li> <li>5. AR 1312.4 – Williams Uniform Complaint Procedures</li> <li>6. BP/AR 1330 Use of School Facilities</li> <li>7. BP/AR 3311 – Bids</li> <li>8. BP 3312 – Contracts</li> <li>9. BP 3460 – Financial Reports and Accountability</li> <li>10. AR 3541 Transportation Routes and Services</li> <li>11. BP/AR 3551 – Food Service Operations/Cafeteria Fund</li> <li>12. BP 4151/4251/4351 – Employee Compensation</li> <li>13. AR 4217.3 – Layoff/Rehire</li> <li>14. BP 5131.9 – Academic Honesty</li> <li>15. BP 5145.3 – Nondiscrimination/Harassment</li> <li>16. BP/AR 6143 – Courses of Study</li> <li>17. BP 6154 – Homework/Makeup Work</li> <li>18. AR 6154 – Homework/Makeup Work – Rescind</li> <li>19. BP/AR 6161.1 – Selection and Evaluation of Instructional Materials</li> <li>20. BP 6161.11 – Supplementary Instructional Materials</li> <li>21. BP 6162.5 – Student Assessment</li> <li>22. BP 6163.1 – Library Media Centers</li> <li>23. BB 9124 – Attorney</li> </ol>	

## **CSBA POLICY GUIDE**

### **First Reading: November 20, 2023**

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.

#### **1. Board Policy 0410 - Nondiscrimination in District Programs and Activities**

**Presenter: Superintendent**

Policy updated to reflect **NEW LAW (AB 1078, 2023)** which (1) requires that the district's policy prohibiting discrimination, harassment, intimidation, and bullying include a statement that the policy applies to all acts of the Governing Board and Superintendent in enacting policies and procedures that govern the district, (2) clarifies when it is unlawful discrimination for the Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, (3) requires the California Department of Education to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, and (4) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified. Policy also updated to reference **NEW U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS 6GUIDANCE** documents which provide that (1) a district may not separate students based on race, but may include group discussions or activities that focus on race as part of the curriculum, courses, or programs so long as access or participation is not permitted or limited based on race, (2) a school-sponsored program with emphasis on race, such as a student club, that is open to all students, typically would not violate Title VI solely because of its race-related theme, and (3) a district's responsibility not to discriminate against students applies to any of its programs or activities, whether directly or through contractual or other arrangements. Additionally, policy updated to expand the list of characteristics for which discrimination is prohibited in order to more closely align with law; and, to reflect **NEW LAW (SB 523, 2022)** which includes reproductive health decision making as a characteristic for which employees, job applicants, unpaid interns and volunteers are protected against unlawful discrimination and harassment.

#### **2. Board Policy 1160 – Political Processes**

**Presenter: Superintendent**

Policy updated to reflect **NEW LAW (AB 1416, 2022)** which requires the ballot label or similar description of a school district (or other local government) measure on a county ballot to list, either as a supporter or an opponent of the measure, the associations, nonprofit organizations, businesses, or individuals, including current or former elected officials such as Governing Board members, who have signed the ballot argument or are listed in the text of the argument in support or opposition of the measure unless the county board of supervisors elects not to list such supporters and opponents.

#### **3. Board Policy 1312.2 - Complaints Concerning Instructional Materials**

**Presenter: Curriculum Director**

Policy updated to reflect **NEW LAW (AB 1078, 2023)** which (1) requires the California Department of Education (CDE) to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, (2) clarifies when it is unlawful discrimination for the Governing Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or



resource in a school library, (3) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified, and (4) requires CDE to issue, by July 1, 2025, guidance regarding how to review instructional materials to ensure that they represent diverse perspectives and are culturally relevant. Policy also updated to expand and amend the list of criteria to be considered when instructional or library materials are being challenged; and, to provide that, unless required by law, any challenged material that is reviewed by the district will not be subject to further reconsideration for 12 months.

#### **Administrative Regulation 1312.2 - Complaints Concerning Instructional Materials**

##### **Presenter: Curriculum Director**

Regulation updated to provide that for an instructional materials complaint for a nonprinted material the location of the objection be given; include that acknowledgement of receipt of an instructional materials complaint and notification of a review committee's decision be in writing; and, add that staff, in addition to the Superintendent or designee and teacher(s), be notified by the Principal as appropriate when an instructional materials complaint is received. Regulation also updated to delete material in the section "Formal Complaint" related to a request by a parent/guardian who has filed a complaint for the student to be excused from using the challenged material while the complaint is pending; and, move the section "Review Committee" to come before the section "Superintendent Determination" so that it follows chronologically. Additionally, regulation updated to amend the section "Review Committee" to provide that (1) the Superintendent or designee may appoint parents/guardians and students, in addition to administrators and staff from relevant instructional and administrative areas, to serve on the committee, (2) include that the Superintendent or designee may provide training to the review committee to ensure the committee is informed regarding its responsibilities, applicable laws, and Board policies and administrative regulations when reviewing instructional materials, and (3) delete the list of criteria to be considered when instructional materials are being challenged, as this list is provided in the accompanying Board policy.

#### **4. Board Policy 1312.3 - Uniform Complaint Procedures**

##### **Presenter: Superintendent**

Policy updated to ensure compliance with the California Department of Education's (CDE) 2023-24 federal program monitoring instrument, and reflect **NEW LAW (AB 1078, 2023)** which (1) clarifies when it is unlawful discrimination for the Governing Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, (2) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified, and (3) requires CDE to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum. Policy also updated to reflect that the California Department of Fair Employment and Housing is now called the California Civil Rights Department.

#### **Administrative Regulation 1312.3 - Uniform Complaint Procedures**

##### **Presenter: Superintendent**

Regulation updated to reference **NEW LAW (AB 1078, 2023)** which (1) clarifies when it is unlawful discrimination for the Governing Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, (2) provides that complaints alleging

discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified, and (3) requires the California Department of Education (CDE) to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum. Regulation also updated to ensure compliance with CDE's 2023-24 federal program monitoring instrument

#### **5. Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures**

**Presenter: Superintendent**

Regulation updated to reflect **NEW LAW (AB 1078, 2023)** which (1) requires the California Department of Education (CDE) to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, (2) provides that complaints related to instructional materials alleging that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Governing Board, or the Board's failure to remedy the deficiency, may be filed with the Superintendent of Public Instruction (SPI) directly, and the SPI may directly intervene without waiting for an investigation, and, (3) requires CDE, upon a finding that a district has not provided sufficient textbooks or instructional materials, to take all remedial actions required by law, including purchasing textbooks and instructional materials and assessing a financial penalty against the district's local control funding formula. Regulation also updated to reflect **NEW LAW (SB 114, 2023)** which requires that the Williams uniform complaint procedure be used to address a complaint related to teacher misassignment that claims that a teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more English learners in the class, (formerly with more than 20 percent English learners in the class), and **NEW LAW (SB 760, 2023)** which authorizes districts to temporarily close a restroom for a documented student safety concern, an immediate threat to student safety, or to repair the facility.

#### **6. Board Policy 1330 – Use of School Facilities**

**Presenter: Chief Business Official**

Policy updated to caution districts when charging religious groups direct costs for use of district facilities when those costs are not charged to other groups due to the potential conflict between a U.S. Supreme Court decision and state law. Policy also updated to add that the Governing Board may authorize the use of a school building as a vote center on election day and/or during the 10 days preceding election day, as well as during key dates necessary for drop-off, set-up, and pickup of election materials, as determined by the election official.

#### **Administrative Regulation 1330 – Use of School Facilities**

**Presenter: Chief Business Official**

Regulation updated to encourage districts to create a facilities use application and agreement for the use of school facilities and grounds by any entity other than the district, add that anyone applying to use school facilities do so as specified in district procedures and in accordance with law, and reflect **NEW LAW (AB 2028, 2022)** which authorizes the Governing Board to allow district facilities to be used by local law enforcement, public agencies, nonprofit associations, or organizations for bicycle, scooter, electric bicycle, motorized bicycle, or motorized scooter safety instruction for district students.

#### **7. Policy 3311 – Bids**

**Presenter: Superintendent**

GJUESD adopted the Policy in 2008. CSBA updated it in 2016.

### **Administrative Regulation 3311 – Bids**

#### **Presenter: Superintendent**

Regulation updated to reference the bid limit for 2023, add that for lease-leaseback, design-build, and alternative design-build projects the notice that solicits the call for bids is required to specify that the project is subject to skilled and trained workforce requirements, and reflect **NEW LAW (AB 185, 2022)** which adds, until January 1, 2029, the alternative design-build construction delivery method for projects in excess of \$5,000,000. Regulation also updated to reflect the State Allocation Board's (SAB) notification to districts which provides that modular school facilities must be competitively bid and that districts that use piggyback contracts for modular facilities are ineligible for state funding from SAC administered programs.

### **8. Board Policy 3312 – Contracts**

#### **Presenter: Chief Business Official**

Policy updated to reflect **NEW LAW (SB 1439, 2022)** related to conflict of interest from campaign contributions and **NEW LAW (SB 34, 2022)** related to bribery of a public official, and include a general statement requiring Governing Board members and district employees who are involved in the making of contracts on behalf of the district to comply with the district's conflict of interest policy.

### **9. Board Policy 3460 – Financial Reports and Accountability**

#### **Presenter: Chief Business Official**

Policy updated to add material related to districts facing insolvency who are considering applying for an emergency apportionment, including that the Governing Board is required to discuss the need for an emergency apportionment at a regular or special meeting at which parents/guardians, the exclusive representatives of employees of the district, and other members of the community have the opportunity to provide testimony.

### **10. Administrative Regulation 3541 Transportation Routes And Services**

#### **Presenter: Superintendent**

Regulation updated to clarify the distance between the school-established bus stop and the school for transportation services.

### **11. Board Policy 3551 – Food Service Operations/Cafeteria Fund**

#### **Presenter: Chief Business Official**

Policy updated to reflect **NEW LAW (SB 490, 2022)** which requires districts participating in the National School Lunch and/or Breakfast Program, with annual reimbursement of \$1,000,000 or more, to (1) specify in the solicitation for bids and contracts for an agricultural food product that only the purchase of agricultural food products grown, packed, or processed domestically is authorized, unless a specific exception applies, including if the quality of the domestic product is inferior to the quality of the nondomestic product or if the bid or price of the nondomestic product is more than 25 percent lower than the bid or price of the domestic product, and (2) retain documentation justifying the use of the exception for three years from the date of purchase. Policy also updated to reflect **NEW LAW (AB 778, 2022)** which requires a district to accept a bid or price for an agricultural food product grown in California before accepting a bid or price for a domestic agricultural food product that is grown outside the state, when certain conditions are met.

### **Administrative Regulation 3551 – Food Service Operations/Cafeteria Fund**

#### **Presenter: Chief Business Official**

Regulation updated to include the requirement for a district with an on-site food facility to arrange to recover the maximum amount of edible food that would otherwise be disposed of and donate it to a local food recovery organization, and maintain records related to edible food recovery including a list of each food recovery service or organization that collects or receives the district's edible food, contact information for the service or organization, the types of food, frequency, and quantity that will be

collected or hauled by the district, and a copy of contracts or written agreements between the district and food recovery services or organizations. Regulation also updated to reflect California Department of Education Nutrition Services Division Management Bulletin SNP-04-2022 which raises the excess net cash resources limitation to six months' average expenditures.

**12. Board Policy 4151/4251/4351 – Employee Compensation**

**Presenter: Chief Business Official**

Policy updated to add that for districts participating in the Classified School Employee Summer Assistance Program, eligible classified employees may elect to have up to 10 percent of the employee's monthly salary withheld and paid out during the summer recess in either one or two payments, and reflect **NEW LAW (AB 185, 2022)** which adds specific repayment procedures when a district has made a wage overpayment to a district employee.

**13. Administrative Regulation 4217.3 – Layoff/Rehire**

**Presenter: Chief Business Official**

Regulation updated to reflect **NEW LAW (SB 913, 2022)** which provides that for districts with an average daily attendance of less than 250,000, the definition of "length of service" for the purpose of the order of layoff and determination of seniority is the employees' hours in paid status. Regulation also updated to reflect **NEW LAW (AB 185, 2022)** which authorizes a classified employee to be represented by an attorney or nonattorney representative of the exclusive representative of the district's classified employees at a hearing requested by an employee as part of layoff proceedings.

**14. Board Policy 5131.9 – Academic Honesty**

**Presenter: Curriculum Director**

Policy updated to address prohibited and permitted student use of technology, including artificial intelligence, as it relates to academic honesty. Policy also updated to include that a student with a disability be permitted to use technology for any purpose for which technology is identified in the student's individualized education program, that a student be given the opportunity to demonstrate that the use of technology was in accordance with policy when suspected by an employee that such use was in violation of academic honesty, and that any information acquired from an employee's use of technology in determining whether a student has committed an act of academic dishonesty be shared with the student and the student's parent/guardian, as appropriate. Additionally, policy updated to authorize the provision of staff training regarding the use of technology to improve education, including the detection of plagiarism and sensitivity to potential discrimination from algorithmic bias.

**15. Board Policy 5145.3 - Nondiscrimination/Harassment**

**Presenter: Superintendent**

Policy updated to reflect **NEW LAW (AB 1078, 2023)** which (1) requires that the district's policy prohibiting discrimination, harassment, intimidation, and bullying include a statement that the policy applies to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district, and (2) clarifies when it is unlawful discrimination for the Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library. Policy also updated to provide that all allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with the district's uniform complaint procedures. Additionally, policy updated to reflect **NEW U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS GUIDANCE** documents which (1) state that a district may not separate students based on race, but may include group discussions or activities that focus on race as part of the curriculum, courses, or programs so long as access or participation is not permitted or limited based on race, (2) provide that a school-sponsored program with emphasis on race, such as a student club, that is open to all students, typically would not violate Title VI solely because of its race-related theme, and (3) address discrimination in the use of discipline based on disability, race, and gender expression.

**16. Board Policy 6143 - Courses of Study**

**Presenter: Curriculum Director**

Policy updated to expand the list of characteristics for which the district may not, on the basis of the student's actual or perceived characteristic, provide any course separately or require or refuse participation by any student, to more closely align with law.

**Administrative Regulation 6143 - Courses of Study**

**Presenter: Curriculum Director**

Regulation updated to reflect **NEW LAW (AB 1078, 2023)** which (1) includes people of all genders (formerly "men and women"), Latino Americans (formerly "Mexican Americans"), LGBTQ+ Americans (formerly "lesbian, gay, bisexual, and transgender Americans"), and members of other ethnic, cultural, religious, and socioeconomic status groups (formerly "ethnic and cultural") to the groups for which instruction in social studies is required to include a study of the role and contributions of.

Regulation also updated to reflect the requirement for districts that offer a health education course to middle or high school students to include in such course mental health instruction.

**17. Board Policy 6154 – Homework/Makeup Work**

**Presenter: Curriculum Director**

Policy updated to add that meaningful homework can provide enrichment, address student use of technology, including artificial intelligence, as it relates to homework and makeup work, provide that teacher training may include designing homework assignments that inspire students' interests, include that students may work with other students and use approved outside resources as directed by the teacher, and move material related to notifying the student's parents/guardians when a student repeatedly fails to complete homework so that it follows chronologically.

**18. Administrative Regulation 6154 – Homework/Makeup Work**

**Presenter: Curriculum Director**

Rescind

**19. Board Policy 6161.1 - Selection and Evaluation of Instructional Materials**

**Presenter: Curriculum Director**

Policy updated to reflect **NEW LAW (AB 1078, 2023)** which (1) requires the California Department of Education (CDE) to issue, by July 1, 2025, guidance regarding how to review instructional materials to ensure that they represent diverse perspectives and are culturally relevant, (2) requires CDE to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, (3) requires the Governing Board to submit a copy of any resolution reflecting a finding of insufficient textbooks or other instructional materials to the County Superintendent of Schools no later than three business days after the hearing on such materials, (4) clarifies when it is unlawful discrimination for the Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, and (5) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified. Policy also updated to expand the list in the first philosophical statement regarding the Governing Board's desires for the district's instructional materials; clarify that instructional materials for mathematics and English language arts that are aligned to common core academic content standards are deemed to be aligned to state academic content standards adopted by the State Board of Education, move up the statement regarding the inclusion of the degree to which every student has sufficient access to standards-aligned instructional materials into

the district's local control and accountability plan, and provide that the district shall take any action to ensure that each student has sufficient materials within two months of the beginning of the school year if the County Superintendent makes the district aware of a school that does not have sufficient instructional materials.

#### **Administrative Regulation 6161.1 - Selection and Evaluation of Instructional Materials**

**Presenter: Curriculum Director**

Regulation updated to add that instructional materials being piloted by the district assess the extent to which the materials accurately reflect and value society's diversity. Regulation also updated to reflect **NEW LAW (AB 1078, 2023)** which includes people of all genders (formerly "men and women"), Latino Americans (formerly "Mexican Americans"), LGBTQ+ Americans (formerly "lesbian, gay, bisexual, and transgender Americans"), and members of other ethnic, cultural, religious, and socioeconomic status groups (formerly "ethnic and cultural") to the groups for which instruction in social studies is required to include a study of the role and contributions of, and (2) requires the California Department of Education to issue, by July 1, 2025, guidance regarding how to review instructional materials to ensure that they represent diverse perspectives and are culturally relevant. Additionally, regulation updated to include, for instructional materials being recommended for adoption by the Governing Board, that they include specified subject content requirements, support the district's local control and accountability plan, stimulate exploration of ideas and intellectual exchanges, and include options for materials in digital format.

#### **20. Board Policy 6161.11 - Supplementary Instructional Materials**

**Presenter: Curriculum Director**

Policy updated to reflect **NEW LAW (AB 1078, 2023)** which clarifies when it is unlawful discrimination for the Governing Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, (2) requires the California Department of Education (CDE) to issue, by July 1, 2025, guidance regarding how to review instructional materials to ensure that they represent diverse perspectives and are culturally relevant, (3) requires CDE to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, and (4) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified. Policy also updated to delete the section "Supplementary Materials Aligned with Common Core Standards" as these interim materials are no longer necessary since the State Board of Education has adopted K-8 textbooks and instructional materials aligned to the Common Core Standards. Additionally, policy updated to include factual accuracy and whether the material contains pervasive vulgarity or profanity in the determination of compliance of supplemental materials with district criteria; and, add that the Superintendent or designee may provide training to administrators and teachers in the selection and evaluation of supplementary instructional materials, including the criteria to be utilized and applicable legal considerations.

#### **21. Board Policy 6162.5 – Student Assessment**

**Presenter: Curriculum Director**

Policy updated to reflect that prohibited and permitted student use of technology, including artificial intelligence, in relation to assessment, be as specified in Board Policy 5131.9 – Academic Honesty and Board Policy 6163.4 – Student Use of Technology, reference **NEW LAW (AB 114, 2023)** which includes long term English learners as a numerically significant student subgroup for purposes of demonstrating comparable improvement in academic achievement by all numerically significant subgroups, include that state interim and formative assessments may be used to communicate with students'

parents/guardians and for use in identifying professional development, and that results of an individual student on the California Assessment of Student Performance and Progress may be released to a postsecondary educational institution for the purpose of credit, placement, or admission.

## **22. Board Policy 6163.1 - Library Media Centers**

### **Presenter: Curriculum Director**

Policy updated to expand the first philosophical paragraph regarding the Governing Board's recognition of how school libraries support the educational program and the Board's desire for books and other resources that are stocked in school libraries. Policy also updated to reflect **NEW LAW (AB 1078, 2023)** which clarifies when it is unlawful discrimination for the Board to refuse to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library, (2) requires the California Department of Education (CDE) to issue, by July 1, 2025, guidance regarding how to review instructional materials to ensure that they represent diverse perspectives and are culturally relevant, (3) requires CDE to develop, by July 1, 2025, guidance and public educational materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum, and (4) provides that complaints alleging discrimination related to the use or prohibited use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or resource in a school library may be brought under the district's uniform complaint procedures or may be directly filed with the Superintendent of Public Instruction, as specified. Additionally, policy updated in regard to the criteria for evaluation of the condition and use of school libraries to add (1) that the quality of the collection at each library include types of materials (fiction, non-fiction, newspapers, magazines, encyclopedias, materials in other languages, and reference materials), alignment with curriculum, and provision of a broad spectrum of knowledge and viewpoints, and (2) that principals, teachers, and library personnel have knowledge of the process to follow when a library material(s) is challenged.

## **23. Board Bylaw 9124 – Attorney**

### **Presenter Superintendent**

Bylaw updated to revise the first philosophical paragraph to recognize the need to provide legal representation to the district and the importance of cost-effective legal advice and services, clarify that the Governing Board may appoint and fix and order paid legal counsel's compensation, expand the types of entities that the Board may contract with to serve as legal counsel, and reflect that the Board supports pursuing collaborative legal efforts with other districts as well as other government agencies as appropriate. Bylaw also updated to clarify that districts may, but are not required, to initiate a Request for Proposals to advertise and solicit proposals for legal services, and that districts may consider the attorney's, firm's, and/or entity's relevant legal reputation when evaluating such attorneys, firms, and/or entities. Additionally, bylaw updated to reflect that any attorney representing the district is required to be admitted to practice law in California.

**1. Policy 0410: Nondiscrimination In District Programs And Activities**

**Status:** DRAFT

**Original Adopted Date:** 05/20/2014

This policy shall apply to all acts related to a school activity or school attendance and to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district.

The Board is committed to providing equal opportunity for all individuals in district programs and activities. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, reproductive health decisionmaking, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, veteran or military status, 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.

All individuals shall be treated equitably in the receipt of district and school services. Personally identifiable information collected in the implementation of any district program, including, but not limited to, student and family information for the free and reduced-price lunch program, transportation, or any other educational program, shall be used only for the purposes of the program, except when the Superintendent or designee authorizes its use for another purpose in accordance with law. Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status or any other category identified above.

District programs and activities shall be free of any discriminatory use, selection, or rejection of textbooks, instructional materials, library books, or similar educational resources.

The use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

District programs and activities shall be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

The Superintendent or designee shall annually review district programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities. The Superintendent or designee shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

All allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.

Pursuant to 34 CFR 104.8 and 34 CFR 106.8, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in the annual parental notification distributed pursuant to Education Code 48980 and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms, or other materials distributed by the district. The notification shall also be posted on the district's website and social media and in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

In addition, the annual parental notification shall inform parents/guardians of their children's right to a free public



education regardless of immigration status or religious beliefs, including information on educational rights issued by the California Attorney General. Alternatively, such information may be provided through any other cost-effective means determined by the Superintendent or designee. (Education Code 234.7)

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language. (Education Code 48985; 20 USC 6312)

### **Access for Individuals with Disabilities**

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing district facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

The Superintendent or designee shall ensure that the district provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school websites, notetakers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Superintendent or designee if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

The individual identified in Administrative Regulation 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district's response to complaints and for complying with state federal civil rights laws is hereby designated as the district's ADA coordinator. The compliance officer shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.

Educational Services Director \_\_\_\_\_  
(title or position)  
1018 C Street, Suite 210 \_\_\_\_\_  
(address)  
209-744-4545 ext. 303 \_\_\_\_\_  
(telephone number)  
knijjar@galt.k12.ca.us \_\_\_\_\_  
(email)

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**Policy 0410: Nondiscrimination In District Programs And Activities**

**Status:** ADOPTED

**Original Adopted Date:** 05/20/2014

The Governing Board is committed to providing equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

The Education Code specifically prohibits discrimination based upon race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. In addition, the Education Code specifically requires schools to allow a pupil to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with his or her gender identity, irrespective of the gender listed on the pupil's records.

It is also the policy of the district to provide a harassment and discrimination free environment and to protect the privacy rights of every student.

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

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

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

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

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

(cf. 6145.2 - Athletic Competition)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)

(cf. 6178 - Career Technical Education)

(cf. 6200 - Adult Education)

Annually, the Superintendent or designee shall review district programs and activities to ensure the removal of any barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities, including the use of facilities. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

(cf. 1330 - Use of Facilities)

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in each announcement, bulletin, catalog, handbook, application form, or other materials distributed to these groups.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

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

(cf. 5145.6 - Parental Notifications)

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.

Access for Individuals with Disabilities

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act and any implementing standards and/or regulations.

(cf. 6163.2 - Animals At School)

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

The Superintendent or designee shall ensure that the district provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, notetakers, written materials, taped text, and Braille or large print materials.

(cf. 6020 - Parent Involvement)

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program, or meeting.

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

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**2. Policy 1160: Political Processes**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008

The Governing Board has a responsibility to actively advocate fiscal and public policy that supports the district's schools and the children in the community. The Board shall be proactive in defining the district's advocacy agenda based on the district's vision and goals and the needs of the district and community. The Board's advocacy efforts shall be conducted in accordance with legal requirements.

**Ballot Measures/Candidates**

No district funds, services, supplies, or equipment shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)

The Board may discuss and study the potential effect of proposed or qualified ballot measures on the district's schools at an open and agendaized Board meeting. The Board's discussion of the effect of such measures shall include an opportunity for staff and members of the public to speak on all sides of the issue. At that meeting, the Board may adopt a position or resolution in support of or in opposition to a ballot measure. The language in any resolution adopted by the Board shall not urge the public to take any action regarding the measure.

The Board's position on a ballot measure, including any resolution, shall be publicized only through normal district procedures and consistent with regular district practice for reporting Board actions. Such publicity shall be for informational purposes and shall not attempt to influence voters.

Individual School Board members may include their name in support of or opposition to a county, city, district, or school measure on a county ballot in accordance with Elections Code 9170.

The Superintendent or designee may use district resources to provide students, parents/guardians, and community members with fair and impartial information related to ballot measures, including information about the impact of ballot measures on the district. (Education Code 7054)

In preparing or distributing such informational material, the Superintendent or designee shall analyze the material to help ensure that it is an appropriate informational activity, provides a fair analysis of the issues, and does not advocate passage or defeat of a measure or candidate.

District resources, including email or computer systems, shall not be used to disseminate campaign literature. In addition, district resources shall not be used to purchase advertisements, bumper stickers, posters, or similar promotional items that advocate an election result or urge voters to take any action in support of or in opposition to a measure.

Political activity related to district bond measures shall, in addition to the above, be subject to the following conditions:

1. The Superintendent or designee may research, draft, and prepare a district bond measure or other initiative for the ballot, but shall not use district resources to influence voters or otherwise campaign for the measure.
2. Upon request, Board members and district administrators may appear at any time before a citizens' group to explain why the Board called for an election on a bond measure and to answer questions. (Education Code 7054.1)

If the presentation occurs during working hours, the employee representing the district shall not urge a citizens' group to vote for or against the bond measure.

3. The Board or any individual Board member may file a written argument for the ballot that is either for or against any school measure. (Elections Code 9501)

## **Legislation**

The Board's responsibility as an advocate for the district may include lobbying and outreach at the state, national, and local levels. The Board and Superintendent or designee shall work to establish and maintain ongoing relationships with elected officials, community leaders, and the media in order to communicate district positions and concerns.

The Board and Superintendent shall develop an advocacy action plan to define expectations and responsibilities. This plan may include, but is not limited to, legislative priorities, strategies for outreach to the media and community, development of key messages and talking points, and adoption of positions on specific legislation, regulations, or budget proposals.

In order to strengthen legislative advocacy efforts, the district may work with organizations and coalitions and may join associations whose representatives lobby on behalf of their members in accordance with Government Code 53060.5.

The district may provide fair and impartial information about legislative issues affecting schools and children and shall inform the community about its advocacy activities. However, informational materials about legislation shall not urge the public to lobby the legislature, Governor, or state agencies on behalf of the district.

As necessary, the Board may direct the Superintendent or designee to draft legislative or regulatory proposals which serve the district's interests.

## **Legal Advocacy**

The Board recognizes that some issues are more appropriately addressed judicially rather than legislatively. When a legal issue is likely to set a state or national precedent, the district may join with other districts or parties in order to resolve the issue through litigation or other appropriate means.

## **Political Forums**

Forums on political issues may be held in district facilities as long as the forum is made available to all sides of the issue on an equitable basis. (Education Code 7058)

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**Policy 1160: Political Processes**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Reviewed Date:** 02/27/2008

The Governing Board has a responsibility to actively advocate fiscal and public policy that supports the district's schools and the children in the community. To the extent possible, the Board shall be proactive in defining the district's advocacy agenda based on the needs of the district and the direction set forth in the district's vision and goals.

The Board may establish reasonable regulations related to Board members and employees engaging in political activity during working hours and on district premises. (Education Code 7055)

**Legislation**

The Board's responsibility as an advocate for the district may include lobbying at the state and national levels.

Because local governments also make decisions which impact the district's schools, the Board and the Superintendent or designee shall work to establish ongoing relationships with city and county officials and agencies, and shall inform them of the potential effect of local issues on the schools.

The Board shall identify issues that will affect its schools and the children in its community, establish goals and priorities for legislative advocacy, solicit community input and adopt legislative positions. The Superintendent or designee shall establish a coordinated plan for carrying out the advocacy agenda, including specific activities, target groups or individuals, staff responsibilities and timelines.

In order to strengthen legislative advocacy efforts, the district may work with organizations and coalitions and may join associations whose representatives lobby on behalf of their members.

As necessary, the Superintendent or designee may draft legislative proposals which serve the district's interests.

The Board may provide fair and impartial information about legislative issues affecting schools and children and shall inform the community about its legislative advocacy activities. However, the Board shall not urge the public to lobby the legislature on behalf of the district.

**Ballot Measures/Candidates**

The Board may study the potential effect of ballot measures on the district's schools. Any Board discussion of the effect of such measures shall include an opportunity for Board members, staff and members of the public to speak on all sides of the issue. Following such study, the Board may adopt positions in support of or in opposition to ballot measures of importance to education.

The Board's positions shall be publicized only through normal district procedures for reporting Board actions and in a manner that does not attempt to influence voters.

No district funds, services, supplies or equipment shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)

District resources shall not be used to disseminate campaign literature or to purchase advertisements, bumper stickers, posters or similar promotional items that advocate an election result.

The Superintendent or designee may use district resources to provide students, parents/guardians and community members with fair and impartial information related to ballot measures, including information about the impact of ballot measures on the district. (Education Code 7054)

In preparing or distributing such information, the Superintendent or designee shall ensure that the totality of the circumstances, including language, style, tenor and timing, does not expressly advocate passage or defeat of a measure or candidate.

The Superintendent or designee may research, draft and prepare a bond measure or other initiative for the ballot, but shall not use district resources to secure signatures in order to qualify the measure for the ballot.

Upon request, Board members and district administrators may appear at any time before a citizens' group to explain why the Board called for an election on a bond measure and to answer questions. (Education Code 7054.1)

If the presentation occurs during working hours, the district representative shall not urge a citizens' group to vote for or against the bond measure.

For informational purposes, the Superintendent or designee may conduct a poll related to a ballot issue. Such a poll shall not advocate a particular position on the issue.

### **Legal Advocacy**

The Board recognizes that some issues are more appropriately addressed judicially rather than legislatively. When a legal issue is likely to set a state or national precedent, the district may join with other districts or parties in order to challenge the issue through litigation or other appropriate means.

### **Political Forums**

Forums on political issues may be held in district facilities as long as the forum is made available to all sides of the issue on an equitable basis. (Education Code 7058)

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**3. Policy 1312.2: Complaints Concerning Instructional Materials**

**Status:** DRAFT

**Original Adopted Date:** 05/24/2006

The Governing Board uses a comprehensive process to adopt district instructional materials that is based on selection criteria established by law and Board policy and includes opportunities for the involvement of district staff, parents/guardians, and community members, and, as appropriate, students. Complaints concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment, shall be properly and fairly considered using established complaint procedures.

Parents/guardians are encouraged to discuss any concerns regarding instructional materials with their child's teacher and/or the school principal. If the situation remains unresolved, a complaint may be filed using the process specified in the accompanying administrative regulation and exhibit.

The district shall accept complaints concerning instructional materials only from staff, district residents, or the parents/guardians of children enrolled in a district school. (Education Code 35160)

However, a complaint related to the use or prohibited use of any existing textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library that alleges unlawful discrimination based on a violation of Education Code 243 shall be filed, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.

When deliberating upon challenged materials, the Superintendent, or any designee or committee established by the Superintendent to review the materials, shall consider the degree to which the materials aligned with the criteria for instructional materials as specified in law, Board policy, and administrative regulation. In addition, such deliberations may consider the educational philosophy and vision of the district; the educational suitability of the materials including the manner in which the materials support the curriculum and appropriateness for the student's age; the professional opinions of teachers of the subject and of other competent authorities and/or experts; reviews of the materials by reputable bodies; the stated objectives in using the materials; community standards; the allegations in the complaint, including the extent to which the objections are based on the dislike of ideas contained in the materials; and the impact that keeping or removing the materials would have on student well-being.

The Superintendent, or any designee or committee established by the Superintendent to review the materials, shall not prohibit the continued use of an appropriately adopted textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library on the basis that it contains inclusive and/or diverse perspectives, as specified in Education Code 243.

If the complainant finds the Superintendent's or review committee's decision unsatisfactory, the complainant may appeal the decision to the Board.

Any challenged instructional material that is reviewed by the district shall not be subject to further reconsideration for 12 months, unless required by law.

Complaints related to the sufficiency of textbooks or instructional materials shall be resolved as specified in Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures.

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**Policy 1312.2: Complaints Concerning Instructional Materials**

**Status:** ADOPTED

**Original Adopted Date:** 05/24/2006 | **Last Reviewed Date:** 05/24/2006

The Governing Board uses a comprehensive process to adopt district instructional materials that is based on selection criteria established by law and Board policy and includes opportunities for the involvement of parents/guardians and community members. Complaints concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment, shall be properly and fairly considered using established complaint procedures.

Parents/guardians are encouraged to discuss any concerns regarding instructional materials with their child's teacher and/or the school principal. If the situation remains unresolved, a complaint may be filed using the process specified in the administrative regulation.

The district shall accept complaints concerning instructional materials only from staff, district residents, or the parents/guardians of children enrolled in a district school.

When deliberating upon challenged materials, the Superintendent and/or review committee shall consider the educational philosophy of the district, the professional opinions of teachers of the subject and of other competent authorities, reviews of the materials by reputable bodies, the teacher's stated objectives in using the materials, community standards, and the objections of the complainant.

Complainants are encouraged to accept the Superintendent's or review committee's decision. However, if the complainant finds that decision unsatisfactory, he/she may appeal the decision to the Board.

The district's decision shall be based on educational suitability of the materials and the criteria established in Board policy and administrative regulation.

When any challenged instructional material is reviewed by the district, it shall not be subject to further reconsideration for 12 months, unless the Superintendent determines that reconsideration is warranted.

Complaints related to sufficiency of textbooks or instructional materials shall be resolved pursuant to the district's Williams uniform complaint procedure at AR 1312.4.

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**Regulation 1312.2: Complaints Concerning Instructional Materials**

**Status:** DRAFT

**Original Adopted Date:** 05/24/2006

**Step 1: Informal Complaint**

If a staff member, district resident, or parent/guardian of a student enrolled in a district school has a complaint regarding the content or use of any specific instructional material, such individual shall informally discuss the material in question with the principal. (Education Code 35160)

**Step 2: Formal Complaint**

If the complainant is not satisfied with the principal's initial response, the complainant shall present a written complaint to the principal. Complaints regarding printed material shall name the author, title, and publisher and shall identify the objection by page and item numbers. In the case of nonprinted material, written information specifying the precise nature of the objection and location of such material shall be given. In order for the district to reply appropriately, complainants shall sign all complaints and provide identifying information. Anonymous complaints will not be accepted.

Upon receiving a complaint, the principal shall provide the complainant with a written acknowledgement of its receipt and respond to any procedural questions the complainant may have. The principal shall then notify the Superintendent or designee, the teacher(s), and other staff as appropriate.

During the investigation of the complaint, the challenged material may remain in use until a final decision has been reached.

**Step 3: Review Committee**

The Superintendent or designee shall determine whether to convene a review committee to review the complaint.

If the Superintendent or designee determines that a review committee is necessary, the Superintendent or designee shall appoint a committee composed of administrators and staff members selected from relevant instructional and administrative areas. The Superintendent or designee may also appoint parents/guardians, students, and community members, as appropriate, to serve on the committee.

The Superintendent or designee may provide training to the review committee to ensure that the review committee is informed regarding its responsibilities, the criteria to follow when reviewing instructional materials, and applicable laws, Board policy(ies), and administrative regulation(s).

Within 30 days of being convened, the review committee shall summarize its findings in a written report. The Superintendent or designee shall notify the complainant in writing of the committee's decision within 15 days of receiving the committee's report.

**Step 4: Superintendent Determination**

If the Superintendent or designee determines that a review committee is not necessary, the Superintendent or designee shall, in a timely manner, issue a decision regarding the complaint.

**Step 5: Appeal to the Governing Board**

If the complainant remains unsatisfied, the complainant may appeal the Superintendent's or review committee's decision to the Board. The Board's decision shall be final.

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**Regulation 1312.2: Complaints Concerning Instructional Materials**

**Status:** ADOPTED

**Original Adopted Date:** 05/24/2006 | **Last Reviewed Date:** 05/24/2006

**Step 1: Informal Complaint**

If a staff member, district resident, or parent/guardian of a student enrolled in a district school has a complaint regarding the content or use of any specific instructional material, he/she shall informally discuss the material in question with the principal.

**Step 2: Formal Complaint**

If the complainant is not satisfied with the principal's initial response, he/she shall present a written complaint to the principal. Complaints regarding printed material shall name the author, title, and publisher and shall identify the objection by page and item numbers. In the case of nonprinted material, written information specifying the precise nature of the objection shall be given. Complainants shall sign all complaints and provide identifying information so that the district is able to make a proper reply. Anonymous complaints will not be accepted.

Upon receiving a complaint, the principal shall acknowledge its receipt and answer any questions regarding procedure. The principal then shall notify the Superintendent or designee and the teacher(s) involved of the complaint.

During the investigation of the complaint, the challenged material may remain in use until a final decision has been reached. However, upon request of the parent/guardian who has filed the complaint, his/her child may be excused from using challenged materials until a resolution has been reached. The teacher shall assign the student an alternate material of equal merit.

**Step 3: Superintendent Determination**

The Superintendent or designee shall determine whether a review committee should be convened to review the complaint.

If the Superintendent or designee determines that a review committee is not necessary, he/she shall issue a decision regarding the complaint.

**Step 4: Review Committee**

If the Superintendent or designee determines that a review committee is necessary, he/she shall appoint a committee composed of administrators and staff members selected from relevant instructional and administrative areas. The Superintendent or designee may also appoint community members to serve on the committee.

The review committee shall review the criteria specified in Board policy and shall determine the extent to which the challenged material supports the curriculum, the educational appropriateness of the material, and its suitability for the age level of the student.

Within 30 days of being convened, the review committee shall summarize its findings in a written report. The Superintendent or designee shall notify the complainant of the committee's decision within 15 days of receiving the committee's report.

**Step 5: Appeal to the Governing Board**

If the complainant remains unsatisfied, he/she may appeal the Superintendent's or the review committee's decision to the Board. The Board's decision shall be final.

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**4. Policy 1312.3: Uniform Complaint Procedures**

**Status:** DRAFT

**Original Adopted Date:** 11/17/2016 | **Last Revised Date:** 02/23/2022

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

**Complaints Subject to UCP**

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve complaints regarding the following programs and activities:

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Child care and development programs (Education Code 8200-8488)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

Discrimination includes, but is not limited to, the Board's refusal to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library, on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. A complaint alleging such unlawful discrimination may, in addition to or in lieu of being filed with the district, be directly filed with the Superintendent of Public Instruction (SPI). (Education Code 243)

11. Educational and graduation requirements for students in foster care, students experiencing homelessness, students from military families, students formerly in a juvenile court school, students who are migratory, and students participating in a newcomer program (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)

13. Local control and accountability plan (Education Code 52075)
14. Migrant education (Education Code 54440-54445)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223)
16. Student fees (Education Code 49010-49013)
17. Reasonable accommodations to a lactating student (Education Code 222)
18. Regional occupational centers and programs (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
20. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
21. State preschool programs (Education Code 8207-8225)
22. State preschool health and safety issues in license-exempt programs (Education Code 8212)
23. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
24. Any other state or federal educational program the SPI or designee deems appropriate

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner that is acceptable to all parties. An ADR process such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

When an allegation that is not subject to UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and requirements related to UCP, including the steps and timelines specified in this policy and the accompanying administrative regulation.

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

### **Non-UCP Complaints**

The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. (5 CCR 4611)
  3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures.
  4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in Administrative Regulation 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Civil Rights Department.
  5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with Administrative Regulation 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)
  6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with Board Policy 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)
  7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with Board Policy 3555 - Nutrition Program Compliance. (5 CCR 15582)
  8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)
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**Policy 1312.3: Uniform Complaint Procedures**

**Status:** ADOPTED

**Original Adopted Date:** 11/17/2016 | **Last Revised Date:** 02/23/2022 | **Last Reviewed Date:** 02/23/2022

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

**Complaints Subject to UCP**

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve complaints regarding the following programs and activities:

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Child care and development programs (Education Code 8200-8488)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
11. Educational and graduation requirements for students in foster care, homeless students, students from military families, and students formerly in a juvenile court school (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)
13. Local control and accountability plan (Education Code 52075)
14. Migrant education (Education Code 54440-54445)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223)

16. Student fees (Education Code 49010-49013)
17. Reasonable accommodations to a lactating student (Education Code 222)
18. Regional occupational centers and programs (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
20. School safety plans (Education Code 32280-32289)
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
22. State preschool programs (Education Code 8207-8225)
23. State preschool health and safety issues in license-exempt programs (Education Code 8212)
24. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation is subject to this policy.
25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner that is acceptable to all parties. An ADR process such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

When an allegation that is not subject to UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and requirements related to UCP, including the steps and timelines specified in this policy and the accompanying administrative regulation.

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

### **Non-UCP Complaints**

The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to the Department of Social Services. (5 CCR 4611)



3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.
  4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.
  5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)
  6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)
  7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)
  8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)
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**Regulation 1312.3: Uniform Complaint Procedures**

**Status:** DRAFT

**Original Adopted Date:** 11/17/2016 | **Last Revised Date:** 08/02/2023

Except as may otherwise be specifically provided in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying Board policy.

**Compliance Officers**

The district designates the individual(s), position(s), or unit(s) identified below as responsible for receiving, coordinating, and investigating complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in Administrative Regulation 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in Administrative Regulation 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment.

Educational Services Director	_____	(title or position)
Educational Services	_____	(unit or office)
1018 C Street, Suite 210	_____	(address)
209-744-4545 ext. 303	_____	(telephone number)
knijjar@galt.k12.ca.us	_____	(email)

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program; applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination, harassment, intimidation, or bullying; applicable standards for reaching decisions on complaints; and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

The compliance officer or, if necessary, an appropriate administrator shall determine whether interim measures are necessary during an investigation and while the result is pending. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

**Notifications**

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate
3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred
4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities
6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
7. A statement that the district will post a standardized notice of the educational and graduation requirements of foster youth, students experiencing homelessness, children of military families, former juvenile court school students now enrolled in the district, students who are migratory, and students participating in a newcomer program as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
8. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision, within 30 calendar days of receiving the district's decision
10. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable
11. A statement that copies of the district's UCP are available free of charge

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.6 shall be posted on the district and district school websites and may be provided through district-supported social media, if available.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's UCP policy, regulation, forms, and notices shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all

relevant UCP information for parents/guardians with limited English proficiency.

## **Filing of Complaints**

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp. If a site administrator not designated as a compliance officer receives a complaint, the site administrator shall notify the compliance officer.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization. (5 CCR 4600)
2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee.
3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Governing Board. (5 CCR 4630)
4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)
5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
6. When a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
7. When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

## **Mediation**

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation to resolve the complaint. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to permit the mediator access to all relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with an investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

### **Investigation of Complaint**

The compliance officer shall begin an investigation into the complaint within 10 business days of receiving the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform the parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offender(s), and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Refusal by the district to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

### **Timeline for Investigation Report**

#### **OPTION 1: (Districts that do not allow complainants to appeal to the Board)**

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written investigation report, as described in the section "Investigation Report" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination, harassment, intimidation, or bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant.

#### **OPTION 2: (Districts that allow complainants to appeal to the Board)**

Unless extended by written agreement with the complainant, the investigation report shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint.

Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Investigation Report" below. If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file the complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. When required by law, the matter shall be considered in closed session. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

For any complaint alleging unlawful discrimination, harassment, intimidation, or bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

## END OF OPTION 2

### Investigation Report

For all complaints, the district's investigation report shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law
3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600
4. Notice of the complainant's right to appeal the district's investigation report to CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610
5. Procedures to be followed for initiating an appeal to CDE

The investigation report may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with district legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, notice of the investigation report to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient (LEP) student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

For complaints alleging unlawful discrimination, harassment, intimidation, or bullying based on state law, the investigation report shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including, but not limited to, injunctions, restraining orders or other remedies or orders, 60 calendar days after the filing of an appeal with CDE (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at [www.ed.gov/ocr](http://www.ed.gov/ocr) within 180 days of the alleged discrimination

### **Corrective Actions**

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination, harassment, intimidation, or bullying, appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

For complaints of retaliation or unlawful discrimination, harassment, intimidation, or bullying involving a student as the respondent, appropriate corrective actions that may be provided to the student include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination, harassment, intimidation, or bullying, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination, harassment, intimidation, or bullying, that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the law regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 51228.3, 52075)

For complaints alleging noncompliance with the law regarding student fees, the district, by engaging in reasonable efforts, shall attempt in good faith to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

### **Appeals to the California Department of Education**

Any complainant who is dissatisfied with the district's investigation report on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the district's investigation report. (5 CCR 4632)

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including at least one of the following: (5 CCR 4632)

1. The district failed to follow its complaint procedures
2. Relative to the allegations of the complaint, the district's investigation report lacks material findings of fact necessary to reach a conclusion of law
3. The material findings of fact in the district's investigation report are not supported by substantial evidence
4. The legal conclusion in the district's investigation report is inconsistent with the law
5. In a case in which the district found noncompliance, the corrective actions fail to provide a proper remedy

Upon notification by CDE that the district's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the district's investigation report
3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
4. A report of any action taken to resolve the complaint
5. A copy of the district's UCP
6. Other relevant information requested by CDE

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)



## Health and Safety Complaints in License-Exempt Preschool Programs

Any complaint regarding health or safety issues in a license-exempt California State Preschool Program (CSPP) shall be addressed through the procedures described in 5 CCR 4690-4694.

In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the district notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. For this purpose, the Superintendent or designee may download and post a notice available from the CDE website. (Education Code 8212; 5 CCR 4691)

The district's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations. (5 CCR 4691)

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint, contain a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint. (Education Code 8212; 5 CCR 4690)

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority. (Education Code 8212; 5 CCR 4692)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code 8212; 5 CCR 4692)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 8212; 5 CCR 4692)

If a complaint regarding health or safety issues in a license-exempt CSPP program involves an LEP student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled hearing and, within 30 days of the date of the written report, may file a written appeal of the district's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632. (Education Code 8212; 5 CCR 4693, 4694)

All complaints and responses are public records. (5 CCR 4690)

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent. (5 CCR 4693)

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**Regulation 1312.3: Uniform Complaint Procedures**

**Status:** ADOPTED

**Original Adopted Date:** 11/17/2016 | **Last Revised Date:** 08/02/2023 | **Last Reviewed Date:** 08/02/2023

Except as may otherwise be specifically provided in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying Board policy.

**Compliance Officers**

The district designates the individual(s), position(s), or unit(s) identified below as responsible for receiving, coordinating, and investigating complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in AR 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment.

Educational Services Director  
Galt Joint Union Elementary School District  
1018 C Street, Suite 210  
209-744-4545 ext. 304  
knijjar@galt.k12.ca.us

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program; applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination, harassment, intimidation, or bullying; applicable standards for reaching decisions on complaints; and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

The compliance officer or, if necessary, an appropriate administrator shall determine whether interim measures are necessary during an investigation and while the result is pending. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

**Notifications**

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate
3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred
4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities
6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
7. A statement that the district will post a standardized notice of the educational and graduation requirements of foster youth, homeless students, children of military families, and former juvenile court school students now enrolled in the district, as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
8. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision, within 30 calendar days of receiving the district's decision
10. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable
11. A statement that copies of the district's UCP are available free of charge

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.6 shall be posted on the district and district school web sites and may be provided through district-supported social media, if available.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's UCP policy, regulation, forms, and notices shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

## **Filing of Complaints**

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp. If a site administrator not designated as a compliance officer receives a complaint, the site administrator shall notify the compliance officer.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization. (5 CCR 4600)
2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee.
3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Governing Board. (5 CCR 4630)
4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)
5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
6. When a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
7. When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

## **Mediation**

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation to resolve the complaint. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to permit the mediator access to all relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with an investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the

complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

### **Investigation of Complaint**

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform the parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offender(s), and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

Refusal by the district to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

### **Timeline for Investigation Report**

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written investigation report, as described in the section "Investigation Report" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination, harassment, intimidation, and bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant.

### **Investigation Report**

For all complaints, the district's investigation report shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law
3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600

4. Notice of the complainant's right to appeal the district's investigation report to CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610
5. Procedures to be followed for initiating an appeal to CDE

The investigation report may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with district legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination, harassment, intimidation, and bullying, notice of the investigation report to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient (LEP) student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

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1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including, but not limited to, injunctions, restraining orders or other remedies or orders, 60 calendar days after the filing of an appeal with CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at [www.ed.gov/ocr](http://www.ed.gov/ocr) within 180 days of the alleged discrimination.

### **Corrective Actions**

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination, harassment, intimidation, or bullying, appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice

8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

For complaints of retaliation or unlawful discrimination, harassment, intimidation, or bullying involving a student as the respondent, appropriate corrective actions that may be provided to the student include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination, harassment, intimidation, or bullying, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination, harassment, intimidation, or bullying, that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the law regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 51228.3, 52075)

For complaints alleging noncompliance with the law regarding student fees, the district, by engaging in reasonable efforts, shall attempt in good faith to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

### **Appeals to the California Department of Education**

Any complainant who is dissatisfied with the district's investigation report on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the district's investigation report. (5 CCR 4632)

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including at least one of the following: (5 CCR 4632)

1. The district failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, the district's investigation report lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in the district's investigation report are not supported by substantial evidence.
4. The legal conclusion in the district's investigation report is inconsistent with the law.

5. In a case in which the district found noncompliance, the corrective actions fail to provide a proper remedy.

Upon notification by CDE that the district's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the district's investigation report
3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
4. A report of any action taken to resolve the complaint
5. A copy of the district's UCP
6. Other relevant information requested by CDE

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

### **Health and Safety Complaints in License-Exempt Preschool Programs**

Any complaint regarding health or safety issues in a license-exempt California State Preschool Program (CSPP) shall be addressed through the procedures described in 5 CCR 4690-4694.

In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the district notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. For this purpose, the Superintendent or designee may download and post a notice available from the CDE web site. (Education Code 8212; 5 CCR 4691)

The district's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations. (5 CCR 4691)

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint, contain a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint. (Education Code 8212; 5 CCR 4690)

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority. (Education Code 8212; 5 CCR 4692)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code 8212; 5 CCR 4692)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's



designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 8212; 5 CCR 4692)

If a complaint regarding health or safety issues in a license-exempt CSPP program involves an LEP student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled hearing and, within 30 days of the date of the written report, may file a written appeal of the district's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632. (Education Code 8212; 5 CCR 4693, 4694)

All complaints and responses are public records. (5 CCR 4690)

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent. (5 CCR 4693)

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5. Regulation 1312.4: Williams Uniform Complaint Procedures

Status: DRAFT

Original Adopted Date: 02/23/2011 | Last Revised Date: 10/19/2022

Types of Complaints

The district shall use the procedures described in this administrative regulation only to investigate and resolve the following:

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that: (Education Code 35186; 5 CCR 4681)
  - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
  - b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
  - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
  - d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that: (Education Code 35186; 5 CCR 4682)
  - a. A semester begins and a teacher vacancy exists.
  - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more English learners in the class.
  - c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

*Teacher vacancy* means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)

*Beginning of the year or semester* means the time period from the first day students attend classes for a year-long course or semester-long course, though not later than 20 business days afterwards. (5 CCR 4600)

*Misassignment* means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)

3. Complaints regarding the condition of school facilities, including any complaint alleging that: (Education Code 35186; 5 CCR 4683)
  - a. A condition poses an emergency or urgent threat to the health or safety of students or staff.

*Emergency or urgent threat* means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous

or uninhabitable condition; or any other condition deemed appropriate. (Education Code 17592.72)

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

*Clean or maintained school restroom* means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers. (Education Code 35292.5)

*Open restroom* means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for a documented student safety concern, an immediate threat to student safety, or to repair the facility. (Education Code 35292.5)

In any school serving any of grades 6-12, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to, at all times, stock and make available and accessible free of cost, an adequate supply of menstrual products in every women's and all-gender restroom, and in at least one men's restroom. (Education Code 35292.6)

### **Forms and Notices**

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall ensure that the district's complaint form specifies the location for filing a complaint and contains a space to indicate whether the complainant desires a response to the complaint. A complainant may add as much text to explain the complaint as desired. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall post in each classroom in each school a notice containing the components specified in Education Code 35186. (Education Code 35186)

### **Filing of Complaint**

A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the principal or designee at the school in which the complaint arises. A complaint about problems beyond the authority of the principal shall be forwarded to the Superintendent or designee in a timely manner, but not to exceed 10 working days. Complaints may be filed anonymously. (Education Code 35186; 5 CCR 4680)

A complaint alleging that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Board, or the Board's failure to remedy the deficiency, may be filed with the Superintendent of Public Instruction (SPI) directly in addition to or in lieu of being filed with the district. Any such complaint shall identify the basis and provide evidence to support its filing directly with the SPI. (Education Code 35186)

If the Superintendent or designee becomes aware that a complaint alleging insufficient textbooks or instructional materials that has been filed directly with the SPI but not with the district, the Superintendent or designee may initiate an investigation in accordance with this administrative regulation, as described below, if there is sufficient evidence to do so.

### **Investigation and Response**

The principal or a designee of the Superintendent shall make all reasonable efforts to investigate any problem within the principal's or designee's authority. (Education Code 35186; 5 CCR 4685)

The principal or Superintendent's designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186; 5 CCR 4685)

If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the principal or Superintendent's designee shall send written resolution of the complaint to the mailing address of the complainant as indicated on the complaint within 45 working days of the initial filing of the complaint. If the principal makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 35186; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code 35186)

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in Item #3a in the section "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the SPI within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4687)

All complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686)

### **Reports**

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled Board meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (Education Code 35186; 5 CCR 4686)

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**Regulation 1312.4: Williams Uniform Complaint Procedures**

**Status:** ADOPTED

**Original Adopted Date:** 02/23/2011 | **Last Revised Date:** 10/19/2022 | **Last Reviewed Date:** 10/19/2022

### Types of Complaints

The district shall use the procedures described in this administrative regulation only to investigate and resolve the following:

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that: (Education Code 35186; 5 CCR 4681)
  - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
  - b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
  - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
  - d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that: (Education Code 35186; 5 CCR 4682)
  - a. A semester begins and a teacher vacancy exists.
  - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
  - c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

*Teacher vacancy* means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)

*Beginning of the year or semester* means the time period from the first day students attend classes for a year-long course or semester-long course though not later than 20 business days afterwards.

*Misassignment* means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)

3. Complaints regarding the condition of school facilities, including any complaint alleging that: (Education Code 35186; 5 CCR 4683)
  - a. A condition poses an emergency or urgent threat to the health or safety of students or staff.

*Emergency or urgent threat* means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (Education Code 17592.72)

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

*Clean or maintained school restroom* means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers. (Education Code 35292.5)

*Open restroom* means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs. (Education Code 35292.5)

In any school serving any of grades 6-12, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to, at all times, stock and make available and accessible free of cost, an adequate supply of menstrual products in every women's and all-gender restroom, and in at least one men's restroom. (Education Code 35292.6)

### **Forms and Notices**

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall ensure that the district's complaint form specifies the location for filing a complaint and contains a space to indicate whether the complainant desires a response to the complaint. A complainant may add as much text to explain the complaint as desired. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall post in each classroom in each school a notice containing the components specified in Education Code 35186. (Education Code 35186)

### **Filing of Complaint**

A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the principal or designee at the school in which the complaint arises. A complaint about problems beyond the authority of the principal shall be forwarded to the Superintendent or designee in a timely manner, but not to exceed 10 working days. Complaints may be filed anonymously. (Education Code 35186; 5 CCR 4680)

### **Investigation and Response**

The principal or a designee of the Superintendent shall make all reasonable efforts to investigate any problem within the principal's or designee's authority. (Education Code 35186; 5 CCR 4685)

The principal or Superintendent's designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186; 5 CCR 4685)

If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the principal or Superintendent's designee shall send written resolution of the complaint to the mailing address of the complainant as indicated on the complaint within 45 working days of the initial filing of the complaint. If the principal makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 35186; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code 35186)

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in Item #3a in the section "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4687)

All complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686)

### **Reports**

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled Board meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (Education Code 35186; 5 CCR 4686)

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**6. Policy 1330: Use Of School Facilities**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008

The Governing Board believes that school facilities and grounds are a vital community resource which should be used to foster community involvement and development. Therefore, the Board authorizes the use of school facilities by district residents and community groups for purposes specified in the Civic Center Act, to the extent that such use does not interfere with school activities or other school-related uses.

The Superintendent or designee shall give priority to school-related activities in the use of school facilities and grounds. Other uses authorized under the Civic Center Act shall be on a first-come, first-served basis.

For the effective management and control of school facilities and grounds, the Superintendent or designee shall maintain procedures and regulations that: (Education Code 38133)

1. Aid, encourage, and assist groups desiring to use school facilities for approved activities
2. Preserve order in school facilities and on school grounds and protect school facilities, including the designation of a person to supervise this task, if necessary
3. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of schoolwork

Subject to prior approval by the Board, the Superintendent or designee may grant the use of school facilities or grounds on those days on which district schools are closed. (Education Code 37220)

There shall be no advertising on school facilities and grounds except as specified in Board Policy 1325 - Advertising and Promotion.

As necessary to ensure efficient use of school facilities, the Superintendent or designee may, with the Board's approval, enter into an agreement for the joint use of any school facilities or grounds. The Board shall approve any such agreement only if it determines that it is in the best interest of the district and the community.

**Fees**

The Board shall adopt a comprehensive schedule of fees to be charged for community use of school facilities and grounds, including, but not limited to, the multipurpose room(s), playing or athletic field(s), track and field venue(s), tennis court(s), and outdoor basketball court(s). The schedule of fees shall be prepared in accordance with 5 CCR 14037-14041. (5 CCR 14041)

**OPTION 1: (Amount not to exceed direct costs to all community groups)**

The Board believes that the use of school facilities or grounds should not result in an expense to the district. The Superintendent or designee shall charge all groups granted the use of school facilities or grounds under the Civic Center Act an amount not to exceed direct costs determined in accordance with 5 CCR 14037-14041. (Education Code 38134)

**OPTION 1 ENDS HERE**

**OPTION 2: (No charge to nonprofit organizations and youth and school-oriented groups)**

The Board authorizes the use of school facilities or grounds, without charge, by nonprofit organizations and by clubs or associations organized to promote youth and school activities, including, but not limited to, Girl Scouts, Boy Scouts, Camp Fire USA, YMCA, parent-teacher associations, school-community advisory councils, and recreational youth sports leagues that charge participants no more than an average of \$60 per month. Other groups that request



the use of school facilities under the Civic Center Act shall be charged an amount not to exceed direct costs determined in accordance with 5 CCR 14037-14041. (Education Code 38134)

**OPTION 2 ENDS HERE**

**OPTION 3: (No charge to school-related organizations)**

The Board authorizes the use of school facilities or grounds without charge to school-related organizations whose activities are directly related to or for the benefit of district schools. All other groups requesting the use of school facilities under the Civic Center Act shall be charged an amount not to exceed direct costs determined in accordance with 5 CCR 14037-14041.

**OPTION 3 ENDS HERE**

Additionally, when any use of school facilities or grounds is for religious services, the district shall charge an amount at least equal to the district's direct costs. (Education Code 38134)

Groups shall be charged fair rental value when using school facilities or grounds for entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the district's students. (Education Code 38134)

### **Calculating Direct Costs**

Direct costs to be charged for community use of each, or each type of, school facility or grounds shall be calculated in accordance with 5 CCR 14038 and may reflect the community's proportionate share of the following costs: (Education Code 38134; 5 CCR 14038-14041)

1. Capital direct costs calculated in accordance with 5 CCR 14039, including the estimated costs of maintenance, repair, restoration, and refurbishment of non-classroom space school facilities or grounds
2. Operational direct costs calculated in accordance with 5 CCR 14040, including estimated costs of supplies, utilities, janitorial services, other services performed by district employees and/or contracted workers, and salaries and benefits paid to district employees directly associated with the administration of the Civic Center Act to operate and maintain school facilities and grounds

Direct cost fees shall not be discounted to any group or organization except when the discount is specifically authorized in the adopted fee schedule. (5 CCR 14041)

### **Expending Funds Collected as Capital Direct Costs**

Any funds collected as capital direct costs shall be deposited into a special fund to be used only for capital maintenance, repair, restoration, and refurbishment of school facilities and grounds. (5 CCR 14042)

### **Use of School Facility as Polling Place**

The Board may authorize the use of school buildings as polling places, or vote centers for election day. The Board may also authorize the use of school buildings, without cost, for the storage of voting machines and other vote-tabulating devices. However, if a city or county elections official specifically requests the use of a school building as a polling place, or vote center on election day and/or during the 10 days preceding election day, as well as during key dates necessary for drop-off, set-up, and pick-up of election materials, as determined by the elections official, the Board shall allow its use for such purpose. If school will be in session, the Superintendent or designee shall identify to elections officials the specific areas of the school buildings not occupied by school activities that will be allowed for use as a polling place or vote center. (Elections Code 12283)

When a school is used as a polling place or vote center, the Superintendent or designee shall provide the elections official a site with an adequate amount of space that will allow the precinct board to perform its duties in a manner that will not impede, interfere, or interrupt the normal process of voting and shall make a telephone line for Internet access available for use by local elections officials if so requested. The Superintendent or designee shall make a reasonable effort to ensure that the site is accessible to persons with disabilities. (Elections Code 12283)

The Superintendent or designee shall establish procedures to ensure student safety and minimize disruptions whenever school is in session while the facilities are being used as a polling place or vote center.

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**Policy 1330: Use Of School Facilities**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008

The Governing Board recognizes that district facilities and grounds are a community resource and authorizes their use by community groups for purposes provided for in the Civic Center Act when such use does not interfere with school activities.

(cf. 6145.5 - Student Organizations and Equal Access)

All school-related activities shall be given priority in the use of facilities and grounds under the Civic Center Act. Thereafter, the use shall be on a first-come, first-served basis.

The Superintendent or designee shall maintain procedures and regulations for the use of school facilities and grounds that: (Education Code 38133)

1. Aid, encourage, and assist groups desiring to use school facilities for approved activities
2. Preserve order in school buildings and on school grounds and protect school facilities, designating a person to supervise this task, if necessary

(cf. 0450 - Comprehensive School Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

3. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work

#### Fees

The Board authorizes the use of school facilities or grounds without charge by nonprofit organizations, clubs, or associations organized to promote youth and school activities. In accordance with Education Code 38134(a), these groups include, but are not limited to, Girl Scouts, Boy Scouts, Camp Fire, Inc., parent-teacher associations, and school-community advisory councils. Other groups, including nonprofit groups not organized to promote youth and school activities or for-profit groups that request the use of school facilities under the Civic Center Act, shall be charged at least direct costs.

Groups shall be charged fair rental value when using school facilities or grounds for entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the district's students. (Education Code 38134)

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**Regulation 1330: Use Of School Facilities**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008

### Application for Use of Facilities

Any person applying for the use of any school facilities or grounds on behalf of any society, group, or organization shall present written authorization from the group or organization to make the application.

Anyone applying to use school facilities shall do so as specified in district procedures and in accordance with law.

### Civic Center Use

Subject to district policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes: (Education Code 32282, 38131, 51860)

1. Public, literary, scientific, recreational, educational, or public agency meetings
2. The discussion of matters of general or public interest
3. The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization
4. Child care programs to provide supervision and activities for children of preschool and elementary school age
5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies
6. Supervised recreational activities, including, but not limited to, sports league activities for youth that are arranged for and supervised by entities, including religious organizations or churches, and in which youth may participate regardless of religious belief or denomination
7. A community youth center
8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization

*A veterans' organization* means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, or other duly recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code 1800)

10. Bicycle, scooter, electric bicycle, motorized bicycle, or motorized scooter safety instruction for district students by local law enforcement, public agencies, nonprofit associations, or organizations specified in Education Code 38134
11. Other purposes deemed appropriate by the Governing Board

### Restrictions

School facilities or grounds shall not be used for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law
2. Any use which is inconsistent with the use of school facilities for school purposes or which interferes with the regular conduct of school or school work

3. Any use which involves the possession, consumption, or sale of drugs or any restricted substances, including tobacco
4. Any use which involves the possession, consumption, or sale of alcoholic beverages, except for special events approved by the Superintendent or designee pursuant to Business and Professions Code 25608 which are covered by a special events permit pursuant to Division 9 of the Business and Professions Code and which will occur at a time when students are not on the grounds. Any such use of school facilities shall be subject to any limitations that may be necessary to reduce risks to the district and ensure the safety of participants, as determined by the Superintendent or designee. Applicable limitations shall be clearly stated in the facility use agreement to be signed by the user's representative.

The district may exclude certain school facilities from nonschool use for safety or security reasons.

### **Damage and Liability**

Groups, organizations, or persons using school facilities or grounds shall be liable for any property damage caused by the activity. The district may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds. (Education Code 38134)

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its negligence during the use of district facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. (Education Code 38134)

Groups or organizations shall provide the district with evidence of insurance against claims arising out of the group's own negligence when using school facilities. (Education Code 38134)

When permitted by law, the Superintendent or designee shall require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facilities being used.

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**Regulation 1330: Use Of School Facilities**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Reviewed Date:** 02/27/2008

**Application for Use of Facilities**

Any persons applying for the use of any school facility or grounds on behalf of any society, group, or organization shall present written authorization from the group or organization to make the application.

Persons or organizations applying for the use of school facilities or grounds shall submit a statement of information indicating that the organization upholds the state and federal constitutions and does not intend to use school premises to commit unlawful acts.

**Civic Center Use**

Subject to district policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes: (Education Code 32282, 38131)

1. Public, literary, scientific, recreational, educational, or public agency meetings
2. The discussion of matters of general or public interest
3. The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization
4. Child care programs to provide supervision and activities for children of preschool and elementary school age
5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies
6. Supervised recreational activities including, but not limited to, sports league activities that are arranged for and supervised by entities, including religious organizations or churches, and in which youths may participate regardless of religious belief or denomination
7. A community youth center
8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization

A veterans' organization means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, or other duly recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code 1800)

10. Other purposes deemed appropriate by the Governing Board

The district may grant the use of school facilities on those days on which the public school is closed. (Education Code 37220)

**Restrictions**

School facilities or grounds shall not be used for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law
2. Any use which is inconsistent with the use of the school facility for school purposes or which interferes with the regular conduct of school or school work
3. Any use which involves the possession, consumption, or sale of alcoholic beverages or any restricted substances, including tobacco use

The district may exclude certain school facilities from non-school use for safety or security reasons.

### **Damage and Liability**

Groups, organizations, or persons using school facilities or grounds shall be liable for any property damages caused by the activity. The Board may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds.

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its negligence during the use of district facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. (Education Code 38134)

Groups or organizations shall provide the district with evidence of insurance against claims arising out of the group's own negligence. Groups or organizations shall also be required to include the district as an additional insured on their liability policies for claims arising out of the negligence of the group.

As permitted, the Superintendent or designee may require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facility being used.

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**7. Policy 3311: Bids**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008

The Governing Board is committed to promoting public accountability and ensuring prudent use of public funds. When leasing, purchasing, or contracting for equipment, materials, supplies, or services for the district, including when contracting for public projects involving district facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the district, such contracts shall be made using competitive bidding.

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading legal requirements for competitive bidding. (Public Contract Code 20116)

The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

For award of contracts which, by law or Board policy, require prequalification, the procedures shall identify a uniform system for rating bidders on the basis of a completed questionnaire and financial statements.

When calling for bids, the Superintendent or designee shall ensure that the bid specifications clearly describe in appropriate detail the quality, delivery, and service required and include all information which the district knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.

Except as authorized by law, contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase any personal property to the extent authorized by law. (Public Contract Code 20118)

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**Policy 3311: Bids**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Reviewed Date:** 02/27/2008

The district shall purchase equipment, supplies and services using competitive bidding when required by law and in accordance with statutory requirements for bidding and bidding procedures. In those circumstances where the law does not require competitive bidding, the Governing Board may request that a contract be competitively bid if the Board determines that it is in the best interest of the district to do so.

When the Board has determined that it is in the best interest of the district, the Board may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law.

To ensure that good value is received for funds expended, specifications shall be carefully designed and shall describe in detail the quality, delivery and service required.

To assist the district in determining whether bidders are responsible, the Board may require prequalification procedures as allowed by law and specified in administrative regulation.

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**Regulation 3311: Bids**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008 | **Last Revised Date:** 05/18/2022

**Advertised/Competitive Bids**

The district shall advertise for any of the following: (Public Contract Code 20111)

1. A public project contract that involves an expenditure of \$15,000 or more, including a contract for construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, or repair work involving a district owned, leased, or operated facility
2. A contract that exceeds the amount specified in law, as annually adjusted by the Superintendent of Public Instruction, for any of the following:
  - a. The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district
  - b. Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters
  - c. Repairs that are not a public project, including maintenance

*Maintenance* means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. Maintenance includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. Maintenance does not include painting, repainting, or decorating other than touchup, or among other types of work, janitorial or custodial services and protection provided by security forces. (Public Contract Code 20115)

**Instructions and Procedures for Advertised Bids**

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such newspaper exists, then in some newspaper of general circulation that is circulated in the county. The Superintendent or designee also may post the notice on the district's website or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and website where bids will be opened. (Public Contract Code 20112)

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting and details regarding when and where project documents, including the final plan and specifications, are available. Any such mandatory visit or meeting shall occur not less than five calendar days after the publication of the initial notice. For lease-leaseback, design-build, and alternative design-build projects, the notice shall specify that the project is subject to skilled and trained workforce requirements. (Education Code 17250.25, 17250.62, 17407.5; Public Contract Code 2600, 6610)

Bid instructions and specifications shall include the following requirements and information:

1. All bidders shall certify in writing the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)
2. All bids for construction work shall be presented under sealed cover. The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20111, 20112)

The bid shall be accompanied by a form of bidder's security, including either cash, a cashier's check payable to the district, a certified check made payable to the district, or a bidder's bond executed by an admitted surety insurer and made payable to the district. The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111, 20112)

3. When a standardized proposal form is provided by the district, bids not presented on the standard form shall

be disregarded. (Public Contract Code 20111.5)

4. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)
5. When two or more identical lowest or highest bids are received, the Governing Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)
6. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in Item #6a below shall be used. (Public Contract Code 20103.8)
  - a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.
  - b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
  - c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)

7. In determining the lowest bid, the district shall consider only responsive bids that conform to bid specifications and are submitted by responsible bidders who have demonstrated trustworthiness, quality, fitness, capacity, and experience to satisfactorily perform the public works contract.
  - a. When a bid is determined to be nonresponsive, the Superintendent or designee shall notify the bidder and give the bidder an opportunity to respond to the determination.
  - b. When the lowest bidder is determined to be nonresponsible, the Superintendent or designee shall notify the bidder of the right to present evidence of the bidder's responsibility at a hearing before the Board.
8. After being opened, all submitted bids become public records pursuant to Government Code 7920.530 and shall be made available for public review pursuant to law, Board policy, and administrative regulation.

### **Prequalification Procedure**

When required by law or the Board, the Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. For this purpose, the Superintendent or designee shall furnish prospective bidders a standardized prequalification questionnaire and financial record which, when completed, shall indicate a bidder's statement of financial ability and experience in performing public works. The bidder's information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Code of Civil Procedure 446; Public Contract Code 20111.5, 20111.6)

When any public project involves an expenditure of \$1,000,000 or more and is funded or reimbursed wholly or partly by the School Facilities Program funds or other future state school bond, the district shall prequalify prospective bidders either quarterly or annually. The prequalification shall be valid for one year and the following requirements shall apply: (Public Contract Code 20111.6)

1. Prospective bidders, including, but not limited to, prime, general engineering, and general building contractors and electrical, mechanical, and plumbing subcontractors, as defined in Public Contract Code 4113 or Business and Professions Code 7056 or 7057, as applicable, shall submit a standardized questionnaire and financial

statement 10 or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

2. Prospective bidders shall be prequalified by the district five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

If the project includes electrical, mechanical, or plumbing components that will be performed by electrical, mechanical, or plumbing contractors, the Superintendent or designee shall make available to all bidders a list of prequalified general contractors and electrical, mechanical, and plumbing subcontractors five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids. (Public Contract Code 20111.6)

For all other contracts requiring competitive bidding, the district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. Prospective bidders for such contracts shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids and shall be prequalified by the district at least one day before the fixed bid-opening date. (Public Contract Code 20111.5)

### **Award of Contract**

The district shall award each contract to the lowest responsible bidder, except in the following circumstances:

1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)
2. When the contract is for any transportation service which involves an expenditure of more than \$10,000 and which will be made with any person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of a student who is to be transported, in which case the Board may contract with other than the lowest bidder (Education Code 39802)
3. When the contract is one for which the Board has established goals and requirements relating to participation of disabled veteran or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who submits a responsive bid and complies or makes a good faith effort to comply with the goals and requirements (Public Contract Code 2000-2002)
4. When procuring a lease-leaseback contract, in which case the Board shall award the contract based on objective criteria for determining the best combination of price and qualifications in accordance with Education Code 17400 and 17406
5. When procuring a design-build contract for a public works project in excess of \$1,000,000 in accordance with Education Code 17250.20, in which case the Board may award the contract to either the low bid or the best value to the district, taking into consideration, at a minimum, price, technical design and construction expertise, and life-cycle costs (Education Code 17250.20, 17250.25)
6. When procuring an alternative design-build contract for a public works project in excess of \$5,000,000 in accordance with Education Code 17250.62, in which case the Board may award the contract to either the low bid or the best value, taking into consideration, at a minimum design cost, general conditions, overhead, and profit as a component of the project price; technical design and construction expertise; and life-cycle costs (Education Code 17250.61, 17250.62)

### **Protests by Bidders**

If the bidder believes that the award is not in compliance with law, Board policy, or the bid specification, the bidder may protest the award. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A bidder's failure to file the protested documents in a timely manner shall constitute a waiver of the right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision

in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide notice to the bidder of the date and time for Board consideration of the protest at least three business days before the Board meeting. The Board's decision shall be final.

### **Limitation on Use of Sole Sourcing**

In any contract for the construction, alteration, or repair of school facilities, the Superintendent or designee shall ensure that the bid specification: (Public Contract Code 3002, 3400)

1. Does not directly or indirectly limit bidding to any one specific concern
2. Does not call for a designated material, product, thing, or service by a specific brand or trade name, unless the specification is followed by the words "or equal," so that bidders may furnish any equal material, product, thing, or service

In any such case, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting the designated material, product, thing, or service. If no such time period is specified, the contractor may submit the data within 35 days after the award of the contract.

When the bid is for a roof project, a material, product, thing, or service is considered "equal" to that designated if it is equal in quality, durability, design, and appearance; will perform the intended function equally well; and conforms substantially to the detailed requirements in the bid specification. (Public Contract Code 3002)

However, the Superintendent or designee may designate a specific material, product, thing, or service by brand or trade name, also known as sole sourcing, if the Board has made a finding, described in the invitation for bids or request for proposals (RFP), that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)

1. To conduct a field test or experiment to determine its suitability for future use
2. To match others in use on a particular public improvement that has been completed or is in the course of completion
3. To obtain a necessary item that is only available from one source
4. To respond to the Board's declaration of an emergency, as long as the declaration has been approved by four-fifths of the Board when issuing the invitation for bid or RFP

### **Bids Not Required**

Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may "piggyback" by authorizing another public corporation or agency, by contract, lease, requisition, or purchase order, to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor. Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the district and meet the cost effectiveness requirements specified in Government Code 4217.12. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the public at least two weeks in advance and shall be

based on a cost and saving comparison finding specified in Government Code 4217.12. (Government Code 4217.12)

Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount without taking estimates or advertising for bids. (Public Contract Code 20118.3)

Perishable foodstuffs and seasonal commodities needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)

Bids shall not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 1102, 20113)

The district may purchase any surplus property from the federal government or any of its agencies in any quantity needed for the operation of its schools without taking estimates or advertising for bids. (Education Code 17602)

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**Regulation 3311: Bids**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Revised Date:** 05/18/2022 | **Last Reviewed Date:** 05/18/2022

### Advertised Bids

The district shall seek competitive bids through advertising for contracts involving an expenditure of \$15,000 or more for a public project. (Public Contract Code 20111)

Public project means construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition and repair work involving a district owned, leased, or operated facility. (Public Contract Code 22002)

The amount by which contracts shall be competitively bid shall escalate automatically based upon the annual adjustment by the Superintendent of Public Instruction.

Competitive bids shall be sought through advertisement for contracts exceeding \$50,000 adjusted for inflation for the following: (Public Contract Code 20111; Government Code 53060)

1. The purchase of equipment, materials or supplies to be furnished, sold, or leased to the district
2. Services, not including construction services, or special services and advice in accounting, financial, legal, or administrative matters
3. Repairs, including maintenance that is not a public project

Maintenance means routine, recurring and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. Maintenance includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. This definition does not include, among other types of work, janitorial or custodial services, and protection provided by security forces, nor does it include painting, repainting, or decorating other than touchups. (Public Contract Code 20115)

Unless otherwise authorized by law, contracts shall be let to the lowest responsible bidder who shall give such security as the Governing Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

The Board shall secure bids pursuant to Public Contract Code 20111 and 20112 for any transportation service expenditure of more than \$10,000 when contemplating that such a contract may be made with a person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of students who are to be transported. The Board may let this contract to other than the lowest bidder. (Education Code 39802)

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements of Public Contract Code 20111-20118.4 for contracting after competitive bidding. (Public Contract Code 20116)

When getting a contract for the procurement and/or maintenance of electronic data processing systems and supporting software, the Board may contract with any one of the three lowest responsible bidders. (Public Contract Code 20118.1)

### Instructions and Procedures for Advertised Bids

The Superintendent or designee shall call for bids by advertising in a local newspaper of general circulation published in the district, or if no such paper exists, then in some newspaper of general circulation, circulated in the county at least once a week for two weeks. The district may also post the notice on the district's website or other electronic portal and may accept a bid submitted electronically or on paper. The notice shall state the work to be done or materials or supplies to be furnished and the time and place where bids will be opened. (Public Contract Code 20112)

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting. The notice shall also detail when and where project documents, including final plan and specifications, are available. Any such mandatory visit or meeting shall not occur within a minimum of five calendar days of the publication of the initial notice. (Public Contract Code 6610)

Bid instructions and specifications shall include the following requirements and information:

1. All bidders shall certify the minimum, if not exact, percentage of post consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)

2. All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security: (Public Contract Code 20107, 20111)

a. Cash

b. A cashier's check made payable to the district

c. A certified check made payable to the district

d. A bidder's bond is executed by an admitted surety insurer and made payable to the district

The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111)

3. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)

4. When two or more identical lowest or highest bids are received, the Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)

5. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #a below will be used: (Public Contract Code 20103.8)

a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.

b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.

c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

d. The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined.

6. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.

7. After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for review pursuant to law, Board policy, and administrative regulation.

(cf. 1340 - Access to District Records)

#### Alternative Bid Procedures for Technological Supplies and Equipment

Upon a finding by the Board that a particular procurement qualifies for the alternative procedure, the district may acquire computers, software, telecommunications equipment, microwave equipment, and other related electronic equipment and apparatus through competitive negotiation. This procedure shall not apply to contracts for construction or for the procurement of any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)

The competitive negotiation shall include, but not be limited to, the following requirements: (Public Contract Code 20118.1)



1. The Superintendent or designee shall prepare a request for proposals that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.
2. Notice of the request for proposals shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The district shall make every effort to generate the maximum feasible number of proposals from qualified sources and shall make a finding to that effect before proceeding to negotiate if only a single response to the request for proposals is received.
4. The request for proposals shall identify all significant evaluation factors, including price, and their relative importance.
5. The district shall provide reasonable procedures for the technical evaluation of the proposals received, the identification of qualified sources, and the selection for the award of the contract.
6. An award shall be made to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the district with price and all other factors considered.
7. If an award is not made to the bidder whose proposal contains the lowest price, then the district shall make a finding setting forth the basis for the award.
8. The district, at its discretion, may reject all proposals and request new proposals.
9. Provisions in any contract concerning the utilization of small business enterprises that are in accordance with the request for proposals, shall not be subject to negotiation with the successful proposer.

#### Bids Not Required

Upon a determination that it is in the best interest of the district, the Board may authorize the purchase, lease, or contract for data-processing equipment, purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property through a public corporation or agency ("piggyback") without advertising for bids. (Public Contract Code 20118)

(cf. 3300 - Expenditures and Purchases)

Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount without taking estimates or advertising for bids. (Public Contract Code 20118.3)

Perishable commodities, such as foodstuffs needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)

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

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes, or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids. (Public Contract Code 20113)

(cf. 3517 - Facilities Inspection)

(cf. 9323.2 - Actions by the Board)

Bids shall also not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

#### Sole Sourcing

Specifications for contracts for construction, alteration, or repair of school facilities may not limit bidding, either directly or indirectly, to any one specific concern. Specifications designating a particular brand name shall follow the description with the words "or equal" so that bidders may furnish any equal material, product, thing, or service. (Public Contract Code 3400)

Specifications for contracts may designate a product by brand or trade name (sole sourcing) if the district has made a finding, described in the invitation for bids or request for proposals, that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)

1. To conduct a field test or experiment to determine its suitability for future use
2. To match others in use on a particular public improvement that has been completed or is in the course of completion
3. To obtain a necessary item that is only available from one source
4. To respond to the Board's declaration of an emergency, as long as the declaration has been approved by four-fifths of the Board that issued the invitation for bid or request for proposals

#### Prequalification Procedure

For any contract for which bids are legally required, the Board may require that each prospective bidder complete and submit a standardized questionnaire and financial statement. For this purpose, the Superintendent or designee shall supply a form which requires a complete statement of the bidder's financial ability and experience in performing public works. (Public Contract Code 20111.5)

Prospective bidders shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids. The information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Public Contract Code 20111.5)

The Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. Bidders must be deemed prequalified by the district at least one day before the fixed bid-opening date. (Public Contract Code 20111.5)

The Superintendent or designee shall furnish each qualified bidder with a standardized proposal form. Bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)

The district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. (Public Contract Code 20111.5)

#### Protests by Bidders

A bidder may protest a bid award if he/she believes that the award was inconsistent with Board policy, the bid's specifications, or was not in compliance with law.

A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award. The bidder shall submit all documents supporting or justifying the protest. A bidder's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide reasonable notice to the bidder of the time for Board consideration of the contract award. The Board's decision shall be final.

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**8. Policy 3312: Contracts**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008

The Governing Board recognizes its responsibility to enter into contracts on behalf of the district for the acquisition of equipment, supplies, services, and other resources necessary for the achievement of district goals. In exercising this authority to enter into a contract, the Board shall ensure that the district's interest is protected, that the terms of the contract conform to applicable legal standards, including the bidding requirements in Public Contract Code 20111.

In addition, Board members and district employees involved in the making of contracts on behalf of the district shall comply with the district's conflict of interest policy as specified in Board Bylaw 9270 - Conflict of Interest.

The Board may, by a majority vote, delegate to the Superintendent or designee the authority to enter into contracts on behalf of the district. To be valid or to constitute an enforceable obligation against the district, all such contracts must be approved and/or ratified by the Board.

Every contract entered into on behalf of the district shall be made available for public inspection, except when the law prohibits disclosure. No contract shall prohibit a district employee from disparaging the goods or services of any contracting party.

**Contracts for Non-nutritious Foods or Beverages**

The district shall not enter into or renew a contract for the sale of foods or beverages that do not meet applicable nutritional standards specified in Education Code 49431-49431.7, 5 CCR 15500-15501 or 15575-15578, or 7 CFR 210.11 or 220.12, unless the contract specifies that such sale will occur off campus or outside the time restriction specified in the applicable law.

Before the district enters into or renews a contract that grants exclusive or nonexclusive advertising or sale of carbonated beverages, non-nutritious beverages, or non-nutritious foods as defined in law, the Board shall ensure that the district has sufficient internal controls in place to protect the integrity of public funds and to ensure that funds raised as a result of the contract benefit public education. (Education Code 35182.5)

The Superintendent or designee shall develop the district's internal control procedures to protect the integrity of public funds. Such internal controls may include, but not be limited to, the following:

1. Procedures that produce accurate and reliable financial statements and, at the same time, safeguard the assets, financial resources, and integrity of every employee responsible for handling money or property. Control systems shall be systematically evaluated and revised to keep pace with the changing responsibilities of management.
2. Procedures to ensure that district personnel do not handle cash or product at the school site. The contract shall specify that the vendor stock the machines and shall provide cash accounting, along with a check, for district proceeds directly to the control office.

To ensure that funds raised by the contract benefit district schools and students:

1. The Superintendent or designee may invite parents/guardians, students, staff, and interested community members to make recommendations regarding the contract, including recommendations as to how the funds will be spent in a manner that benefits public education.
2. Prior to ratifying the contract, the Board shall designate the specific programs and activities that will be funded by the proceeds of the contract and consider how the contract reflects the district's vision and goals.

3. The contract shall specify that the contractor report, on a quarterly basis, to the Superintendent or designee the number of food items or beverages sold within the district and the amount of money raised by the sales. The Superintendent or designee shall report these amounts to the Board on a regular basis.
4. The Superintendent or designee shall ensure that the contract does not limit the ability of student and parent organizations to plan and operate fundraising activities.

Any contract for the sale or advertisement of non-nutritious foods or carbonated or non-nutritious beverages shall be entered into on a competitive bid basis pursuant to Public Contract Code 20111 or through the issuance of a Request for Proposal. (Education Code 35182.5)

**OPTION 1: (Annual public hearing to review and discuss existing and potential contracts)**

The Board shall hold an annual public hearing to review and discuss all existing and potential contracts for the sale of foods and beverages on campus, including those sold as full meals or through competitive sales, fundraisers, or vending machines. The Board shall hold a public meeting for any contract not discussed at the annual public hearing. (Education Code 35182.5)

**OPTION 1 ENDS HERE**

**OPTION 2: (Public hearing for the making or renewal of each contract)**

The Board shall not enter into or renew any contract that grants exclusive or nonexclusive advertising or sale of carbonated beverages, non-nutritious beverages, on non-nutritious foods until parents/guardians, students, and members of the public have had an opportunity to comment on the contract at a public hearing held during a regularly scheduled Board meeting. The Board shall clearly, and in a manner recognizable to the general public, identify in the agenda the contract to be discussed at the meeting. (Education Code 35182.5)

**OPTION 2 ENDS HERE**

The public hearing shall include, but not be limited to, a discussion of the nutritional value of foods and beverages sold within the district; the availability of fresh fruit, vegetables, and grains in school meals and snacks, including locally grown and organic produce; the amount of fat, sugar, and additives in the foods and beverages discussed; and barriers to student participation in school breakfast and lunch programs. (Education Code 35182.5)

The contract shall be accessible to the public and may not include a confidentiality clause that would prevent the district or a district school from making any part of the contract public. (Education Code 35182.5)

**Contracts for Electronic Products or Services**

The Board shall not enter into a contract for electronic products or services that requires the dissemination of advertising to students, unless the Board: (Education Code 35182.5)

1. Enters into the contract at a noticed, public hearing of the Board.
2. Makes a finding that the electronic product or service is or would be an integral component of the education of students.
3. Makes a finding that the district cannot afford to provide the electronic product or service unless it contracts to permit dissemination of advertising to students.
4. As part of the district's normal, ongoing communication to parents/guardians, provides written notice that the advertising will be used in the classroom or other learning center.
5. Offers parents/guardians the opportunity to request in writing that their child not be exposed to the program that contains the advertising. A request shall be honored for the school year in which it is submitted, or longer if specified, but may be withdrawn by the parents/guardians at any time.

**Contracts for Digital Storage and Maintenance of Student Records**

The district may enter into or renew a contract with a third party for the purpose of providing services, including cloud-based services, for the digital storage, management, and retrieval of student records and/or to provide digital educational software that authorizes a third-party provider of digital educational software to access, store, and use student records. For these purposes, student records include any information maintained by the district that is directly related to a student and any information acquired directly from the student through the use of instructional software or applications assigned to the student by a teacher or other district employee, and do not include de-identified information. (Education Code 49073.1)

Any such contract shall contain all of the following: (Education Code 49073.1)

1. A statement that student records continue to be the property of and under the control of the district
2. If applicable, a description of the means by which students may retain possession and control of their own student-generated content, as defined in Education Code 49073.1, including options by which a student may transfer student-generated content to a personal account
3. A prohibition against the third party using any information in the student record for any purpose other than those required or specifically permitted by the contract
4. A description of the procedures by which a parent/guardian or a student age 18 years or older may review personally identifiable information in the student's records and correct erroneous information
5. A description of the actions the third party will take, including the designation and training of responsible individuals, to ensure the security and confidentiality of student records
6. A description of the procedures for notifying the affected parent/guardian, or the affected student if age 18 years or older, in the event of an unauthorized disclosure of the student's records
7. A certification that a student's records shall not be retained or available to the third party upon completion of the terms of the contract and a description of how that certification will be enforced, except that these requirements shall not apply to student-generated content if the student chooses to establish or maintain an account with the third party for the purpose of storing that content
8. A description of how the district and the third party will jointly ensure compliance with the federal Family Educational Rights and Privacy Act, 20 USC 1232g
9. A prohibition against the third party using personally identifiable information in student records to engage in targeted advertising

### **Contracts for Personal Services**

In order to achieve cost savings, the district may enter into or renew a contract for any personal service that is currently or customarily performed by classified employees, if the contract does not displace school district employees and meets other conditions specified in Education Code 45103.1. To enter into or renew such a contract, the Board shall ensure that the district meets the numerous conditions specified in Education Code 45103.1.

In addition, the district may enter into or renew any contract for personal service without meeting the conditions described above, if any of the following conditions exists: (Education Code 45103.1)

1. The contract is for new district functions and the Legislature has specifically mandated or authorized the performance of the work by independent contractors
2. The services contracted are not available within the district, cannot be performed satisfactorily by district employees, or are of such a highly specialized or technical nature that the necessary expert knowledge, experience, and ability are not available through the district
3. The services are incidental to a contract for the purchase or lease of real or personal property, including, but not be limited to, agreements to service or maintain office equipment or computers that are leased or rented

4. The district's policy, administrative, or legal goals and purposes cannot be accomplished through the utilization of persons selected pursuant to the regular or ordinary district hiring process
  5. The nature of the work is such that the criteria for emergency appointments, as defined in Education Code 45103.1, apply
  6. The contractor will provide equipment, materials, facilities, or support services that could not feasibly be provided by the district in the location where the services are to be performed
  7. The services are of such an urgent, temporary, or occasional nature that the delay that would result from using the district's regular or ordinary hiring process would frustrate their very purpose
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**Policy 3312: Contracts**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Reviewed Date:** 02/27/2008

Whenever state law invests the Governing Board with the power to enter into contracts on behalf of the district, the Board may, by a majority vote, delegate this power to the Superintendent or designee. To be valid or to constitute an enforceable obligation against the district, all contracts must be approved and/or ratified by the Board. (Education Code 17604)

All contracts between the district and outside agencies shall conform to standards required by law and shall be prepared under the direction of the Superintendent or designee.

When required by law, contracts and subcontracts made by the district for public works or for goods or services shall contain a nondiscrimination clause prohibiting discrimination by contractors or subcontractors. The nondiscrimination clause shall contain a provision requiring contractors and subcontractors to give written notice of their obligations to labor organizations with which they have a collective bargaining or other agreement. (Government Code 12990)

The district shall not enter into a contract that prohibits a school employee from disparaging the goods or services of the contracting party. (Education Code 35182.5)

**Contracts for Non-Nutritious Foods or Beverages**

Effective July 1, 2007, the district or a district school shall not enter into or renew a contract for the sale of foods that do not meet the nutritional standards specified in Education Code 49431 or 49431.2 unless the contract specifies that such sales will occur later than one-half hour after the end of the school day and/or off school premises. (Education Code 49431, 49431.2)

In accordance with the dates specified in law, the district or a district school shall not enter into or renew a contract for the sale of beverages that do not meet the nutritional standards in Education Code 49431.5 unless the contract specifies that such sales will occur later than one-half hour after the end of the school day and/or off school premises.

Before the district or a district school enters into or renews a contract that grants exclusive or nonexclusive advertising or sale of carbonated beverages, non-nutritious beverages, or non-nutritious food as defined in law, the Board shall ensure that the district has sufficient internal controls in place to protect the integrity of public funds and to ensure that funds raised as a result of the contract benefit public education. (Education Code 35182.5)

The Superintendent or designee shall develop the district's internal control procedures to protect the integrity of public funds. Such internal controls may include but not be limited to the following:

1. Control procedures that produce accurate and reliable financial statements and, at the same time, safeguard the assets, financial resources, and integrity of every employee responsible for handling money or property. Control systems shall be systematically evaluated and revised to keep pace with the changing responsibilities of management.
2. Procedures to ensure that district personnel do not handle cash or product at the school site. The contract shall specify that the vendor stock the machines and shall provide cash accounting, along with a check, for district proceeds directly to the control office.

In addition, the contract may specify whether contractor logos are permitted on district facilities, including but not limited to scoreboards and other equipment. If such logos are permitted, the contractor shall present the equipment to the Board as a gift. The gift may be accepted by the Board in accordance with Board policy and administrative regulation.

The contract shall be entered into on a competitive bid basis pursuant to Public Contract Code 20111 or through the issuance of a Request for Proposal. (Education Code 35182.5)

The Board shall not enter into or renew a contract that grants exclusive or nonexclusive advertising or sale of carbonated beverages, non-nutritious beverages, or non-nutritious food until parents/guardians, students, and members of the public have had an opportunity to comment on the contract at a public hearing held during a regularly scheduled board meeting or as otherwise authorized by Education Code 35182.5. The Board shall clearly, and in a manner recognizable to the general public, identify in the agenda the contract to be discussed at the meeting. (Education Code 35182.5)

The public hearing shall include but not be limited to a discussion of the nutritional value of food and beverages sold within the district; the availability of fresh fruit, vegetables, and grains in school meals and snacks, including locally grown and organic produce; the amount of fat, sugar, and additives in the food and beverages discussed; and barriers to student participation in school breakfast and lunch programs. (Education Code 35182.5)

The contract shall be accessible to the public and may not include a confidentiality clause that would prevent the district or a district school from making any part of the contract public. (Education Code 35182.5)

#### **Contracts for Electronic Products or Services**

The Board shall not enter into a contract for electronic products or services that requires the dissemination of advertising to students, unless the Board: (Education Code 35182.5)

1. Enters into the contract at a noticed, public hearing of the Board.
  2. Makes a finding that the electronic product or service is or would be an integral component of the education of students.
  3. Makes a finding that the district cannot afford to provide the electronic product or service unless it contracts to permit dissemination of advertising to students.
  4. As part of the district's normal, ongoing communication to parents/guardians, provides written notice that the advertising will be used in the classroom or other learning center.
  5. Offers parents/guardians the opportunity to request in writing that their child not be exposed to the program that contains the advertising. Any request shall be honored for the school year in which it is submitted, or longer if specified, but may be withdrawn by the parents/guardians at any time.
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**9. Policy 3460: Financial Reports And Accountability**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008 | **Last Revised Date:** 04/19/2023

The Governing Board is committed to ensuring public accountability and the fiscal health of the district. The Board shall adopt sound fiscal management policies and practices, oversee the district's financial condition, and continually evaluate whether the district's budget and financial operations support the district's goals for student achievement.

The Superintendent or designee shall ensure that district financial reports are prepared in accordance with law and in conformity with generally accepted accounting principles and financial reporting standards stipulated by the Governmental Accounting Standards Board and the California Department of Education (CDE). The Superintendent or designee shall establish a system of ongoing internal controls to ensure the reliability of financial reporting.

When required by law or as directed by the Board, the Superintendent or designee shall submit to the Board reports of the district's financial status, including, but not limited to, any report specified in this Board policy or accompanying administrative regulation. When submission of any such report to a local, state, and/or federal agency requires prior Board approval, the Superintendent or designee shall provide the report to the Board in sufficient time to enable the Board to carefully review the report without breaking any applicable submission deadline.

The Board shall regularly assess the district's financial position and communicate the results to the public, and shall use financial reports to determine the actions and budget amendments, if any, that are needed to ensure the district's financial stability. If district conditions predict fiscal distress or indicate that the district might not be able to meet its fiscal obligations, the Board and Superintendent or designee shall take action to resolve these conditions without delay. The Board shall work cooperatively with the County Superintendent of Schools to improve the district's fiscal health and may contract with an external individual or organization to provide the district with needed advice or fiscal management or training.

If the district is facing fiscal insolvency, the Board may consider applying to the state for an emergency apportionment that exceeds 200 percent of the district's recommended reserve. Before applying for such emergency apportionment, the Board shall discuss, at a regular or special meeting, the need for an emergency apportionment and receive testimony regarding the apportionment from parents/guardians, the exclusive representatives of employees of the district, and other members of the community. (Education Code 41326)

**Unaudited Actual Receipts and Expenditures**

On or before September 15, the Board shall approve and file with the County Superintendent a statement of the district's unaudited actual receipts and expenditures for the preceding fiscal year. The Superintendent or designee shall prepare this statement using the state's standardized account code structure (SACS) as prescribed by the Superintendent of Public Instruction (SPI). (Education Code 42100)

**Gann Appropriations Limit Resolution**

On or before September 15, the Board shall, at a regular or special meeting, adopt a resolution identifying, pursuant to Government Code 7900-7914, the district's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year. Documentation used to identify these limits shall be made available to the public on the day of the Board meeting. (Education Code 42132; Government Code 7910)

**Interim Reports/Certification of Ability to Meet Fiscal Obligations**

Each fiscal year, the Superintendent or designee shall submit two interim reports to the Board. The first report shall cover the district's financial and budgetary status for the period ending October 31 and the second report shall cover the period ending January 31. These reports and supporting data shall be made available by the district for public review. (Education Code 42130)

Within 45 days after the close of the period reported, the Board shall approve the interim report and, on the basis of the interim report and any additional financial information known by the Board, shall certify in writing whether the

district will be able to meet its fiscal obligations for the remainder of the fiscal year and, based on current forecasts, for the two subsequent fiscal years. The certification shall be classified as one of the following: (Education Code 42130, 42131)

1. "Positive certification" indicating that the district will meet its financial obligations for the current fiscal year and two subsequent fiscal years
2. "Qualified certification" indicating that the district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years
3. "Negative certification" indicating that the district will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year

The Superintendent or designee shall submit a copy of each interim report and certification to the County Superintendent using the state's SACS software, as prescribed by the SPI. (Education Code 42130, 42131)

If the district's certification is subsequently changed by the County Superintendent from a positive to a qualified or negative certification, or from a qualified to a negative certification, the Board may appeal the decision to the SPI within five days of receiving the notice of change. (Education Code 42131)

Whenever the district receives a qualified or negative certification from the Board or the County Superintendent, the Superintendent or designee shall cooperate in the implementation of any remedial actions taken or prescribed by the County Superintendent. (Education Code 42131)

If the second interim report is accompanied by a qualified or negative certification, the Board shall, no later than June 1, provide to the County Superintendent, the State Controller, and the SPI a financial statement as of April 30 ("third interim report") that projects the district's fund and cash balances through June 30. (Education Code 42131)

If at any time during the fiscal year, the County Superintendent concludes that the district's budget does not comply with the standards and criteria for financial stability and conducts a comprehensive review of the district's financial and budgetary conditions, the Board shall review any report of the County Superintendent's findings and recommendations at a public Board meeting. Within 15 days of receiving the report, the district shall notify the County Superintendent and the SPI of the Board's proposed actions on the recommendation. (Education Code 42637)

### **Audit Report**

By April 1 of each year, the Board shall provide for an annual audit of the district's books and accounts. (Education Code 41020)

To conduct the audit, the Board shall select a certified public accountant or public accountant licensed by the State Board of Accountancy from among those deemed qualified by the State Controller. (Education Code 41020, 41020.5)

Except when, as determined by the Education Audits Appeal Panel, no otherwise eligible auditor is available, a public accounting firm whose lead or coordinating audit partner having primary responsibility for the audit or whose audit partner responsible for reviewing the audit has performed audit services for the district in each of the six previous fiscal years shall not be selected to perform a district audit. (Education Code 41020)

No later than December 15, the report of the audit for the preceding fiscal year shall be filed with the County Superintendent, CDE, and the State Controller. (Education Code 41020)

Prior to December 15 whenever possible, but in no case later than January 31, the Board shall review, at an open

meeting, the annual district audit for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or any issue raised in a management letter. (Education Code 41020.3)

The Board shall have an opportunity at the meeting to ask questions of the auditor and request further information about the audit findings.

### **Audit Committee**

The Board may appoint an audit committee composed of staff knowledgeable about fiscal matters, other staff, and representatives of the community.

The committee shall serve in an advisory capacity and may:

1. Make recommendations regarding the selection of the external independent auditor in accordance with Education Code 41020 and 41020.5
  2. Review the plan for the audit process with the independent auditor to determine the adequacy of the nature, scope, and timetable of the audit
  3. Review the results of the audit and participate with the independent auditor and management in preparing final recommendations and responses
  4. Participate with the independent auditor in presenting the audit report to the Board
  5. Review Board policies and administrative regulations to recommend any revisions needed to ensure effective financial reporting
  6. Provide input on the effectiveness of the independent auditor
  7. Periodically report to the Board regarding the status of previous audit recommendations for improving the accounting and internal control systems
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**Policy 3460: Financial Reports And Accountability**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Revised Date:** 04/19/2023 | **Last Reviewed Date:** 04/19/2023

The Governing Board is committed to ensuring public accountability and the fiscal health of the district. The Board shall adopt sound fiscal management policies and practices, oversee the district's financial condition, and continually evaluate whether the district's budget and financial operations support the district's goals for student achievement.

The Superintendent or designee shall ensure that district financial reports are prepared in accordance with law and in conformity with generally accepted accounting principles and financial reporting standards stipulated by the Governmental Accounting Standards Board and the California Department of Education (CDE). The Superintendent or designee shall establish a system of ongoing internal controls to ensure the reliability of financial reporting.

When required by law or the Board, the Superintendent or designee shall submit to the Board reports of the district's financial status, including, but not limited to, any report specified in this Board policy or accompanying administrative regulation. When submission of any such report to a local, state, and/or federal agency requires prior Board approval, the Superintendent or designee shall provide the report to the Board in sufficient time to enable the Board to carefully review the report without breaking any applicable submission deadline.

The Board shall regularly assess the district's financial position and communicate the results to the public, and shall use financial reports to determine the actions and budget amendments, if any, that are needed to ensure the district's financial stability. If district conditions predict fiscal distress or indicate that the district might not be able to meet its fiscal obligations, the Board and Superintendent or designee shall take action to resolve these conditions without delay. The Board shall work cooperatively with the County Superintendent of Schools to improve the district's fiscal health and may contract with an external individual or organization to provide the district with needed advice or fiscal management or training.

**Unaudited Actual Receipts and Expenditures**

On or before September 15, the Board shall approve and file with the County Superintendent a statement of the district's unaudited actual receipts and expenditures for the preceding fiscal year. The Superintendent or designee shall prepare this statement using the state's standardized account code structure (SACS) as prescribed by the Superintendent of Public Instruction (SPI). (Education Code 42100)

**Gann Appropriations Limit Resolution**

On or before September 15, the Board shall, at a regular or special meeting, adopt a resolution identifying, pursuant to Government Code 7900-7914, the district's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year. Documentation used to identify these limits shall be made available to the public on the day of the Board meeting. (Education Code 42132; Government Code 7910)

**Interim Reports/Certification of Ability to Meet Fiscal Obligations**

Each fiscal year, the Superintendent or designee shall submit two interim reports to the Board. The first report shall cover the district's financial and budgetary status for the period ending October 31 and the second report shall cover the period ending January 31. These reports and supporting data shall be made available by the district for public review. (Education Code 42130)

Within 45 days after the close of the period reported, the Board shall approve the interim report and, on the basis of the interim report and any additional financial information known by the Board, shall certify in writing whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and, based on current forecasts, for the two subsequent fiscal years. The certification shall be classified as one of the following: (Education Code 42130, 42131)

1. "Positive certification" indicating that the district will meet its financial obligations for the current fiscal year and two subsequent fiscal years
2. "Qualified certification" indicating that the district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years
3. "Negative certification" indicating that the district will be unable to meet its financial obligations for the

remainder of the fiscal year or the subsequent fiscal year

The Superintendent or designee shall submit a copy of each interim report and certification to the County Superintendent using the state's SACS software, as prescribed by the SPI. (Education Code 42130, 42131)

If the district's certification is subsequently changed by the County Superintendent from a positive to a qualified or negative certification, or from a qualified to a negative certification, the Board may appeal the decision to the SPI within five days of receiving the notice of change. (Education Code 42131)

Whenever the district receives a qualified or negative certification from the Board or the County Superintendent, the Superintendent or designee shall cooperate in the implementation of any remedial actions taken or prescribed by the County Superintendent. (Education Code 42131)

If the second interim report is accompanied by a qualified or negative certification, the Board shall, no later than June 1, provide to the County Superintendent, the State Controller, and the SPI a financial statement as of April 30 ("third interim report") that projects the district's fund and cash balances through June 30. (Education Code 42131)

If at any time during the fiscal year, the County Superintendent concludes that the district's budget does not comply with the standards and criteria for financial stability and conducts a comprehensive review of the district's financial and budgetary conditions, the Board shall review any report of the County Superintendent's findings and recommendations at a public Board meeting. Within 15 days of receiving the report, the district shall notify the County Superintendent and the SPI of the Board's proposed actions on the recommendation. (Education Code 42637)

### **Audit Report**

By April 1 of each year, the Board shall provide for an annual audit of the district's books and accounts. (Education Code 41020)

To conduct the audit, the Board shall select a certified public accountant or public accountant licensed by the State Board of Accountancy from among those deemed qualified by the State Controller. (Education Code 41020, 41020.5)

Except when, as determined by the Education Audits Appeal Panel, no otherwise eligible auditor is available, a public accounting firm whose lead or coordinating audit partner having primary responsibility for the audit or whose audit partner responsible for reviewing the audit has performed audit services for the district in each of the six previous fiscal years shall not be selected to perform a district audit. (Education Code 41020)

No later than December 15, the report of the audit for the preceding fiscal year shall be filed with the County Superintendent, the CDE, and the State Controller. (Education Code 41020)

Prior to December 15 whenever possible, but in no case later than January 31, the Board shall review, at an open meeting, the annual district audit for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or any issue raised in a management letter. (Education Code 41020.3)

The Board shall have an opportunity at the meeting to ask questions of the auditor and request further information about the audit findings.

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**10. Regulation 3541: Transportation Routes And Services**

Status: DRAFT

Original Adopted Date: 04/23/2008 | Last Revised Date: 04/22/2009

The Superintendent or designee shall design transportation routes and stops within district boundaries that promote student safety, maximum efficiency in the use of buses, and decreased traffic in and around the schools.

Students shall be eligible for transportation service to and from school if the distance between their school-established bus stop and the school is beyond the minimum listed below:

1. For elementary school students:

Grades Full Day K-63: ~~one three-fourths~~ mile  
~~Grades 4-8: one mile~~

2. For students attending a ~~three-year~~ junior high school:

Grades 7-89: one mile

3. ~~For students attending a four-year high school:~~

~~Grades 9-12: two miles~~

The Superintendent or designee may authorize transportation below these limits when safety problems or hazards exist.

The Superintendent or designee shall communicate in writing to parents/guardians regarding bus routes, schedules, and stops. He/she may also arrange for local media to publish such information.

With the Governing Board's authorization, transportation services may be provided or arranged by the district for:

1. Students traveling to and from school during the regular school day (Education Code 39800)
2. Field trips and excursions (Education Code 35330)
3. School activities, expositions or fairs, or other activities determined to be for the benefit of students (Education Code 39860)
4. District employees, parents/guardians, and adult volunteers traveling to and from educational activities authorized by the district (Education Code 39837.5)
5. Preschool or nursery school students (Education Code 39800)
6. ~~Students traveling to full-time occupational classes provided by a regional occupational center or program (Education Code 39807.5, 41850)~~
7. ~~Students traveling to and from their places of employment during the summer in connection with a summer employment program for youth (Education Code 39837)~~
8. ~~Matriculated or enrolled adults traveling to and from school, or adults for educational purposes other than to and from school (Education Code 39801.5)~~
9. ~~Private school students, upon the same terms, in the same manner, and on the same routes provided for district students (Education Code 39808)~~
10. Nonschool purposes as allowed by law, such as:
  - a. Community recreation (Education Code 39835)

b. Public transportation (Education Code 39841)

c. Transportation of government employees to and from their places of employment (Education Code 39840)

Students who attend school outside of their school attendance area or district boundaries may be eligible for transportation services in accordance with district policy.

The district shall provide home-to-school transportation and additional transportation services as needed for students with disabilities as specified in their individualized education program or Section 504 plan. (Education Code 41850; 20 USC 1400-1482; 34 CFR 104.4, 300.17, 300.34)

The Superintendent or designee shall provide transportation to homeless students in accordance with law, Board policy, and administrative regulation. When the student resides outside of district boundaries, the Superintendent or designee shall consult with the superintendent of the district of residence to apportion the responsibility and costs of transportation. (42 USC 11432)

The Superintendent or designee shall collaborate with the local child welfare agency to determine the provision, arrangement, and funding of transportation to enable foster youth to attend their school of origin when it is in the student's best interest to do so. (20 USC 6312)

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**Regulation 3541: Transportation Routes And Services**

**Status:** ADOPTED

**Original Adopted Date:** 04/23/2008 | **Last Revised Date:** 04/22/2009

### Routes and Bus Stops

The Superintendent or designee shall design transportation routes and stops to promote the safety of students and maximum efficiency in the use of buses.

Students shall be eligible for transportation service to and from school if the distance between their school-established bus stop and the school is beyond the minimum listed below:

1. For elementary school students:

Grades K-6: 1 mile radius

2. For students attending a middle school:

Grades 7-8: Two miles

The Superintendent or designee may authorize transportation within the walking distance when safety problems or hazards exist.

The Superintendent or designee shall communicate in writing to parents/guardians regarding bus routes, schedules and stops and/or shall arrange for local media to publish such information.

(cf. 1112 - Media Relations)

### Transportation Services

With the Governing Board's authorization, transportation services may be provided or arranged by the district for:

1. Students traveling to and from school during the regular school day (Education Code 39800)

2. Field trips and excursions (Education Code 35330)

(cf. 3541.1 - Transportation for School-Related Trips)

3. School activities, expositions or fairs, or other activities determined to be for the benefit of students (Education Code 39860)

4. District employees and parents/guardians traveling to and from educational activities authorized by the district (Education Code 39837.5)

5. Preschool or nursery school students (Education Code 39800)

6. Nonschool purposes as allowed by law, such as:

a. Community recreation (Education Code 39835)

b. Public transportation (Education Code 39841)

The district shall provide home-to-school transportation and additional transportation services as needed for students with disabilities as specified in their individualized education programs. (Education Code 41850; 20 USC 1400-1482; 34 CFR 104.4)

(cf. 3541.2 - Transportation for Students with Disabilities)

The Superintendent or designee shall provide transportation to homeless children in accordance with law, Board policy and administrative regulation.

(cf. 6173 - Education for Homeless Children)

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**11. Policy 3551: Food Service Operations/Cafeteria Fund**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008 | **Last Revised Date:** 10/19/2022

The Governing Board intends that school food services shall be a self-supporting, nonprofit program. To ensure program quality and cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all food service accounts for the district.

The Superintendent or designee shall ensure that food service director(s) possess the qualifications required by 7 CFR 210.30 and California Department of Education (CDE) standards.

At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by CDE. (42 USC 1776)

**Meal Sales**

Any student who requests a meal shall be served a nutritionally adequate breakfast and lunch free of charge, each school day. (Education Code 49501.5)

As permitted by law, additional or second meals, adult meals, and other nonprogram foods, such as smart snack compliant food and beverages sold in vending machines, may be sold to students. (Education Code 38082, 49501.5)

Meals may be sold to district employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)

In addition, meals may be sold to nonstudents, including parents/guardians, volunteers, students' siblings, or other individuals, who are authorized by the Superintendent or designee to be on campus. Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods.

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760.

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments. Such procedures shall conform with 2 CFR 200.426 and any applicable CDE guidance. The Superintendent or designee shall clearly communicate these procedures to students and parents/guardians, and shall make this policy and the accompanying administrative regulation available to the public pursuant to Education Code 49557.5.

**Cafeteria Fund and Account**

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and for reasonable and necessary indirect program costs as allowed by law.

**OPTION 1: (Food service employees paid from general fund)**

The wages, salaries, and benefits of food service employees shall be paid from the district's general fund. At any time, the Board may order reimbursement from the district's cafeteria fund for these payments in amounts prescribed by the Board and not exceeding the costs actually incurred. (Education Code 38103)

## **OPTION 1 ENDS HERE**

## **OPTION 2: (Food service employees paid from cafeteria fund)**

The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

## **OPTION 2 ENDS HERE**

### **Contracts with Outside Services**

With Board approval, the district may enter into a contract for food service consulting services or management services in one or more district schools. (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

### **Procurement of Foods, Equipment and Supplies**

To the maximum extent practicable, foods purchased for use in school meals by the district or by any entity purchasing food on its behalf shall be domestic commodities or products. Domestic commodity or product means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)

When soliciting for bids and contracts for the purchase of an agricultural food product, the district shall specify in the solicitation that only the purchase of agricultural food products grown, packed, or processed domestically is authorized, unless a specific exception applies. A nondomestic food product may be purchased for use in the district's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient and reasonably available quantities of a satisfactory quality, the quality of the domestic product is inferior to the quality of the nondomestic product, or the bid or price of the nondomestic product is more than 25 percent lower than the bid or price of the domestic product. In such cases, the Superintendent or designee shall retain documentation justifying the use of the exception for three years from the date of purchase. (Food and Agriculture Code 58596.3)

Furthermore, the district shall accept a bid or price for an agricultural food product grown in California before accepting a bid or price for a domestic agricultural food product that is grown outside the state, if the quality of the California-grown product is comparable and the bid or price does not exceed the lowest bid or price for domestic product produced outside the state. (Food and Agriculture Code 58595)

Bid solicitations and awards for purchases of equipment, materials, or supplies in support of the district's child nutrition program, or for contracts awarded pursuant to Public Contract Code 2000, shall be consistent with the federal procurement standards in 2 CFR 200.318-200.326. Awards shall be let to the most responsive and responsible party. Price shall be the primary consideration, but not the only determining factor, in making such an award. (Public Contract Code 20111)

### **Program Monitoring and Evaluation**

The Superintendent or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by CDE to ensure compliance of the district's food service program with federal requirements.

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**Policy 3551: Food Service Operations/Cafeteria Fund**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Revised Date:** 10/19/2022 | **Last Reviewed Date:** 10/19/2022

The Governing Board intends that school food services shall be a self-supporting, nonprofit program. To ensure program quality and cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all food service accounts for the district.

The Superintendent or designee shall ensure that food service director(s) possess the qualifications required by 7 CFR 210.30 and California Department of Education (CDE) standards.

At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by CDE. (42 USC 1776)

**Meal Sales**

Any student who requests a meal shall be served a nutritionally adequate breakfast and lunch free of charge, each school day. (Education Code 49501.5)

As permitted by law, additional or second meals, adult meals, and other nonprogram foods, such as smart snack compliant food and beverages sold in vending machines, may be sold to students. (Education Code 38082, 49501.5)

Meals may be sold to district employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)

In addition, meals may be sold to nonstudents, including parents/guardians, volunteers, students' siblings, or other individuals, who are authorized by the Superintendent or designee to be on campus. Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods.

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760.

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments. Such procedures shall conform with 2 CFR 200.426 and any applicable CDE guidance. The Superintendent or designee shall clearly communicate these procedures to students and parents/guardians, and shall make this policy and the accompanying administrative regulation available to the public pursuant to Education Code 49557.5.

**Cafeteria Fund and Account**

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and for reasonable and necessary indirect program costs as allowed by law.

The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

## **Contracts with Outside Services**

With Board approval, the district may enter into a contract for food service consulting services or management services in one or more district schools. (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

## **Procurement of Foods, Equipment and Supplies**

To the maximum extent practicable, foods purchased for use in school meals by the district or by any entity purchasing food on its behalf shall be domestic commodities or products. Domestic commodity or product means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)

A nondomestic food product may be purchased for use in the district's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient and reasonably available quantities of a satisfactory quality, or when competitive bids reveal the costs of a United States product are significantly higher than the nondomestic product. In such cases, the Superintendent or designee shall retain documentation justifying the use of the exception.

Furthermore, the district shall accept a bid or price for an agricultural product grown in California before accepting a bid or price for an agricultural product grown outside the state, if the quality of the California-grown product is comparable and the bid or price does not exceed the lowest bid or price of a product produced outside the state. (Food and Agriculture Code 58595)

Bid solicitations and awards for purchases of equipment, materials, or supplies in support of the district's child nutrition program, or for contracts awarded pursuant to Public Contract Code 2000, shall be consistent with the federal procurement standards in 2 CFR 200.318-200.326. Awards shall be let to the most responsive and responsible party. Price shall be the primary consideration, but not the only determining factor, in making such an award. (Public Contract Code 20111)

## **Program Monitoring and Evaluation**

The Superintendent or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by CDE to ensure compliance of the district's food service program with federal requirements.

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**Regulation 3551: Food Service Operations/Cafeteria Fund**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008 | **Last Revised Date:** 10/19/2022

### **Payments for Meals**

The Superintendent or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.

At the beginning of the school year, the Superintendent or designee shall communicate the district's meal payment policies through multiple methods, including, but not limited to:

1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year
2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually
3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of eligibility forms at the start of the school year
4. Posting the policy on the district's website

### **Reimbursement Claims**

The Superintendent or designee shall maintain records of the number of meals served each day by school site and by category of free and reduced-price meals. The Superintendent or designee shall submit reimbursement claims for school meals to the California Department of Education (CDE) using the online Child Nutrition Information and Payment System.

### **Donation of Leftover Food**

The District shall take steps to minimize food waste and reduce food insecurity in district schools. (Health and Safety Code 114079)

The Superintendent or designee shall arrange to recover the maximum amount of edible food that would otherwise be disposed for donation to a local food recovery organization. (14 CCR 18991.3)

The district may also provide sharing tables where students and staff may return appropriate unused cafeteria food items to be made available to students during the course of a regular school meal time. If food on the sharing tables is not taken by a student, the school cafeteria may donate the food to a food bank or any other nonprofit charitable organization. (Health and Safety Code 114079)

Food that may be donated includes prepackaged, nonpotentially hazardous food with the packaging still intact and in good condition, whole uncut produce that complies with Health and Safety Code 113992, unopened bags of sliced fruit, unopened containers of milk that are immediately stored in a cooling bin maintained at 41 degrees Fahrenheit or below, and perishable prepackaged food if it is placed in a proper temperature-controlled environment. The preparation, safety, and donation of food shall be consistent with Health and Safety Code 113980. (Health and Safety Code 114079)

The Superintendent or designee shall maintain records related to edible food recovery including a list of each food recovery service or organization that collects or receives the district's edible food, contact information for the service or organization, the types of food, frequency, and quantity that will be collected or hauled by the district, and a copy of contracts or written agreements between the district and food recovery services or organizations. (14 CCR 18991.4)

### **Cafeteria Fund and Account**

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. (Education Code 38090, 38093)

The cafeteria fund shall be used only for those expenditures authorized by the Governing Board as necessary for the operation of school cafeterias in accordance with Education Code 38100-38103, 2 CFR Part 200 Appendix VII, and the California School Accounting Manual.

The district may use cafeteria funds to supplement the provision of a nutritionally adequate breakfast and/or lunch to district students when permitted by law.

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of the purpose of and basis for the expenditure. (Education Code 38101)

Indirect costs charged to the food service program shall be based on either the district's prior year indirect cost rate as approved by CDE or the statewide average approved indirect cost rate for the second prior fiscal year, whichever is less. (Education Code 38101)

Net cash resources in the nonprofit school food service shall not exceed six months' average expenditures. (7 CFR 210.14, 220.7)

#### **U.S. Department of Agriculture Foods**

The district shall provide facilities for the storage and control of foods received through the U.S. Department of Agriculture (USDA) that protect against theft, spoilage, damage, or other loss. Such storage facilities shall maintain donated foods in sanitary conditions, at the proper temperature and humidity, and with adequate air circulation. The district shall comply with all federal, state, or local requirements related to food safety and health and procedures for responding to a food recall, as applicable, and shall obtain all required health inspections. (7 CFR 250.14)

The Superintendent or designee shall maintain inventories of USDA foods in accordance with 7 CFR 250.59 and CDE procedures, and shall ensure that foods are used before their expiration dates.

USDA donated foods shall be used in school lunches as far as practicable. USDA foods also may be used in other nonprofit food service activities, including, but not limited to, school breakfasts or other meals, a la carte foods sold to students, meals served to adults directly involved in the operation and administration of the food service and to other school staff, and training in nutrition, health, food service, or general home economics instruction for students, provided that any revenues from such activities accrue to the district's nonprofit food service account. (7 CFR 250.59)

#### **Contracts with Outside Services**

The term of any contract for food service management or consulting services shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such services shall be considered on a year-to-year basis. (Education Code 45103.5; 7 CFR 210.16)

Any contract for management of the food service operation shall be approved by CDE and comply with the conditions in Education Code 49554 and 7 CFR 210.16 as applicable. The district shall retain control of the quality, extent, and general nature of its food services. (Education Code 49554; 42 USC 1758; 7 CFR 210.16)

Any contract for consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (Education Code 45103.5)

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**Regulation 3551: Food Service Operations/Cafeteria Fund**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Revised Date:** 10/19/2022 | **Last Reviewed Date:** 10/19/2022

### **Payments for Meals**

The Superintendent or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.

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1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year
2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually
3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of eligibility forms at the start of the school year
4. Posting the policy on the district's web site

### **Reimbursement Claims**

The Superintendent or designee shall maintain records of the number of meals served each day by school site and by category of free and reduced-price meals. The Superintendent or designee shall submit reimbursement claims for school meals to the California Department of Education (CDE) using the online Child Nutrition Information and Payment System.

### **Donation of Leftover Food**

To minimize waste and reduce food insecurity, the district may provide sharing tables where students and staff may return appropriate unused cafeteria food items to be made available to students during the course of a regular school meal time. If food on the sharing tables is not taken by a student, the school cafeteria may donate the food to a food bank or any other nonprofit charitable organization. (Health and Safety Code 114079)

Food that may be donated includes prepackaged, nonpotentially hazardous food with the packaging still intact and in good condition, whole uncut produce that complies with Health and Safety Code 113992, unopened bags of sliced fruit, unopened containers of milk that are immediately stored in a cooling bin maintained at 41 degrees Fahrenheit or below, and perishable prepackaged food if it is placed in a proper temperature-controlled environment. The preparation, safety, and donation of food shall be consistent with Health and Safety Code 113980. (Health and Safety Code 114079)

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The cafeteria fund shall be used only for those expenditures authorized by the Governing Board as necessary for the operation of school cafeterias in accordance with Education Code 38100-38103, 2 CFR Part 200 Appendix VII, and the California School Accounting Manual.

The district may use cafeteria funds to supplement the provision of a nutritionally adequate breakfast and/or lunch to district students when permitted by law.

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of

the purpose of and basis for the expenditure. (Education Code 38101)

Indirect costs charged to the food service program shall be based on either the district's prior year indirect cost rate as approved by CDE or the statewide average approved indirect cost rate for the second prior fiscal year, whichever is less. (Education Code 38101)

Net cash resources in the nonprofit school food service shall not exceed three months' average expenditures. (7 CFR 210.14, 220.7)

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The district shall provide facilities for the storage and control of foods received through the U.S. Department of Agriculture (USDA) that protect against theft, spoilage, damage, or other loss. Such storage facilities shall maintain donated foods in sanitary conditions, at the proper temperature and humidity, and with adequate air circulation. The district shall comply with all federal, state, or local requirements related to food safety and health and procedures for responding to a food recall, as applicable, and shall obtain all required health inspections. (7 CFR 250.14)

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### **Contracts with Outside Services**

The term of any contract for food service management or consulting services shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such services shall be considered on a year-to-year basis. (Education Code 45103.5; 7 CFR 210.16)

Any contract for management of the food service operation shall be approved by CDE and comply with the conditions in Education Code 49554 and 7 CFR 210.16 as applicable. The district shall retain control of the quality, extent, and general nature of its food services. (Education Code 49554; 42 USC 1758; 7 CFR 210.16)

Any contract for consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (Education Code 45103.5)

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**12. Policy 4151/4251/4351 Employee Compensation**

**Status:** DRAFT

Original Adopted Date: 02/27/2008

In order to recruit and retain employees committed to the district's goals for student learning, the Governing Board recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. These schedules shall comply with law and collective bargaining agreements and shall be printed and made available for review at the district office. (Education Code 45022, 45023, 45160, 45162, 45268)

Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for education level and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

The Board shall determine the frequency and schedule of salary payments, including whether payments for employees who work less than 12 months per year will be made over the course of the school year or in equal installments over the calendar year. However, if the district participates in the Classified School Employee Summer Assistance Program, eligible classified employees may elect to have up to 10 percent of the employee's monthly salary withheld and paid out during the summer recess in either one or two payments. (Education Code 45038, 45039, 45048, 45165, 45500)

In extraordinary circumstances or emergency situations, the Board may determine to continue to compensate employees during periods of extended closure or disruption of normal district operations when permitted by law and consistent with collective bargaining agreements and memoranda of understanding.

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

**Overtime Compensation**

District employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day and/or 40 hours in one work week, or twice their regular rate of pay for any hours worked in excess of 12 hours in one day or eight hours on the seventh consecutive day of work. However, teachers, school administrators, and other employees in positions established by the Board as executive, administrative, or professional shall be exempt from overtime rules. (Education Code 45128, 45130; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided the employee has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within 12 calendar months after making the request if the use of the compensatory time does not unduly disrupt district operations. (Education Code 45129; 29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

## Wage Overpayment

If the district determines an employee has been overpaid, the district shall notify the employee in writing of the overpayment, afford the employee an opportunity to respond before commencing any recoupment actions, and inform the employee of the employee's rights to dispute the existence or amount of the claimed overpayment. If the employee agrees there was an overpayment in the claimed amount, reimbursement shall be made to the district through one of the methods described in Education Code 44042.5 as mutually agreed upon by the employee and the district. (Education Code 44042.5)

If a mutual agreement on a method of reimbursement is not reached, within 30 days of the employee verifying the overpayment amount, the district shall recoup the overpayment through payroll deductions in accordance with Education Code 44042.5.

If the employee does not respond or disputes the existence or amount of the district's claimed overpayment, the district shall, with board approval, initiate a legal action to recover the overpayment. (Education Code 44042.5)

If the employee separates from the district before the overpayment is fully repaid, the district shall withhold the remaining balance due from any money owed to the employee upon separation, provided that the state minimum wage is still paid to the employee as required by Education Code 44042.5. The Superintendent or designee may consult with legal counsel to calculate the amount to withhold.

If an outstanding overpayment balance still remains, the district shall, with Board approval, exercise any legal means to recover the remaining amount owed by the employee. (Education Code 44042.5)

Legal action to recover any overpayment under this policy shall be initiated within three years from the date of the overpayment, which for leave credits is the date that the employee receives compensation in exchange for leave erroneously credited to the employee. (Education Code 44042.5)

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**Policy 4151/4251/4351: Employee Compensation**

**Status:** ADOPTED

Original Adopted Date 02/27/2008

In order to secure and hold staff committed to student learning, the Governing Board recognizes the importance of an attractive compensation package which includes salaries, health benefits and other amenities.

The Board shall adopt separate salary schedules for certificated, classified, and management/supervisory/confidential personnel. These schedules shall comply with law and negotiated agreements and shall be printed and made available for inspection at the district office. Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 4141/4241 - Collective Bargaining Agreement)

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**13. Regulation 4217.3: Layoff/Rehire**

Status: DRAFT

Original Adopted Date: 02/27/2008

Classified employees shall be subject to layoff for lack of work or lack of funds. (Education Code 45114, 45308)

A classified employee shall not be laid off if a short-term employee is retained to render a service that the classified employee is qualified to render. (Education Code 45117)

**Order of Layoff Within a Classification/Determination of Seniority**

Within each class, the order of layoff shall be determined by length of service. (Education Code 45114, 45308)

**OPTION 1: (For districts with average daily attendance (ADA) under 250,000 that do not have an agreement with the exclusive representative of classified employees to determine length of service as employee's date of hire)**

*Length of service* means all hours in paid status, whether during the school year, a holiday, recess, or during any period that school is in session or closed. However, length of service shall not include hours compensated solely on an overtime basis, as provided for Education Code 45128, and shall not include hours for any service performed prior to entering into probationary or permanent status except for service in a restricted position pursuant to Education Code 45105. (Education Code 45308)

The employee who has been employed the shortest time in the class, plus higher classes, shall be laid off first. (Education Code 45308)

For an employee who is a member of the Military Reserve or the National Guard, length of service credit shall be granted for military leave of absence, including voluntary or involuntary active duty during a period of national emergency or war. (Education Code 45297, 45308)

Length of service credit may be granted for time spent on unpaid illness or maternity leave, unpaid family care leave, or unpaid industrial accident leave. Length of service credit shall not be granted for other types of unpaid leaves. (Education Code 45308)

**OPTION 1 ENDS HERE**

**OPTION 2: (For districts with ADA under 250,000 that have an agreement with the exclusive representative of classified employees to determine length of service as employee's date of hire, and for districts with ADA over 250,000)**

Length of service shall be determined by the date of hire. The employee who has been employed the shortest time in the class, plus higher classes, by the district shall be laid off first. (Education Code 45308)

**OPTION 2 ENDS HERE**

For an employee in a "restricted position" under Education Code 45105 or 45259, the original date of employment in the restricted position shall be used to determine the length of service, provided the employee has completed six months of satisfactory service and has successfully passed the qualifying examination required for service in the class. (Education Code 45105)

**Notice of Layoff and Hearing Rights**

Whenever a permanent classified employee is to be laid off for lack of work or lack of funds, the Superintendent or designee shall, no later than March 15 and before the employee is given formal notice by the Governing Board, give to the employee written notice of the recommendation, the reasons that the employee's services will not be required for the ensuing year, any displacement rights, reemployment rights, and the employee's right to a hearing. The district shall adhere to the notice, hearing, and layoff procedures in Education Code 45117, Government Code 11503 and 11505, and other applicable provisions of law. (Education Code 45117)

An employee who is so notified may request a hearing to determine if there is cause for not reemploying the

employee for the ensuing year. The request shall be in writing and shall be delivered to the person who sent notice to the employee, on or before March 15 but not less than seven days after the date the notice is served on the employee. Failure of an employee to request a hearing on or before the date specified shall constitute a waiver of the employee's right to a hearing. (Education Code 45117)

The Superintendent or designee shall serve an employee who timely requests a hearing with District Statement of Reduction in Force documents. The employee has five calendar days from service of the documents to timely file a notice of participation with the district. The parties are entitled to discovery, if requested within 15 days of service. (Education Code 45117)

If a hearing is requested by a permanent classified employee, the proceeding shall be conducted and a decision made by an administrative law judge in accordance with Government Code 11500-11529. At the hearing, the employee may be represented by an attorney or by a nonattorney representative of the employee organization designated as the exclusive representative for classified employees. The Board shall make a final decision regarding the sufficiency of the cause and disposition of the layoff upon receipt of the administrative law judge's proposed decision. None of the findings, recommendations, or determinations in the proposed decision prepared by the administrative law judge shall be binding on the Board. (Education Code 45117)

Following the Board's decision, the Superintendent or designee shall give final notice of termination to the affected employee(s) before May 15 unless a continuance was granted after a request for hearing was made, in which case such date may be extended by the number of days of the continuance. (Education Code 45117)

If during the time between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies, the Board determines that the district's local control funding formula apportionment per unit of ADA for that fiscal year has not increased by at least two percent, and that it is therefore necessary to decrease the number of classified employees due to lack of work or lack of funds, the Board may issue a District Statement of Reduction in Force to those employees in accordance with a schedule of notice and hearing adopted by the Board, and layoff proceedings shall be carried out as required by law. (Education Code 45117)

When classified positions are eliminated as a result of the expiration of a specifically funded program, the district shall give written notice to the affected employee(s) not less than 60 days prior to the effective date of the layoff informing the employee(s) of the layoff date, any displacement rights, and employment rights. (Education Code 45117)

The district is not required to provide a layoff notice to any person hired as a short-term employee for a period not exceeding 60 days whose service may not be extended or renewed. (Education Code 45117)

Additionally, the district may release probationary classified employees without notice or hearing for reasons other than lack of work or lack of funds. (Education Code 45117)

### **Reemployment**

Classified employees laid off because of lack of work or lack of funds shall be eligible for reemployment for a period of 39 months and shall be reemployed in preference to new applicants. Reemployment shall be in order of seniority. Persons so laid off also have the right to apply and establish their qualification for vacant promotional positions within the district during the 39-month period. (Education Code 45114, 45298, 45308)

When a vacancy occurs, the district shall give the employee with the most seniority an opportunity to accept or reject the position, by first calling the employee at the employee's last known telephone number to notify the employee of the vacancy and then sending written notice by certified and standard mail to the employee's last known address. The employee shall advise the district of the decision by any means no later than 10 calendar days from the date the notice was sent. If the employee accepts, the employee shall report to work no later than two calendar weeks from the vacancy notification date or on a later date specified by the district.

In order to be reemployed, the employee must be capable of performing the essential duties of the job with or without reasonable accommodations. When an otherwise eligible employee is unable to perform the essential duties

of the job, the employee shall be kept on the reemployment list until another opportunity becomes available or the period of reemployment eligibility expires, whichever occurs first.

Upon rejecting two offers of reemployment, the employee's name shall be removed from the reemployment list and the employee will forfeit all reemployment rights to which the employee would otherwise be entitled.

When an employee is notified of a vacancy and fails to respond or report to work within time limits specified by district procedures, the employee's name shall be removed from the reemployment list and all reemployment rights to which the employee would otherwise be entitled shall be forfeited.

If an employee is reemployed in a new position and fails to complete the probationary period in the new position, the employee shall be returned to the reemployment list for the remainder of the 39-month period. The remaining time period shall be calculated as the time remaining in the 39-month period as of the date of reemployment. (Education Code 45114, 45298)

### **Reinstatement of Benefits**

When a laid-off employee is reemployed, all accumulated sick leave credit shall be restored.

A laid-off permanent employee shall be reemployed with all rights and benefits accorded at the time of layoff.

A laid-off probationary employee shall be reemployed as a probationary employee, and the previous time served toward the completion of the required probationary period shall be counted. The employee shall also be reemployed with all rights and benefits accorded to a probationary employee at the time of layoff.

A laid-off employee, when reemployed, shall be placed on the salary step held at the time of layoff. An employee who was bumped into a lower class shall, when reinstated to the previous class, be placed on the salary step to which the employee would have progressed had the employee remained there. An adjusted anniversary date shall be established for step increment purposes so as to reflect the actual amount of time served in the district.

### **Voluntary Demotion or Reduction of Hours**

Classified employees who take voluntary demotion or voluntary reduction in assigned time in lieu of layoff, or in order to remain in their present position rather than be reclassified or reassigned, shall be granted the same rights as employees who are laid off. In addition, such employees shall retain eligibility to be considered for reemployment in their previously held class or position with increased assigned time, for an additional period of time up to 24 months as determined by the Board on a class-by-class basis, provided that the same test of fitness under which they qualified for appointment to that class shall still apply. (Education Code 45114, 45298)

Employees who take voluntary demotion or voluntary reduction in assigned time in lieu of layoff shall have the option of returning to a position in their former class or to positions with increased assigned time as vacancies become available and without limitation of time. If there is a valid reemployment list, they shall be ranked on that list in accordance with their proper seniority. (Education Code 45114, 45298)

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**14. Policy 5131.9: Academic Honesty**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008

The Governing Board believes that academic honesty and personal integrity are fundamental components of a student's education and character development. The Board expects that students will not cheat, lie, plagiarize, or commit other acts of academic dishonesty.

Students, parents/guardians, staff, and administrators shall be responsible for creating and maintaining a positive school climate that encourages honesty. Students found to have committed an act of academic dishonesty shall be subject to district and school-site discipline rules.

The Superintendent or designee may establish a committee comprised of students, parents/guardians, staff, administrators, and members of the public to develop standards of academic honesty, measures of preventing dishonesty, and specific consequences for acts of dishonesty. Any recommendations for discipline shall be incorporated into the school's site level discipline rules.

**Prohibited and Permitted Technology Use**

As the district's standards for academic achievement are designed to challenge all students to reach their full potential in acquiring the knowledge and skills needed for success in postsecondary education, employment, and responsible citizenship, any use of technology that prevents or inhibits a student from achieving these standards is prohibited. Prohibited uses include, but are not limited to, using technology primarily or solely for the completion of coursework as a student's original work and generating answers to mathematical, scientific, or analytical problems.

Permitted uses of technology include, but are not limited to, conducting research, correcting grammar and spelling, and learning from educational applications such as tutoring systems and language learning applications.

Additionally, consistent with the limitations expressed in this policy and with teacher consent, students may also use technology to assist with assessments, homework, and/or makeup work or other uses approved by the teacher.

However, a student with a disability shall be permitted to use technology for any purpose identified in the student's individualized education program as a tool to support the student's learning.

If an employee suspects that a student has used technology in violation of this policy, the student shall be given the opportunity to demonstrate that the use of technology was in accordance with this policy.

Any information acquired from an employee's use of technology in determining whether a student has committed an act of academic dishonesty shall be shared with the student, and the student's parent/guardian as appropriate.

The Superintendent or designee may provide training to staff regarding the use of technology to improve education, including the detection of plagiarism and sensitivity to potential discrimination from algorithmic bias.

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**Policy 5131.9: Academic Honesty**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Reviewed Date:** 02/27/2008

The Governing Board believes that academic honesty and personal integrity are fundamental components of a student's education and character development. The Board expects that students will not cheat, lie, plagiarize or commit other acts of academic dishonesty.

Students, parents/guardians, staff and administrators shall be responsible for creating and maintaining a positive school climate that encourages honesty. Students found to have committed an act of academic dishonesty shall be subject to district and school-site discipline rules.

The Superintendent or designee may establish a committee comprised of students, parents/guardians, staff, administrators and members of the public to develop standards of academic honesty, measures of preventing dishonesty, and specific consequences for acts of dishonesty. Any recommendations for discipline shall be incorporated into the school's site level discipline rules.

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**15. Policy 5145.3: Nondiscrimination/Harassment**

**Status:** DRAFT

**Original Adopted Date:** 02/23/2022

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a district school, to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district.

The Board desires to provide a welcoming, safe, and supportive school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived 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, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

Because unlawful discrimination may occur when disciplining students, including suspension and expulsion, the Superintendent or designee shall ensure that staff enforce discipline rules fairly, consistently and in a non-discriminatory manner, as specified in Board Policy and Administrative Regulation 5144 - Discipline, Board Policy and Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process, and Administrative Regulation 5144.2 - Suspension and Expulsion/Due Process (Students With Disabilities).

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's website in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation. (Education Code 234.1, 234.6)

The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be

investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

All allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.

### **Record-Keeping**

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

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**Policy 5145.3: Nondiscrimination/Harassment**

**Status:** ADOPTED

**Original Adopted Date:** 02/23/2022 | **Last Reviewed Date:** 02/23/2022

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

The Governing Board desires to provide a safe school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived 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, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

**Record-Keeping**

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

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**16. Policy 6143: Courses Of Study**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008 | **Last Revised Date:** 06/22/2022

The Governing Board recognizes that a well-aligned sequence of courses fosters academic growth and provides for the best possible use of instructional time. The district's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful academically, professionally, and personally.

The Superintendent or designee shall establish processes for ensuring the articulation of courses across grade levels within the district. As necessary, the Superintendent or designee shall work with representatives of appropriate area districts and postsecondary institutions to ensure articulation of courses with other institutions to which district students may matriculate. The sequence of courses shall be designed to ensure that each course provides adequate preparation for the next course in the sequence, only utilizes prerequisites that are essential to success in a given program or course, avoids significant duplication of content, and allows for reinforcement and progression in the subject matter.

The district shall not provide any course separately or require or refuse participation by any student on the basis of the student's actual or perceived sex, sexual orientation, gender, gender expression, gender identity, ethnic group identification, immigration status, race, ancestry, national origin, religion, color, mental or physical disability, age, medical condition, genetic information, marital status, or any other characteristic listed in Education Code 200 and 220, Government Code 11135, or Penal Code 422.55, or the student's association with a person or group with one or more of such actual or perceived characteristics. (Education Code 200, 220; Government Code 11135; Penal Code 422.55; 5 CCR 4940)

**Elementary Grades**

The Board shall adopt a course of study for elementary grades that sufficiently prepares students for the secondary course of study.

**Secondary Grades**

The district shall offer all otherwise qualified students in grades 7-12 a course of study that prepares them for, upon graduation from high school, to meet the requirements and prerequisites for admission to California public colleges and universities and to attain entry-level employment skills in business or industry. The district's course of study may provide for a rigorous academic curriculum that integrates academic and career skills, includes applied learning across all disciplines, and prepares all students for high school graduation and career entry. (Education Code 51228)

In addition, the course of study for students in grades 9-12 shall include instruction in skills and knowledge for adult life, career technical training, and a timely opportunity for all otherwise qualified students to enroll, within four years, in each course necessary to fulfill the requirements and prerequisites for admission to California public colleges and universities prior to graduation. (Education Code 51224, 51228) The Superintendent or designee shall develop a process by which courses that meet California college admission criteria (referred to as "A-G" course requirements) are submitted to the University of California for review and certification. The Superintendent or designee shall maintain an accurate list of all current high school courses that have been so certified, shall ensure that the list is provided annually to all students in grades 9-12 and their parents/guardians, and shall make updated lists readily available. (Education Code 51229, 66204)

**Policy 6143: Courses Of Study**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Revised Date:** 06/22/2022 | **Last Reviewed Date:** 06/22/2022

The Governing Board recognizes that a well-aligned sequence of courses fosters academic growth and provides for the best possible use of instructional time. The district's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful academically, professionally, and personally.

The district shall not provide any course separately or require or refuse participation by any student on the basis of the student's actual or perceived sex, sexual orientation, gender, gender expression, gender identity, ethnic group identification, immigration status, race, ancestry, national origin, religion, color, mental or physical disability, or any other characteristic listed in Education Code 200 and 220, Government Code 11135, or Penal Code 422.55, or the student's association with a person or group with one or more of such actual or perceived characteristics. (Education Code 200, 220; Government Code 11135; Penal Code 422.55; 5 CCR 4940)

**Elementary Grades**

The Board shall adopt a course of study for elementary and secondary grades (7-8) grades that sufficiently prepares students for the secondary course of study.

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**Regulation 6143: Courses Of Study**

Status: DRAFT

Original Adopted Date: 02/27/2008 | Last Revised Date: 06/22/2022

**Grades 1-6**

Courses of study for grades 1-6 shall include the following:

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition (Education Code 51210)
2. Mathematics: concepts, operational skills, and problem solving (Education Code 51210)
3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, and history, political science, psychology, and sociology, including instruction in: (Education Code 51210)
  - a. The history, resources, development, and government of California and the United States

Instruction shall include the early history of California and a study of the role and contributions of people of all genders, Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, and members of other ethnic, cultural, religious, and socioeconomic status groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society. (Education Code 51204.5, 60040)

- b. The development of the American economic system, including the role of the entrepreneur and labor
  - c. The relations of persons to their human and natural environments
  - d. Eastern and western cultures and civilizations
  - e. Contemporary issues
  - f. The wise use of natural resources
4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems (Education Code 51210)
5. Visual and performing arts: instruction in dance, music, theatre, and visual arts aimed at developing aesthetic appreciation and creative expression (Education Code 51210)
6. Health: principles and practices of individual, family, and community health, including instruction at the appropriate grade levels and subject areas in: (Education Code 51202, 51210)
  - a. Personal and public safety and accident prevention, including instruction in emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation (CPR) when appropriate equipment is available
  - b. Fire prevention
  - c. The protection and conservation of resources, including the necessity for the protection of the environment
  - d. Venereal disease
  - e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body
  - f. Violence as a public health issue

- g. Mental Health, that provides for reasonably designed instruction on the overarching themes and core principles of mental health, which includes: (Education Code 51925)
- i. Defining the signs and symptoms of common mental health challenges
  - ii. Explaining evidence-based services and supports that effectively help individuals manage mental health challenges
  - iii. Promoting mental health wellness and protective factors, including positive development, social and cultural connectedness and supportive relationships, resiliency, problem-solving skills, coping skills, self-esteem, and a positive school and home environment in which students feel comfortable
  - iv. Identifying warning signs of common mental health problems in order to promote awareness and early intervention so that students know to take action before a situation turns into a crisis, including how to obtain assistance from the district or the community for themselves or others and evidence-based and culturally responsive practices that are proven to help overcome mental health challenges
  - v. Connecting the importance of mental health to overall health and academic success and to co-occurring conditions, such as chronic physical conditions, chemical dependence, and substance abuse
  - vi. Conveying an awareness and appreciation about the prevalence of mental health challenges across all populations, races, ethnicities, and socioeconomic statuses, including the impact of race, ethnicity, and culture on the experience and treatment of mental health challenges
  - vii. Understanding the stigma surrounding mental health challenges and what can be done to overcome stigma, increase awareness, and promote acceptance, including, to the extent possible, classroom presentations of narratives by trained peers and other individuals who have experienced mental health challenges and how they coped with their situations, including how they sought help and acceptance

Mental health instruction offered by the district shall: (Education Code 51926)

1. Be appropriate for use with students of all races, genders, sexual orientations, ethnic and cultural backgrounds, students with disabilities, and English learners
2. Be accessible to students with disabilities, including, but not limited to, providing a modified curriculum, materials, and instruction in alternative formats, and auxiliary aids
3. Not reflect or promote bias against any person on the basis of any category protected by Education Code 220
4. Be coordinated with any existing on-campus mental health providers including, but not limited to, providers with a pupil personnel services credential, who may be immediately called upon by students for assistance

Students receiving mental health instruction shall not be required to disclose their confidential health or mental health information at any time in the course of receiving the instruction. (Education Code 51927)

7. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind
8. Violence awareness and prevention
9. Career awareness exploration

## Grades 7-12

8 Courses of study for grades 7-12 shall include the following:



1. English: knowledge and appreciation of literature, language, and composition, and the skills of reading, listening, and speaking (Education Code 51220)
2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, and political science, psychology, and sociology, with instruction in: (Education Code 51220)
  - a. The history, resources, development, and government of California and the United States, including instruction in:
    - i. The early history of California and a study of the role and contributions of people of all genders, Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, and members of other ethnic, cultural, religious, and socioeconomic status groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society (Education Code 51204.5, 60040)
    - ii. World War II, including the role of Americans and Filipino Americans who served in the United States Army during that time
    - iii. The Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war
    - iv. The Bracero program, in which there was a 1942 agreement between the United States and Mexico authorizing the temporary migration of laborers to the United States
  - b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions  
  
This course may include participation in a teen court or peer court program. (Education Code 51220.2)
  - c. The development of the American economic system, including the role of the entrepreneur and labor
  - d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)
  - e. Eastern and western cultures and civilizations
  - f. Human rights issues, with particular attention to the study of the inhumanity of genocide, which may include, but is not limited to, the Armenian, Cambodian, Darfur, and Rwandan genocides, slavery, and the Holocaust
  - g. Contemporary issues
3. World language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (Education Code 51220)
4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)
5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)
6. Mathematics: mathematical understandings, operational skills, and problem-solving procedures; algebra (Education Code 51220, 51224.5)
7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)
8. Applied arts: consumer education, family and consumer sciences education, industrial arts, general business education, or general agriculture (Education Code 51220)

9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)
10. Comprehensive sexual health and HIV prevention (Education Code 51225.36, 51934)
11. Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)
  - a. Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and CPR when appropriate equipment is available Instruction shall be provided in compression-only CPR based on national guidelines and shall include hands-on practice (Education Code 51225.6)
  - b. Fire prevention
  - c. The protection and conservation of resources, including the necessity for the protection of the environment
  - d. Venereal disease
  - e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body
  - f. Prenatal care for pregnant individuals
  - g. Violence as a public health issue
  - h. Mental Health, that provides for reasonably designed instruction on the overarching themes and core principles of mental health, which includes: (Education Code 51925)
    - i. Defining the signs and symptoms of common mental health challenges
    - ii. Explaining evidence-based services and supports that effectively help individuals manage mental health challenges
    - iii. Promoting mental health wellness and protective factors, including positive development, social and cultural connectedness and supportive relationships, resiliency, problem-solving skills, coping skills, self-esteem, and a positive school and home environment in which students feel comfortable
    - iv. Identifying warning signs of common mental health problems in order to promote awareness and early intervention so that students know to take action before a situation turns into a crisis, including how to obtain assistance from the district or the community for themselves or others and evidence-based and culturally responsive practices that are proven to help overcome mental health challenges
    - v. Connecting the importance of mental health to overall health and academic success and to co-occurring conditions, such as chronic physical conditions, chemical dependence, and substance abuse
    - vi. Conveying an awareness and appreciation about the prevalence of mental health challenges across all populations, races, ethnicities, and socioeconomic statuses, including the impact of race, ethnicity, and culture on the experience and treatment of mental health challenges
    - vii. Understanding the stigma surrounding mental health challenges and what can be done to overcome stigma, increase awareness, and promote acceptance, including, to the extent possible, classroom presentations of narratives by trained peers and other individuals who have experienced mental health challenges and how they coped with their situations, including how they sought help and acceptance

Mental health instruction offered by the district shall: (Education Code 51926)

1. Be appropriate for use with students of all races, genders, sexual orientations, ethnic and cultural backgrounds, students with disabilities, and English learners

2. Be accessible to students with disabilities, including, but not limited to, providing a modified curriculum, materials, and instruction in alternative formats, and auxiliary aids
3. Not reflect or promote bias against any person on the basis of any category protected by Education Code 220
4. Be coordinated with any existing on-campus mental health providers including, but not limited to, providers with a pupil personnel services credential, who may be immediately called upon by students for assistance

Students receiving mental health instruction shall not be required to disclose their confidential health or mental health information at any time in the course of receiving the instruction. (Education Code 51927)

12. Violence awareness and prevention

13. Ethnic studies

Commencing in the 2025-26 school year, the district shall offer a one-semester course in ethnic studies

In addition, the course of study for grade 7 and/or 8 may include parenting skills and education, including, but not limited to, child growth and development, parental responsibilities, household budgeting, child abuse and neglect issues, personal hygiene, maintenance of healthy relationships, teen parenting issues, and self-esteem. (Education Code 51220.5)

High schools shall offer automobile driver education that includes instruction in: (Education Code 51220, 51220.1, 51220.4)

1. Vehicle Code provisions and other relevant state laws
2. Proper acceptance of personal responsibility in traffic
3. Appreciation of the causes, seriousness, and consequences of traffic accidents
4. Knowledge and attitudes necessary for the safe operation of motor vehicles
5. The safe operation of motorcycles
6. The dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle
7. The rights and duties of a motorist as they pertain to pedestrians and the rights and duties of pedestrians as they pertain to traffic laws and traffic safety

**Certification of College Preparatory Courses**

The Superintendent or designee shall identify district courses that may qualify for designation as "A-G" college preparatory courses, including courses in history-social science, English, mathematics, laboratory science, languages other than English, visual and performing arts, career technical education, and college preparatory electives. The Superintendent or designee shall submit any necessary information regarding each identified course to UC for "A-G" designation.

**Notification and Information to Students in Grades 9-12**

At the beginning of each school year, the Superintendent or designee shall provide written notice to parents/guardians of students in grades 9-12 that, to the extent possible, shall not exceed one page in length and that includes all of the following: (Education Code 51229)

1. A brief explanation of the course requirements for admission to UC and CSU

2. A list of the current UC and CSU websites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU
3. A brief description of what career technical education is, as defined by the California Department of Education (CDE)
4. The Internet address for the portion of CDE's website where students can learn more about career technical education
5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or enroll in career technical education courses

The Superintendent or designee shall provide information to students and parents/guardians regarding the completion and submission of the Free Application for Federal Student Aid (FAFSA) and/or the California Dream Act Application (CADAA) at least once before grade 12. (Education Code 51225.8)

#### **Financial Aid Requirements for Students in Grade 12**

The Superintendent or designee shall ensure that each student in grade 12 completes and submits a FAFSA to the U.S. Department of Education or, if a student is exempt from paying nonresident tuition, a CADAA to the Student Aid Commission (CSAC), unless either: (Education Code 51225.7)

1. The student's parent/guardian, emancipated minor, or student age 18 years or older submits an opt-out form to the district
2. If the district determines that a student is unable to complete a requirement of Education Code 51225.7, the district shall exempt the student or the student's parent/guardian from completing the FAFSA, CADAA, or opt-out form and shall complete and submit an opt-out form on the student's behalf

The Superintendent or designee shall ensure that each high school student in grade 12, and if applicable, the student's parent/guardian, be directed to any support and assistance necessary to complete the FAFSA and/or CADAA that may be available through outreach programs, including, but not limited to, programs operated by CSAC, postsecondary immigration resource centers, college readiness organizations, community-based organizations, and/or legal resource organizations. (Education Code 51225.7)

Information shared by students and parents/guardians in completing and submitting the FAFSA and/or CADAA shall be handled in compliance with the federal Family Rights and Privacy Act and applicable state law, regardless of any person's immigration status or other personal information. (Education Code 51225.7)

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**Regulation 6143: Courses Of Study**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Revised Date:** 06/22/2022 | **Last Reviewed Date:** 06/22/2022

**Grades 1-6**

Courses of study for grades 1-6 shall include the following:

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition (Education Code 51210)
2. Mathematics: concepts, operational skills, and problem solving (Education Code 51210)
3. Social sciences: age-appropriate instruction drawing in:
  - a. The community and the world around us
  - b. The history, resources, development, and government of California and the United States
  - c. Eastern and Western civilizations
  - d. The wise use of natural resources
4. Science: biological and physical aspects, with emphasis on inquiry and the place of humans in ecological systems (Education Code 51210)
5. Visual and performing arts: instruction in dance, music, theatre, and visual arts aimed at developing aesthetic appreciation and creative expression (Education Code 51210)
6. Health: principles and practices of a healthy lifestyle (Education Code 51202, 51210)
  - a. Personal safety and school resources
  - b. Fire prevention
  - c. The protection and conservation of resources
  - d. The effects of drugs and alcohol
7. Physical education: with emphasis on physical activities conducive to health of body and mind (Education Code 51210)
8. Career awareness exploration

**Grades 7-12**

Courses of study for grades 7-12 shall include the following:

1. English: knowledge and appreciation of literature, language, and composition, and the skills of reading, listening, and speaking (Education Code 51220)
2. Social sciences: age-appropriate instruction drawing upon the disciplines of economics, geography, history, political science, with instruction in: (Education Code 51220)
  - a. The history, resources, development, and government of California and the United States, including instruction in:
    - i. The early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States (Education Code 51204.5)
  - b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the

rights and duties of citizens under the criminal and civil law and the state and federal constitutions

This course may include participation in a teen court or peer court program. (Education Code 51220.2)

- c. The development of the American economic system, including the role of the entrepreneur and labor
  - d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)
  - e. Eastern and western cultures and civilizations
  - f. Contemporary issues
3. World language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (Education Code 51220)
  4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)
  5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)
  6. Mathematics: mathematical understanding of concepts, operational and computational skills, and problem-solving strategies and procedures (Education Code 51220, 51224.5)
  7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)
  8. Career technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)
  9. Comprehensive sexual health and HIV prevention (Education Code 51225.36, 51934)
  10. Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)
    - a. The effects of alcohol, drugs and tobacco
    - b. Violence protection and awareness
    - c. Community School resources
    - d. Protection and conservation of natural resources including fire prevention
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**17. Policy 6154: Homework/Makeup Work**

Status: DRAFT

Original Adopted Date: 02/27/2008

The Governing Board recognizes that meaningful homework assignments can be a valuable extension of student learning time, provide enrichment, and assist students in developing good study habits. Homework and/or makeup work shall be assigned when necessary to support classroom lessons, enable students to complete unfinished assignments, or review and apply academic content for better understanding.

Students may use technology to assist with homework and/or makeup work in conducting research, correcting grammar and spelling, and learning from educational applications such as tutoring systems and language learning applications, as specified in Board Policy 5131.9 - Academic Honesty and Board Policy 6163.4 - Student Use of Technology.

The Superintendent or designee shall collaborate with school administrators and teachers to develop and regularly review guidelines for the assignment of homework and the related responsibilities of students, staff, and parents/guardians.

Homework assignments shall be reasonable in length and appropriate to the grade level and course. The Board expects that the number, frequency, and degree of difficulty of homework assignments will increase with the grade level and the maturity of students. Teachers shall assign homework only as necessary to fulfill academic goals and reinforce current instruction.

~~As needed, teachers may receive training in designing relevant homework assignments that reinforce classroom learning objectives and inspire students' interests.~~

Although on-time completion of homework is important to maintain academic progress, the Board recognizes that students learn at different rates. Students shall receive credit for work that is completed late in order to encourage their continued learning.

~~Age-appropriate instruction may be given to help students allocate their time wisely, meet their deadlines, learn to work independently, and develop good personal study habits.~~

At the beginning of the school year, teachers shall communicate homework expectations to students and their parents/guardians. ~~Homework guidelines shall also be included in student and/or parent/guardian handbooks. These communications shall include the manner in which homework relates to achievement of academic standards and course content, the impact of homework assignments on students' grades, any school resources and programs that are available to provide homework support, and ways in which parents/guardians may appropriately assist their children.~~

Although it is the student's responsibility to undertake assignments independently, parents/guardians may serve as a resource and are encouraged to ensure that their child's homework assignments are completed. Students may also work with other students and use approved outside resources as directed by the teacher.

To further support students' homework efforts, the Superintendent or designee may ~~establish and maintain electronic forums, provide access to school library media centers and technological resources, and/or provide~~ before-school and after-school programs where students can receive homework assistance from teachers, volunteers, and/or student tutors. The Board encourages the Superintendent or designee to design class and transportation schedules that will enable students to make use of homework support services.

~~Teachers shall review all completed homework to assess the student's understanding of academic content and shall provide timely feedback to the student.~~

If a student repeatedly fails to complete homework, the teacher shall notify the student's parents/guardians as soon as possible so that corrective action can be taken prior to the release of any final grades or report cards.

## **Makeup Work**

Students who are absent from school shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive **full** credit for work satisfactorily completed within a reasonable period of time.

The Superintendent or designee shall notify parents/guardians that no student may have a grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205. (Education Code 48980)

## **Suspended Students**

When a parent/guardian of a student who has been suspended for two or more school days requests homework that the student would otherwise have been assigned, the student's teacher shall provide such homework. If a homework assignment is requested and is turned in to the teacher by the student either upon the student's return from suspension or within the timeframe originally prescribed by the teacher, whichever is later, and is not graded before the end of the academic term, the homework assignment shall not be included in the calculation of the student's overall grade in the class. (Education Code 48913.5)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the suspension. (Education Code 48913)

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**Policy 6154: Homework/Makeup Work**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Reviewed Date:** 02/27/2008

The Governing Board recognizes that homework contributes toward building responsibility, self-discipline and life-long learning habits, and that time spent on homework directly influences students' ability to meet the district's academic standards. The Board expects students, parents/guardians and staff to view homework as a routine and important part of students' daily lives.

The Superintendent or designee shall ensure that administrators and teachers develop and implement an effective homework plan at each school site. As needed, teachers may receive training in designing relevant, challenging and meaningful homework assignments that reinforce classroom learning objectives. Teachers' expectations related to homework may be addressed in their evaluations.

Although it is the student's responsibility to do most homework assignments independently, the Board expects teachers at all grade levels to use parents/guardians as a contributing resource. When students repeatedly fail to do their homework, parents/guardians shall be notified and asked to contact the teacher.

To further support students' homework efforts, the Superintendent or designee may establish and maintain telephone help lines and/or after-school centers where students can receive encouragement and clarification about homework assignments from teachers, volunteers and/or more advanced students who are performing community service. The Board encourages the Superintendent or designee to design class and transportation schedules that will enable students to make use of homework support services.

**Makeup Work**

Students who miss school work because of an excused absence shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time. (Education Code 48205)

Students who miss school work because of unexcused absences shall be given the opportunity to make up missed work. Teachers shall assign such makeup work as necessary to ensure academic progress, not as a punitive measure.

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**18. Regulation 6154: Homework/Makeup Work**

**Status:** ADOPTED

**Original Adopted Date:** 12/12/2001 | **Last Reviewed Date:** 12/12/2001

**Time Expectations**

Teachers usually assign homework based on the amount of time it would take an average student in a classroom situation to complete.

**Weekly**

Homework may be given up to four nights per week. It is usually due the next day, but may be assigned for the end of the week or to be completed over the weekend.

**Daily Time Allotment**

1. 1. Kindergarten

Up to 15 minutes per night of assigned homework which may include reading.

2. 2. First Grade

Up to 10 minutes per night of assigned homework plus 15-20 minutes of reading.

3. 3. Second Grade

Up to 20 minutes per night of assigned homework plus 15-20 minutes of reading.

4. 4. Third Grade

5. Up to 30 minutes per night of assigned homework plus 20-30 minutes of reading.

6. 5. Fourth Grade

7. Up to 40 minutes per night of assigned homework plus 20-30 minutes of reading.

8. 6. Fifth Grade

9. Up to 50 minutes per night of assigned homework plus 20-30 minutes of reading.

10. 7. Sixth Grade

11. Up to 60 minutes per night of assigned homework plus 20-30 minutes of reading.

12. 8. Seventh/Eighth Grade

13. Up to 90 minutes per night of assigned homework plus 20-30 minutes of reading.

It is recommended that teachers work toward the maximum minutes required for reading as the year progresses. The minimum minutes of reading per grade level should be expected during the first two trimesters as we work toward the maximum number in the third trimester.

**Grading**

Homework should be reflected on the Trimester Report Card in the following categories:

1. Grades K-3rd

It should be reflected as an "Effort" grade under Social Skills and Work Habits.

2. Grades 4th-6th

It should be reflected as both an "Effort" grade and 10 percent of the "Letter" grade in the appropriate subject areas.

3. Grades 7th-8th

It should be reflected in 20 percent to 30 percent of the letter grade.

## **Revisions**

### **Grades 3rd-6th**

Sometimes, students earn a score on work that is below the standard they (and their parents/guardians and teachers) have set for themselves. Every student has an opportunity to re-do homework that earned a grade of "D", "F" or "unsatisfactory." A student who wishes to re-do an assignment must follow these guidelines:

1. Tests and projects are not eligible for revision.
2. Student must attach a copy of the original assignment to the revision.
3. The teacher will determine the amount of time a student will have to complete the revision.
4. The original grade and the revised grade are averaged to a new grade. (For example, the original work earns 55 percent, the revision earns 100 percent, the new grade is 78 percent)

### **Grades 7th-8th**

Revisions cannot be made on daily homework assignments. However, revisions can be made on projects and written assignments.

### **Late and Missing Work**

We encourage students to turn in all work on time; however, we understand that occasionally circumstances beyond the student's control result in homework not being completed on time. The teacher and student will discuss these occurrences on a case-by-case basis. In grades 7th and 8th, students may turn in late or missing work if it is a project or written assignment after consultation with the teacher.

### **Teacher Feedback on Homework Assignments**

Providing feedback on homework serves to enhance student achievement. While not all homework receives the same level of teacher attention, students benefit from specific teacher feedback including both strengths and weaknesses.

Feedback should be given in a timely and varied manner. Grades, comments, rubrics, student self checks, and peer checks are examples of effective feedback.

### **Parent Communication**

On going communication between the school and home is vital to the education of our students. Teachers need to establish clear expectations to students and parents/guardians, early in the year, regarding the role of homework. Specific information will be provided at the annual Back to School Nights at each campus.

Information will include:

1. Time expectations
2. The role of parents/guardians should play in assisting students
3. Grading/feedback practices
4. Opportunities and responsibilities for parents and students to communicate with the teacher and/or school

Additional communication will take place throughout the year through conferences, report cards and other student/teacher/parents contacts.

### **Coordinating Assignments**

When students have more than one teacher or one involved in specific programs; e.g., GATE, teachers shall coordinate homework assignments to ensure that time expectations are not exceeded.

### **The Purpose of Homework**

Homework can be assigned for different purposes and students should be aware of the reason(s) they are given assignments to complete at home.

The major purposes for homework include the following:

1. To review and practice what has been presented in class. Practicing a skill with which students are unfamiliar is inefficient and could serve to create errors and misunderstandings.
2. To help students get ready for the next day's class.
3. To help students learn to use resources, such as libraries, reference materials and technology.
4. To allow students to explore subjects more fully than time permits in the classroom.
5. To help teachers assess student understanding.
6. To give students the opportunity to apply learning to practical situations.
7. To encourage students to think critically through the use of problem solving activities, reading selections, math word problems and research projects in general.
8. To teach children the fundamentals of working independently.
9. To encourage self-discipline and responsibility, as assignments provide some youngsters with their first chance to manage time and meet deadlines.

Homework is meant to be a positive experience and to encourage children to learn. Assignments should not be used as punishment.

#### **Homework During Holidays and Extended Vacation Periods**

Homework will not be assigned. Students may choose to use this time for additional reading or to work on a long-term project, but such work should not be mandatory.

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**19. Policy 6161.1: Selection And Evaluation Of Instructional Materials**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008

The Governing Board desires that district instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, accurately reflect and value society's diversity, stimulate thought, the exploration of ideas and intellectual exchanges, and enhance instructors' ability to educate all students through the use of multiple teaching strategies and technologies. The Board shall adopt instructional materials based on a determination that such materials are an effective learning resource to help students achieve grade-level competency and that the materials meet criteria specified in law. Textbooks, technology-based materials, and other educational materials shall be aligned with academic content standards and the district's curriculum to ensure that they effectively support the district's adopted courses of study.

The Board shall select instructional materials for use in grades K-8 that have been approved by the State Board of Education (SBE) or that have, during the district's review process, been determined to be aligned with the state academic content standards adopted by SBE, which includes instructional materials for mathematics and English language arts that are aligned to Common Core State Standards. (Education Code 60200, 60210)

~~The Board shall adopt instructional materials for grades 9-12 upon determining that the materials meet the criteria specified in law and the accompanying administrative regulation. (Education Code 60400) In selecting or adopting instructional materials, the Board shall consider the recommendation of the Superintendent or designee and/or an advisory committee established to review the materials. The degree to which every student has sufficient access to standards-aligned instructional materials shall be included in the district's local control and accountability plan. (Education Code 52060)~~

**Sufficiency of Instructional Materials and Public Hearing**

The Board shall annually conduct one or more public hearings on the sufficiency of the district's instructional materials, including textbooks, technology-based materials, other educational materials, and tests. Technology-based materials include, but are not limited to, software programs, video disks, compact disks, optical disks, video and audio tapes, lesson plans, databases, and the electronic equipment required to make use of those materials by students and teachers as a learning resource. (Education Code 60010, 60119)

The hearing shall be held on or before the end of the eighth week from the first day students attend school for that year. (Education Code 60119)

The Board encourages participation by parents/guardians, teachers, interested community members, and bargaining unit leaders at the hearing. Ten days prior to the hearing, the Superintendent or designee shall post a notice in three public places within the district containing the time, place, and purpose of the hearing. The hearing shall not take place during or immediately following school hours. (Education Code 60119)

At the hearing(s), the Board shall determine, through a resolution, whether each student in each school, including each English learner, has sufficient textbooks and/or other instructional materials that are aligned to the content standards adopted by SBE and consistent with the content and cycles of the curriculum framework adopted by SBE in each of the following subjects: (Education Code 60119)

1. Mathematics
2. Science
3. History-social science
4. English language arts, including the English language development component of an adopted program
5. World language

## 6. Health

The Board shall also determine the availability of science laboratory equipment, as applicable to science laboratory courses offered in grades 9-12. (Education Code 60119) In making these determinations, the Board shall consider whether each student has sufficient textbooks or other instructional materials to use in class and to take home. This does not require that each student have two sets of materials. However, materials shall not be considered sufficient if they are photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage. (Education Code 60119) If materials are in a digital format, they shall be considered sufficient as long as each student, at a minimum, has and can access the same materials in the class and to take home as all other students in the same class or course in the district, and has the ability to use and access them at home. (Education Code 60119)

If the Board determines that there are insufficient textbooks or other instructional materials, the Board shall, by resolution, provide information to classroom teachers and to the public setting forth, for each school in which an insufficiency exists, the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area and the reasons that each student does not have sufficient textbooks and/or instructional materials. The Board shall submit a copy of the resolution to the County Superintendent of Schools no later than three business days after the hearing. The Board shall take any action to ensure that each student has sufficient materials within two months of the beginning of the school year in which the determination is made. (Education Code 60119)

In addition, if the County Superintendent, in accordance with Education Code 1240, makes the district aware of a school that does not have sufficient textbooks or instructional materials, the district shall take any action to ensure that each student has sufficient materials within two months of the beginning of the school year.

### **Prohibition Against Refusal to Approve or Prohibit the Use of Specified Instructional Materials**

The use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

### **Complaints**

Complaints concerning instructional materials shall be handled in accordance with Board Policy 1312.2 - Complaints Concerning Instructional Materials, Board Policy 1312.3 - Uniform Complaint Procedures, or Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures, as applicable.

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**Policy 6161.1: Selection And Evaluation Of Instructional Materials**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Reviewed Date:** 02/27/2008

The Governing Board desires that district instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, reflect the diversity of our society, and enhance the use of multiple teaching strategies and technologies. The Board shall adopt instructional materials based on a determination that such materials are aligned with the state content standards, meet other criteria specified in law, and are an effective learning resource to help students achieve grade-level competency.

To ensure that instructional materials effectively support the district's adopted courses of study, the selection of textbooks, technology-based materials, other educational materials, and tests shall be aligned with the development and evaluation of the district's curriculum and standards.

The Superintendent or designee shall establish a process by which instructional materials shall be reviewed for recommendation to the Board. This process shall involve teachers in a substantial manner and shall also encourage the participation of parents/guardians and community members.

All recommended instructional materials shall be available for public inspection at the district office.

Individuals who participate in selecting and evaluating instructional materials shall not have a conflict of interest in the materials being reviewed, as defined in administrative regulation.

Complaints concerning instructional materials shall be handled in accordance with law, Board policy, and administrative regulation.

In accordance with the Instructional Materials Funding Realignment Program, the Board's priority in the selection of instructional materials is to ensure that all students are provided with instructional materials that are aligned to state content standards in the core curriculum areas of reading/language arts, mathematics, science, and history/social science. Students in grades K-8 shall be provided with instructional materials adopted by the State Board of Education.

When the Board determines that standards-aligned textbooks and instructional materials have been provided to all students in accordance with Education Code 60422, it shall so certify. A copy of the certification shall be kept on file in the district office.

The Superintendent or designee shall ensure that the district satisfies the criteria necessary to access funds under the state's Pupil Textbook and Instructional Materials Incentive Account pursuant to Education Code 60252.

The district may pilot instructional materials, using a representative sample of classrooms for a specified period of time during a school year, in order to determine how well the materials support the district's curricular goals and academic standards. Feedback from teachers piloting the materials shall be made available to the Board before the materials are adopted.

**Public Hearing on Sufficiency of Instructional Materials**

The Board shall annually conduct one or more public hearings on the sufficiency of the district's instructional materials. At the hearing(s), the Board shall determine, through a resolution, whether each student in each school has sufficient textbooks and/or instructional materials that are aligned to the state content standards adopted pursuant to Education Code 60605 in each of the following subjects: (Education Code 60119)

1. Mathematics
2. Science
3. History/social science
4. English language arts, including the English language development component of an adopted program

The Board shall also make a written determination as to whether each student enrolled in a foreign language or health course has sufficient textbooks or instructional materials that are consistent with the content and cycles of the state curriculum frameworks. (Education Code 60119)

The hearing shall take place on or before the end of the eighth week from the first day students attend school for that year. (Education Code 60119)

The Board encourages participation by parents/guardians, teachers, interested community members, and bargaining unit leaders at the hearing. The Superintendent or designee shall post, 10 days prior to the hearing and in three public places within the district, a notice containing the time, place, and purpose of the hearing. The hearing shall not take place during or immediately following school hours. (Education Code 60119)

If the Board determines that there are insufficient textbooks and/or instructional materials, the Board shall provide information to classroom teachers and to the public, setting forth for each school in which an insufficiency exists, the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area, and the reasons that each student does not have sufficient textbooks and/or instructional materials. The Board shall take any action, except an action that would require reimbursement by the Commission of State Mandates, to ensure that each student has sufficient materials within two months of the beginning of the school year in which the determination is made. (Education Code 60119)

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**Regulation 6161.1: Selection And Evaluation Of Instructional Materials**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008

**Review Process**

The district's review process for evaluating instructional materials shall involve teachers in a substantial manner and shall encourage the participation of parents/guardians and community members in accordance with Education Code 60002. The review process may also involve administrators, other staff who have subject-matter expertise, and students as appropriate. The Superintendent or designee shall seek input from stakeholders with diverse backgrounds and perspectives.

If the district is considering the use of instructional materials for grades K-8 that have not been adopted by the State Board of Education (SBE), the Superintendent or designee shall ensure that a majority of the participants in the district's review process are classroom teachers who are assigned to the subject area or grade level of the materials. (Education Code 60210)

The Superintendent or designee may establish an advisory committee to conduct the review of instructional materials.

The Superintendent or designee shall present to the Governing Board recommendations for instructional materials and documentation that supports the recommendations.

All recommended instructional materials shall be available for public inspection at the district office.

When possible, the district may pilot instructional materials in a representative sample of classrooms for a specified period of time during a school year, in order to determine the extent to which the materials support the district's curricular goals and academic standards, and accurately reflect and value society's diversity. Feedback from teachers piloting the materials shall be made available to the Board before the materials are adopted.

**Criteria for Selection and Adoption of Instructional Materials**

In recommending instructional materials for adoption by the Board, the Superintendent or designee shall ensure that the materials:

1. Are aligned to the content standards adopted by SBE and consistent with the content and cycles of the curriculum framework adopted by SBE

For grades K-8, only instructional materials on the list of materials adopted by SBE and/or other instructional materials that have not been adopted by SBE but are aligned with the state academic content standards or the Common Core State Standards may be recommended for selection. (Education Code 60200, 60210)

For grades 9-12, instructional materials in history-social science, mathematics, English/language arts, and science shall be reviewed using a standards map in order to determine the extent to which the materials are aligned to state academic content standards.

2. Do not reflect adversely upon persons because of any characteristic specified in law and Board Policy 0410 – Nondiscrimination in District Programs and Activities, nor contain any sectarian or denominational doctrine or propaganda contrary to law (Education Code 51501, 60044)
3. To the satisfaction of the Board, are accurate, objective, current, and suited to the differing needs and comprehension of district students at their respective grade levels (Education Code 60045)
4. With the exception of literature and tradebooks, use proper grammar and spelling (Education Code 60045)
5. Do not expose students to a commercial brand name, product, or corporate or company logo unless the Board

makes a specific finding that the use is appropriate based on one of the following: (Education Code 60048, 60200)

- a. The commercial brand name, product, or corporate or company logo is used in text for an educational purpose as defined in guidelines or frameworks adopted by SBE
  - b. The appearance of a commercial brand name, product, or corporate or company logo in an illustration is incidental to the general nature of the illustration
6. Meet the requirements of Education Code 60040-60043 for specific subject content, including, but not limited to:
- a. Accurately portraying society's cultural and racial diversity, including:
    - i. The contributions of all genders in all types of roles, including professional, vocational, and executive roles
    - ii. The role and contributions of Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, and members of other ethnic, cultural, religious, and socioeconomic groups to the total development of California and the United States
    - iii. The role and contributions of the entrepreneur and labor in the total development of California and the United States
  - b. Accurately portraying humanities place in ecological systems and the necessity for the protection of the environment
  - c. Accurately portraying the effects on the human system of the use of tobacco, alcohol, and narcotics, and restricted dangerous drugs as defined in Health and Safety Code 11032, and other dangerous substances
  - d. Encouraging thrift, fire prevention, and the humane treatment of animals and people
  - e. Requiring, when appropriate to the comprehension of students, that textbooks for social science, history, or civics classes contain the Declaration of Independence and the United States Constitution
7. Support the district's adopted courses of study and curricular goals, including the district's local control and accountability plan
8. Contribute to a comprehensive, balanced curriculum
9. Demonstrate reliable quality of scholarship as evidenced by:
- a. Accurate, up-to-date, and well-documented information
  - b. Objective presentation of diverse viewpoints
  - c. Clear, concise writing and appropriate vocabulary
  - d. Thorough treatment of subject matter
10. Provide for a wide range of materials at all levels of difficulty, with appeal to students of varied interests, abilities, and developmental levels
11. Stimulate discussion of contemporary issues, exploration of ideas, and intellectual exchanges, and improve students' thinking and decision-making skills
12. As appropriate, have corresponding versions available in languages other than English
13. Include high-quality teacher's guides

14. When available, include options for lighter weight materials, including materials in digital format, in order to help minimize any injury to students by the combined weight of instructional materials

In addition to meeting the above criteria as applicable, technology-based materials shall:

1. Be both available and comparable to other, equivalent instructional materials (Education Code 60052)
2. Be accessible to all students, including economically disadvantaged students, students with disabilities, and English learners
3. Protect the privacy of student data

### **Conflict of Interest**

To ensure integrity in the evaluation and selection of instructional materials, individuals who are participating in the evaluation of instructional materials and are not otherwise designated in the district's conflict of interest code shall sign a disclosure statement indicating that they:

1. Will not accept any emolument, money, or other valuable thing or inducement to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material (Education Code 60072)

Sample copies of instructional materials are excepted from this prohibition (Education Code 60075)

2. Are not employed by nor receive compensation from the publisher or supplier of the instructional materials or any person, firm, organization, subsidiary, or controlling entity representing it
  3. Do not have an interest as a contributor, author, editor, or consultant in any textbook or other instructional material submitted to the district
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**Regulation 6161.1: Selection And Evaluation Of Instructional Materials**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Reviewed Date:** 02/27/2008

**Criteria for Selection and Adoption of Instructional Materials**

Instructional materials adopted by the Governing Board shall:

1. For basic instructional materials in grades K-8, be selected from among the list of materials approved by the SBE in accordance with law (Education Code 60200)
2. Not reflect adversely upon persons because of their race, color, creed, national origin, ancestry, sex, disability, or occupation, or contain any sectarian or denominational doctrine or propaganda contrary to law (Education Code 60044)
3. To the satisfaction of the Board, be accurate, objective, current, and suited to the needs and comprehension of students at their respective grade levels (Education Code 60045)
4. With the exception of literature and trade books, use proper grammar and spelling (Education Code 60045)
5. Not provide any exposure to a commercial brand name, product, or corporate or company logo unless the Board makes a specific finding that the use is appropriate based on one of the following: (Education Code 60200, 60048)
  - a. The commercial brand name, product, or corporate or company logo is used in text for an educational purpose as defined in guidelines or frameworks adopted by the SBE.
  - b. The appearance of a commercial brand name, product, or corporate or company logo in an illustration is incidental to the general nature of the illustration.
6. Meet the requirements of Education Code 60040-60043 for specific subject content

**Instructional Materials Evaluation Committee**

The committee shall review instructional materials using criteria provided above and in law, and shall provide the Board with documentation supporting its recommendations.

**Conflict of Interest**

To ensure integrity and impartiality in the evaluation and selection of instructional materials, any district employee participating in the evaluation of instructional materials shall not:

Accept any emolument, money, or other valuable thing or inducement, to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material (Education Code 60072)

Sample copies of instructional materials are excepted from this prohibition. (Education Code 60075)

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20. **Policy 6161.11: Supplementary Instructional Materials**

Status: DRAFT

Original Adopted Date: 02/27/2008

The Governing Board encourages the use of supplementary instructional materials to enrich the curriculum and enhance student learning. Such materials shall be aligned with district goals, curriculum objectives, and academic standards and shall supplement and not supplant the use of Board-adopted basic instructional materials that serve as the primary learning resources.

Supplementary instructional materials include, but are not limited to, instructional materials that are designed to serve one or more of the following purposes: (Education Code 60010)

1. To provide more complete coverage of one or more subjects included in a given course
2. To meet the various learning ability levels of students in a given age group or grade level
3. To meet the diverse educational needs of students with a language disability in a given age group or grade level
4. To meet the diverse educational needs of students reflective of a condition of cultural pluralism
5. To use current, relevant technology that further engages interactive learning in the classroom and beyond

Supplementary instructional materials may be selected by the Superintendent or designee, school administrators, or teachers, as applicable, and obtained through donations to the district and/or available funding sources designated for these purposes.

The use of any supplemental instructional material shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

As appropriate, supplementary instructional materials shall meet the criteria developed for the selection and evaluation of basic instructional materials as described in AR 6161.1 - Selection and Evaluation of Instructional Materials.

Supplementary instructional materials shall be directly related to the course of study in which they are being used and shall be appropriate for the age and maturity level of the students.

The use or reproduction of supplementary instructional materials shall be in accordance with federal copyright law.

**Appropriateness of Materials**

Whenever a district employee proposes to use a supplementary resource which is not included in the approved learning resources of the district, the employee shall preview the material to determine whether, in the employee's professional judgment, it is appropriate for the grade level taught and is consistent with district criteria for the selection of supplementary instructional materials.

The employee shall confer with the Superintendent or designee as necessary to determine the compliance of the material with district criteria. The primary considerations should be the educational value, factual accuracy, appropriateness, including whether the material contains pervasive vulgarity or profanity, and relevance of the materials, as well as the ages and maturity of the students.

The Superintendent or designee may provide training to administrators and teachers in the selection and evaluation of supplementary instructional materials, including the criteria to be utilized and applicable legal considerations.

**Complaints**

Complaints concerning supplemental instructional materials shall be handled in accordance with Board Policy 1312.2 - Complaints Concerning Instructional Materials and Board Policy 1312.3 - Uniform Complaint Procedures, as applicable.

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**Policy 6161.11: Supplementary Instructional Materials**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Reviewed Date:** 02/27/2008

The Governing Board encourages teachers to use supplementary instructional materials which are relevant to curriculum objectives and compatible with district goals and objectives. By using such materials, teachers can introduce content and instructional strategies that enrich the curriculum, enhance learning, help students make critical judgments, and stimulate their intellectual growth.

Teachers shall carefully preview all supplementary instructional materials in order to ensure that, in their professional judgment, the materials are:

1. Directly related to the course of study in which they are being used
2. Appropriate for students' ages and maturity levels

Supplementary instructional materials must also be consistent with criteria developed for the selection and evaluation of other instructional materials. If the teacher believes that the materials may be in conflict with district criteria, the teacher shall confer with the principal or designee before using them.

When using supplementary materials, teachers shall provide appropriate introductory and follow-up activities. In addition, teachers shall ensure that supplementary materials do not supplant the use of basic texts or teaching activities.

All materials must be used within legal copyright limits.

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**21. Policy 6162.5: Student Assessment**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008

The Governing Board recognizes that student assessments are an important instructional and accountability tool. To obtain the most accurate evaluation of student performance, the district shall use a variety of measures, including district, state, and/or national assessments.

Any student use of technology to complete assessments shall be as specified in Board Policy 5131.9 - Academic Honesty and Board Policy 6163.4 - Student Use of Technology.

Assessment data shall be used to help determine individual students' progress, mastery of academic standards, and/or appropriate placement in district programs, and/or eligibility for graduation. In addition, summary data on student assessment results shall be used by the district to identify and review student achievement goals in the district's local control and accountability plan, evaluate district educational programs in order to identify needed improvements, and, as appropriate, evaluate staff performance.

In selecting or developing any district assessment, the Superintendent or designee shall examine evidence of its reliability, its validity for the intended purpose and for various student populations, and the extent to which it aligns with the material that is being taught.

The Superintendent or designee shall ensure that assessments are administered in accordance with law and test publisher's directions, and that test administration procedures are fair and equitable for all students.

As appropriate, assessment results shall be disaggregated by student subgroup, classroom, grade level, and/or school site to allow for critical analysis of student needs.

The Superintendent or designee shall provide professional development as needed to assist administrators and teachers in interpreting and using assessment data to improve student performance and the instructional program.

When districtwide and school-level results of student assessments are published by the state, the Superintendent or designee may provide supplementary information to assist parents/guardians and the community in understanding test results.

### **Interim and Formative Assessments**

State interim and formative assessments may be used in combination with other sources of information to gain timely feedback about student progress in an effort to continually adjust instruction to improve learning, and for communicating with students' parents/guardians and identifying professional development goals. Results from interim and formative assessments shall not be used for any high-stakes purpose, including, but not limited to, teacher or other school staff evaluation, accountability, student grade promotion or retention, graduation, course or class placement, identification for gifted or talented education, reclassification of English learners, or identification as an individual with exceptional needs. (Education Code 60642.6, 60642.7)

The Superintendent or designee shall ensure that teachers who administer interim and formative assessments have access to all functions and information designed for teacher use related to such assessments and student performance on the assessments. (Education Code 60642.6)

### **Individual Record of Accomplishment**

The Superintendent or designee shall ensure that each student, by the end of grade 12, has an individual record of accomplishment that includes the following: (Education Code 60607)

1. The results of the state achievement tests required and administered as part of the California Assessment of Student Performance and Progress, or any predecessor assessments, pursuant to Education Code 60640-



60649

2. The results of any end-of-course examinations taken
3. The results of any vocational education certification examinations taken

No individual record of accomplishment shall be released to any person, other than the student's parent/guardian or a teacher, counselor, or administrator directly involved with the student, without the written consent of the student's parent/guardian, or the student if the student is an adult or emancipated minor. The student or the student's parent/guardian may authorize the release of the record of accomplishment to a postsecondary educational institution for the purposes of credit, placement, or admission. Furthermore, the results of an individual student on the CAASPP may be released to a postsecondary educational institution for the purpose of credit, placement, or admission. (Education Code 60607)

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**Policy 6162.5: Student Assessment**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Reviewed Date:** 02/27/2008

The Governing Board believes that the primary goal of student assessments should be to help students, parents/guardians and teachers identify individual student's academic accomplishments, progress and areas needing improvement in order to enhance teaching and learning.

The Superintendent or designee shall ensure that assessments are conducted for purposes of determining students' eligibility for and appropriate placement in district programs, need for supplemental instruction and eligibility for graduation.

The effectiveness of the schools, teachers and district shall be evaluated in part on the basis of these student assessments.

When districtwide and school-level results of student assessments are published, the Superintendent or designee may provide supplementary information to assist parents/guardians and the local community in interpreting test results and evaluating school performance.

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**22. Policy 6163.1: Library Media Centers**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008

The Governing Board recognizes that school libraries support the educational program by providing access to a variety of informational and supplemental resources that can inspire a love of reading, stimulate thought, the exploration of ideas and intellectual exchanges, and contribute to the academic achievement of all students. The Board desires that school libraries be stocked with up-to-date books, reference materials, and electronic resources that promote literacy, support academic standards, contain a broad spectrum of knowledge and viewpoints, accurately reflect and value society's diversity, and prepare students to become lifelong learners.

The Superintendent or designee may, in consultation with teacher librarians, classroom teachers, administrators, parents/guardians, and students as appropriate, develop and regularly update a plan for school libraries that describes the district's goals for school libraries and the distribution of funds to school sites to support libraries. As appropriate, the plan may also address staffing, facilities, selection and evaluation of materials, the development and maintenance of classroom libraries, prevention of loss or damage of library materials, prioritization of needs, and other related matters. The Superintendent or designee shall ensure that the library plan is aligned with the district's local control and accountability plan and other district and school plans.

**Staffing**

To staff school libraries, the district may employ one or more teacher librarians who possess appropriate credentials issued by the Commission on Teacher Credentialing. (Education Code 18120, 44868; 5 CCR 80024.6, 80053) The Superintendent or designee may assign teacher librarians to perform the following duties in accordance with the authorizations of their credential: (5 CCR 80053, 80053.1)

1. Instruct students in accessing, evaluating, using, and integrating information and resources in the library program and/or provide departmentalized instruction in information literacy, digital literacy, and digital citizenship
2. Plan and coordinate school library programs with the district's instructional programs through collaboration with teachers
3. Select materials for school and district libraries
4. Develop and deliver staff development programs for school library services
5. Coordinate or supervise library programs at the school or district level
6. Plan and conduct a course of instruction for students who assist in the operation of school libraries
7. Supervise classified personnel assigned school library duties
8. Develop procedures for and management of the school and district libraries

The Board also may appoint classified paraprofessionals to serve as library aides or library technicians. Volunteers may assist with school library services in accordance with law, Board policy, and administrative regulation.

**Hours of Operation**

School libraries shall be open for use by students and teachers during the school day. (Education Code 18103)

With the approval of the Board, a school library may be open at other hours outside the school day, including evenings and Saturdays. Any library open to serve students during evening and Saturday hours shall be under the supervision of a certificated employee who consents to the assignment. (Education Code 18103)

**Selection and Evaluation of School Library Materials**

Library materials shall include print and electronic resources that align with the curriculum and are accessible to students with varying cognitive and/or language needs.

Library materials shall be selected and evaluated through a process that invites recommendations from administrators, teachers, other staff, parents/guardians, and students as appropriate.

The use of any book or other resource in a school library shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

Library materials shall be continually evaluated in relation to evolving curricula, new formats of materials, new instructional methods, and the needs of students and teachers. Materials that contain outdated subject matter or are no longer appropriate shall be removed.

All gifts and donations of school library materials shall be subject to the same criteria as materials selected for purchase by the district.

Complaints regarding the appropriateness of library materials shall be addressed in accordance with Board Policy 1312.2 - Complaints Concerning Instructional Materials and Board Policy 1312.3 - Uniform Complaint Procedures, as applicable.

### **Fees**

Students shall be allowed to borrow school library materials at no charge for use in the library and classrooms as well as out of school. (5 CCR 16042)

#### **OPTION 1: (No late fees)**

Students shall be encouraged to return library materials in a timely manner, but no charge shall be assessed for the late return of materials.

#### **OPTION 1 ENDS HERE**

#### **OPTION 2: (Late fees charged)**

To encourage students to return materials in a timely manner, a nominal fee shall be charged for the late return of materials.

#### **OPTION 2 ENDS HERE**

### **Library Instruction**

Teacher librarians and/or classroom teachers shall provide library instruction to support the development of students' information literacy skills. Such instruction shall be aligned with the state academic standards for library instruction and shall prepare students to:

1. Access information by applying knowledge of the organization of libraries, print materials, digital media, and other sources
2. Evaluate and analyze information to determine appropriateness in addressing the scope of inquiry
3. Organize, synthesize, create, and communicate information
4. Integrate information literacy skills into all areas of learning and pursue information independently to become life-long learners

Teacher librarians also may provide support to teachers, administrators, and other staff by identifying instructional

materials that will aid in the development of curriculum and instructional activities and by providing information about effective and ethical uses of school library services and equipment.

### **Program Evaluation**

The Superintendent or designee shall annually assess and report to the Board regarding the condition and use of school libraries. The assessment shall evaluate, at a minimum:

1. Access of students and staff to school libraries during school hours and, as appropriate, access outside the school day
2. The process and frequency by which students are allowed to check out library materials
3. Staffing levels, qualifications, and number of hours worked
4. The quality of the collection at each library, including, but not limited to, the total number of books in the collection, number of books per student, types of materials (fiction, non-fiction, newspapers, magazines, encyclopedias, materials in other languages, and reference materials), alignment with curriculum, provision of a broad spectrum of knowledge and viewpoints, amount expended during the year for the purchase of new resources, and the number of resources discarded and added during the year
5. Any special programs offered at the school to encourage reading and/or library use
6. The adequacy of the facility space and equipment designated for the school library
7. The source(s) and adequacy of funding for school libraries
8. Knowledge by principals, teachers, and library personnel of the process to follow when a library material(s) is challenged

The district shall, on or before August 31 each year, report to the California Department of Education on the condition of its school libraries for the preceding year ending June 30. (Education Code 18122)

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**Policy 6163.1: Library Media Centers**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Reviewed Date:** 02/27/2008

The Governing Board recognizes that school library media centers support the educational program by providing access to a variety of informational resources. The Board desires to provide library media centers with up-to-date books, reference materials, and electronic information resources necessary to promote literacy, support students in achieving academic standards, and encourage students to become lifelong learners.

School libraries shall be open for use by students and teachers during the school day. (Education Code 18103)

The district's school libraries may provide: (5 CCR 16040)

1. Library instruction to students that enables them to become proficient users of library resources
2. Information to teachers and administrators concerning sources and availability of instructional materials that will aid in the development of school curriculum, and, in cooperation with classroom teachers, the development of instructional units and activities using library resources
3. Assistance to teachers and students in the evaluation, selection, production, and uses of instructional materials
4. A collection of materials and resources that support the curriculum and are appropriate for user needs
5. Assistance to teachers, administrators, and other school staff members in becoming knowledgeable about appropriate uses of library media services, materials, and equipment

The Superintendent or designee shall develop procedures for the selection and evaluation of library materials.

### **Library Plans**

Whenever a school receives state funding for school and library improvement pursuant to Education Code 41570-41573, the school site council shall develop a single plan for student achievement which incorporates a districtwide plan for school libraries. (Education Code 41572)

### **Selection and Evaluation of School Library Materials**

Responsibility for the selection of library materials is delegated to the professional library staff through the principal. School librarians shall evaluate materials, using professional selection aids and standards, in accordance with law, Board policy, and administrative regulation. The selection process shall invite recommendations from administrators, teachers, other staff, parents/guardians, and students as appropriate.

Library materials should be continually evaluated in relation to evolving curricula, new formats of materials, new instructional methods, and the needs of students and teachers. Materials that contain obsolete subject matter or are no longer appropriate shall be removed, and lost or worn materials may be replaced if possible.

Complaints regarding the appropriateness of library materials shall be addressed using the district's procedures for complaints regarding instructional materials.

### **Fees**

Students shall be allowed to borrow school library materials at no charge for use in the library and classrooms as well as out of school. (5 CCR 16042)

To encourage students to return materials in a timely manner, a nominal fee shall be charged for the late return of materials.

### **Reports**

The district shall, on or before August 31 each year, report to the California Department of Education on the condition of school libraries for the preceding year ending June 30. (Education Code 18122)

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**23. Bylaw 9124: Attorney**

**Status:** DRAFT

**Original Adopted Date:** 02/27/2008

The Governing Board recognizes the complex legal environment in which districts operate, the need to provide legal representation for the district, and the importance of reliable, cost-effective, high-quality legal advice and services.

In order to meet the district's legal needs, the Board may appoint legal counsel and fix and order paid legal counsel's compensation as an employee or as an independent contractor. (Education Code 35041.5)

The Board may enter into independent contractor services agreements with county counsel, law firms, attorneys in private practice, and other public or private legal services entities. (Education Code 35204, 35205; Government Code 26520, 26529)

The Board also supports pursuing collaborative legal efforts with other districts as well as other government agencies as appropriate.

**Duties of Legal Counsel**

The district's legal counsel may: (Education Code 35041.5)

1. Render legal advice to the Board and the Superintendent or designee
2. Serve the Board and the Superintendent or designee in the preparation and conduct of district litigation and administrative proceedings
3. Render advice on school bond and tax increase measures and prepare the necessary forms for the voting of these measures
4. Perform other administrative duties as assigned by the Board and Superintendent or designee

**Retaining Legal Counsel**

**When the district is seeking legal advice or representation, the Superintendent or designee shall identify prospective attorney(s), firm(s), and/or legal services entity(ies).**

The district may, but is not required to, initiate a Request for Proposals to advertise and solicit proposals for legal services. In evaluating the prospective attorney(s), firm(s), and/or entity(ies), the Board and Superintendent may consider the attorney's, firm's, and/or entity's background, experience, and relevant legal reputation; experience advising and representing school districts in California; fees; and experience of attorneys at the firm who will provide legal services.

Any attorney representing the district shall be admitted to practice law in California. (Education Code 35041.5)

**The Board and Superintendent shall periodically evaluate the performance of the firm(s) and/or attorney(s); the efficiency and adequacy of advice; the results obtained for the district; the reasonableness of fees; and the responsiveness to and interactions with the Board, administration, and community. The Board may use such evaluation(s) to determine whether to renew any current agreement(s) for legal services.**

The Board may also contract for specialized legal services, as appropriate, when a majority of the Board determines that the unique demands of a particular issue or emergency situation require such representation.

**Contacting Legal Counsel**

The Board president, or Superintendent or designee, may, at their discretion, confer with district legal counsel subject to any limits or parameters established by the Board. In addition, the Board president, or Superintendent or designee, may contact district legal counsel to provide the Board with legal information or advice when so directed by a majority of the Board.

Individual Board members other than the Board president may not seek advice from district legal counsel on matters of district business unless so authorized by the Superintendent, the Board president, or a majority of the Board.

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**Bylaw 9124: Attorney**

**Status:** ADOPTED

**Original Adopted Date:** 02/27/2008 | **Last Reviewed Date:** 02/27/2008

The Governing Board recognizes the complex legal environment in which school districts operate and desires reliable, dependable legal advice. The Board also supports collaborative legal efforts with other agencies and districts in order to promote the district's interests.

The Board may use the county counsel, district attorney, or private attorneys to meet the needs of the district.

The district's legal counsel may:

1. Render legal advice to the Board and the Superintendent or designee
2. Serve the Board and the Superintendent or designee in the preparation and conduct of district litigation and administrative proceedings
3. Render advice on school bond and tax increase measures and prepare the necessary forms for the voting of these measures
4. Perform other administrative duties as assigned by the Board and Superintendent or designee

The Superintendent may confer with the district's legal counsel at his/her discretion and shall provide the Board with desired legal information when so directed by a majority of the Board. The Board also may authorize a specific member to confer with legal counsel on behalf of the Board.

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