

# Galt Joint Union Elementary School District Board of Education

*"Building a Bright Future for All Learners"*

## Regular Board Meeting

October 19, 2022

6:00 p.m. Closed Session

7:00 p.m. Open Session

## Galt City Hall Chamber

380 Civic Drive, Galt, CA 95632

## To Join Remotely Via Zoom

<https://galt-k12-ca.zoom.us/j/85810488591>

Or One tap mobile :

US: +16699006833,,85810488591# or

+16694449171,,85810488591#

Webinar ID: 858 1048 8591

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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code §54957
  - Superintendent
2. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE, Government Code §54957
3. CONFERENCE WITH LABOR NEGOTIATOR, Government Code §54957.6  
Agency Negotiator: Lois Yount, Claudia Del Toro-Anguiano, Donna Mayo-Whitlock, Nicole Lorenz
  - Employee Agency: (GEFA) Galt Elementary Faculty Association
  - Employee Agency: (CSEA) California School Employee Association
  - Non-Represented Employees

4. STUDENT EXPULSION, EDUCATION CODE 48918

- Case No. 21/22-05
- Case No. 21/22-04

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

**D. Board Meeting Protocol**

**E. Communication**

1. Sacramento County Office of Education (SCOE): 2022-2023 LCAP and Adopted Budget Report

**F. Reports**

SUPERINTENDENT

1. Valley Oaks Elementary and Pest Control Management
2. Williams Uniform Complaint Process (UCP) 1<sup>st</sup> Quarter Report

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. Measures of Academic Progress (MAP)
2. Professional Development
  - October 10-11, 2022
  - CPR and First Aid Training

LCAP GOAL 2

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

1. Positive School Climate Survey Questions
2. 2022 Lights On Afterschool

OTHER REPORTS

1. Naloxone Program

**G. Routine Matters/New Business**

**212.367** Consent Calendar

a. Approval of the Agenda

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.

MOTION

b. Minutes

- September 21, 2022

- c. Payment of Warrants
  - Vendor Warrants: 23371074-23371161, 23372408-23372481, 23373831-23373908, 23373831-23373908, 23375088-23375159
  - Payroll Warrants: 9/16/22, 9/30/22, 10/10/22
- d. Personnel
  - Resignations/Retirements
  - Leave of Absence Requests
  - New Hires/Reclassifications
- e. Donations

<b>212.368</b>	Consent Calendar (Continued) – Items Removed for Later Consideration	MOTION
<b>212.369</b>	Board Action Regarding Student Expulsion Case No. 21/22-05	MOTION
<b>212.370</b>	Public Hearing of Resolution No. 5 Approving the Galt Joint Union Elementary School District’s School Fees Justification Report, Adopting Level 1 Developer Fees on New Residential, Commercial, and Industrial Construction	PUBLIC HEARING
<b>212.371</b>	Board Consideration of Approval of Resolution No. 5 Approving the Galt Joint Union Elementary School District’s School Fees Justification Report, Adopting Level 1 Developer Fees on New Residential, Commercial, and Industrial Construction	MOTION
<b>212.372</b>	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]	PUBLIC HEARING
<b>212.373</b>	Board Consideration of Approval 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]	MOTION
<b>212.374</b>	Board Consideration of Approval to Piggyback on the Chawanakee Unified School District Agreement with Class Leasing, LLC for Modular and/or Pre-fabricated Structures (Building(s)) and Approval of Derive Castellanos Architects (DCA) Proposal for Architectural Design Services for Three New Portable Classrooms at Lake Canyon Elementary School	MOTION

- |                |  |               |
|----------------|--|---------------|
| <b>212.375</b> | Board Consideration of Approval of Derivi Castellanos Architects (DCA) Proposal for Architectural Design Services for New Six-Classroom Wing at Valley Oaks Elementary School  | MOTION        |
| <b>212.376</b> | Board Consideration of Approval of the Galt Joint Union Elementary School District Public Notice / “Sunshine” Proposal to the Galt Elementary Faculty Association (GEFA) Regarding Compensation  | MOTION        |
| <b>212.377</b> | Board Consideration of Approval of the Galt Joint Union Elementary School District Public Notice / “Sunshine” Proposal to the Classified Schools Employee Association (CSEA), Galt Chapter #362 Regarding Compensation   | MOTION        |
| <b>212.378</b> | Board Consideration of Approval of Memorandum of Understanding Between Galt Joint Union Elementary School District and Galt Elementary Faculty Association (GEFA) Regarding new Teacher Pre-In-Service Days  | MOTION        |
| <b>212.379</b> | Public Notice From Galt Elementary Faculty Association (GEFA) [PUBLIC NOTICE / “SUNSHINE”] to Galt Joint Union Elementary School District <ul style="list-style-type: none"> <li>• Article V – Hours</li> <li>• Article XIII – Class Size</li> <li>• Article XVIII - Salary</li> </ul> | Informational |
| <b>212.380</b> | Board Consideration of Approval of the following Policies, Administrative Regulations, Bylaws, and Exhibits  | MOTION        |

Educational Services

1. AR/E 1312.4 Williams Uniform Complaint Procedures
2. BP/AR 6173.1 Education for Foster Youth
3. BP/AR 5141.31 Immunizations

Business Services

4. BP 3110 Transfer of Funds
  - Delete AR 3110 Transfer of Funds
5. BP/AR 3523 Electronic Signatures
6. BP/AR 3550 Food Service Child Nutrition Program
7. BP/AR 3551 Food Service Operations Cafeteria Fund
8. BP/AR 3553 Free and Reduced-Price Meals

Curriculum

9. BP/AR 4112.2 Certification

Superintendent

10. AR/E 3517 Facilities Inspection
  - Delete BP 3517 Facilities Inspection
11. BP/AR 4144 Complaints
12. BB/E 9270 Conflict of Interest
13. BP/AR 6163.2 Animals at School

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

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

**I. Pending Agenda Items**

1. School District Properties

**J. Adjournment**

The next regular meeting of the GJUESD Board of Education: November 16, 2022

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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> October 19, 2022	<b>Agenda Item:</b> Closed Session
<b>Presenter:</b> Lois Yount	<b>Action Item:</b> <b>Information Item:</b> XX
<ol style="list-style-type: none"> <li>1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code §54957           <ul style="list-style-type: none"> <li>▪ Superintendent</li> </ul> </li>   <li>2. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE, Government Code §54957</li>   <li>3. CONFERENCE WITH LABOR NEGOTIATOR, Government Code §54957.6            Agency Negotiator: Lois Yount, Claudia Del Toro-Anguiano, Donna Mayo-Whitlock, Nicole Lorenz           <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> </li>   <li>4. STUDENT EXPULSION, EDUCATION CODE 48918           <ul style="list-style-type: none"> <li>▪ Case No. 21/22-05</li> <li>▪ Case No. 21/22-04</li> </ul> </li> </ol>	



Revised February 9, 2022

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. With Board consent, the Board President may increase or decrease the time allowed for public comment.
4. 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.
5. 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.**





## 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> October 19, 2022	<b>Agenda Item:</b> Communication
<b>Presenter:</b> Lois Yount	<b>Action Item:</b> <b>Information Item:</b> XX

1. Sacramento County Office of Education (SCOE): 2022-2023 LCAP and Adopted Budget Report





David W. Gordon  
Superintendent

September 15, 2022

**Board of Education**

Lois Yount, Superintendent  
Paul A. Keefer, MBA, Ed.D. Galt Joint Union Elementary School District  
President 1018 C Street, Suite 210  
Heather Davis Galt, CA 95632  
Vice President

Joanne Ahola

O. Alfred Brown, Sr.

Mariana Corona Sabeniano

Harold Fong, MSW

Bina Lefkovitz

(916) 228-2500

www.scoe.net

**SUBJECT: 2022-2023 LCAP and Adopted Budget Report**

Dear Superintendent Yount:

In accordance with Education Code section 42127(c), we have reviewed your 2022-2023 Adopted Budget to determine whether it complies with the Criteria and Standards adopted by the State Board of Education. In addition, we have reviewed your 2022-2023 Adopted Local Control and Accountability Plan (LCAP) to determine whether it complies with the criteria for approval specified in Education Code section 52070(d). Based on our review, your budget and LCAP are **approved** with the following comments:

LCAP

We commend you and your staff for their efforts to address unfinished learning and support students' social-emotional needs to continuously improve the achievement of all students. In addition to your locally-collected data, the 2022 California School Dashboard will support your continued evaluation of the effectiveness of the LCAP actions, and will help to inform your educational partners of the progress the district is making towards meeting its goals.

Budget

- Based on the multi-year projections and assumptions provided by the district with its original Adopted Budget, it appears the district will meet its 3% unrestricted reserve requirement for the current and two subsequent fiscal years.
- The multi-year projections provided with the original Adopted Budget indicate the Unrestricted General Fund balance will decrease by \$1,212,994 in 2022-2023, decrease by \$876,416 in 2023-2024, and increase by \$9,649 in 2024-2025.
- The district submitted a 45-day revision that indicates that the Unrestricted General Fund balance will increase by \$1,037,284 in 2022-2023.

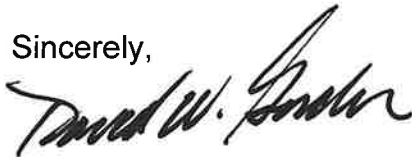
- It is noted that both certificated and classified salary negotiations have not been settled for 2022-2023.

We are requesting that the district provide the following:

- Before the district's board of education takes any action on a proposed collective bargaining agreement, the district must meet the public disclosure requirements of Government Code section 3547.5. **Please submit the public disclosure of the collective bargaining agreement to the county office for review at least ten (10) working days prior to the date the governing board will take action on the proposed bargaining agreements.** This information must also be available to the public prior to the date the governing board will take action on the proposed bargaining agreements, in accordance with Brown Act requirements. Also, as provided by the State Criteria and Standards (CCR Section 15451(b)(C)) and Education Code section 42142, when labor contract negotiations are settled after the adoption of the district's budget, the district must provide the County Superintendent a fiscal analysis of the agreement and its effect on the budget and, within 45 days of adoption of the agreement, any revisions to the district's current budget necessary to fulfill the terms of the agreement.
- Notify us immediately, and provide for our review, further changes to the budget.
- Continue to closely monitor future enrollment trends and inform us of budget adjustments should enrollment trends fluctuate.

We would like to thank your staff for their cooperation during our review process. If you have any questions about the LCAP, please contact Dr. Channa Cook-Harvey, Executive Director, at (916) 228-2408. If you have any questions about the adopted budget, please contact Nicolas Schweizer, Associate Superintendent, at (916) 228-2561.

Sincerely,



David W. Gordon  
Sacramento County Superintendent of Schools

DWG/NS/sI

cc: Thomas Silva, Board President, GJUESD  
Nicole Lorenz, Chief Business Official, GJUESD  
Dr. Nancy Herota, Deputy Superintendent, SCOE  
Nicolas Schweizer, Associate Superintendent, SCOE  
Dr. Channa Cook-Harvey, Executive Director, SCOE  
Sharmila LaPorte, District Fiscal Services Director, SCOE



## Board Meeting Agenda Item Information

<b>Meeting Date:</b> October 19, 2022	<b>Agenda Item: Reports</b>
<b>Presenter:</b> Lois Yount	<b>Action Item:</b> <b>Information Item:</b> XX

**SUPERINTENDENT**

1. Valley Oaks Elementary and Pest Control Management
2. Williams Uniform Complaint Process (UCP) 1<sup>st</sup> Quarter Report

**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. Measures of Academic Progress (MAP)
2. Professional Development
  - October 10-11, 2022
  - CPR and First Aid Training

**LCAP GOAL 2**

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

1. Positive School Climate Survey Questions
2. 2022 Lights On Afterschool

**OTHER REPORTS**

1. Naloxone Program



SUPERINTENDENT

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## SUPERINTENDENT REPORTS

- 1. Valley Oaks Elementary and Pest Control Management**
- 2. Williams Uniform Complaint Process (UCP) 1<sup>st</sup> Quarter Report**

# Quarterly District Report: *Williams* Uniform Complaint Process (UCP)

Properly submitting this form to SCOE serves as your district's *Williams* UCP Quarterly Complaint Report per *Education Code* § 35186(d). **All fields are required.**

## SUBMITTER INFORMATION

**Name**

Person submitting form

**Job Title**

**Phone Number**

Include area code

**E-mail Address**

## DISTRICT INFORMATION

**School District**

**Year Covered by This Report**

**Quarter Covered by This Report**

## COMPLAINTS

### Sufficiency of Textbooks

<b>Total Number of Textbook Complaints</b> Enter 0 if none.	
<b>Number of Textbook Complaints <u>Resolved</u></b> Enter 0 if none.	
<b>Number of Textbook Complaints <u>Unresolved</u></b> Enter 0 if none.	

### Emergency School Facilities Issues

<b>Total Number of Emergency Facilities Complaints</b> Enter 0 if none.	
<b>Number of Emergency Facilities Complaints <u>Resolved</u></b> Enter 0 if none.	
<b>Number of Emergency Facilities Complaints <u>Unresolved</u></b> Enter 0 if none.	

### Vacancy or Misassignment of Teachers

<b>Total Number of Vacancy/Misassignment Complaints</b> Enter 0 if none.	
<b>Number of Vacancy/Misassignment Complaints <u>Resolved</u></b> Enter 0 if none.	
<b>Number of Vacancy/Misassignment Complaints <u>Unresolved</u></b> Enter 0 if none.	

## RESOLUTION OF COMPLAINTS

**Briefly summarize the nature of complaints and how they were resolved.**

Enter "N/A" if no complaints were received. If you need more space, enter "sent by e-mail" and send your summary to Shannon Hansen with your report.

## REPORT INCLUDES ALL COMPLAINTS FOR THIS QUARTER

The number of UCP complaints (textbooks, facilities, and teachers categories) filed for the quarter being reported *MUST* be entered in this report. Please check the box below confirming this:

**Includes All UCP Complaints**

All UCP complaints for the indicated quarter are being reported—from my district office and all school sites in my district.

By submitting this form, you certify that the information is complete and accurate, and that you have verified the accuracy of the report information by contacting each school in your district. The report includes *ALL* UCP complaints in the above categories received at school sites in the district, plus the district office.

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## RETURN INSTRUCTIONS

After completing the form in its entirety, save the file and e-mail it to Erika Franzon at the Sacramento County Office of Education (SCOE): [efranzon@scoe.net](mailto:efranzon@scoe.net).



## 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. Measures of Academic Progress (MAP), Fall 2022

*Claudia Del Toro-Anguiano, Curriculum Director*

Last month, Measures of Academic Progress (MAP) was administered to all first through eighth-grade students in the areas of reading and mathematics. Our Local Control Accountability Plan (LCAP) includes Goal #1: Engaging learners through a focus on equity, access, and academic rigor with inclusive practices in a variety of environments. As part of Goal #1, a MAP local action includes an increase of 5% in the number of students who meet/exceed the 60th percentile in both reading and mathematics from winter 2022 to winter 2023.

The following data sets indicate the percentage of students who met/exceeded the 60th percentile as measured by MAP fall 2022:

<u>District</u>	<u>Reading</u>	<u>Math</u>
Grade 2	45%	48%
Grade 3	52%	47%
Grade 4	48%	37%
Grade 5	41%	30%
Grade 6	47%	30%
Grade 7	38%	35%
Grade 8	40%	39%

The data sets that follow include winter 2022 percentages (from the previous year) as a reference point. The data sets also include the target goal for winter 2023. *Note that some grade levels have already met/exceeded the target goal (winter 2023).*

### 2. Professional Development

*Lois Yount, Superintendent*

- October 10-11, 2022
- CPR and First Aid Training

## Measures of Academic Progress Data Sets

### Fall 2022 Board Report

**Key question:** What percent of students scored at/above the 60th percentile?

READING			
District	Winter 2022	Fall 2022	Winter Goal 2023
Grade 2	34%	45%	39%
Grade 3	42%	52%	47%
Grade 4	46%	48%	51%
Grade 5	34%	41%	39%
Grade 6	46%	47%	51%
Grade 7	41%	38%	46%
Grade 8	25%	40%	30%

MATH			
District	Winter 2022	Fall 2022	Winter Goal 2023
Grade 2	25%	48%	30%
Grade 3	40%	47%	45%
Grade 4	42%	37%	47%
Grade 5	31%	30%	36%
Grade 6	32%	30%	37%
Grade 7	29%	35%	34%
Grade 8	23%	39%	28%

### Greer Elementary

READING			
	Winter 2022	Fall 2022	Goal Winter 2023
Grade 2	36%	40%	41%
Grade 3	41%	57%	46%
Grade 4	44%	49%	49%
Grade 5	33%	38%	38%
Grade 6	54%	62%	59%

MATH			
	Winter 2022	Fall 2022	Goal Winter 2023
Grade 2	29%	45%	34%
Grade 3	39%	46%	41%
Grade 4	38%	40%	43%
Grade 5	34%	27%	39%
Grade 6	40%	36%	45%



### Lake Canyon Elementary

READING			
	Winter 2022	Fall 2022	Goal Winter 2023
Grade 2	24%	33%	29%
Grade 3	35%	51%	40%
Grade 4	50%	50%	55%
Grade 5	40%	46%	45%
Grade 6	45%	44%	50%

MATH			
	Winter 2022	Fall 2022	Goal Winter 2023
Grade 2	19%	42%	24%
Grade 3	48%	46%	53%
Grade 4	42%	53%	47%
Grade 5	36%	35%	41%
Grade 6	40%	33%	45%

### Marengo Ranch Elementary

READING			
	Winter 2022	Fall 2022	Goal Winter 2023
Grade 2	33%	54%	38%
Grade 3	39%	51%	44%
Grade 4	53%	58%	58%
Grade 5	41%	55%	46%
Grade 6	47%	55%	52%

MATH			
	Winter 2022	Fall 2022	Goal Winter 2023
Grade 2	20%	54%	25%
Grade 3	30%	47%	35%
Grade 4	53%	42%	58%
Grade 5	37%	40%	42%
Grade 6	34%	33%	39%

### River Oaks Elementary

READING			
	Winter 2022	Fall 2022	Goal Winter 2023
Grade 2	52%	57%	57%
Grade 3	63%	56%	68%
Grade 4	47%	42%	52%
Grade 5	40%	45%	45%
Grade 6	57%	43%	62%

MATH			
	Winter 2022	Fall 2022	Goal Winter 2023
Grade 2	39%	51%	44%
Grade 3	49%	60%	54%
Grade 4	44%	26%	49%
Grade 5	30%	33%	35%
Grade 6	38%	30%	43%

### Valley Oaks Elementary

READING			
	Winter 2022	Fall 2022	Goal Winter 2023
Grade 2	26%	46%	31%
Grade 3	28%	46%	33%
Grade 4	38%	39%	43%
Grade 5	18%	20%	23%
Grade 6	33%	39%	38%

MATH			
	Winter 2022	Fall 2022	Goal Winter 2023
Grade 2	20%	49%	25%
Grade 3	26%	35%	31%
Grade 4	31%	25%	36%
Grade 5	16%	14%	21%
Grade 6	14%	21%	19%

### McCaffrey Middle

READING			
	Winter 2022	Fall 2022	Goal Winter 2023
Grade 7	41%	38%	46%
Grade 8	25%	40%	30%

MATH			
	Winter 2022	Fall 2022	Goal Winter 2023
Grade 7	29%	35%	34%
Grade 8	23%	39%	28%

### **Report: Professional Development Day: May 10, 2022**

In August, we started a process and methodology with teachers related to continuous improvement. Teachers as a Professional Learning Community (PLC) are goal-setting and determining actions to meet their goals in order to monitor the outcomes of learning.

#### **Objectives for October 10th**

- Demonstrate to colleagues change ideas developed to improve student outcomes
- Ask and answer questions from colleagues regarding the professional methodology of developing Change Ideas
- Understand how to develop and implement Plan-Do-Study-Act (PDSA) testing cycles to improve teaching and learning practices and outcomes
- Complete the “Plan” section of the PDSA template

#### **Feedback from Teachers**

- 106 teachers provided feedback after the October 10th learning event.

#### *On a scale of 1 to 5 - with five the highest*

1. I understand how and why to create change ideas when working to improve student learning and development outcomes.
    - 44% = 5
    - 41% = 4
  2. I understand how to use our District’s PDSA protocol to test the effectiveness of a change idea.
    - 30% = 5
    - 35% = 4
  3. I am confident my colleagues and I can get assistance from our administrators when developing and testing change ideas using our PDSA protocol to facilitate improved student learning.
    - 60% = 5
    - 21% = 4
  4. I believe this improvement cycle will strengthen the collaboration in my PLC and improve learning outcomes for students and staff.
    - 51% = 5
    - 28% = 4
-

### **Report: Professional Development Day: May 11, 2022**

Professional learning opportunities have been designed to ultimately improve the learning for all students. Our district has identified three professional learning days this year. October 10th and 11th were designated as our first two professional learning days for staff.

#### **Tuesday, October 11th**

##### Mathematics

- a. Preview of the draft **Mathematics Framework**
- b. **Number Talks** as a key math strategy
- c. Refresher of **Eureka Math**
- d. **Collaboration and planning** time

##### Classified Staff

1. Completion of various mandatory online **trainings**

##### Math sessions on Tuesday morning:

Sessions	Grades K - 2	Grades 3 - 5	Grades 6 - 8
8:30 - 9:30 am	Number Talks MMS #S1	Eureka Refresher MMS #D8	Math Framework MMS #S6
9:45 - 10:45 am	Eureka Refresher MMS #D8	Math Framework MMS #S6	Number Talks MMS #S1
11:00 - 12:00 pm	Math Framework MMS #S6	Number Talks MMS #S1	Eureka Refresher MMS #D8

# GJUESD Improvement Cycle:

## *Putting Change Ideas to the Test: PK - 6*

### 10-10-22

**Objectives:**

*Participants will*

- *Demonstrate to colleagues change ideas developed to improve student outcomes*
- *Ask and answer questions from colleagues regarding professional methodology of developing Change Ideas*
- *Understand how to develop and implement Plan-Do-Study-Act (PDSA) testing cycles to improve teaching and learning practices and outcomes*
- *Complete the “Plan” section of the PDSA*

**Activities:**

<b># of minutes</b>	<b>Activity</b>	<b>Facilitator</b>	<b>Comments</b>
20	Introductions; Anticipatory Set: <i>Why, How, What of Improvement Cycles as a PLC</i>	Superintendent Yount, Rogers	Introductory Casework: Julian and Change Ideas at Work
50 (10 minutes of sharing per school site, set timer)	Change Idea Showcase	District Grade Level Teams; Administrators	Grade level teams will have the opportunity to showcase their change ideas with district colleagues; to give and receive feedback (agenda will be provided to lead the discussions)
25	PDSA Methodology; Timeline	Rogers; Grade Level Teams; Administrators	Participants will peruse the PDSA Protocol and plan how the device will be applied to support their improvement efforts

10	Break		
25	Plan	Site Grade Level Teams	Participants will review the PDSA and, as School-Based Grade-Level teams, Complete the Change Idea Portion of the Protocol (using their Change Idea(s) developed previously; and the Plan section of the PDSA protocol (Questions, Predictions, and Data)
10	PDSA Showcase	Grade Level Teams (ask for volunteers)	Possibly 2-3 teams will have the opportunity to present their production and the quality of their experience to colleagues throughout the district.
10	Closure	All	Pluses and Deltas; JELLY; Gratitude (brief electronic survey)

# GJUESD Improvement Cycle:

## *Putting the Dream Into Action: Middle School*

### 10-10-22

**Objectives:**

*Participants will*

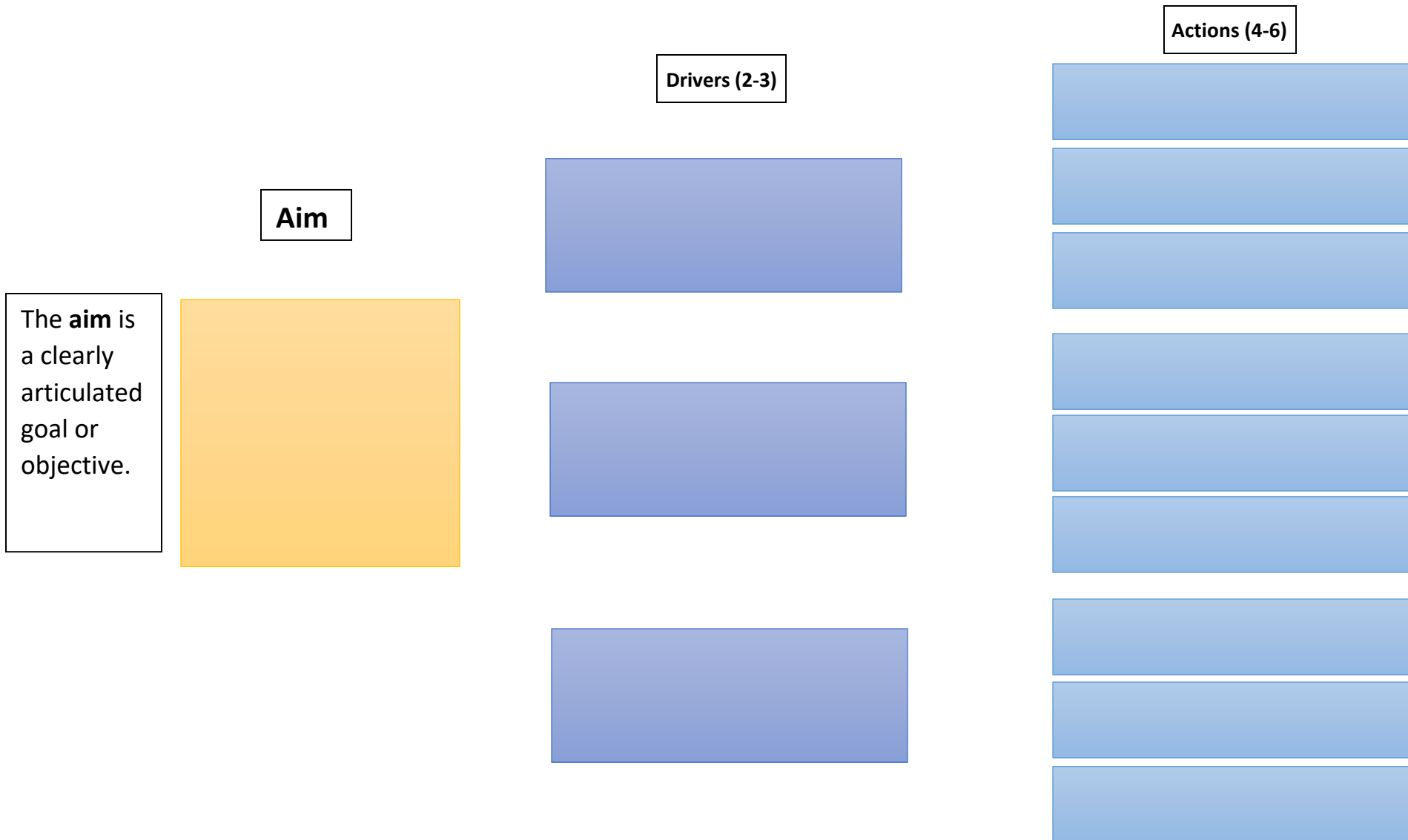
- *Utilize Improvement Science and Diversity~Equity~Inclusion~Belonging (DEIB) Methodology to develop change ideas*
- *Ask and answer questions from colleagues regarding professional methodology used in developing Change Ideas*

**Activities:**

# of minutes	Activity	Facilitator	Comments
40	Introductions; Anticipatory Set: <i>Why, How, What of Improvement Cycles as a PLC</i>	Superintendent Yount, Rogers	Introductory Casework: Julian and Change Ideas at Work
45	Taking Action as a Team: 3 dynamics of a change idea	Department Teams	Subject Area Teams will organize to develop Change Ideas
10	Break		
45	Professional Learning Communities: Feedback, Obstacles, Opportunity, and Development	Rogers; Department Teams; Administrators	Participants will participate in a gallery walk, peruse the change ideas of their colleagues; provide feedback on opportunities for improvement
10	Closure	All	Pluses and Deltas; JELLY; Gratitude (brief electronic survey)

# DRIVER DIAGRAM

A *driver diagram* is a way of describing the elements that need to be in place to achieve an improvement aim.



**Drivers** are system components or factors which contribute directly to achieving the aim.

**Actions** are interventions or lower-level components necessary to achieving the driver and tied back to the aim.

**How will you measure your actions?**





## 4-Step Plan~Do~Study~Act Protocol for Change Idea Testing

### Aim, Drivers, & Actions are a “Change Idea”

Instructions: *Fill-in the unshaded areas of the table*

<b>Change Idea Title:</b>		
What is the Change Idea being Tested? <i>(If we do, say, make, or create X, the anticipated change(s) are Y...)</i>		
What is the Aim of the Change Idea?		
What is/are the Driver(s)?	Driver 1:	
	Driver 2:	
	Driver 3:	
What is/are the Actions to be taken for each Driver?	<i>Actions for Driver 1:</i>	
	<i>Actions for Driver 2:</i>	
	<i>Actions for Driver 3:</i>	
Change Idea Tester(s) ~ Who are the team members?	1. <i>Name</i>	
	2. <i>Name</i>	
	3. <i>Name</i>	



Instructions: *Fill-in the unshaded areas of the table*

<b>Change Idea Title:</b>		
	4. Name	
Change Idea Test (CIT) Dates ( <i>i.e., from when to when...?</i> )	CIT Test Beginning Date:	
	CIT Test Ending Date:	

<b>PLAN</b>		
Instructions: <i>Fill-in the unshaded areas of the table</i>		
<b>Questions:</b> <i>What questions do you have about what will happen with each action of your change idea? What do you want to learn?</i>	<b>Predictions:</b> <i>What do you predict will happen for each question?</i>	<b>Data:</b> <i>What data will you collect to test your predictions/actions?</i>
<b>Data Collection:</b> <i>Describe how you will collect your data</i>		



## DO

*After the test period, briefly describe what happened during the test, any surprises, how you felt as you gathered data relevant to your questions and predictions.*

--

## STUDY

What were the results?  
*Were your predictions accurate? What does the data indicate about your predictions?*

--

--

--

Based on this experience, what have you learned?

--

## ACT

*Given your experience and findings, what practices will you Start? Stop? Keep Doing?*

--





## LCAP GOAL 2

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

### 1. **Positive School Climate Survey Questions**

*Lois Yount, Superintendent*

One of the GJUESD's goals is to increase school connectedness, increase student well-being, and a sense of safety at school. Each spring, we administer the California Healthy Kids Surveys. We plan on administering a small sample of the survey questions in November to determine how we are doing in these areas.

### 2. **2022 Lights On Afterschool**

*Jennifer Collier, Expanded Learning Coordinator*

GJUESD is hosting a Galt Expanded Learning Programs Celebration  
Thursday, October 20, 2022  
4:30 pm – 6:00 pm  
Vernon E. Greer Elementary School  
248 West A Street, Galt, CA 95632

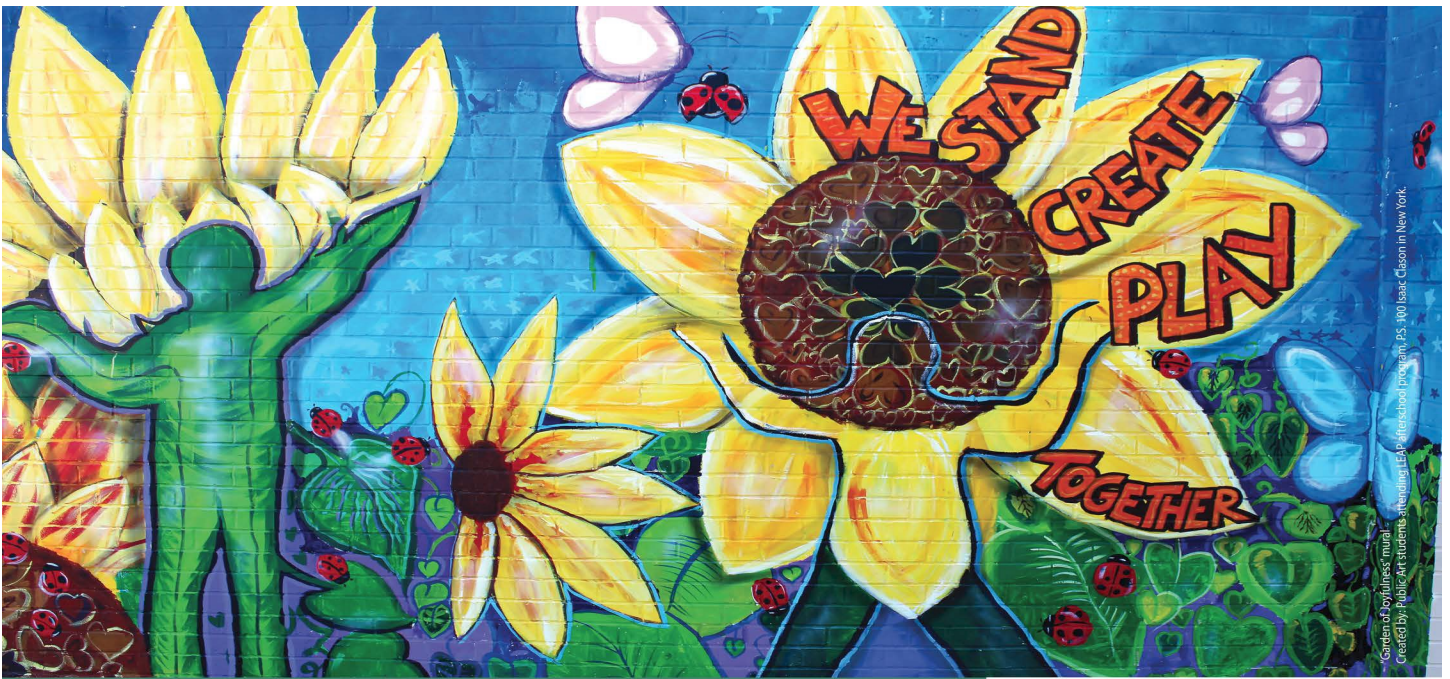
# Positive School Climate Survey Questions

One of the GJUESD’s goals is to increase school connectedness, increase student well-being, and a sense of safety at school. Each spring, we administer the California Healthy Kids Surveys. We plan on administering a small sample of the survey questions in November to determine how we are doing in these areas.

<b>Student Survey Questions Grades 5-8</b>	<b>Rating scale:</b>
<ol style="list-style-type: none"> <li>1. Do the teachers and other grown-ups at school care about you?</li> <li>2. Do you feel close to people at your school?</li> <li>3. Do you feel safe at your school?</li> <li>4. Do you get really bored at school?</li> <li>5. Do the teachers and other grown-ups at school ask about your ideas?</li> <li>6. Do your teachers ask you what you want to learn about?</li> <li>7. Do you feel proud to belong to your school?</li> <li>8. Do the teachers and other grown-ups from your school check on how you are feeling?</li> <li>9. Does your school help students resolve conflicts with one another?</li> <li>10. Is your school building neat and clean?</li> </ol>	<p>Yes, all of the time.            Yes, most of the time.            Yes, some of the time.            No, never.</p>

<b>Parent Survey Questions</b>	<b>Rating scale:</b>
<ol style="list-style-type: none"> <li>1. Parents feel welcome at this school.</li> <li>2. Teachers communicate with parents about students’ progress in school.</li> <li>3. This school treats all students with respect.</li> <li>4. This school motivates students to learn.</li> <li>5. This school has adults who really care about students.</li> <li>6. This school encourages students to care about how others feel.</li> <li>7. This school is a safe place for my child.</li> <li>8. This school enforces rules equally for my child and all students.</li> <li>9. My child’s teachers are responsive to my child’s social and emotional needs.</li> <li>10. This school is clean and well-maintained.</li> </ol>	<p>Strongly agree            Agree            Disagree            Strongly disagree            Don’t know</p>

<b>Staff Survey Questions</b>	<b>Rating scale:</b>
<ol style="list-style-type: none"> <li>1. This school is a supportive and inviting place for students to learn.</li> <li>2. This school motivates students to learn.</li> <li>3. This school is a safe place for students.</li> <li>4. This school is a supportive and inviting place for staff to work.</li> <li>5. This school promotes trust and collegiality among staff.</li> <li>6. Adults who work at this school feel a responsibility to improve this school.</li> <li>7. This school is clean and well-maintained.</li> <li>8. Adults who work at this school really care about students.</li> <li>9. Parents feel welcome to participate at this school.</li> <li>10. This school helps students resolve conflicts with one another.</li> </ol>	<p>Strongly agree            Agree            Disagree            Strongly disagree            Don’t know</p>



2022

**LIGHTS ON AFTERSCHOOL**  
Celebrating afterschool programs



*Join us to Celebrate!*

## Galt Expanded Learning Programs

*Vernon E. Greer Elementary School  
248 West A St. Galt, CA. 95632*

**Thursday, October 20, 2022**

**4:30 pm ~ 6:00 pm**

**Free Pizza Dinner**

**Creative Activity booths**

**Play Fun Games**



***Celebrate with local community partners, families, and friends!***

***For this event please pick up students at 4:00pm,  
programs will be closing on Thursday, October 20 at 4:00pm.***

***Please contact the Site Coordinator with any questions or concerns. Thank you!***



## OTHER REPORTS

### 1. **Naloxone Program**

*Donna Mayo-Whitlock, Educational Services Director*

#### **Fentanyl & Overdose Prevention**

In 2021, more than 71,000 people died from a synthetic opioid-related drug overdose in the United States according to provisional data from the Centers for Disease Control and Prevention (CDC). Recent data suggest that the number continues to increase each year. Fentanyl is a synthetic opioid that is up to 50 times stronger than heroin and 100 times stronger than morphine. Fentanyl is a major contributor to drug overdose deaths. Based on preliminary 2021 data, there were 6,843 opioid-related overdose deaths in California; 5,722 of these deaths were related to fentanyl. **In 2021, there were 224 fentanyl-related overdose deaths among teens, ages 15–19 years old, in California.**

**Naloxone is a life-saving medication used to reverse an opioid overdose**, including heroin, fentanyl, and prescription opioid medications. Naloxone can be quickly given through nasal spray ([Narcan](#)) or through an [auto-injector](#) into the outer thigh. Naloxone is safe and easy to use, works almost immediately, and is not addictive. Naloxone has very few negative effects and has no effect if opioids are not in a person's system.

In the educational setting, in the event of a suspected opioid overdose, Naloxone may be administered by:

- Credentialed school nurses
- Other licensed healthcare professionals
- Unlicensed Assistive Personnel, who are trained by the credentialed school nurse or school/district physician or surgeon, under the direct or indirect supervision of the credentialed school nurse
- Individuals who have been trained by the local health jurisdiction.



# OVERDOSE PREVENTION INITIATIVE

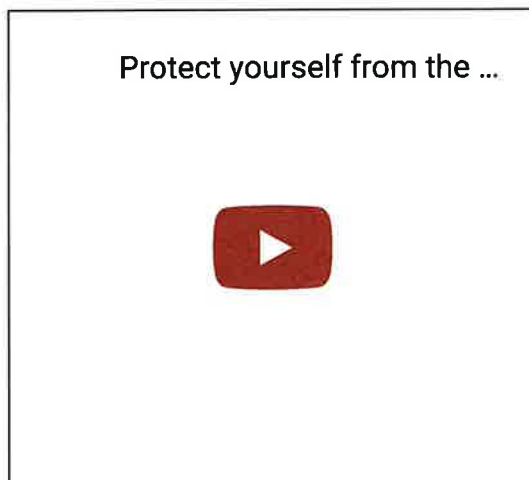


## What is fentanyl?

Fentanyl is a synthetic opioid that is up to 50 times stronger than heroin and 100 times stronger than morphine. It is a major contributor to fatal and nonfatal overdoses in California and the United States.

There are two types of fentanyl: **pharmaceutical fentanyl** and **illicitly manufactured fentanyl** (illicit fentanyl). Both are synthetic opioids. Pharmaceutical fentanyl is prescribed by doctors to treat severe pain, such as while in the hospital for and after surgery or for advanced-stage cancer. Illicit fentanyl is distributed through illegal drug markets for its heroin-like effect.

Learn more facts about fentanyl and download the Centers for Disease Control and Prevention's (CDC) The Facts about Fentanyl (PDF) fact sheet.



## Why is fentanyl dangerous?

Fentanyl is extremely potent. It is up to 50 times stronger than heroin and 100 times stronger than morphine. Illicit fentanyl can be added to other drugs to make them cheaper, more powerful, and more addictive. Illicit fentanyl has been found in many drugs, including heroin, methamphetamine, counterfeit pills, and cocaine. Fentanyl mixed with any drug increases the likelihood of a fatal overdose.

Fentanyl-laced drugs are extremely dangerous. It is nearly impossible to tell if drugs have been laced with fentanyl without the use of fentanyl test strips because fentanyl cannot be seen, smelled, or tasted. Test strips are inexpensive, typically give results within 5 minutes, and can be the difference between life or death. Even if the test is negative, caution should be taken as test strips might not detect other fentanyl-like drugs, like carfentanil. Download CDPH's Fentanyl Testing to Prevent Overdose (PDF) fact sheet.

Naloxone is an opioid antagonist that rapidly reverses the effects of an opioid overdose. With a fentanyl overdose, two or more doses of naloxone may need to be administered.



*A fatal amount of fentanyl next to a penny.*

Illicit fentanyl is sold alone or in combination with other drugs. It has been identified in counterfeit pills, mimicking pharmaceutical drugs such as oxycodone. According to the United States Drug Enforcement Administration (DEA), counterfeit pills are more lethal than ever before. The DEA found that 2 out of every 5 counterfeit pills with fentanyl contains a potentially lethal dose of fentanyl. The only safe medications are ones prescribed by a trusted medical professional and dispensed by a licensed pharmacist.

**Fentanyl can be found in different forms, including pills, powder, and liquid.**



### Rainbow Fentanyl

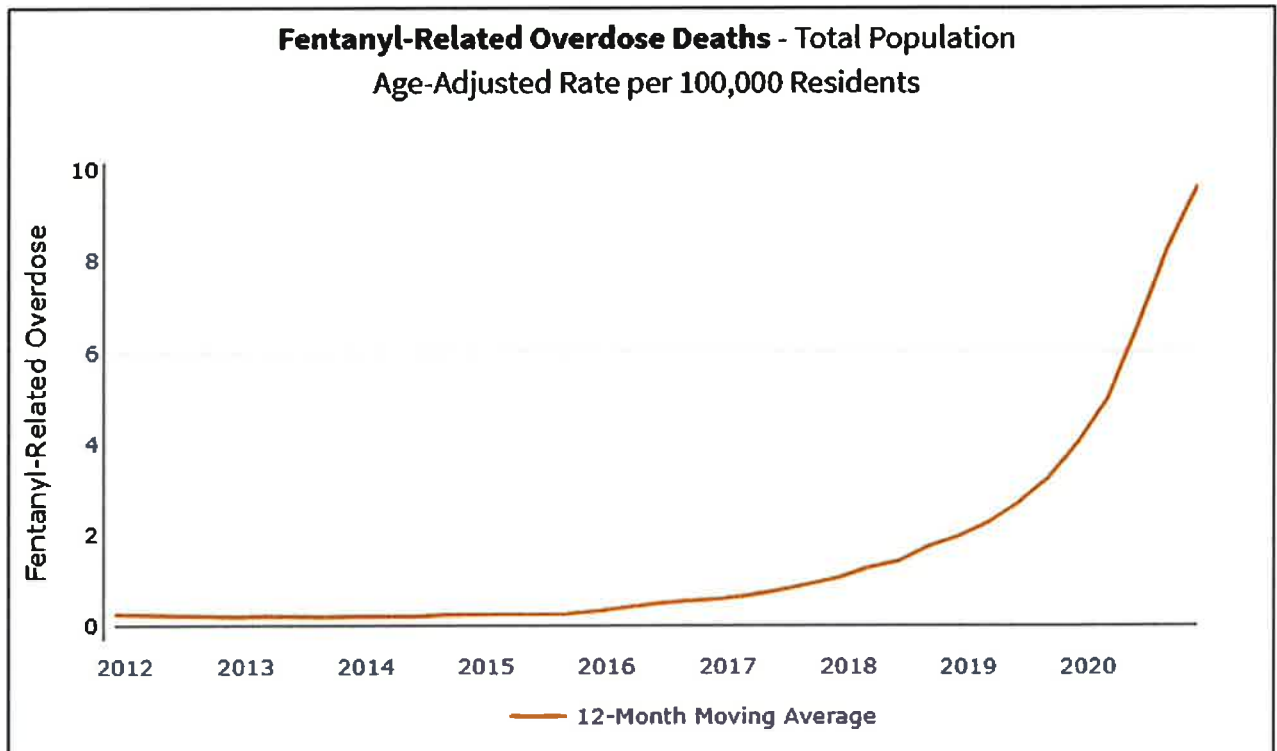


*Image source: DEA*

Brightly-colored fentanyl, referred to as rainbow fentanyl, has been identified as a new trend in the United States by the DEA. Rainbow fentanyl can be found in many forms, including pills, powder, and blocks that can resemble sidewalk chalk or candy. Rainbow fentanyl, like all forms of fentanyl, is extremely potent and dangerous. See CDPH's Alert on Rainbow Fentanyl.

### Fentanyl in California

Fentanyl-related overdose deaths in California have been increasing at an unpredictable pace (PDF).



Source: California Overdose Surveillance Dashboard

### What is California doing?

The CDPH Substance and Addiction Prevention Branch (SAPB) works with many partners throughout the state to monitor and address current trends at the statewide and local level. CDPH works closely with local health departments, opioid safety coalitions, and other local level partners to support local prevention and intervention efforts. Working closely with local health departments, opioid safety coalitions, and other local level partners allows CDPH to support local prevention and intervention efforts that address the specific and unique trends and needs of California's communities.

CDPH SAPB monitors fatal and non-fatal drug-related overdose trends over time in California by sex, age, race/ethnicity, and drug type. These trends are also available by county and zip code on the California Overdose Surveillance Dashboard.

The CDPH Office of AIDS (OA) funds harm reduction programs throughout the state that offer syringe services, naloxone, fentanyl test strips and other supplies and services to support the health of people who use drugs. The OA Harm Reduction Unit also provides technical assistance to local health jurisdictions and other local partners to add harm reduction services into health departments, clinics, hospitals and community-based organizations.

### Publications

- Responding to a Fentanyl Overdose: What California First Responders Need to Know (PDF)

### Sources

- CDC: The Facts about Fentanyl
- National Harm Reduction Coalition: Fentanyl
- DEA: One Pill Can Kill
- California Overdose Surveillance Dashboard
- Syringe Services Programs in California

For questions, please contact us at [opi@cdph.ca.gov](mailto:opi@cdph.ca.gov).

Page Last Updated : October 3, 2022



# California School Nurses Organization

## Opoid Antagonist Administration

### Position Statement

The California School Nurses Organization recognizes the devastating impact opioid abuse has on school communities, with addictions and deaths (CDC, 2021). Trends in Opioid overdoses continue to increase. The California School Nurses Organization strongly recommends the use of opioid antagonists for individuals who may experience suspected opioid overdose within the educational setting. The California Department of Public Health (CDPH) has issued a statewide standing order for distribution and administration of naloxone, an antidote medication that reverses an opioid overdose.

The CDPH order authorizes:

Non-prescribing entities to distribute naloxone to individuals at risk of opioid overdose, their family members and friends, or other persons in a position to assist during an opioid-related overdose, who have completed an opioid overdose prevention and treatment training program. "Opioid overdose prevention and treatment training program" means any program operated by a local health jurisdiction or that is registered by a local health jurisdiction to train individuals to prevent, recognize, and respond to an opiate overdose.

The administration of naloxone received from the entity using this standing order is intended to assist a person experiencing, or reasonably suspected of experiencing an opioid overdose, by school personnel, a family member, friend, or other person who has received opioid overdose prevention and treatment training program.

"Non-prescribing entities" means organizations that do not employ or contract with a medical provider that has a license to prescribe and can issue a standing order and provide oversight for the distribution and administration of naloxone. As long as the terms and conditions as specified by the CDPH are met, which include participating in an opioid overdose prevention and treatment training program.

In the educational setting, in the event of a suspected opioid overdose, an opioid antagonist may be administered by:

- Credentialed school nurses
- Other licensed health care professionals, (i.e. LVN, RN, APN, PA, NP, MD)
- Unlicensed Assistive Personnel (UAP), who are trained by the credentialed school

nurse or school/district physician or surgeon, under the direct or indirect supervision of the credentialed school nurse

- Individuals who have been trained by the local health jurisdiction (CIV1714.22).
- An individual who is prescribed an opioid antagonist (CIV1714.22).

The California School Nurses Organization recommends the following considerations when making decisions about site-based placing and/or administering emergency opioid antagonists to individuals in the educational setting.

Educational settings are responsible for mitigating, preventing, creating and practicing disaster procedures, routine and emergency plans, and crisis response plans (California Education Code 32282).

Opioid overdose is a medical emergency, which if left untreated, may lead to death (NIH, 2019).

Opioid overdose-related deaths can be prevented when naloxone is administered in a timely manner. As a narcotic antagonist, naloxone displaces opiates from receptor sites in the brain and reverses respiratory depression that usually is the cause of overdose deaths (SAMHSA, 2018). Narcotic antagonists may be administered intranasally or intramuscularly.

When administered quickly and effectively, naloxone has the potential to immediately restore breathing to a victim experiencing an opioid overdose. Subsequent doses may be administered in accordance with standing orders.

California Education Code section 49414.3(a) states that school districts, county offices of education, and charter schools may provide emergency naloxone hydrochloride or another opioid antagonist to school nurses or trained personnel who have volunteered pursuant to subdivision (d), and school nurses or trained personnel may use naloxone hydrochloride or another opioid antagonist to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose.

If the school district, county office of education or charter school elects to utilize emergency opioid antagonists for emergency medical aid, a plan must be created and address the following issues: (CEC 49414.3(e)(2)):

- A. Techniques for recognizing symptoms of an opioid overdose.
- B. Standards and procedures for the storage, restocking, and emergency use of naloxone hydrochloride or another opioid antagonist.
- C. Basic emergency follow-up procedures, including, but not limited to, a requirement for the school or charter school administrator or, if the administrator is not available, another school staff member to call the emergency 911 telephone number and to contact the pupil's parent or guardian.
- D. Recommendations on the necessity of instruction and certification in cardiopulmonary resuscitation.
- E. Written material covering the information required under this subdivision.

## Rationale

The National Institute of Health has declared opioid overdose deaths a public health crisis (NIH, 2019). Opioid overdose is a potentially life-threatening situation. Death following opioid overdose is preventable if the person receives basic life support with timely administration of an opioid antagonist. Early recognition of opioid overdose signs/symptoms and prompt interventions are vital to survival and key to establishing and maintaining a safe school environment for all students.

## References

California Business and Professions Code 4119.8

[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=4119.8.&lawCode=BPC](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=4119.8.&lawCode=BPC)

California Civil Code 1714.22

[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=1714.22.&lawCode=CIV](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1714.22.&lawCode=CIV)

California Education Code 49414.3

[https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=EDC&division=4.&title=2.&part=27.&chapter=9.&article=1](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=EDC&division=4.&title=2.&part=27.&chapter=9.&article=1).

California Education Code 49423

[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=49423.&lawCode=EDC](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=49423.&lawCode=EDC)

California Health and Safety Code 1797.197

[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=HSC&sectionNum=1797.197](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC&sectionNum=1797.197)

California Code of Regulations, Title 5, Division 1. California Department of Education, Chapter 3. Individuals with Exceptional Needs, Subchapter 1. Special Education, Article 5. Implementation (Program Components)

Centers for Disease Control and Prevention (2021). Drug overdose deaths in the U.S. top 100,000 annually.

[https://www.cdc.gov/nchs/pressroom/nchs\\_press\\_releases/2021/20211117.htm](https://www.cdc.gov/nchs/pressroom/nchs_press_releases/2021/20211117.htm)

National Institute of Health (NIH): National Institute of Drug Abuse. (2019). Opioid.

<https://www.drugabuse.gov/drugs-abuse/opioids>

Substance Abuse and Mental Health Services. (2018). *Opioid overdose prevention toolkit* (HHS Publication No. [SMA] 18-1472). Rockville, MD: Author.

<https://store.samhsa.gov/system/files/sma18-4742.pdf>

CSNO Board Approval History

Adopted 2017. Revised 4/22

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# FREE NARCAN® (naloxone HCl) NASAL SPRAY TO ELIGIBLE SCHOOLS

Opioid abuse and overdose are a national epidemic that affects the entire community. Schools are at the forefront of this national problem and, therefore, should have broad-based educational programs and treatment protocols in place. Critical to this effort is the decision to implement an opioid overdose emergency treatment program with naloxone.

The *Naloxone in Schools Toolkit* was independently developed by the National Association of School Nurses (NASN) through an educational grant provided by Emergent BioSolutions.



Visit **NASN Learning Center for the Naloxone in Schools Toolkit:**  
[pathlms.com/nasn/courses/3353](http://pathlms.com/nasn/courses/3353)



Not actual size.

Consider implementing a naloxone program and Emergent BioSolutions will provide your initial dosing of NARCAN® Nasal Spray at NO COST.

**High Schools:** All 26,727 public and private US high schools are eligible to receive **two FREE cartons** (2 doses per carton) of NARCAN® Nasal Spray.\*

**Colleges and Universities:** All 4,313 public and private Title IV degree-granting, 2- and 4-year institutions are eligible to receive **four FREE cartons** (2 doses per carton) of NARCAN® Nasal Spray.\*

Designed for ease-of-use and rapid administration, with no specialized training,<sup>†</sup> NARCAN® Nasal Spray is the most widely prescribed community-use naloxone.<sup>1</sup>

Schools and institutions can contact Emergent BioSolutions Customer Support Team at 1-844-4NARCAN (1-844-462-7226) or [narcancustomerservice@ebsi.com](mailto:narcancustomerservice@ebsi.com), or email a dedicated Customer Support Specialist at [SchoolsProgram@ebsi.com](mailto:SchoolsProgram@ebsi.com).

\*Per lifetime allotment.

<sup>†</sup>Administer in accordance with the Instructions for Use.

## WHAT IS NARCAN® NASAL SPRAY?

- NARCAN® Nasal Spray is a prescription medicine used for the treatment of a known or suspected opioid overdose emergency with signs of breathing problems and severe sleepiness or not being able to respond.
- NARCAN® Nasal Spray is to be given right away and does not take the place of emergency medical care. Get emergency medical help right away after giving the first dose of NARCAN® Nasal Spray, even if the person wakes up.

NARCAN® Nasal Spray is safe and effective in children for known or suspected opioid overdose.

## IMPORTANT SAFETY INFORMATION

**Who should not use NARCAN® Nasal Spray?**

**Do not use NARCAN® Nasal Spray** if you are allergic to naloxone hydrochloride or any of the ingredients in NARCAN® Nasal Spray.

**Please see additional Important Safety Information on the reverse side.  
Please see accompanying full Prescribing Information.**

## IMPORTANT SAFETY INFORMATION (cont)

### What is the most important information I should know about NARCAN® Nasal Spray?

NARCAN® Nasal Spray is used to temporarily reverse the effects of opioid medicines. The medicine in NARCAN® Nasal Spray has no effect in people who are not taking opioid medicines. Always carry NARCAN® Nasal Spray with you in case of an opioid overdose.

1. Use NARCAN® Nasal Spray right away if you or your caregiver think signs or symptoms of an opioid overdose are present, even if you are not sure, because an opioid overdose can cause severe injury or death. Signs and symptoms of an opioid overdose may include:
  - unusual sleepiness and you are not able to awaken the person with a loud voice or by rubbing firmly on the middle of their chest (sternum)
  - breathing problems including slow or shallow breathing in someone difficult to awaken or who looks like they are not breathing
  - the black circle in the center of the colored part of the eye (pupil) is very small, sometimes called “pinpoint pupils,” in someone difficult to awaken
2. Family members, caregivers, or other people who may have to use NARCAN® Nasal Spray in an opioid overdose should know where NARCAN® Nasal Spray is stored and how to give NARCAN® Nasal Spray before an opioid overdose happens.
3. **Get emergency medical help right away after giving the first dose of NARCAN® Nasal Spray.** Rescue breathing or CPR (cardiopulmonary resuscitation) may be given while waiting for emergency medical help.
4. The signs and symptoms of an opioid overdose can return after NARCAN® Nasal Spray is given. If this happens, give another dose after 2 to 3 minutes using a new NARCAN® Nasal Spray device and watch the person closely until emergency help is received.

### What should I tell my healthcare provider before using NARCAN® Nasal Spray?

Before using NARCAN® Nasal Spray, tell your healthcare provider about all of your medical conditions, including if you:

- have heart problems
- are pregnant or plan to become pregnant. Use of NARCAN® Nasal Spray may cause withdrawal symptoms in your unborn baby. Your unborn baby should be examined by a healthcare provider right away after you use NARCAN® Nasal Spray.
- are breastfeeding or plan to breastfeed. It is not known if NARCAN® Nasal Spray passes into your breast milk.

**Tell your healthcare provider about the medicines you take**, including prescription and over-the-counter medicines, drugs, vitamins, and herbal supplements.

### What are the possible side effects of NARCAN® Nasal Spray?

#### NARCAN® Nasal Spray may cause serious side effects, including:

Sudden opioid withdrawal symptoms which can be severe. In someone who has been using opioids regularly, opioid withdrawal symptoms can happen suddenly after receiving NARCAN® Nasal Spray and may include:

- body aches
- diarrhea
- increased heart rate
- fever
- runny nose
- sneezing
- goose bumps
- sweating
- yawning
- nausea or vomiting
- nervousness
- restlessness or irritability
- shivering or trembling
- stomach cramping
- weakness
- increased blood pressure

Some patients may show aggressive behavior upon abrupt reversal of an opioid overdose.

In infants under 4 weeks old who have been receiving opioids regularly, sudden opioid withdrawal may be life-threatening if not treated the right way. Signs and symptoms include: seizures, crying more than usual, and increased reflexes.

These are not all of the possible side effects of NARCAN® Nasal Spray. Call your doctor for medical advice about side effects. You may report side effects to the FDA at 1-800-FDA-1088 or [www.fda.gov/medwatch](http://www.fda.gov/medwatch).

NNS CON ISI 08/2020

**Please see accompanying full Prescribing Information.**

Reference: 1. Data on file. Emergent Devices Inc. Plymouth Meeting, PA; 2020.

## NARCAN ADMINISTRATION PROTOCOL

### RECOGNIZE:

#### Observe individual for signs and symptoms of opioid overdose

Suspected or confirmed opioid overdose consists of:

- Respiratory depression evidenced by slow respirations or no breathing (apnea)
- Unresponsiveness to stimuli (such as calling name, shaking, sternal rub)

Suspicion of opioid overdose can be based on:

- Presenting symptoms
- History
- Report from bystanders
- School nurse or staff prior knowledge of person
- Nearby medications, illicit drugs or drug paraphernalia

#### Opioid Overdose vs. Opioid High

Opioid High	Opioid Overdose
Relaxed muscles	Pale, clammy skin
Speech slowed, slurred, breathing	Speech infrequent, not breathing, very shallow breathing
Appears sleepy, nodding off	Deep snorting or gurgling
Responds to stimuli	Unresponsive to stimuli (calling name, shaking, sternal rub)
Normal heart beat/pulse	Slowed heart beat/pulse
Normal skin color	Cyanotic skin coloration (blue lips, fingertips)
	Pinpoint pupils

(Adapted from Massachusetts Department of Public Health Opioid Overdose Education and Naloxone Distribution)

### RESPOND:

#### Immediately call for help

- Call for help- Dial 911.
  - Request Advanced Life Support.
- Assess breathing: Perform rescue breathing if needed.
  - Place the person on their back.
  - Tilt their chin up to open the airway.
  - Check to see if there is anything in their mouth blocking their airway, such as gum, toothpick, undissolved pills, syringe cap, cheeked Fentanyl patch.
    - If present. remove it.
  - If using mask, place and hold mask over mouth and nose.
  - If not using mask, pinch their nose with one hand and place your mouth over their mouth
  - Give 2 even, regular-sized breaths.
  - Blow enough air into their lungs to make their chest rise.
    - If you are using a mask and don't see their chest rise, out of the corner of your eye, tilt the head back more and make sure the seal around the mouth and nose is secure.
    - If you are not using a mask and don't see their chest rise, out of the corner of your eye make sure you're pinching their nose.
  - Breathe again.
  - Give one breath every 5 seconds.


## REVERSE:

### Administer naloxone

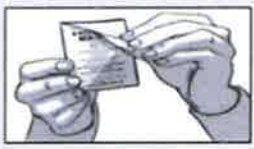
#### Via Intra-Nasal Narcan:

Tilt head back and given spray (4 mg) into one nostril. If additional doses are needed, given in the other nostril.

**Remove** NARCAN Nasal Spray from the box.  
**Peel back the tab with the circle to open the NARCAN Nasal Spray.**




**Hold** the NARCAN nasal spray with your thumb on the bottom of the plunger and your first and middle fingers on either side of the nozzle.




**Gently insert the tip of the nozzle into either nostril.**

- Tilt the person's head back and provide support under the neck with your hand. Gently insert the tip of the nozzle into **one nostril**, until your fingers on either side of the nozzle are against the bottom of the person's nose.



**Press the plunger firmly** to give the dose of NARCAN Nasal Spray.

- Remove the NARCAN Nasal Spray from the nostril after giving the dose.



(Graphic credit: ADAPT Pharma, 2015)

- Place person in recovery position (lying on their side).
- Stay with the person until help arrives.
- Seize all illegal and/or non-prescribed opioid narcotics found on victim and process in accordance with school district protocols.

Note: Using naloxone in patients who are opioid dependent may result in severe opioid withdrawal symptoms such as restlessness or irritability, body aches, diarrhea, increased heart rate (tachycardia), fever, runny nose, sneezing, goose bumps (piloerection), sweating, yawning, nausea or vomiting, nervousness, shivering or trembling, abdominal cramps, weakness, and increased blood pressure. **Risk of adverse reaction should not be a deterrent to administration of naloxone.**

## REFER:

- Have the individual transported to nearest medical facility, even if symptoms seem to get better.
- Contact parent/guardians per school protocol.
- Complete Naloxone Administration Report form.
- Follow up with treatment referral recommendations.

## References

- ADAPT Pharma. (2016). Helpful Resources. Available at: <http://www.narcannaspray.com/helpful-resources/>
- Centers for Disease Control and Prevention. (2012). Community-Based Opioid Overdose Prevention Programs Providing Naloxone — United States, 2010 MMWR February 17, 2012/ 61(06), 101-105. Available at: <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6106a1.htm>
- Davis, C., Webb, D., Burris, S. (2013). Changing Law from Barrier to Facilitator of Opioid Overdose Prevention. Journal of Law, Medicine & Ethics, 41(Suppl. 1), 33-36.
- Harm Reduction Coalition. (n.d.). Perform Rescue Breathing. Available at: <http://harmreduction.org/issues/overdose-prevention/overview/overdose-basics/responding-to-opioid-overdose/perform-rescue-breathing/>
- Loimer, N., Hofmann, P., Chaudhry, H.R. (1992). Nasal administration of naloxone for detection of opiate dependence. Journal of Psychiatric Research, 26, 39-43.
- Massachusetts Department of Public Health Opioid Overdose Education and Naloxone Distribution. (n.d.) Opioid Overdose Education and Naloxone Distribution MDPH Naloxone pilot project Core Competencies. Available at: <http://www.mass.gov/eohhs/docs/dph/substance-abuse/core-competencies-for-naloxone-pilot-participants.pdf>



## Board Meeting Agenda Item Information

<b>Meeting Date:</b> October 19, 2022	<b>Agenda Item: 212.367</b> Board Consideration of Approval of Consent Calendar
<b>Presenter:</b> Lois Yount	<b>Action Item:</b> XX <b>Information Item:</b>
<ul style="list-style-type: none"> <li>a. Approval of the Agenda</li> <li>b. Minutes           <ul style="list-style-type: none"> <li>▪ September 21, 2022</li> </ul> </li> <li>c. Payment of Warrants           <ul style="list-style-type: none"> <li>▪ Vendor Warrant Numbers: 23371074-23371161, 23372408-23372481, 23373831-23373908, 23373831-23373908, 23375088-23375159</li> <li>▪ Payroll Warrants: 9/16/22, 9/30/22, 10/10/22</li> <li>▪ Certificated/Classified Payrolls Dated: 9/16/22, 9/30/22, 10/10/22</li> </ul> </li> <li>d. Personnel           <ul style="list-style-type: none"> <li>▪ Resignations/Retirements</li> <li>▪ Leave of Absence Requests</li> <li>▪ New Hires/Reclassifications</li> </ul> </li> <li>e. Donations</li> </ul>	

# Galt Joint Union Elementary School District Board of Education Minutes

**Regular Board Meeting  
September 21, 2022**

**Galt Joint Union Elementary School District Office  
1018 C Street, Suite 210, Galt, CA 95632**

**Remote Via Zoom  
Webinar ID: 896-7009-6260**

## **Board Members**

Thomas Silva  
Grace Malson  
Traci Skinner  
Casey Raboy  
Wesley Cagle - absent

## **Administrators Present via Zoom**

Lois Yount	Carlos Castillo
Nicole Lorenz	Laura Papineau
Claudia Del Toro-Anguiano	Laura Marquez
Donna Mayo-Whitlock	Leah Wheeler
	Tina Homdus

- A. 6:00 p.m. – Closed Session:** Galt Joint Union Elementary School District Conference Room  
Present for Closed Session: Thomas Silva, Grace Malson, Traci Skinner, Casey Raboy, Lois Yount, Nicole Lorenz, Claudia Del Toro-Anguiano, Donna Mayo-Whitlock
- B. Closed Session was called to order at 6:04 p.m.** by Thomas Silva to discuss the following items:
1. STUDENT EXPULSION, EDUCATION CODE §48918
    - Case No. 21/22-04
  2. CONFERENCE WITH LABOR NEGOTIATOR, Government Code §54957.6  
Agency Negotiator: Lois Yount, Claudia Del Toro-Anguiano, Donna Mayo-Whitlock, Nicole Lorenz
    - Employee Agency: (GEFA) Galt Elementary Faculty Association
    - Employee Agency: (CSEA) California School Employee Association
    - Non-Represented Employees
  3. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE, Government Code §54957
- C. Closed Session Adjourned at 7:06 p.m.,** followed by the Flag Salute. Thomas Silva announced no report out of closed session.
- D.** Lois Yount, Superintendent, began the meeting by stating that the District's thoughts and prayers are with the Hernandez family. She said Araceli Hernandez, a parent and employee of the District, lost her daughter, a Greer Elementary student, last week. She thanked staff, families and the Galt community for supporting the Hernandez family. The family is very thankful and feels love from everyone.

Lois Yount shared the **Board Meeting Protocol**.

## E. Reports

### SUPERINTENDENT

#### 1. School Safety

Lois Yount reported she and two administrators attended the 2022 School Safety Symposium - Active Shooter Threat Prevention & Response Training. She highlighted that over the last 20 years, only 20 percent of violent attacks are on schools. Preventative measures shared with participants include:

- A strong partnership with law enforcement
- Building trusting relationships on school campuses
- A visible and established adult presence on school campuses
- Encourage nonviolent ways for students to resolve conflict
- Campus safety-related training
- Ensure gates and doors are locked
- Wear employee identification badges

Ms. Yount briefed administrators about the training and findings. She and her staff plan to continue working on prevention strategies with school social workers, counselors, and school resource officers.

Ms. Yount added that the Galt Police Department is in the process of performing school site safety assessments. The assessments are in addition to the implementation of emergency notification equipment (panic buttons). The equipment will be installed beginning in January with each school installing three to four panic buttons. Law enforcement and school administrators will determine the placement of the panic buttons.

#### 2. Enrollment Update

Lois Yount provided an enrollment update. She stated the District is up thirty-six students compared to the end of the last school year for a total of 3356 students. She indicated next year's numbers may be higher due to the expansion of transitional kindergarten.

Ms. Yount stated that Ken Reynolds, SchoolWorks Inc., will begin an update of the District demographic study in October. This update will include birth rates and new housing developments in Galt. This study will be brought to the Board as a report in December or January.

### LCAP GOAL 2

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

#### 1. I-SMART Parent Training at Robert L. McCaffrey Middle School

Donna Mayo-Whitlock, Educational Services Director, reported Robert L. McCaffrey middle school initiated a Social Media Awareness presentation for parents on September 22, 2022, to provide parents with an overview of current, popular social media applications used by youth. The presentation is provided by

the Sacramento County District Attorney's Office. She indicated presentations are being planned in Spanish and for grades 4, 5 & 6.

**F. Routine Matters/New Business**

**212.346** Lois Yount, shared the donation.

Consent Calendar

Grace Malson made a motion to approve the Consent Calendar, seconded by Casey Raboy. The motion carried by 4 Ayes.

- a. Approval of the Agenda
- b. Minutes
  - August 17, 2022 Regular Board Meeting
- c. Payment of Warrants
  - Vendor Warrants: 23364878-23364937; 23365569-23365590; 23366127-23366154; 23367279-23367362; 23368646-23368699; 23369646-23369689
  - Payroll Warrants: 8/19/22, 8/31/22, 9/9/22
- d. Personnel

Resignations/Retirees			
Name	Position	Effective Date	Site
Armas, Clara	Yard Supervisor	9/16/22	Lake Canyon
Arriata, Yolanda	Yard Supervisor	8/15/22	McCaffrey Middle
Barajas, Magdalena	Yard Supervisor	8/31/22	Marengo Ranch
Enriquez, Alicia	Instructional Assistant, Bilingual	9/2/22	Valley Oaks
Forero, Nathan	Teacher - Music	8/8/22	Vernon E. Greer
Fritts, Lindsey	Yard Supervisor	8/31/22	River Oaks
Hayes, Julie	TOSA/Assistant Principal	9/16/22	District Office
Hernandez, Gloria	Yard Supervisor	8/26/22	Marengo Ranch
Hodgson, William	Registered Behavior Tech.	8/10/22	District Office
Macias, Beatriz	Bilingual Instructional Assistant	8/8/22	Fairsite
Macias, Gabriela	Instructional Assistant	8/11/22	River Oaks
Marquez, Emmit	Yard Supervisor	8/19/22	Vernon E. Greer
Ott, Evelyn	Yard Supervisor	8/31/22	River Oaks
Perez, Jonathon	Instructional Assistant, Exp. Learn.	9/6/22	Vernon E. Greer
Rocha, Melissa	Instructional Assistant, Special Education	8/25/22	McCaffrey Middle



Leave of Absence Requests			
Name	Position	Effective Date	Site
Aceves, Sarah	Teacher	10/7/22	River Oaks
Baysinger, Deborah	Yard Supervisor	8/11/22	River Oaks
Coleman, Victor	Custodian	8/11/22	Lake Canyon
Dettman, Tammy	BFLC Technician	8/3/22	Marengo Ranch
Doberneck, Jennifer	Health Assistant II	9/28/22	District Office
Keane, Charlene	BFLC Technician	9/7/22	Vernon E. Greer
Little, Joshua	Mechanic	9/23/22	Transportation
Rocha, Melissa	Instructional Assistant, Special Education	8/15/22	McCaffrey Middle

New Hires/Reclassifications/Status Changes			
Name	Position		Site
Avila, Cynthia	Yard Supervisor		Valley Oaks
Beckwith, Ashley	Dispatcher		Transportation
Burdewick, Ashley	Instructional Assistant, Special Education		River Oaks
Ceja, Carina (status change)	Home Visitor		Fairsite
Chavez, Faviola	Bilingual Instructional Assistant		Valley Oaks
Corrales-Franco, Zulema	Bilingual Instructional Assistant, Exp. Learning		River Oaks
Cruz, Susie (Reclassification)	Bilingual Instructional Assistant		Valley Oaks
Diaz, Maria	Bilingual Instructional Assistant		Valley Oaks
Doberneck, Clayton	Classified Substitute		N/A
Duenas, Gabriela	Bilingual Instructional Assistant, Exp. Learning		Lake Canyon
Flores, John	Classified Substitute		N/A
Forbes, Jamie	Yard Supervisor		Marengo Ranch
Galeno, Tedra (Status Change)	Registered Behavior Technician		District Office
Gamboa-Sandoval, Nancy	Instructional Assistant, Special Education		Fairsite
Godinez Murillo, Mariana (Status Change)	Instructional Assistant, Exp. Learning		Fairsite
Gutierrez, Sarai	Instructional Assistant, Exp. Learning		River Oaks
Gray, Shelby	Instructional Assistant		Valley Oaks
Heidrich, Paige	Instructional Assistant, Special Education		River Oaks
Hernandez, Rachel (status change)	Instructional Assistant, Special Education		River Oaks
Hill, Jessica	Certificated Substitute		N/A
Ibarra, Perla	Instructional Assistant		Marengo Ranch
Lambert, Theresa (status change)	Bus Driver		Transportation
Lawrie, Jackson	Classified Substitute		N/A

Mendoza, Griselda	Bilingual Instructional Assistant	Fairsite
Moreno, Brenda	Bilingual Instructional Assistant	Fairsite
Murray, Patricia (status change)	Instructional Assistant, Exp. Learning	Vernon E. Greer
Nieto, Jacqueline	Classified Substitute	N/A
Odell, Yvette (Reclassification)	Secretary II	Fairsite
Pamplona, Adriana	Instructional Assistant, Exp. Learning	Marengo Ranch
Parra, Julian	Instructional Assistant, Exp. Learning	River Oaks
Ramirez, Lucerito	Bilingual Instructional Assistant, Exp. Learning	Vernon E. Greer
Ramirez, Nizeth	Classified Substitute	N/A
Ramirez Gomez, Ma Gaudalupe	Classified Substitute	N/A
Rocha, Brooke	Instructional Assistant	Lake Canyon
Roque, Ysenia	Bilingual Instructional Assistant, Exp. Learning	Marengo Ranch
Ruan Gonzalez, Sylvia	Bilingual Office Assistant	Valley Oaks
Salim, Samia (status change)	Instructional Assistant, Exp. Learning	Marengo Ranch
Shin, Eunshil	Preschool Teacher	Fairsite
Stefan Pereira, Jane	Instructional Assistant	Vernon E. Greer
Terra, Diana	Instructional Assistant, Special Education	Vernon E. Greer
Turner, Cailin	Instructional Assistant, Exp. Learning	Lake Canyon
Vue, Leng	Classified Substitute	N/A

- e. Donations
- f. 2022-23 Master Contracts for Nonpublic Schools and Agencies
  - CCHAT
  - Lodi Children's Therapy
  - The Stepping Stones Group
  - Ro Health
- g. 2022-23 After School Education and Safety (ASES) Program Memorandum of Understanding Between Galt Joint Union Elementary School District and the City of Galt
- h. Out of State Conference Attendance for Colleen Wilson and Stefani Khan to attend the 6<sup>th</sup> Annual Conference of the Reading League, October 20-21, 2022, Syracuse, New York
- i. 2022-23 School Fundraisers

**212.347** Consent Calendar (Continued) – There were no Items Removed for Later Consideration.

CC Items  
Removed

<b>212.348</b>	Traci Skinner made a motion to approve the District recommendation for Student Expulsion Case No. 21/22-04, seconded by Thomas Silva. A vote of 4 Ayes carried the motion.	Student Matter
<b>212.349</b>	Nominations for California School Boards Association (CSBA) Directors-at-Large Asian/Pacific Islander and Hispanic died due to lack of a motion.	CSBA Director at Large
<b>212.350</b>	Thomas Silva made a motion to approve Resolution No. 1; Authorization to Adopt California Uniform Public Construction Cost Accounting Act Procedures and Related Items ("CUPCCAA") and Related Board Policy and Administrative Regulation 3311.1; Uniform Public Construction Cost Accounting Procedures, seconded by Grace Malson. A vote of 4 Ayes carried the motion.	Res. 1 CUPCCAA
<b>212.351</b>	A Public Hearing Regarding the Sufficiency of Instructional Materials and Determination through a Resolution of Whether Each Student has Sufficient Textbooks and Instructional Materials Pursuant to Education Code 60119 was held. There was no public comment.	PUBLIC HEARING
<b>212.352</b>	Traci Skinner made a motion to approve Resolution No. 4, GJUESD Resolution Regarding Sufficiency of Instructional Materials, seconded by Casey Raboy. A vote of 4 Ayes carried the motion.	Res. 4 Sufficiency of Instructional Materials
<b>212.353</b>	Traci Skinner made a motion to approve Provisional Internship Permit for Newly Hired Educator Monica Brixey, seconded by Casey Raboy. A vote of 4 Ayes carried the motion.	Provisional Internship Permit
<b>212.354</b>	Lois Yount provided an overview of this item and stated that funding is from Learning Loss funds, not the Expanded Learning Opportunity Grant.  Claudia Del Toro-Anguiano, Curriculum Director, stated the side letter is voluntary for teachers. Student support targets specific skills tied to certain standards. It is for student groups identified by the teachers including high achievers.  Grace Malson made a motion to approve the Side Letter of Agreement Between Galt Joint Union Elementary School District and Galt Elementary Faculty Association (GEFA) Regarding Acceleration Blocks, seconded by Casey Raboy. The motion carried by a vote of 4 Ayes	GEFA MOU Acceleration Blocks
<b>212.355</b>	The Galt Joint Union Elementary School District held its Initial Public Notice to the Galt Elementary Faculty Association (GEFA) [PUBLIC NOTICE / "SUNSHINE"]. The District proposed contract language in the following re-opener article: Compensation. There was no Public Comment.	PUBLIC NOTICE
<b>212.356</b>	Thomas Silva made a motion to approve the GJUESD Actuarial Study of Retiree Health Liabilities Under GASB 74/75 For Fiscal Year-End June 30, 2022, seconded by Grace Malson. A vote of 4 Ayes carried the motion.	Actuarial Study

<b>212.357</b>	Thomas Silva made a motion to approve 2021-22 Unaudited Actuals, seconded by Traci Skinner. A vote of 4 Ayes carried the motion.	<b>Unaudited Actuals</b>
<b>212.358</b>	Thomas Silva made a motion to approve Resolution No. 3; 2022-23 GANN Limit, seconded by Casey Raboy. A vote of 4 Ayes carried the motion.	<b>Res. 3 GANN Limit</b>
<b>212.359</b>	Grace Malson made a motion to approve Disposal of Surplus Vehicle; 1995 Ford F-250 Truck, seconded by Traci Skinner. A vote of 4 Ayes carried the motion.	<b>Disposal of Surplus Vehicle</b>
<b>212.360</b>	Traci Skinner made a motion to approve the 2022-23 Consolidated Application, seconded by Casey Raboy. A vote of 4 Ayes carried the motion.	<b>Con App</b>
<b>212.361</b>	Casey Raboy made a motion to approve a Memorandum Of Understanding (MOU) Between the California School Employees Association and its Galt Chapter #362 (CSEA) and the GJUESD Regarding the Creation of the Purchasing Technician Position, seconded by Traci Skinner. A vote of 4 Ayes carried the motion.	<b>CSEA MOU Purchasing Tech</b>
<b>212.362</b>	Grace Malson made a motion to approve the Memorandum Of Understanding Between the California School Employees Association and its Galt Chapter #362 (CSEA) and the GJUESD Regarding Signing Bonuses for the following Hard to Fill Classified Positions: <ul style="list-style-type: none"> <li>- \$1,000 signing bonus, after the completion of the 6-month probation period, to Instructional Assistants, Instructional Assistants - Expanded Learning, Instructional Assistants - Special Education, Instructional Assistants - Preschool, Bilingual Instructional Assistants.</li> <li>- \$5,000 signing bonus, upon hiring, to School Social Workers.</li> </ul> <p>seconded by Casey Raboy. A vote of 4 Ayes carried the motion.</p>	<b>CSEA MOU Hard to Fill Positions</b>
<b>212.363</b>	Thomas Silva made a motion to approve the Memorandum Of Understanding Between the California School Employees Association and its Galt Chapter #362 (CSEA) and the GJUESD Regarding a Salary Range Increase for Bus Drivers and the Dispatcher, seconded by Traci Skinner. A vote of 4 Ayes carried the motion.	<b>CSEA Salary Increase Transportation</b>
<b>212.364</b>	Grace Malson made a motion to approve the Memorandum Of Understanding Between the California School Employees Association and its Galt Chapter #362 (CSEA) and the GJUESD Regarding an Increase to the Warehouse Worker Position Hours, seconded by Casey Raboy. A vote of 4 Ayes carried the motion.	<b>CSEA MOU Warehouse Worker</b>

**212.365** The Galt Joint Union Elementary School District held its Initial Public Notice to the Classified Schools Employee Association (CSEA), Galt Chapter #362 [PUBLIC NOTICE / "SUNSHINE"]. The District proposed contract language in the following re-opener article: Compensation. There was no Public Comment.

PUBLIC NOTICE

**212.366** A First Reading of the following Board Policies, Administrative Regulations, Bylaws, and Exhibits was held.

1<sup>st</sup> Reading

Board members discussed AR 5141.31 Immunizations. They concurred to change item number 7, listed under Required Immunizations, from "Any other disease deemed appropriate by CDPH" to "Any other disease designated by the CDPH."

Board members discussed AR/E 3517 Facilities Inspection. For clarification, they requested to include the language from AB 367, 2021 (New Law) to be included with the AR/E for adoption at the October 19, 2022 meeting. Specifically, the section related to required menstrual products in at least one boys' restroom at school sites.

Educational Services

1. AR/E 1312.4 Williams Uniform Complaint Procedures
2. BP/AR 6173.1 Education for Foster Youth
3. BP/AR 5141.31 Immunizations

Business Services

4. BP 3110 Transfer of Funds
  - Delete AR 3110 Transfer of Funds
5. BP/AR 3523 Electronic Signatures
6. BP/AR 3550 Food Service Child Nutrition Program
7. BP/AR 3551 Food Service Operations Cafeteria Fund
8. BP/AR 3553 Free and Reduced-Price Meals

Curriculum

9. BP/AR 4112.2 Certification

Superintendent

10. AR/E 3517 Facilities Inspection
  - Delete BP 3517 Facilities Inspection
11. BP/AR 4144 Complaints
12. BB/E 9270 Conflict of Interest
13. BP/AR 6163.2 Animals at School

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

At this time, Grace Malson said she received an inquiry from a teacher about a pest problem at Valley Oaks Elementary.

Lois Yount said the District has been working to rid the campus of flees for the last two years. She indicated three pest control companies have not been able to resolve the

problem. The flees appear to live on the paved black top and not in the classrooms. She said the district is continuing to work on the issue.

Thomas Silva requested the superintendent provide a report at the next Board meeting.

**H. Pending Agenda Items**

1. School District Properties

**I. Adjournment 9:22 p.m.**

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*Traci Skinner, Clerk*

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*Date*



# CONSENT CALENDAR

## Human Resources

Recommend approval of the following:

<b>Resignations/Retirees</b>			
Name	Position	Effective Date	Site
Collier, Jennifer	Expanded Learning Coordinator	12/30/2022	District Office
Ruan Gonzalez, Silvia	Bilingual Office Assistant	9/20/22	Valley Oaks

<b>Leave of Absence Requests</b>			
Name	Position	Effective Date	Site
Flores, Kathryn	Food & Nutrition District Clerk	9/19/22	District Office
Hibbard, Debbie	Food & Nutrition Assist. 1	9/26/22	Valley Oaks
Turner, Cailin	Instructional Assistant, Exp. Learning	9/23/22	Lake Canyon

<b>New Hires/Reclassifications/Status Changes</b>		
Name	Position	Site
Andrade, Alberto	Instructional Assistant, Expanded Learning	River Oaks
Avila, Cythia	Instructional Assistant	Fairsite Preschool
Babers, Larina	Instructional Assistant	Valley Oaks
Barrera, Mariah	Classified Substitute	N/A
Bedford, Amber	Certificated Substitute	N/A
Bernal, Maria (Status Change)	Instructional Assistant, Special Education	River Oaks
Barajas-Orejel, Kevin	Yard Supervisor	Vernon E. Greer
Camacho, Allison	Certificated Substitute	N/A
Camarena, Alisa	Classified Substitute	N/A
Casillas, Alexis	Classified Substitute	N/A
Corwin, Laura	Certificated Substitute	N/A
Cotton Smith, Lynyonne	Certificated Substitute	N/A
Crisp, Kayla	Yard Supervisor	McCaffrey Middle
George, Ashley	Yard Supervisor	River Oaks
Gomez, Gerardo	Bus Driver	Transportation
Guillen Madera, Karla	Classified Substitute	N/A
Jackson, Mitch	Certificated Substitute	N/A
Justice, Zachery	Instructional Assistant, Special Education	Fairsite Preschool
Kleinfelter, Rachel	Yard Supervisor	Marengo Ranch
Parra Fregoso, Minerva	Instructional Assistant, Bilingual	Fairsite Preschool
Rich, Tiffany (Status Change)	Purchasing Technician	District Office
Rios, Mary Lou	Certificated Substitute	N/A
Shrader, Claudia	Classified Substitute	N/A
Singh, Nisha	Yard Supervisor	Lake Canyon

Human Resources  
Page 2

Tarifa, Diane	Preschool Instructional Assistant	Fairsite Preschool
Torres, Xavier	Instructional Assistant, Expanded Learning	Valley Oaks
Walker, Katherine (Status Change)	Instructional Assistant, Expanded Learning	Vernon E. Greer





# CONSENT CALENDAR

## Donations

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### e. Donations

#### Greer

- Galt's Walmart donated school supplies valued at \$500.00 for site use

#### Marengo Ranch

- 600 bags of apple slices with a value of \$252.00 from Freshpoint Produce
- 560 8oz bottles of water from Sysco with a value of \$149.73



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> October 19, 2022	<b>Agenda Item: 212.368</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.



## 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> October 19, 2022	<b>Agenda Item: 212.369</b> Board Action Regarding Student Expulsion Case No. 21/22-05
<b>Presenter:</b> Donna Mayo-Whitlock	<b>Action Item:</b> XX <b>Information Item:</b>



## Board Meeting Agenda Item Information

<b>Meeting Date:</b> October 19, 2022	<b>Agenda Item: 212.370</b> Public Hearing of Resolution No. 5 Approving the Galt Joint Union Elementary School District’s School Fees Justification Report, Adopting Level 1 developer fees on new residential, commercial, and industrial construction
<b>Presenter:</b> Nicole Lorenz	<b>Action Item:</b> <b>Information Item:</b> <b>Public Hearing:</b> XX

The District currently shares K-12 developer fees with the Galt Joint Union High School District, with the Galt Joint Union Elementary School District collecting 60 percent, or \$2.448 per square foot of residential area and \$0.396 per square foot of new commercial area. These developer fees are subject to a biennial inflationary adjustment equal to the change in the statewide cost index for class b construction. In February 2022, the State Allocation Board (“SAB”) adjusted the statutory limit on “Level 1” K-12 developer fees from \$4.08 to \$4.79 per square foot of residential construction and \$0.66 to \$0.78 per square foot of commercial/industrial construction.

The Level 1 Developer Fees Justification Report (“Report”), which is Exhibit A of the School Facility Needs Analysis, provides the justification for the District to levy the maximum K-12 Level 1 developer fees (“fees”) on new residential, commercial and industrial construction within the District. The District’s 60 percent share of the new Level 1 developer fee would be \$2.874 per square foot for new residential area and \$0.468 per square foot of new commercial area. However, as justified by the District’s School Facility Needs Analysis, the District is also eligible to levy an alternative Level 2 of \$3.58 per square foot on new residential area with 100 percent of the proceeds used to fund K-8 school facilities.

In order to adopt the Level 1 Fee Justification Report and impose the statutory maximum Level 1 fees, the District must conduct a public hearing and adopt Resolution No. 5 adopting the Report and the Level 1 fees. The Level 1 fees will become effective 60 days after adoption and are effective for two years.

Attachments: Resolution No. 5  
School Facility Needs Analysis and Level 1 Developer Fees Justification Report

# GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT

## Resolution No. 5

### A Resolution of the Board of Trustees of the Galt Joint Union Elementary School District Adopting Level 1 Developer Fees

**WHEREAS**, under the provisions of Education Code Section 17620 et. seq. and Government Code Section 65995 et seq., a school district's governing board may establish fees to offset the cost of school facilities made necessary by construction following the making of certain findings by the governing board;

**WHEREAS**, Government Code section 65995 limits the fee authorized to \$4.79 per square foot of residential construction described in Government Code Section 65995(b)(1) and \$0.78 per square foot against commercial and industrial construction described in Government Code Section 65995(b)(2) subject to adjustments for inflation determined by the State Allocation Board pursuant to Government Code Section 65995(b)(3);

**WHEREAS**, the purpose of this Resolution is to approve and adopt fees pursuant to Government Code Section 65995, et. seq. in the amount of \$4.79 per square foot of residential construction; and;

**WHEREAS**, the purpose of this Resolution is to approve and adopt fees pursuant to Government Code Section 65995 et. seq. on commercial and industrial development projects in the amount of \$0.78 per square foot except for retail self-storage construction which is approved and adopted at \$0.08 per square foot.

**NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Trustees of the Galt Joint Union Elementary School District as follows:**

- 1. Procedure.** The Board hereby finds that prior to the adoption of this Resolution, the Board conducted a public hearing at which oral and written presentations were made, as part of the Board's regularly scheduled October 19, 2022 meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, has been published twice in a newspaper in accordance with Government Code Sections 66004, 66018, and 6062, (a) and in a notice, including a statement that the data required by Government Code sections 66004 and 66018 was available, was mailed at least 14 days prior to the meeting to any interested party who had filed a written request with the District for mailed notice of the meeting on new fees or service charges within the period specified by law. Additionally, at least 30 days prior to the meeting the District made available to the public, data indicating the amount of the cost, or estimated cost, required to provide the service for which the fee or service charge is to be adjusted pursuant

to the Resolution and the revenue sources anticipated to provide this service. By way of such public meeting, the Board received the Level 1 Developer Fees Justification Report (Appendix A of the School Facility Needs Analysis, October 2022) herein referred to as (“Report”) and attached as Exhibit A, which formed the basis for the action taken pursuant to this Resolution.

- 2. Findings.** The Board has reviewed Exhibit A as it relates to proposed and potential development the resulting school facilities needs, the cost thereof, and the available source of revenue including the fees provided by this Resolution and based thereon and upon all other information, and written and oral presentation to the Board, hereby makes the following findings;
  - a. The present enrollment of students in all the district's existing facilities, when combined with enrollment from projected development in the District, will exceed the current capacity of the District's facilities;
  - b. Additional development projects within the District, whether new residential construction or residential reconstruction involving increases in assessable area greater than 500 square feet, or new commercial or industrial construction will increase the need for school facilities and/or the need for reconstruction of school facilities;
  - c. Without the addition of new school facilities and/or reconstruction of present school facilities, any further residential development projects or commercial or industrial development projects within the District will result in a significant decrease in the quality of education presently offered by the District;
  - d. Residential development and commercial or industrial development is projected within the District's boundaries and the enrollment produced thereby will exceed the capacity of the schools of the District. As a result, conditions or overcrowding exist or will exist within the District, which will impair the normal functioning of the District's educational programs;
  - e. The fees proposed in the Report and implemented pursuant to this Resolution are for the purposes of providing adequate school facilities to maintain the quality of education offered by the District;
  - f. The fees proposed in the Report and implemented pursuant to this Resolution will be used for the construction and/or reconstruction of school facilities as identified in the Report;
  - g. The uses of the fees proposed in the Report and implemented pursuant to this Resolution are reasonably related to the types of development projects on which the fees are imposed in that the students who are generated by residential and commercial development will be accommodated by the additional facilities;
  - h. The fees proposed in the Report and implemented pursuant to this Resolution bear a reasonable relationship to the need for school facilities created by the types of development projects on which the fees are imposed in that

residential and commercial development growth generate additional students who rely on education in the District;

- i. The fees proposed in the Report and implemented pursuant to this Resolution do not exceed the estimated amount required to provide funding for the construction or reconstruction of school facilities for which the fees are levied; and in making this finding, the Board declares that it has considered the availability of revenue sources anticipated to provide such facilities, including general fund revenues;
  - j. The fees imposed on commercial or industrial development bear a reasonable relationship and are limited to the needs of the community for schools and are reasonably related and limited to the need for school facilities caused by development.
  - k. The fees will be collected for school facilities for which an account has been established and funds appropriated and for which the District has adopted a construction schedule and/or to reimburse the District for expenditures previously made.
- 3. Fee.** Based upon the foregoing findings, the Board hereby implements fees in the amount of \$4.79 per square foot for assessable space for new residential construction and for residential reconstruction to the extent of the resulting increase in assessable areas and to the amount of \$0.78 per square foot for new commercial or industrial construction except for new retail self-storage in the amount of \$0.08 per square foot. No building permit shall be issued absent payment of said fee.
- 4. Fee Adjustments and Limitations.** The fees shall be subject to the following:
- a. The amount of the District's fee shall be reviewed annually to determine if a fee increase according to the inflation set forth in the statewide cost index for Class B construction as determined by the State Allocation Board is justified.
  - b. The fees adjusted pursuant to this Resolution do not apply during the term of any contract entered into between a subdivider or builder and the District, or any applicable city or county on or before January 1, 1987, that requires the payment of a fee, charge or dedication for the construction of school facilities as a condition to the approval of residential or commercial/industrial development.
  - c. Any development project for which a final map was approved, and construction has commenced on or before September 1, 1986, is subject only to the fee, charge dedication or other form requirement in existence on that date and applicable to the project.
  - d. To the extent that the District is collecting fees pursuant to Chapter 407, statutes of 1998, commonly known as Level 2 fees, on any new residential construction, this fee would not apply.
  - e. The term "development project" as used herein is defined by Government Code Section 65928.

- 5. Additional Mitigation Methods.** The policies set forth in this Resolution are not exclusive and the Board reserves the authority to undertake other or additional methods to finance school facilities including but not limited to Level 2 fees (Government Code Sections 65995, 65995.5 and 65995.7 et. seq.), the Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311 et. seq.), mitigation agreements, and other available funding mechanisms as authorized by Government Code Section 65995. This Board reserves the authority to substitute the dedication of land or other property or other form of requirement in lieu of the fees levied by way of this Resolution at its discretion, so long as the reasonable value of the land to be dedicated does not exceed the maximum fee amounts contained herein or modified pursuant hereto.
- 6. Implementation.** For residential, commercial or industrial projects within the District, the Superintendent, or the Superintendent's designee, is authorized to issue Certificates of Compliance upon the payment of any fee levied under the authority of this Resolution.
- 7. California Environmental Quality Act.** The Board hereby finds the implementation of fees provided by this Resolution is exempt from the California Environmental Quality Act (“CEQA”), pursuant to Education code section 17621(a).
- 8. Commencement Date.** The effective date of this Resolution shall be December 19, 2022, which is at least 60 days following its adoption by the Board.
- 9. Notification of Local Agencies.** The Secretary of the Board is hereby directed to forward copies of this Resolution to the County of San Joaquin and the Galt Joint Union High School District with instructions not to issue any building permit absent a Certificate of Compliance.
- 10. Severability.** If any portion of this Resolution is found by a Court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining portions of this resolution.



**THE FOREGOING RESOLUTION WAS APPROVED, PASSED AND ADOPTED**  
at a regular Meeting of the Board of Trustees of Galt Joint Union Elementary School  
District on the 19<sup>th</sup> day of October 2022 by the following vote:

AYE S:

NOES:

ABSTAIN:

ABSENT:

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President, Board of Trustees  
Galt Joint Union Elementary School District

ATTEST:

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Secretary, Board of Trustees  
Galt Joint Union Elementary School District



# **GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT**

## **SCHOOL FACILITY NEEDS ANALYSIS**

OCTOBER 2022

PREPARED FOR:

**BOARD OF TRUSTEES  
GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT**

PREPARED BY:

  
4745 MANGELS BOULEVARD  
FAIRFIELD, CALIFORNIA 94534  
PHONE 707.430.4300  
[www.sci-cg.com](http://www.sci-cg.com)

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

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### **BOARD OF TRUSTEES**

Thomas Silva, President  
Grace Malson, Vice President  
Traci Skineer, Clerk  
Wesley Cagle, Member  
Casey Raboy, Member

### **SUPERINTENDENT**

Lois Yount

### **CHIEF BUSINESS OFFICIAL**

Nicole Lorenz

### **FACILITY PLANNING CONSULTANT**

SCI Consulting Group

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## EXECUTIVE SUMMARY

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### INTRODUCTION

This School Facility Needs Analysis (“Needs Analysis”) was prepared pursuant to the requirements of Senate Bill 50, Chapter 407; Statutes 1998, (hereinafter “Chapter 407/98” or “SB 50”), which became effective on November 4, 1998, after voters in California supported Proposition 1A. The purpose of this Needs Analysis is to evaluate the need for and the amount of developer fees allowed for new residential construction, pursuant to Chapter 407/98 for the Galt Joint Union Elementary School District (“District”).

Chapter 407/98 authorizes qualifying school districts to levy three different levels of developer fees. These three levels of fees are from Government Code Sections 65995, 65995.5, and 65995.7. Developer fees levied pursuant to Government Code Section 65995 are typically called “Statutory fees,” “Stirling fees,” or “Level 1 fees,” and the current maximum Stirling fee amounts for K-12 facilities are \$4.79 per square foot of residential construction and \$0.78 per square foot of commercial/industrial construction. These amounts are adjusted every two years in an amount equal to the statewide cost index for Class B construction, as determined by the State Allocation Board (“SAB”) at its January meeting. The District shares the K-12 commercial / industrial fee with the Galt Joint Union High School District. The District currently collect 60 percent or \$0.4686 per square foot of new commercial area constructed within the District.

Chapter 407/98 established two new sections, Section 65995.5 and 65995.7, that allow school districts to impose higher fees on residential construction if certain conditions are met by the school district. Government Code Section 65995.5 provides for an alternative fee (hereinafter the “Level 2 fee”) that may provide approximately 50 percent of the cost of school construction and site costs (using statewide average costs).

Government Code Section 65995.7 provides for developer fees that would be approximately twice the amounts authorized for Level 2 fees. This “Level 3 fee” may be levied by school districts if State funding becomes unavailable from the State Allocation Board. In essence, Section 65995.7 allows a district to double the Level 2 fee effectively. However, if the district later receives any State funding, any amounts collected in excess of Level 2 or 3 fees would have to be reimbursed to the developers from whom it was collected.



In order to impose such fees, this Needs Analysis must make the following determinations:

- Determine if the District has been approved as eligible by the State Allocation Board (“SAB”) for new construction grant funds under the School Facility Program (“SFP”); and
- Determine if the District has satisfied two of the four requirements set forth in Government Code Section 65995.5(b)(3); and
- Determine the District’s maximum allowable Level 2 fee and Level 3 fees as authorized by Government Code Sections 65995.5 and 65995.7, respectively.

In addition to making these determinations, this Needs Analysis must establish that a reasonable relationship or “nexus” exists between new development that occurs within the District and the need for additional school facilities as a result of new development. More specifically, this Needs Analysis will present findings in order to meet the procedural requirements of the Mitigation Fee Act, also known as AB 1600, which are as follows:

1. Identify the purpose of the fee;
2. Identify the use to which the fee is to be put;
3. Determine how there is a reasonable relationship between the fee’s use and the type of development project on which the fee is imposed;
4. Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed;
5. Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

#### **SUMMARY OF FINDINGS**

1. School capacity pursuant to SB 50 is calculated on a teaching station basis whereby all permanent classrooms are counted. Portable classrooms are also counted, but only up to the amount that equals 25 percent of the number of permanent classrooms. Using this measure of school capacity, the District’s State Capacity in FY 2021-22 is 3,239 K-8 students.
2. The District has an enrollment, as of October 2021, of 3,800 K-8 students. Therefore, the District’s enrollment does not currently exceed existing school capacity. However, the current excess capacity is not enough to house the

new students generated by new development, and new school facilities will be required for enrollments generated by the new residential development.

3. Based on a study of historical residential construction and the City of Galt's current development plan for new homes, approximately 285 new single-family homes and 17 multifamily units forecast to be constructed within the District over the next five years.
4. A student generation rate analysis of newly constructed residential units finds that each new single-family home generates an average of 0.448 K-8 students, and each new multifamily home generates an average of 0.616 K-8 students.
5. Over the next five years, 278 additional students are projected from the 285 new residential homes and 17 multifamily units.
6. Based on an average new single-family residential home size of 2,300 square feet and a multifamily residential unit size of 700 square feet, the total projected new residential area is 667,000 square feet.
7. The current allowable costs for new school construction pursuant to SB 50 are \$14,623 per elementary student and \$15,466 per middle school student.
8. In addition to new school construction costs, SB 50 states that 50 percent of site acquisition, site development costs, and offsite development can be included. The allowable site acquisition and site development costs per student for the District are \$2,465 per elementary student and \$8,140 per middle school student.
9. The total allowable costs per student for Level 2 fees are \$16,092 per elementary student and \$17,259 per middle school student.
10. Using these cost factors and the projected number of new homes, the maximum amount chargeable to residential development for the Level 2 fee is \$3.58. Of this total amount, \$1,897,704 is attributable to new elementary school facilities, and \$491,695 is attributable to new middle school facilities.
11. The District owns the "Jeffery T. Jennings" site for a future elementary school. The District has no other "surplus" school sites, surplus facilities, or other local funding for capital improvements that can be used to offset the cost of facilities needed for students from unmitigated, new residential development subject to the Level 2 fee.

12. Based on costs allowable by Government Code § 65995, this Needs Analysis determines that the maximum amount chargeable to residential development as an alternative “Level 2” fee is \$3.58 per square foot of unmitigated new residential area. Additionally, in the event that new construction state funding becomes unavailable, the District is authorized to charge a Level 3 fee in the amount of \$7.16 per square foot of new, unmitigated residential area.
13. The District is eligible for new construction funding under the School Facility Program (“SFP”) and satisfies three of the four statutory requirements necessary to levy Level 2 fees pursuant to Government Code Section 65995.5(b)(3).

#### **SUMMARY OF RECOMMENDATIONS**

1. The District should levy an alternative school facility fee (“Level 2 fee”) at the rate of \$3.58 per square foot for all new residential development, with the exception of any residential development that is paying mitigation through a developer mitigation agreement, Mello-Roos special tax or other special tax.
2. The Level 2 fee should be adopted and implemented pursuant to Government Code Section 65995.5 and as generally summarized in Appendix B to this Needs Analysis.
3. It is important to keep in mind that the projections and related facility needs presented in this Needs Analysis are based on a State formula for the general purpose of legally justifying the need for and amount of the Level 2 fee. SCI Consulting Group recommends that the District rely on more comprehensive and detailed demographic analysis and facility plans for long-term facility planning.

## DISTRICT PROFILE

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### DISTRICT PROFILE

The Galt Joint Union Elementary School District encompasses the City of Galt and surrounding areas in Sacramento County. According to the October 2021 CBEDS, the District currently serves 3,239 K-8 students in regular education programs. The District currently operates six elementary schools and one middle school: Valley Oaks Elementary, River Oaks Elementary, Marengo Ranch Elementary, Lake Canyon Elementary, Vernon E. Greer Elementary, Fairsite Elementary and Robert L. McCaffrey Middle School.

In reading the enclosed information, the reader should be reminded that the information presented in the Needs Analysis is relevant to the 2021-22 school year and does not reflect any changes that may occur in the 2021-22 school year.

### EXISTING SCHOOL BUILDING CAPACITY AND ENROLLMENT

Pursuant to SB 50, existing school building capacity is determined by a teaching station methodology whereby each permanent teaching station is counted and loaded at the rate of 25 students per classroom in grades K-6 and 27 students per classroom in grades 7-8. Pursuant to Education Code Section 17071.30(b), the maximum number of portable classrooms included within the capacity calculation shall not exceed 25 percent of the number of permanent classrooms.

Figure 1 presents an analysis of current enrollment in comparison to allowable state capacity. By this measure, the District's capacities exceed enrollment by 561 K-12 students.

**FIGURE 1 – EXISTING SCHOOL BUILDING CAPACITY AND ENROLLMENT (2021-22)**

	<b>SB50 State Capacity</b>	<b>Oct-21 Enrollment</b>	<b>Excess Capacity</b>
Elementary School (K-6)	2,624	2,512	<b>112</b>
Middle School (7-8)	1,176	727	<b>449</b>
<b>Total K - 8</b>	<b>3,800</b>	<b>3,239</b>	<b>561</b>

(Appendix C provides the existing school building capacity calculation for the District.)

## PROJECTIONS AND DEMOGRAPHICS

### PROJECTED DEVELOPMENT

Figure 2 below outlines the approved and proposed residential building projects registered with the City of Galt Planning Department through March 2022. As indicated, these projects represent nearly 3,450 new residential units currently under construction, approved, or in the application process. However, only a small percentage of the units will be subject to the District's level 2 developer fee.

**FIGURE 2 – RESIDENTIAL DEVELOPMENT PROJECT LIST, CITY OF GALT**

	Total Units <sup>1</sup>	Permits Issued	Remaining Units	General Status
<b>Single Family Residential</b>				
Fairway Oaks <sup>2,3</sup>	173	0	173	Final Map
Greenwood Cottages <sup>2</sup>	226	0	226	Final Map
Summerfield at Twin Cities Rd. <sup>3</sup>	204	0	204	Annexation Approved
Simmerhorn Ranch <sup>3</sup>	429	0	429	Annexation Approved
Caterina Estates	67	0	67	Application
Morali Estates	50	0	50	Final Map
Ceder Flats Estates	112	112	0	Under Construction
Parlin Oaks <sup>2</sup>	144	0	144	Final Map
Veranda at River Oak	60	60	0	Under Construction
Spur Way	4	0	0	Application
Cardoso I Subdivision	69	69	0	Under Construction
Cardoso II Subdivision	87	40	47	Under Construction
First Street Parcel Map	2	0	2	Final Map
Eastview Specific Plan <sup>3</sup>	1,494	0	1,494	Tentative Map
<b>TOTAL SINGLE-FAMILY</b>	<b>3,121</b>	<b>281</b>	<b>2,836</b>	
<b>Multi Family Residential</b>				
Eastview Specific Plan <sup>3</sup>	241	0	241	Final Map
A Street Crossing	9	0	9	Final Map
Parlin Oaks <sup>2</sup>	80	0	80	Final Map
Second Street Apartments	8	0	8	Final Map
<b>TOTAL MULTI-FAMILY</b>	<b>338</b>	<b>0</b>	<b>338</b>	
<b>GRAND TOTAL</b>	<b>3,459</b>	<b>281</b>	<b>3,174</b>	

Source: City of Galt Planning Department. Development project list as of March 2022

Notes:

<sup>1</sup> List excludes senior living projects. Excludes Dry Creek Oaks.

<sup>2</sup> Residential development projects within Community Facilities District No. 1 which are not subject to the alternate Level 2 developer fee.

The figure below lists the 5-year projected residential development within the District. Based on historical development, current building projects, and figures provided by the City of Galt Planning Department, this Needs Analysis projects 285 single-family homes (“SFR”) and 17 multifamily residential units (“MFR”) will be constructed within the next five years.

**FIGURE 3 – FIVE-YEAR PROJECTED RESIDENTIAL DEVELOPMENT**

<b>Housing Type</b>	<b>Total Projected Housing Units</b>
Single Family Residential ("SFR")	285
Multi-Family Residential ("MFR")	17
<b>Total Projected Residential Units</b>	<b>302</b>

#### **STUDENT GENERATION RATES**

Student generation rates, otherwise known as “yield factors,” are the average number of students that are generated by each new housing unit. Student generation rates for new housing units were determined by SCI Consulting Group. The student generation rate analysis found that new single-family homes generate an average of 0.448 K-8 students, while multifamily residential units generate an average of 0.616 K-8 students.

**FIGURE 4 – STUDENT GENERATION RATES FOR NEW HOUSING**

<b>Housing Type</b>	<b>K-6</b>	<b>7 - 8</b>	<b>K - 8</b>
New Single Family Residential	0.343	0.105	<b>0.448</b>
New Multi-Family Residential	0.438	0.179	<b>0.616</b>

### ENROLLMENT FROM NEW HOUSING

The figure below lists the number of students projected by grade level from the forecasted new homes. If 302 new housing units are constructed as projected, and each new SFR and MFR is expected to yield 0.448 and 0.616 students respectively, then the District enrollments will increase by approximately 139 students.

**FIGURE 5 – ENROLLMENT GENERATED FROM NEW HOUSING**

Period	Projected Homes		Students Generated		
	SFR	MFR	K-6	6-8	K-8
5-Years	320	17	118	37	155

### UNHOUSED ENROLLMENT

As shown in Figure 1, no excess capacity exists at the elementary school level. Thus, all elementary school students generated by new development are considered unhoused. However, existing capacity exceeds middle school enrollment by 449 students. The District will experience middle school enrollment growth beyond the five-year period of this Needs Analysis. Therefore, the excess middle school capacity will be needed to house students generated from residential units constructed over the next five (5) years and residential units constructed beyond the five-year period of this Needs Analysis. Therefore, the excess middle school capacity shown in Figure 1 must be allocated between the projected residential development shown in Figure 4 and residential units to be constructed beyond the next five (5) years.

According to the City's 2030 General Plan and information obtained from the California Department of Finance, the District can expect an additional 3,120 single-family and 2,747 multifamily units at buildout of the General Plan. These figures include residential units for the next five (5) years and residential units to be constructed beyond the next five (5) years. Allocating the excess middle school capacity identified in Figure 1 between the residential units to be constructed over the next five (5) years and residential units to be constructed beyond the next five (5) years based on the number of students in each group of residential units is expected to generate results in 13 middle school student capacity to be allocated over the next five (5) years. Therefore, only 20 middle school students of the 33 students generated by new development over the next five (5) years are considered unhoused.

### NEW RESIDENTIAL BUILDING AREA

SCI Consulting Group conducted an analysis of building permits issued within the City of Galt over the past five years. This analysis indicates that single-family homes were developed at an average of 2,300 square feet and multifamily units at an average of 700 square feet. Using these findings, Figure 6 projects 669,950 square feet of new residential area will be developed over the next five years.

**FIGURE 6 – NEW RESIDENTIAL SQUARE FOOTAGE**

	SFR	MFR	TOTAL
Average Dwelling Size (Sq. Ft.)	2,300	700	<b>2,210</b>
Total Units (5 years)	285	17	<b>302</b>
Total Residential Square Footage	655,500	11,900	<b>667,400</b>



## LEVEL 2 FEE DETERMINATION

---

Education Code Section 17072.10 establishes allowable cost factors for school construction that are used to determine the appropriate Level 2 fee for new residential development. These cost factors were developed on a per-student basis and are based on approximately 50 percent of statewide school construction costs. It should be noted, however, that the actual cost of school construction may be significantly higher than the cost factors indicate. Any shortfall in funding from the State school construction bond program (funded by Proposition 47) and the Level 2 fee will need to be addressed by local school districts.

### ALLOWABLE COSTS

Effective January 1, 2022, the allowable cost factors for new school construction for 2022 are \$16,092 per elementary student and \$17,259 per middle school student. These allowable cost factors include the base per-pupil grant pursuant to Education Code § 17072.10, the auto alarm/detection grant, the sprinkler grant required by Education Code § 17074.56(a)), labor compliance program grant pursuant to Labor Code § 1771.7(e) and the general site development grant pursuant to SAB Regulation 1859.76 for each grade level. These allowable costs are summarized in the figure below.

**FIGURE 7 – ALLOWABLE COSTS FOR CONSTRUCTION AND GENERAL SITE DEVELOPMENT**

<b>Allowable Grants</b>	<b>K-6</b>	<b>7-8</b>
Per Pupil Base Grants <sup>1</sup>	\$14,623	\$15,466
Automatic Fire Detection/Alarm System Grants <sup>1</sup>	\$17	\$23
Automatic Sprinkler System Grants <sup>1</sup>	\$245	\$292
General Site Development Grant <sup>1</sup>	\$1,207	\$1,478
<b>Total Per Pupil Grants</b>	<b>\$16,092</b>	<b>\$17,259</b>

Source: State Allocation Board

Notes:

<sup>1</sup> Approved February 23, 2022 by the State Allocation Board to become effective January 1, 2022.

In addition, the District can include 50 percent of the cost of site acquisition, offsite improvements, and site development. Land acquisition costs within the District are assumed to be \$335,000 per acre. Arguments for higher or lower land costs can be made; however, the amount presented is appropriate and conservative for the purpose of this Needs Analysis. Land acquisition costs also included an additional 4 percent for appraisal, survey, and escrow costs as allowed by SAB Regulation 1859.74(a)(2).

The District owns one school site, the “Jeffery T. Jennings” site, for a future elementary school. However, according to the District 2015 Facilities Master Plan, the next elementary school will likely be located within the Eastview Specific Plan. For purposes of this Needs Analysis, no land acquisition costs are assumed for the next elementary school since the surplus value of Jeffrey T. Jennings site would offset the land acquisition cost of the Eastview Specific Plan site.

Site development costs are based on the actual site development cost for new elementary schools built in nearby Elk Grove. Site development costs include service site development, offsite development, and utility costs.

As further detailed in Figure 8 on the following page, the site acquisition and development costs equate to \$2,465 per elementary student and \$8,140 per middle school student. This brings the bringing total SB50 new school construction costs per student to \$18,557 per elementary student and \$25,399 per middle school student.

## **LEVEL 2 FEE DETERMINATION**

The determination of allowable costs and Level 2 fees is presented in Figure 9 on the following page. This table calculates a *composite* single-family/multifamily fee based on aggregate SB50 new school facility construction costs. This fee is the amount that is justified and should be established for new residential construction. As shown, the District can justify a Level 2 single family/multifamily fee in the amount of \$3.58 per square foot of new residential area.

**FIGURE 8 – LEVEL 2 FEE DETERMINATION**

	Grade Level		
	K - 6	7 - 8	K-8
Unhoused Enrollment From New Development	102	20	122
New School Size	650	900	
Schools Needed	0.16	0.02	
Allowable Site Acreage <sup>1</sup>	9.0	20.8	
Total Acreage Required	1.44	0.42	1.9
Land Acquisition Cost per Acre <sup>2</sup>	\$0	\$348,400	
Site Development Cost per Acre <sup>3</sup>	\$356,000	\$356,000	
Total Site Acquisition/Development Cost/Acre	\$356,000	\$704,400	
Allowable Site Acq./Devel. Costs/Acre <sup>4</sup>	\$178,000	\$352,200	
Allowable School Construction Cost per Student <sup>5</sup>	\$16,092	\$17,259	
Allowable Site Acq./Devel. Cost per Student <sup>6</sup>	\$2,465	\$8,140	
School Facilities Cost	\$1,641,384	\$345,180	\$1,986,564
Site Acquisition and Development Cost	\$256,320	\$146,515	\$402,835
Total Allowable SB50 Costs	\$1,897,704	\$491,695	\$2,389,399
Total New Residential Area (Sq. Ft.)			667,400
Alternative ("Level 2") Fee per Square Foot			<b>\$3.58</b>

## Notes:

<sup>1</sup> Based on the 1998 edition of "School Site Analysis and Development" published by the CDE pursuant to Govt. Code § 65995.5(h).

<sup>2</sup> There are no land acquisition costs for K-5 facilities because the District currently owns the site for its next school. Land costs include an additional 4% for appraisal, survey and escrow costs per SAB Regulation 1859.74(a)(2).

<sup>3</sup> Estimated per-acre cost for site development, utilities and infrastructure improvements is based on actual costs of new elementary schools built in nearby Elk Grove.

<sup>4</sup> Pursuant to SB50, 50% of total site acquisition and development costs are allowable in calculating Level 2 fees.

<sup>5</sup> The unhoused pupil grant is the sum of the base grant, the auto/detection grant, the fire sprinkler grant and the general site development grant as adjusted by the State Allocation Board on February 23, 2022.

<sup>6</sup> The allowable SB50 site acquisition and development costs calculated per student utilizing new school size and acreage required per campus.

## **SCHOOL SITES, FACILITIES, AND LOCAL FUNDING SURPLUSES**

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This section evaluates and considers surplus school sites, surplus facilities, and other local funding for capital improvements that can be used to offset the cost of facilities needed for students from new residential development. More specifically, pursuant to Government Code Section 65995.6(b), the District must “identify and consider (a) any surplus property owned by the school district that can be used as a school site or that is available for sale to finance school facilities, (b) the extent to which projected enrollment growth can be accommodated at existing surplus school facilities, and (c) local sources of revenue that are available or dedicated to finance the construction or reconstruction of school facilities needed to accommodate any growth in enrollments attributable to new residential development.”

### **SURPLUS SCHOOL SITES**

The District owns one elementary school site, the “Jeffery T. Jennings” site, for a future elementary school. However, according to the District 2015 Facilities Master Plan, the next elementary school will likely be located within the Eastview Specific Plan and the Liberty Ranch Development. For purposes of this Needs Analysis, no land acquisition cost is assumed for the next elementary school since the surplus value of Jeffrey T. Jennings site would offset the land acquisition cost of the Eastview Specific Plan site.

The District owns no other school sites for future schools.

### **SURPLUS SCHOOL FACILITIES**

The District has no existing surplus school facilities to accommodate projected enrollment growth from new development.

### **SURPLUS LOCAL FUNDS**

The following is an evaluation of other local funding sources that might be available or could be dedicated to financing the construction or reconstruction of school facilities needed to accommodate enrollment growth attributable to new residential development.

#### MELLO-ROOS COMMUNITY FACILITIES DISTRICTS

The District, under the Galt Schools Joint Powers Authority, currently has Mello-Roos Community Facilities Districts (“CFDs”). Properties included in these CFDs are levied special taxes for new school construction. These special taxes must be used exclusively to provide additional school facilities for enrollments generated by homes in the CFD. Therefore, these revenues are not available to offset the cost of facilities required for students generated by development subject to the Level 2 fee.

#### GENERAL OBLIGATION BONDS

The District passed a \$19,700,000 General Obligation Bond on November 8, 2016 and issued a series in 2021 for \$9,300,000.

#### CERTIFICATES OF PARTICIPATION

Special Tax Certificates of Participation Bonds (“COPs”) were authorized and issued by the District under a Joint Powers Agreement in 1992 for Mello-Roos District CFD No. 1. The bond proceeds were used to construct school facilities required for enrollments generated by new development within CFD No. 1. Therefore, there are no COP proceeds available to offset the Level 2 fee.

#### GENERAL FUND REVENUE

The District’s general funds are needed by the District to provide for the operation of its instructional program. There are no unencumbered funds at the District that could be used to construct new facilities or reconstruct existing facilities.

#### LOTTERY REVENUE

Government Code Section 8880.5(m) states that “all funds from the California State Lottery Education Fund shall be used exclusively for the education of pupils and students and no funds shall be spent for acquisition of real property, construction of facilities, financing research, or any other non-instructional purpose.”

#### COMMERCIAL / INDUSTRIAL STATUTORY FEES

Commercial and industrial statutory fees levied pursuant to Government Code Section 65995 continue to be justified for the District. These fees offset only a portion of the cost of new school facilities and will continue to be needed to provide additional school facilities for enrollments generated by employees from new commercial and industrial businesses.

#### OTHER LOCAL FUNDING SOURCES

Any other local funding sources that may become available will be required to provide additional school capacity for current unhoused enrollments.

## LEVEL 2 & 3 FEE ELIGIBILITY

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### LEVEL 2 AND 3 FEES

This section frames the District’s eligibility to continue to levy alternative school facility fees (“Level 2 fees”), in terms of the statutory requirements pursuant to Government Code Sections 65995.5(1) and 65995.5(3). In general, the District must make a “timely” application to the State Facilities Program and satisfy a certain number of statutory requirements in order to levy Level 2 fees. The specific requirements and findings for both fees are discussed below.

#### **THE SCHOOL DISTRICT MUST MAKE A TIMELY APPLICATION FOR STATE FUNDING FOR NEW CONSTRUCTION UNDER THE STATE FACILITIES PROGRAM.**

*This statutory requirement has been met for the District. The District is eligible to receive new construction funding under the School Facilities Program. On January 29, 1999, the District submitted eligibility documents to the State to participate in the State Facilities Program. SAB forms 50-01, 50-02, and 50-03 were approved by the State Allocation Board on April 28, 1999. As of March 4, 2014, the District is eligible for new construction funding for 1,356 students for grades K-6.*

#### **UNTIL JANUARY 1, 2000, SATISFY ONE OF THE FOLLOWING CONDITIONS AND, ON OR AFTER JANUARY 1, 2000, MEETING TWO OF THE FOLLOWING CONDITIONS:**

1. Attempt to pass a local bond at least once within the past four years and get the approval of 50 percent plus one of the voters.

*This statutory condition has been met by the District. The District’s \$19.7 million general obligation bond measure (Measure K) was approved by the voters on November 8, 2021.*

2. Have at least 30 percent of K-6 enrollment on year-round multi-track education, or at least 40 percent of public-school students in grades K-12 are on multi-track year-round education schedules within the high school attendance area for which the district is applying for funding.

*This statutory condition has not been met by the District. The District does not provide a multi-track year-round education at any school.*

3. Have issued debt or incurred obligations for capital outlay in an amount equivalent to 15 percent of the District's local bonding capacity (30 percent if post-November 1998 landowner-approved Mello-Roos special taxes are included).

*This statutory condition has been met by the District. The Galt Joint Powers Authority's current debt level for capital outlay is of the District's bonding capacity and thus is greater than 15 percent required.*

4. At least 20 percent of the teaching stations in the District are relocatable classrooms.

*This statutory condition has been met for the District. The District's total classroom inventory is 49.6 percent of relocatable classrooms.*

The District has made a timely application for state funding, has passed a local bond within the past four years, has over 20 percent of teaching stations in relocatable classrooms, and has bond indebtedness greater than 15 percent of the District's total local bonding capacity. Therefore, the District meets three of the four statutory prerequisites for levying Level 2 fees.



**LEVEL 3 FEE DETERMINATION**

If State school construction funding becomes unavailable due to a lack of State school construction bonds, the District would be eligible to levy fees pursuant to Government Code Section 65995.7 at twice the currently justified amount for Level 2 fees. The amounts of these Level 3 fees for residential construction would be as shown below.

It should be noted that if the District levies a Level 3 fee and later receives any State funding, any amounts collected in excess of the Level 3 fee would have to be refunded to the property owners from whom it was collected. If such reimbursement were to occur, the District could deduct from the reimbursable amount its expenditures for interim housing for students from new residential development.

**FIGURE 9 – LEVEL 3 FEE DETERMINATION**

<b>Cost and Fee Categories</b>	<b>Amount</b>
Allowable Cost per Elementary Student	\$36,345
Allowable Cost per Middle School Student	\$48,554
Alternate Level 3 Fee per Square Foot	\$6.92

## NEXUS FINDINGS

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This section frames the results of the Needs Analysis in terms of the nexus requirements pursuant to AB 1600, which is codified in California Government Code § 66000<sup>1</sup>. In general, it must be demonstrated that a reasonable relationship or “nexus” exists between new development that occurs within the District and the need for additional school facilities as a result of new residential development. The specific nexus requirements and findings for the fee are discussed below.

### IDENTIFY THE PURPOSE OF FEE

The purpose of the fee is to provide funding for the construction and reconstruction of school facilities for new students generated by residential development.

### IDENTIFY THE USE OF FEE

As outlined in the Needs Analysis, the general purpose of the fee is to fund the construction of additional school facilities as outlined in the Needs Analysis. The District may need to purchase or lease portable classrooms to use for interim housing while permanent facilities are being constructed.

Revenue from fees collected for residential development may be used to pay for any of the following:

- Construction or reconstruction of school facilities;
- Acquisition or leasing of land for school facilities;
- Design of school facilities;
- Permit and plan checking fees;
- Testing and inspection of school sites and buildings;
- Furniture for use in new school facilities;
- Purchased or leased interim school facilities;
- Legal and administrative costs associated with providing school facilities to students generated by new development;
- Administration of the justification and collection of developer fees;
- Other miscellaneous costs resulting from student enrollment growth caused by new development.

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<sup>1</sup> Otherwise known as the Mitigation Fee Act.

DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE FEE'S USE AND THE TYPE OF DEVELOPMENT PROJECT ON WHICH THE FEE IS IMPOSED

New residential development will cause families to move into the District and will, consequently, generate additional students in the District. As previously discussed, adequate school facilities do not exist for all these students. New residential development, therefore, creates a need for additional school facilities. The fee's use (acquiring new facilities) is therefore reasonably related to the type of project (new residential development) upon which it is imposed.

DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE NEED FOR PUBLIC FACILITIES AND THE TYPE OF DEVELOPMENT ON WHICH THE FEE IS IMPOSED

As previously discussed in this Needs Analysis, the District has insufficient permanent capacity to house all additional students projected to enroll in the District. New residential development, therefore, will generate "unhoused students" and, consequently, create a need for additional school facilities.

DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE AMOUNT OF FEE AND THE COST OF THE PUBLIC FACILITY ATTRIBUTABLE TO THE DEVELOPMENT ON WHICH THE FEE IS IMPOSED

The relationship between the amount of the Level 2 fee and the cost of the school facilities attributable to new residential development is detailed in Figure 9. As shown, the cost of school facilities attributable to each square foot of new residential housing units is \$3.58 per square foot.

## **APPENDICES**

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Appendix A – Level 1 Developer Fees Justification Report

Appendix B – Requirements for Adoption of Needs Analysis

Appendix C – Existing School Building Capacity Determination

Appendix D – Bonding Capacity Calculation

## APPENDIX A – LEVEL 1 DEVELOPER FEES JUSTIFICATION REPORT

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In order to establish or increase Level 1 developer fees, the District is required to develop a justification report that demonstrates the nexus between the imposed fee and the need for public facilities created by new development. If the cost of providing adequate school facilities for new housing units is greater than the amount collected by the maximum Statutory residential developer fee, then the District may levy the fees or a lower justified amount. The current maximum State authorized K-12 fees are \$4.79 per square foot of residential area and \$0.78 per square foot of commercial/industrial area. These statutory maximum amounts or “Level 1” fees were increased by the State Allocation Board in February 2022.

### RESIDENTIAL DEVELOPER FEE JUSTIFICATION

The estimated construction costs for adequate K-8 facilities are based on two times the new construction per-pupil grant amount in the State School Facilities Program as of February 23, 2022, plus site acquisition and development costs. Although the per-pupil grant amounts are intended to reflect half the cost of school construction or reconstruction, this estimate should be viewed as a very conservative estimate because projects funded at 100 percent of the state allowance often experience shortfalls between state funding and the District’s actual facilities costs.

The Needs Analysis finds that the average cost of adequate school facilities per new housing unit is \$16,468, which is two times the Level 2 fee multiplied by the average square foot per new housing unit. Given the projected average square footage of new housing units is 2,300 square feet, the District’s 60 percent share of the maximum developer fee of \$4.79 per square foot is \$6,610, which will mitigate only 40.1 percent of the impact of new residential development on school facilities. Therefore, the Level 1 residential developer fee is justified at the maximum rate for the District.

### COMMERCIAL / INDUSTRIAL FEE JUSTIFICATION

As commercial or industrial properties develop, new jobs are created. Many of the people hired into these new jobs move into the community, thereby increasing the need for additional school facilities to serve their children. Consequently, commercial or industrial development affects the District.

SCI Consulting Group gathered data from the State of California Employment Development Department, the California Department of Finance, U.S. Census Bureau, the Sacramento Area Council of Governments (“SACOG”), and the City of Galt. This data indicated that there was a total of 11,200 workers in the City of Galt’s 8,382 housing units<sup>2</sup>. This data provides a ratio of 1.34 workers per housing unit. Data from the U.S. Census found that approximately 19.8 percent of working-age residents work within the boundaries of the District.

Additionally, AB 530, adopted in 1990, allows for the use of employee generation figures from a report produced by the San Diego Association of Governments (“SANDAG”). The SANDAG study determined the average number of employees per square foot of commercial and industrial business space. The employee generation factors are summarized in the following table. The SANDAG study shows that, on average, there are 2.65 employees for every 1,000 square feet of commercial or industrial building area.

#### EMPLOYEES PER SQUARE FOOT OF COMMERCIAL/INDUSTRIAL FLOOR AREA

<b>Type of Business</b>	<b>Square Feet Per Employee</b>	<b>Employees per 1000 Square Feet</b>
Banks	354	2.83
Commercial Offices	226	4.43
Community Shopping Centers	652	1.53
Corporate Offices	372	2.68
Industrial Business Parks	284	3.52
Industrial Parks	668	1.50
Lodging	883	1.13
Medical Offices	217	4.61
Neighborhood Shopping Centers	360	2.78
Retail Self-Storage	15,541	0.06
Research & Development	329	3.04
<b>Overall Average</b>	<b>377</b>	<b>2.65</b>

<sup>2</sup> Current population and total housing stock figures are estimates as of January 1, 2022. The total employment figure, provided by the California Employment Development Department, is preliminary as of August 2022.

Using the SANDAG study average of 2.65 employees per 1,000 square feet of new commercial or industrial space, assuming that 19.8 percent of these employees reside in the City of Galt, and an average of 1.34 employees live in each home, then an average of 0.39 homes per 1,000 square feet of commercial/industrial space will be needed for each new employee. In other words, 2,544 square feet of new commercial/industrial space would, on average, create the need for one additional home in the City of Galt for new employees of that business.

Therefore, the total cost of K-8 school facilities needed per 2,300 square feet of commercial or industrial space is the same as the total school facilities cost per home of \$16,468. However, the District maximum residential fee provides an average of \$8,234 per new housing unit ( $\$3.58 \times 2,300$  square feet), so the unfunded cost of school facilities is \$8,234 per housing unit. Therefore, the average unfunded impact of commercial and industrial development on school facilities is \$3.24 per square foot. In comparison, the District's 60 percent share of the maximum commercial / industrial fee of \$0.66 per square foot covers only 14.5 percent of this unfunded impact.

This analysis is provided in the figure on the following page for each type of land use. As shown, the commercial/industrial fee is justified at the maximum rate of \$0.78 per square foot in every case except for the "retail self-storage" category. Therefore, the maximum commercial/industrial fee of \$0.78 per square foot is justified for all new commercial / industrial construction except for new "retail self-storage" construction, which is justified at the rate of \$0.08 per square foot.

In addition to the following justification, a percentage of employees for a new business will move into existing housing in the community. Given that employees typically have more children than the families or people they replace in existing housing, commercial/industrial development also creates enrollment growth in the existing housing stock. The commercial/industrial fee is also justified to offset this impact.

This commercial/industrial fee is shared with the Galt Joint Union High School District ("GJUHS"). If the GJUHS imposed the maximum K-12 fee of \$0.78 for commercial/industrial development, the District's share shall be 60 percent or \$0.468 per square foot. If the high school district imposes an amount lower than the maximum fee, the District may collect an amount equal to 60 percent of the maximum fee plus the difference between the GJUHS fee and the amount of \$0.78 per square foot.

### IMPACT OF COMMERCIAL/INDUSTRIAL DEVELOPMENT

Type of Business	Employees per 1000 Square Feet <sup>1</sup>	Square Footage		Unfunded Impact per Home <sup>3</sup>	Unfunded Impact per Square Feet <sup>4</sup>
		Creating Need for One New Home <sup>2</sup>			
Banks	2.83	2,224		\$7,935	\$3.57
Commercial Offices	4.43	1,421		\$7,935	\$5.58
Community Shopping Centers	1.53	4,113		\$7,935	\$1.93
Corporate Offices	2.68	2,348		\$7,935	\$3.38
Industrial Business Parks	3.52	1,788		\$7,935	\$4.44
Industrial Parks	1.50	4,196		\$7,935	\$1.89
Lodging	1.13	5,570		\$7,935	\$1.42
Medical Offices	4.61	1,365		\$7,935	\$5.81
Neighborhood Shopping Centers	2.78	2,264		\$7,935	\$3.50
Retail Self-Storage	0.06	97,810		\$7,935	\$0.08
Research & Development	3.04	2,070		\$7,935	\$3.83
<b>Overall Average</b>	<b>2.65</b>	<b>2,375</b>		<b>\$7,935</b>	<b>\$3.34</b>

Notes:

<sup>1</sup> Employee generation factors from SANDAG Study.

<sup>2</sup> This is the square feet of commercial or industrial building area that generates the need for one new home in the District. Calculated: 1,000 SF \* employees per home / (generation factor per 1,000 SF \* 0.198 employees to live in the District)

<sup>3</sup> Unfunded impact equals total impact per single-family home of \$16,468 less the District's average residential developer fee of \$3.24 per square foot \* average home size of 2,300 square feet.

<sup>4</sup> Unfunded impact per square foot equals unfunded impact per home divided by square feet of commercial/industrial building area, which creates the need for one new home in the District.

#### NEXUS FINDINGS

This section frames the results of the Level 1 Fees Justification Report in terms of the nexus requirements pursuant to AB 1600, which is codified in California Government Code § 66000.<sup>3</sup> In general, it must be demonstrated that a reasonable relationship or “nexus” exists between new development that occurs within the District and the need for additional school facilities as a result of new development. The specific nexus requirements and findings for the fees are discussed below and on the following page.

<sup>3</sup> Otherwise known as the Mitigation Fee Act.



**IDENTIFY THE PURPOSE OF FEES**

The purpose of the fees is to provide funding for the construction and reconstruction of school facilities for new students generated by residential, commercial, and industrial development.

**IDENTIFY THE USE OF FEES**

The general purpose of the fees is to fund the construction of additional school facilities, as outlined in this Report. The District may need to purchase or lease portable classrooms to use for interim housing while permanent facilities are being constructed.

Revenue from residential, commercial, and industrial development fees may be used to pay for any of the following:

- Construction or reconstruction of school facilities;
- Acquisition or leasing of land for school facilities;
- Design of school facilities;
- Permit and plan checking fees;
- Testing and inspection of school sites and buildings;
- Furniture for use in new school facilities,
- Purchased or leased interim school facilities;
- Legal and administrative costs associated with providing school facilities to students generated by new development;
- Administration of the justification and collection of developer fees;
- Other miscellaneous costs resulting from student enrollment growth caused by new development.

**DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE FEE'S USE AND THE TYPE OF DEVELOPMENT PROJECT ON WHICH THE FEES ARE IMPOSED**

New residential development will cause families to move into the District and will, consequently, generate additional students in the District. As previously discussed, adequate school facilities do not exist for all these students. New residential development, therefore, creates a need for additional school facilities. Therefore, the fee's use (acquiring new facilities) is reasonably related to the type of project (new residential development) upon which it is imposed.

Additionally, new commercial/industrial development will generate new workers to move into the District. Because some of these workers will have school-age children, commercial and industrial development will also generate new students

in the District. As previously mentioned, adequate school facilities do not exist for all of these students. New commercial / industrial development, therefore, creates a need for additional school facilities.

**DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE NEED FOR PUBLIC FACILITIES AND THE TYPE OF DEVELOPMENT ON WHICH THE FEES ARE IMPOSED**

As discussed in this Report, the District's school facilities are inadequate in that there is a need for additional school facilities. Both existing residents and residents from new development should share in these costs. Therefore, the need for adequate school facilities is reasonably related to the new residential, commercial, and industrial development projects upon which it is imposed.

The District has insufficient permanent capacity to house all additional students projected to enroll in the District. New commercial and industrial development will generate new workers to move into the District. Because some of these workers will have school-age children, commercial and industrial development will also generate new students in the District. Since adequate school facilities do not exist for all of these students, new commercial / industrial development, therefore, creates a need for additional school facilities.

**DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE AMOUNT OF FEE AND THE COST OF THE PUBLIC FACILITY ATTRIBUTABLE TO THE DEVELOPMENT ON WHICH THE FEE IS IMPOSED**

As outlined in this Report, the cost of school facilities attributable to each new residential housing unit is \$16,468. The District's 60 percent share of the new statutory residential developer fee of \$4.79 per square foot only provides \$6,610 for each new residential unit, mitigating only a small percentage of the impact from new residential construction. Therefore, the residential Level 1 fee is justified at the maximum rate.

The Report also demonstrated that the school facilities costs attributable to commercial and industrial development are \$3.24 per square foot. The new statutory commercial/industrial developer fee of \$0.78 per square foot of new commercial space only mitigates a small percentage of the impact from new commercial and industrial development. Therefore, the Level 1 commercial / industrial fee is justified at the maximum rate except for new "retail self-storage" construction, which is justified at the rate of \$0.08 per square foot.

## APPENDIX B – REQUIREMENTS FOR ADOPTION OF NEEDS ANALYSIS

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To levy Alternate (“Level 2”) fees, a school district must perform the following tasks:

1. Prepare a Needs Analysis as described by Government Code Section 65995.5.
2. The final Needs Analysis must be made available for public review for a period of at least 30 days.
3. Publish notice of hearing for the Needs Analysis and fee increase in a newspaper of general circulation at least 30 days prior to the hearing.
4. Mail a copy of the Needs Analysis 30 days prior to hearing to any party that has submitted a written request for such copies at least 45 days prior to the hearing.
5. Notify and provide a copy of the Needs Analysis to the local planning and land use agencies at least 45 days prior to the hearing as required by Government Code Section 65232.2.
6. The Governing Board must respond to any written comments received on the Needs Analysis.
7. Conduct a public hearing after the 30-day review period.
8. Pass a resolution adopting the Needs Analysis and Level 2 or Level 3 fee, as applicable.
9. The fees take effect immediately upon adoption and are effective for a period of one year. Level 1 fees take effect 60 days after adoption by the Board.
10. Annually update Needs Analysis.

## APPENDIX C – EXISTING SCHOOL BUILDING CAPACITY DETERMINATION

### EXISTING SCHOOL BUILDING CAPACITY

	Grade Levels	Permanent Classrooms	Total Portable T. Stations	Maximum 25% Port. T. Stations <sup>1</sup>	Total Teaching Stations	Total Capacity <sup>2</sup>
Fairsite	PreK - K	11	14	3	14	350
Greer Elementary	K-6	8	27	2	10	250
Lake Canyon	K-6	27	0	0	27	675
Marengo Ranch	K-6	12	26	3	15	375
River Oaks	TK-6	12	21	3	15	375
Valley Oaks	K-6	17	19	4	21	525
<b>Elementary School Total</b>		<b>87</b>	<b>107</b>	<b>15</b>	102	2,550
Robert L. McCaffrey	7-8	34	12	9	43	1,161
<b>Middle School Total</b>		<b>34</b>	<b>12</b>	<b>9</b>	<b>43</b>	<b>1,161</b>
<b>Classroom Capacity</b>		<b>121</b>	<b>119</b>	<b>24</b>	<b>145</b>	<b>3,711</b>
<b>SER Adjustment - Elementary School</b>						<b>74</b>
<b>SER Adjustment - Middle School</b>						<b>15</b>
<b>Existing School Building Capacity</b>						<b>3,800</b>

Notes:

<sup>1</sup> Pursuant to SB50, portable classrooms are included in school capacity calculations for SB50 fees at a rate of 25% times the number of permanent classrooms at the school site.

<sup>2</sup> Capacity is equal to the counted number of total teaching stations times 25 students per station for grades K-6 and 27 students per station for grades 7-12.

## APPENDIX D – BONDING CAPACITY CALCULATION

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### Galt JUESD Bonded Indebtness Calculation

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#### Assessed Value Calculation

District Assessed Value (July 2021)	\$3,953,940,518
Maximum Bonding Percentage	<u>1.25%</u>
District Maximum Bonding Capacity	\$49,424,256

#### Outstanding Debt Obligation <sup>1</sup>

General Obligation Bonds	\$23,148,473
Jt. Powers Bond (60%)	<u>\$1,369,529</u>
Total Debt Obligation	\$24,518,002
<b>Percentage of Bonding Capacity</b>	<b>49.61%</b>

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Notes:

<sup>1</sup> Remaining principal amount only.

<sup>2</sup> A CFD Special Tax was approved by the landowners in 1990 with the District receiving a 60% share of the Special Tax



## Board Meeting Agenda Item Information

<b>Meeting Date:</b> October 19, 2022	<b>Agenda Item: 212.371</b> Board Consideration of Approval of Resolution No. 5 Approving the Galt Joint Union Elementary School District’s School Fees Justification Report, Adopting Level 1 developer fees on new residential, commercial, and industrial construction
<b>Presenter:</b> Nicole Lorenz	<b>Action Item:</b> XX <b>Information Item:</b> <b>Public Hearing:</b>

The District currently shares K-12 developer fees with the Galt Joint Union High School District, with the Galt Joint Union Elementary School District collecting 60 percent, or \$2.448 per square foot of residential area and \$0.396 per square foot of new commercial area. These developer fees are subject to a biennial inflationary adjustment equal to the change in the statewide cost index for class b construction. In February 2022, the State Allocation Board (“SAB”) adjusted the statutory limit on “Level 1” K-12 developer fees from \$4.08 to \$4.79 per square foot of residential construction and \$0.66 to \$0.78 per square foot of commercial/industrial construction.

The Level 1 Developer Fees Justification Report (“Report”), which is Exhibit A of the School Facility Needs Analysis, provides the justification for the District to levy the maximum K-12 Level 1 developer fees (“fees”) on new residential, commercial and industrial construction within the District. The District’s 60 percent share of the new Level 1 developer fee would be \$2.874 per square foot for new residential area and \$0.468 per square foot of new commercial area. However, as justified by the District’s School Facility Needs Analysis, the District is also eligible to levy an alternative Level 2 of \$3.58 per square foot on new residential area with 100 percent of the proceeds used to fund K-8 school facilities.

In order to adopt the Level 1 Fee Justification Report and impose the statutory maximum Level 1 fees, the District must conduct a public hearing and adopt Resolution No. 5 adopting the Report and the Level 1 fees. The Level 1 fees will become effective 60 days after adoption and are effective for two years.

Attachments: Resolution No. 5

# GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT

## Resolution No. 5

### A Resolution of the Board of Trustees of the Galt Joint Union Elementary School District Adopting Level 1 Developer Fees

**WHEREAS**, under the provisions of Education Code Section 17620 et. seq. and Government Code Section 65995 et seq., a school district's governing board may establish fees to offset the cost of school facilities made necessary by construction following the making of certain findings by the governing board;

**WHEREAS**, Government Code section 65995 limits the fee authorized to \$4.79 per square foot of residential construction described in Government Code Section 65995(b)(1) and \$0.78 per square foot against commercial and industrial construction described in Government Code Section 65995(b)(2) subject to adjustments for inflation determined by the State Allocation Board pursuant to Government Code Section 65995(b)(3);

**WHEREAS**, the purpose of this Resolution is to approve and adopt fees pursuant to Government Code Section 65995, et. seq. in the amount of \$4.79 per square foot of residential construction; and;

**WHEREAS**, the purpose of this Resolution is to approve and adopt fees pursuant to Government Code Section 65995 et. seq. on commercial and industrial development projects in the amount of \$0.78 per square foot except for retail self-storage construction which is approved and adopted at \$0.08 per square foot.

**NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Trustees of the Galt Joint Union Elementary School District as follows:**

- 1. Procedure.** The Board hereby finds that prior to the adoption of this Resolution, the Board conducted a public hearing at which oral and written presentations were made, as part of the Board's regularly scheduled October 19, 2022 meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, has been published twice in a newspaper in accordance with Government Code Sections 66004, 66018, and 6062, (a) and in a notice, including a statement that the data required by Government Code sections 66004 and 66018 was available, was mailed at least 14 days prior to the meeting to any interested party who had filed a written request with the District for mailed notice of the meeting on new fees or service charges within the period specified by law. Additionally, at least 30 days prior to the meeting the District made available to the public, data indicating the amount of the cost, or estimated cost, required to provide the service for which the fee or service charge is to be adjusted pursuant

to the Resolution and the revenue sources anticipated to provide this service. By way of such public meeting, the Board received the Level 1 Developer Fees Justification Report (Appendix A of the School Facility Needs Analysis, October 2022) herein referred to as (“Report”) and attached as Exhibit A, which formed the basis for the action taken pursuant to this Resolution.

- 2. Findings.** The Board has reviewed Exhibit A as it relates to proposed and potential development the resulting school facilities needs, the cost thereof, and the available source of revenue including the fees provided by this Resolution and based thereon and upon all other information, and written and oral presentation to the Board, hereby makes the following findings;
  - a. The present enrollment of students in all the district's existing facilities, when combined with enrollment from projected development in the District, will exceed the current capacity of the District's facilities;
  - b. Additional development projects within the District, whether new residential construction or residential reconstruction involving increases in assessable area greater than 500 square feet, or new commercial or industrial construction will increase the need for school facilities and/or the need for reconstruction of school facilities;
  - c. Without the addition of new school facilities and/or reconstruction of present school facilities, any further residential development projects or commercial or industrial development projects within the District will result in a significant decrease in the quality of education presently offered by the District;
  - d. Residential development and commercial or industrial development is projected within the District's boundaries and the enrollment produced thereby will exceed the capacity of the schools of the District. As a result, conditions or overcrowding exist or will exist within the District, which will impair the normal functioning of the District's educational programs;
  - e. The fees proposed in the Report and implemented pursuant to this Resolution are for the purposes of providing adequate school facilities to maintain the quality of education offered by the District;
  - f. The fees proposed in the Report and implemented pursuant to this Resolution will be used for the construction and/or reconstruction of school facilities as identified in the Report;
  - g. The uses of the fees proposed in the Report and implemented pursuant to this Resolution are reasonably related to the types of development projects on which the fees are imposed in that the students who are generated by residential and commercial development will be accommodated by the additional facilities;
  - h. The fees proposed in the Report and implemented pursuant to this Resolution bear a reasonable relationship to the need for school facilities created by the types of development projects on which the fees are imposed in that



residential and commercial development growth generate additional students who rely on education in the District;

- i. The fees proposed in the Report and implemented pursuant to this Resolution do not exceed the estimated amount required to provide funding for the construction or reconstruction of school facilities for which the fees are levied; and in making this finding, the Board declares that it has considered the availability of revenue sources anticipated to provide such facilities, including general fund revenues;
  - j. The fees imposed on commercial or industrial development bear a reasonable relationship and are limited to the needs of the community for schools and are reasonably related and limited to the need for school facilities caused by development.
  - k. The fees will be collected for school facilities for which an account has been established and funds appropriated and for which the District has adopted a construction schedule and/or to reimburse the District for expenditures previously made.
- 3. Fee.** Based upon the foregoing findings, the Board hereby implements fees in the amount of \$4.79 per square foot for assessable space for new residential construction and for residential reconstruction to the extent of the resulting increase in assessable areas and to the amount of \$0.78 per square foot for new commercial or industrial construction except for new retail self-storage in the amount of \$0.08 per square foot. No building permit shall be issued absent payment of said fee.
- 4. Fee Adjustments and Limitations.** The fees shall be subject to the following:
- a. The amount of the District's fee shall be reviewed annually to determine if a fee increase according to the inflation set forth in the statewide cost index for Class B construction as determined by the State Allocation Board is justified.
  - b. The fees adjusted pursuant to this Resolution do not apply during the term of any contract entered into between a subdivider or builder and the District, or any applicable city or county on or before January 1, 1987, that requires the payment of a fee, charge or dedication for the construction of school facilities as a condition to the approval of residential or commercial/industrial development.
  - c. Any development project for which a final map was approved, and construction has commenced on or before September 1, 1986, is subject only to the fee, charge dedication or other form requirement in existence on that date and applicable to the project.
  - d. To the extent that the District is collecting fees pursuant to Chapter 407, statutes of 1998, commonly known as Level 2 fees, on any new residential construction, this fee would not apply.
  - e. The term "development project" as used herein is defined by Government Code Section 65928.

- 5. Additional Mitigation Methods.** The policies set forth in this Resolution are not exclusive and the Board reserves the authority to undertake other or additional methods to finance school facilities including but not limited to Level 2 fees (Government Code Sections 65995, 65995.5 and 65995.7 et. seq.), the Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311 et. seq.), mitigation agreements, and other available funding mechanisms as authorized by Government Code Section 65995. This Board reserves the authority to substitute the dedication of land or other property or other form of requirement in lieu of the fees levied by way of this Resolution at its discretion, so long as the reasonable value of the land to be dedicated does not exceed the maximum fee amounts contained herein or modified pursuant hereto.
- 6. Implementation.** For residential, commercial or industrial projects within the District, the Superintendent, or the Superintendent's designee, is authorized to issue Certificates of Compliance upon the payment of any fee levied under the authority of this Resolution.
- 7. California Environmental Quality Act.** The Board hereby finds the implementation of fees provided by this Resolution is exempt from the California Environmental Quality Act (“CEQA”), pursuant to Education code section 17621(a).
- 8. Commencement Date.** The effective date of this Resolution shall be December 19, 2022, which is at least 60 days following its adoption by the Board.
- 9. Notification of Local Agencies.** The Secretary of the Board is hereby directed to forward copies of this Resolution to the County of San Joaquin and the Galt Joint Union High School District with instructions not to issue any building permit absent a Certificate of Compliance.
- 10. Severability.** If any portion of this Resolution is found by a Court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining portions of this resolution.

**THE FOREGOING RESOLUTION WAS APPROVED, PASSED AND ADOPTED**  
at a regular Meeting of the Board of Trustees of Galt Joint Union Elementary School  
District on the 19<sup>th</sup> day of October 2022 by the following vote:

AYE S:

NOES:

ABSTAIN:

ABSENT:

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President, Board of Trustees  
Galt Joint Union Elementary School District

ATTEST:

---

Secretary, Board of Trustees  
Galt Joint Union Elementary School District



Galt Joint Union Elementary School District

## Galt Joint Union Elementary School District

1018 C Street, Suite 210, Galt, CA95632  
 209-744 4545 \* 209-744-4553 fax

### Board Meeting Agenda Item Information

<p><b>Meeting Date:</b> October 19, 2022</p>	<p><b>Agenda Item: 212.372</b>          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]</p>
<p><b>Presenter:</b> Nicole Lorenz</p>	<p><b>Action Item:</b>  <b>Information Item:</b>  <b>Public Hearing:</b> XX</p>

Pursuant to Government Code § 65995.5, the District may levy an alternative fee ("Level 2 fee) to the District's Level 1 fee if certain requirements are met. The School Facility Needs Analysis ("Needs Analysis"), prepared by SCI Consulting Group, is required annually to establish the need for and level of the Level 2 Fee. The District has been made eligible for new construction funding under the School Facility Program and satisfies the two of the four statutory requirements necessary to levy Level 2. Furthermore, the Needs Analysis has determined that District is justified in imposing a district-wide Level 2 fee at the K-8 rate of \$3.58 per square foot for new residential development. The Level 2 fee is increasing by \$0.35 per square foot primarily due to construction cost inflation.

In order to adopt the School Facility Needs Analysis and impose the Level 2 fees justified in the Needs Analysis, the District must conduct a public hearing and adopt Resolution 6 adopting the Needs Analysis and the Level 2 fee.

The Level 2 fee takes effect immediately upon adoption and is effective for a period of one year.

Attachments: Resolution 6  
 School Facility Needs Analysis, October 2022

# GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT

## Resolution No. 6

Resolution of the Board of Trustees  
Approving the Galt Joint 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

**RESOLVED** by the Board of Trustees (the "Board") of the Galt Joint Union Elementary School District (the "District"), County of Sacramento, State of California, that:

**WHEREAS**, this Board has had a School Facility Needs Analysis ("Needs Analysis") prepared as outlined in Section 65995 of the California Government Code; and

**WHEREAS**, said Need Analysis outlines the shortfall in revenues without levying fees as authorized in Sections 65995.5 and 65995.6 of the Government Code.

**WHEREAS**, the purpose of this Resolution is to approve and adopt fees pursuant to Government Code Section 65995.5 and 65995.6 on residential development projects in the amount of \$3.58 per square foot.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** as follows:

1. The Board hereby receives and approves the School Facility Needs Analysis, October 2022 as prepared by SCI Consulting Group.
2. Based upon said Needs Analysis, the Board makes the following findings.
  - a.) The purpose of the fees is to provide adequate school facilities for the students of the District who will be generated by residential development in the District.
  - b.) The fees are to be used to finance the construction and reconstruction of school facilities for new students generated by residential development.
  - c.) There is a reasonable relationship between the need for the fees, the use of the fees, and the development projects on which the fees are imposed.
  - d.) There is a reasonable relationship between the amount of the fees and the cost of the facilities attributable to the development projects on which the fees are imposed.
3. The Board hereby finds and determines the necessity to levy the fees authorized in Sections 65995.5 and 65995.6 of the Government Code in the amount of \$3.58 per square foot of new residential development.
4. The imposition of the fees shall take effect immediately.

5. The Superintendent or designee shall notify the City of Galt and the County of Sacramento having jurisdiction over territory within the District and request that no building permits be issued on or after this date without certification from the District that the fees specified herein have been paid.
6. The Board hereby finds that prior to the adoption of this Resolution, the Board conducted a public hearing at which oral and written presentations were made, as part of the Board's regularly scheduled October 19, 2022, meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, was published in a newspaper in accordance with Sections 65995.5 and 65995.6 of the California Government Code and at least 30 days prior to the meeting. A copy of said Needs Analysis was mailed to any interested party who had filed a written request with the District for mailed notice of the meeting on new fees within the period specified by law. Additionally, at least 30 days prior to the meeting the District made available to the public the final Needs Analysis for review.
7. If any portion of this Resolution is found by a Court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining portions of this resolution.

APPROVED, PASSED AND ADOPTED this 19<sup>th</sup> day of October 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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President, Board of Trustees  
Galt Joint Union Elementary School District

ATTEST:

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Secretary, Board of Trustees  
Galt Joint Union Elementary School District



# **GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT**

## **SCHOOL FACILITY NEEDS ANALYSIS**

OCTOBER 2022

PREPARED FOR:

**BOARD OF TRUSTEES  
GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT**

PREPARED BY:

  
4745 MANGELS BOULEVARD  
FAIRFIELD, CALIFORNIA 94534  
PHONE 707.430.4300  
[www.sci-cg.com](http://www.sci-cg.com)

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

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### **BOARD OF TRUSTEES**

Thomas Silva, President  
Grace Malson, Vice President  
Traci Skineer, Clerk  
Wesley Cagle, Member  
Casey Raboy, Member

### **SUPERINTENDENT**

Lois Yount

### **CHIEF BUSINESS OFFICIAL**

Nicole Lorenz

### **FACILITY PLANNING CONSULTANT**

SCI Consulting Group

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## EXECUTIVE SUMMARY

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### INTRODUCTION

This School Facility Needs Analysis (“Needs Analysis”) was prepared pursuant to the requirements of Senate Bill 50, Chapter 407; Statutes 1998, (hereinafter “Chapter 407/98” or “SB 50”), which became effective on November 4, 1998, after voters in California supported Proposition 1A. The purpose of this Needs Analysis is to evaluate the need for and the amount of developer fees allowed for new residential construction, pursuant to Chapter 407/98 for the Galt Joint Union Elementary School District (“District”).

Chapter 407/98 authorizes qualifying school districts to levy three different levels of developer fees. These three levels of fees are from Government Code Sections 65995, 65995.5, and 65995.7. Developer fees levied pursuant to Government Code Section 65995 are typically called “Statutory fees,” “Stirling fees,” or “Level 1 fees,” and the current maximum Stirling fee amounts for K-12 facilities are \$4.79 per square foot of residential construction and \$0.78 per square foot of commercial/industrial construction. These amounts are adjusted every two years in an amount equal to the statewide cost index for Class B construction, as determined by the State Allocation Board (“SAB”) at its January meeting. The District shares the K-12 commercial / industrial fee with the Galt Joint Union High School District. The District currently collect 60 percent or \$0.4686 per square foot of new commercial area constructed within the District.

Chapter 407/98 established two new sections, Section 65995.5 and 65995.7, that allow school districts to impose higher fees on residential construction if certain conditions are met by the school district. Government Code Section 65995.5 provides for an alternative fee (hereinafter the “Level 2 fee”) that may provide approximately 50 percent of the cost of school construction and site costs (using statewide average costs).

Government Code Section 65995.7 provides for developer fees that would be approximately twice the amounts authorized for Level 2 fees. This “Level 3 fee” may be levied by school districts if State funding becomes unavailable from the State Allocation Board. In essence, Section 65995.7 allows a district to double the Level 2 fee effectively. However, if the district later receives any State funding, any amounts collected in excess of Level 2 or 3 fees would have to be reimbursed to the developers from whom it was collected.

In order to impose such fees, this Needs Analysis must make the following determinations:

- Determine if the District has been approved as eligible by the State Allocation Board (“SAB”) for new construction grant funds under the School Facility Program (“SFP”); and
- Determine if the District has satisfied two of the four requirements set forth in Government Code Section 65995.5(b)(3); and
- Determine the District’s maximum allowable Level 2 fee and Level 3 fees as authorized by Government Code Sections 65995.5 and 65995.7, respectively.

In addition to making these determinations, this Needs Analysis must establish that a reasonable relationship or “nexus” exists between new development that occurs within the District and the need for additional school facilities as a result of new development. More specifically, this Needs Analysis will present findings in order to meet the procedural requirements of the Mitigation Fee Act, also known as AB 1600, which are as follows:

1. Identify the purpose of the fee;
2. Identify the use to which the fee is to be put;
3. Determine how there is a reasonable relationship between the fee’s use and the type of development project on which the fee is imposed;
4. Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed;
5. Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

#### **SUMMARY OF FINDINGS**

1. School capacity pursuant to SB 50 is calculated on a teaching station basis whereby all permanent classrooms are counted. Portable classrooms are also counted, but only up to the amount that equals 25 percent of the number of permanent classrooms. Using this measure of school capacity, the District’s State Capacity in FY 2021-22 is 3,239 K-8 students.
2. The District has an enrollment, as of October 2021, of 3,800 K-8 students. Therefore, the District’s enrollment does not currently exceed existing school capacity. However, the current excess capacity is not enough to house the

new students generated by new development, and new school facilities will be required for enrollments generated by the new residential development.

3. Based on a study of historical residential construction and the City of Galt's current development plan for new homes, approximately 285 new single-family homes and 17 multifamily units forecast to be constructed within the District over the next five years.
4. A student generation rate analysis of newly constructed residential units finds that each new single-family home generates an average of 0.448 K-8 students, and each new multifamily home generates an average of 0.616 K-8 students.
5. Over the next five years, 278 additional students are projected from the 285 new residential homes and 17 multifamily units.
6. Based on an average new single-family residential home size of 2,300 square feet and a multifamily residential unit size of 700 square feet, the total projected new residential area is 667,000 square feet.
7. The current allowable costs for new school construction pursuant to SB 50 are \$14,623 per elementary student and \$15,466 per middle school student.
8. In addition to new school construction costs, SB 50 states that 50 percent of site acquisition, site development costs, and offsite development can be included. The allowable site acquisition and site development costs per student for the District are \$2,465 per elementary student and \$8,140 per middle school student.
9. The total allowable costs per student for Level 2 fees are \$16,092 per elementary student and \$17,259 per middle school student.
10. Using these cost factors and the projected number of new homes, the maximum amount chargeable to residential development for the Level 2 fee is \$3.58. Of this total amount, \$1,897,704 is attributable to new elementary school facilities, and \$491,695 is attributable to new middle school facilities.
11. The District owns the "Jeffery T. Jennings" site for a future elementary school. The District has no other "surplus" school sites, surplus facilities, or other local funding for capital improvements that can be used to offset the cost of facilities needed for students from unmitigated, new residential development subject to the Level 2 fee.

12. Based on costs allowable by Government Code § 65995, this Needs Analysis determines that the maximum amount chargeable to residential development as an alternative “Level 2” fee is \$3.58 per square foot of unmitigated new residential area. Additionally, in the event that new construction state funding becomes unavailable, the District is authorized to charge a Level 3 fee in the amount of \$7.16 per square foot of new, unmitigated residential area.
13. The District is eligible for new construction funding under the School Facility Program (“SFP”) and satisfies three of the four statutory requirements necessary to levy Level 2 fees pursuant to Government Code Section 65995.5(b)(3).

#### **SUMMARY OF RECOMMENDATIONS**

1. The District should levy an alternative school facility fee (“Level 2 fee”) at the rate of \$3.58 per square foot for all new residential development, with the exception of any residential development that is paying mitigation through a developer mitigation agreement, Mello-Roos special tax or other special tax.
2. The Level 2 fee should be adopted and implemented pursuant to Government Code Section 65995.5 and as generally summarized in Appendix B to this Needs Analysis.
3. It is important to keep in mind that the projections and related facility needs presented in this Needs Analysis are based on a State formula for the general purpose of legally justifying the need for and amount of the Level 2 fee. SCI Consulting Group recommends that the District rely on more comprehensive and detailed demographic analysis and facility plans for long-term facility planning.



## DISTRICT PROFILE

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### DISTRICT PROFILE

The Galt Joint Union Elementary School District encompasses the City of Galt and surrounding areas in Sacramento County. According to the October 2021 CBEDS, the District currently serves 3,239 K-8 students in regular education programs. The District currently operates six elementary schools and one middle school: Valley Oaks Elementary, River Oaks Elementary, Marengo Ranch Elementary, Lake Canyon Elementary, Vernon E. Greer Elementary, Fairsite Elementary and Robert L. McCaffrey Middle School.

In reading the enclosed information, the reader should be reminded that the information presented in the Needs Analysis is relevant to the 2021-22 school year and does not reflect any changes that may occur in the 2021-22 school year.

### EXISTING SCHOOL BUILDING CAPACITY AND ENROLLMENT

Pursuant to SB 50, existing school building capacity is determined by a teaching station methodology whereby each permanent teaching station is counted and loaded at the rate of 25 students per classroom in grades K-6 and 27 students per classroom in grades 7-8. Pursuant to Education Code Section 17071.30(b), the maximum number of portable classrooms included within the capacity calculation shall not exceed 25 percent of the number of permanent classrooms.

Figure 1 presents an analysis of current enrollment in comparison to allowable state capacity. By this measure, the District's capacities exceed enrollment by 561 K-12 students.

**FIGURE 1 – EXISTING SCHOOL BUILDING CAPACITY AND ENROLLMENT (2021-22)**

	<b>SB50 State Capacity</b>	<b>Oct-21 Enrollment</b>	<b>Excess Capacity</b>
Elementary School (K-6)	2,624	2,512	<b>112</b>
Middle School (7-8)	1,176	727	<b>449</b>
<b>Total K - 8</b>	<b>3,800</b>	<b>3,239</b>	<b>561</b>

(Appendix C provides the existing school building capacity calculation for the District.)

## PROJECTIONS AND DEMOGRAPHICS

### PROJECTED DEVELOPMENT

Figure 2 below outlines the approved and proposed residential building projects registered with the City of Galt Planning Department through March 2022. As indicated, these projects represent nearly 3,450 new residential units currently under construction, approved, or in the application process. However, only a small percentage of the units will be subject to the District's level 2 developer fee.

**FIGURE 2 – RESIDENTIAL DEVELOPMENT PROJECT LIST, CITY OF GALT**

	Total Units <sup>1</sup>	Permits Issued	Remaining Units	General Status
<b>Single Family Residential</b>				
Fairway Oaks <sup>2,3</sup>	173	0	173	Final Map
Greenwood Cottages <sup>2</sup>	226	0	226	Final Map
Summerfield at Twin Cities Rd. <sup>3</sup>	204	0	204	Annexation Approved
Simmerhorn Ranch <sup>3</sup>	429	0	429	Annexation Approved
Caterina Estates	67	0	67	Application
Morali Estates	50	0	50	Final Map
Ceder Flats Estates	112	112	0	Under Construction
Parlin Oaks <sup>2</sup>	144	0	144	Final Map
Veranda at River Oak	60	60	0	Under Construction
Spur Way	4	0	0	Application
Cardoso I Subdivision	69	69	0	Under Construction
Cardoso II Subdivision	87	40	47	Under Construction
First Street Parcel Map	2	0	2	Final Map
Eastview Specific Plan <sup>3</sup>	1,494	0	1,494	Tentative Map
<b>TOTAL SINGLE-FAMILY</b>	<b>3,121</b>	<b>281</b>	<b>2,836</b>	
<b>Multi Family Residential</b>				
Eastview Specific Plan <sup>3</sup>	241	0	241	Final Map
A Street Crossing	9	0	9	Final Map
Parlin Oaks <sup>2</sup>	80	0	80	Final Map
Second Street Apartments	8	0	8	Final Map
<b>TOTAL MULTI-FAMILY</b>	<b>338</b>	<b>0</b>	<b>338</b>	
<b>GRAND TOTAL</b>	<b>3,459</b>	<b>281</b>	<b>3,174</b>	

Source: City of Galt Planning Department. Development project list as of March 2022

Notes:

<sup>1</sup> List excludes senior living projects. Excludes Dry Creek Oaks.

<sup>2</sup> Residential development projects within Community Facilities District No. 1 which are not subject to the alternate Level 2 developer fee.

The figure below lists the 5-year projected residential development within the District. Based on historical development, current building projects, and figures provided by the City of Galt Planning Department, this Needs Analysis projects 285 single-family homes (“SFR”) and 17 multifamily residential units (“MFR”) will be constructed within the next five years.

**FIGURE 3 – FIVE-YEAR PROJECTED RESIDENTIAL DEVELOPMENT**

<b>Housing Type</b>	<b>Total Projected Housing Units</b>
Single Family Residential ("SFR")	285
Multi-Family Residential ("MFR")	17
<b>Total Projected Residential Units</b>	<b>302</b>

#### **STUDENT GENERATION RATES**

Student generation rates, otherwise known as “yield factors,” are the average number of students that are generated by each new housing unit. Student generation rates for new housing units were determined by SCI Consulting Group. The student generation rate analysis found that new single-family homes generate an average of 0.448 K-8 students, while multifamily residential units generate an average of 0.616 K-8 students.

**FIGURE 4 – STUDENT GENERATION RATES FOR NEW HOUSING**

<b>Housing Type</b>	<b>K-6</b>	<b>7 - 8</b>	<b>K - 8</b>
New Single Family Residential	0.343	0.105	<b>0.448</b>
New Multi-Family Residential	0.438	0.179	<b>0.616</b>

### ENROLLMENT FROM NEW HOUSING

The figure below lists the number of students projected by grade level from the forecasted new homes. If 302 new housing units are constructed as projected, and each new SFR and MFR is expected to yield 0.448 and 0.616 students respectively, then the District enrollments will increase by approximately 139 students.

**FIGURE 5 – ENROLLMENT GENERATED FROM NEW HOUSING**

Period	Projected Homes		Students Generated		
	SFR	MFR	K-6	6-8	K-8
5-Years	320	17	118	37	155

### UNHOUSED ENROLLMENT

As shown in Figure 1, no excess capacity exists at the elementary school level. Thus, all elementary school students generated by new development are considered unhoused. However, existing capacity exceeds middle school enrollment by 449 students. The District will experience middle school enrollment growth beyond the five-year period of this Needs Analysis. Therefore, the excess middle school capacity will be needed to house students generated from residential units constructed over the next five (5) years and residential units constructed beyond the five-year period of this Needs Analysis. Therefore, the excess middle school capacity shown in Figure 1 must be allocated between the projected residential development shown in Figure 4 and residential units to be constructed beyond the next five (5) years.

According to the City's 2030 General Plan and information obtained from the California Department of Finance, the District can expect an additional 3,120 single-family and 2,747 multifamily units at buildout of the General Plan. These figures include residential units for the next five (5) years and residential units to be constructed beyond the next five (5) years. Allocating the excess middle school capacity identified in Figure 1 between the residential units to be constructed over the next five (5) years and residential units to be constructed beyond the next five (5) years based on the number of students in each group of residential units is expected to generate results in 13 middle school student capacity to be allocated over the next five (5) years. Therefore, only 20 middle school students of the 33 students generated by new development over the next five (5) years are considered unhoused.

### NEW RESIDENTIAL BUILDING AREA

SCI Consulting Group conducted an analysis of building permits issued within the City of Galt over the past five years. This analysis indicates that single-family homes were developed at an average of 2,300 square feet and multifamily units at an average of 700 square feet. Using these findings, Figure 6 projects 669,950 square feet of new residential area will be developed over the next five years.

**FIGURE 6 – NEW RESIDENTIAL SQUARE FOOTAGE**

	<b>SFR</b>	<b>MFR</b>	<b>TOTAL</b>
Average Dwelling Size (Sq. Ft.)	2,300	700	<b>2,210</b>
Total Units (5 years)	285	17	<b>302</b>
Total Residential Square Footage	655,500	11,900	<b>667,400</b>

## LEVEL 2 FEE DETERMINATION

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Education Code Section 17072.10 establishes allowable cost factors for school construction that are used to determine the appropriate Level 2 fee for new residential development. These cost factors were developed on a per-student basis and are based on approximately 50 percent of statewide school construction costs. It should be noted, however, that the actual cost of school construction may be significantly higher than the cost factors indicate. Any shortfall in funding from the State school construction bond program (funded by Proposition 47) and the Level 2 fee will need to be addressed by local school districts.

### ALLOWABLE COSTS

Effective January 1, 2022, the allowable cost factors for new school construction for 2022 are \$16,092 per elementary student and \$17,259 per middle school student. These allowable cost factors include the base per-pupil grant pursuant to Education Code § 17072.10, the auto alarm/detection grant, the sprinkler grant required by Education Code § 17074.56(a)), labor compliance program grant pursuant to Labor Code § 1771.7(e) and the general site development grant pursuant to SAB Regulation 1859.76 for each grade level. These allowable costs are summarized in the figure below.

**FIGURE 7 – ALLOWABLE COSTS FOR CONSTRUCTION AND GENERAL SITE DEVELOPMENT**

<b>Allowable Grants</b>	<b>K-6</b>	<b>7-8</b>
Per Pupil Base Grants <sup>1</sup>	\$14,623	\$15,466
Automatic Fire Detection/Alarm System Grants <sup>1</sup>	\$17	\$23
Automatic Sprinkler System Grants <sup>1</sup>	\$245	\$292
General Site Development Grant <sup>1</sup>	\$1,207	\$1,478
<b>Total Per Pupil Grants</b>	<b>\$16,092</b>	<b>\$17,259</b>

Source: State Allocation Board

Notes:

<sup>1</sup> Approved February 23, 2022 by the State Allocation Board to become effective January 1, 2022.

In addition, the District can include 50 percent of the cost of site acquisition, offsite improvements, and site development. Land acquisition costs within the District are assumed to be \$335,000 per acre. Arguments for higher or lower land costs can be made; however, the amount presented is appropriate and conservative for the purpose of this Needs Analysis. Land acquisition costs also included an additional 4 percent for appraisal, survey, and escrow costs as allowed by SAB Regulation 1859.74(a)(2).

The District owns one school site, the “Jeffery T. Jennings” site, for a future elementary school. However, according to the District 2015 Facilities Master Plan, the next elementary school will likely be located within the Eastview Specific Plan. For purposes of this Needs Analysis, no land acquisition costs are assumed for the next elementary school since the surplus value of Jeffrey T. Jennings site would offset the land acquisition cost of the Eastview Specific Plan site.

Site development costs are based on the actual site development cost for new elementary schools built in nearby Elk Grove. Site development costs include service site development, offsite development, and utility costs.

As further detailed in Figure 8 on the following page, the site acquisition and development costs equate to \$2,465 per elementary student and \$8,140 per middle school student. This brings the bringing total SB50 new school construction costs per student to \$18,557 per elementary student and \$25,399 per middle school student.

## **LEVEL 2 FEE DETERMINATION**

The determination of allowable costs and Level 2 fees is presented in Figure 9 on the following page. This table calculates a *composite* single-family/multifamily fee based on aggregate SB50 new school facility construction costs. This fee is the amount that is justified and should be established for new residential construction. As shown, the District can justify a Level 2 single family/multifamily fee in the amount of \$3.58 per square foot of new residential area.

**FIGURE 8 – LEVEL 2 FEE DETERMINATION**

	Grade Level		
	K - 6	7 - 8	K-8
Unhoused Enrollment From New Development	102	20	122
New School Size	650	900	
Schools Needed	0.16	0.02	
Allowable Site Acreage <sup>1</sup>	9.0	20.8	
Total Acreage Required	1.44	0.42	1.9
Land Acquisition Cost per Acre <sup>2</sup>	\$0	\$348,400	
Site Development Cost per Acre <sup>3</sup>	\$356,000	\$356,000	
Total Site Acquisition/Development Cost/Acre	\$356,000	\$704,400	
Allowable Site Acq./Devel. Costs/Acre <sup>4</sup>	\$178,000	\$352,200	
Allowable School Construction Cost per Student <sup>5</sup>	\$16,092	\$17,259	
Allowable Site Acq./Devel. Cost per Student <sup>6</sup>	\$2,465	\$8,140	
School Facilities Cost	\$1,641,384	\$345,180	\$1,986,564
Site Acquisition and Development Cost	\$256,320	\$146,515	\$402,835
Total Allowable SB50 Costs	\$1,897,704	\$491,695	\$2,389,399
Total New Residential Area (Sq. Ft.)			667,400
Alternative ("Level 2") Fee per Square Foot			<b>\$3.58</b>

## Notes:

<sup>1</sup> Based on the 1998 edition of "School Site Analysis and Development" published by the CDE pursuant to Govt. Code § 65995.5(h).

<sup>2</sup> There are no land acquisition costs for K-5 facilities because the District currently owns the site for its next school. Land costs include an additional 4% for appraisal, survey and escrow costs per SAB Regulation 1859.74(a)(2).

<sup>3</sup> Estimated per-acre cost for site development, utilities and infrastructure improvements is based on actual costs of new elementary schools built in nearby Elk Grove.

<sup>4</sup> Pursuant to SB50, 50% of total site acquisition and development costs are allowable in calculating Level 2 fees.

<sup>5</sup> The unhoused pupil grant is the sum of the base grant, the auto/detection grant, the fire sprinkler grant and the general site development grant as adjusted by the State Allocation Board on February 23, 2022.

<sup>6</sup> The allowable SB50 site acquisition and development costs calculated per student utilizing new school size and acreage required per campus.



## **SCHOOL SITES, FACILITIES, AND LOCAL FUNDING SURPLUSES**

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This section evaluates and considers surplus school sites, surplus facilities, and other local funding for capital improvements that can be used to offset the cost of facilities needed for students from new residential development. More specifically, pursuant to Government Code Section 65995.6(b), the District must “identify and consider (a) any surplus property owned by the school district that can be used as a school site or that is available for sale to finance school facilities, (b) the extent to which projected enrollment growth can be accommodated at existing surplus school facilities, and (c) local sources of revenue that are available or dedicated to finance the construction or reconstruction of school facilities needed to accommodate any growth in enrollments attributable to new residential development.”

### **SURPLUS SCHOOL SITES**

The District owns one elementary school site, the “Jeffery T. Jennings” site, for a future elementary school. However, according to the District 2015 Facilities Master Plan, the next elementary school will likely be located within the Eastview Specific Plan and the Liberty Ranch Development. For purposes of this Needs Analysis, no land acquisition cost is assumed for the next elementary school since the surplus value of Jeffrey T. Jennings site would offset the land acquisition cost of the Eastview Specific Plan site.

The District owns no other school sites for future schools.

### **SURPLUS SCHOOL FACILITIES**

The District has no existing surplus school facilities to accommodate projected enrollment growth from new development.

### **SURPLUS LOCAL FUNDS**

The following is an evaluation of other local funding sources that might be available or could be dedicated to financing the construction or reconstruction of school facilities needed to accommodate enrollment growth attributable to new residential development.

#### MELLO-ROOS COMMUNITY FACILITIES DISTRICTS

The District, under the Galt Schools Joint Powers Authority, currently has Mello-Roos Community Facilities Districts (“CFDs”). Properties included in these CFDs are levied special taxes for new school construction. These special taxes must be used exclusively to provide additional school facilities for enrollments generated by homes in the CFD. Therefore, these revenues are not available to offset the cost of facilities required for students generated by development subject to the Level 2 fee.

#### GENERAL OBLIGATION BONDS

The District passed a \$19,700,000 General Obligation Bond on November 8, 2016 and issued a series in 2021 for \$9,300,000.

#### CERTIFICATES OF PARTICIPATION

Special Tax Certificates of Participation Bonds (“COPs”) were authorized and issued by the District under a Joint Powers Agreement in 1992 for Mello-Roos District CFD No. 1. The bond proceeds were used to construct school facilities required for enrollments generated by new development within CFD No. 1. Therefore, there are no COP proceeds available to offset the Level 2 fee.

#### GENERAL FUND REVENUE

The District’s general funds are needed by the District to provide for the operation of its instructional program. There are no unencumbered funds at the District that could be used to construct new facilities or reconstruct existing facilities.

#### LOTTERY REVENUE

Government Code Section 8880.5(m) states that “all funds from the California State Lottery Education Fund shall be used exclusively for the education of pupils and students and no funds shall be spent for acquisition of real property, construction of facilities, financing research, or any other non-instructional purpose.”

COMMERCIAL / INDUSTRIAL STATUTORY FEES

Commercial and industrial statutory fees levied pursuant to Government Code Section 65995 continue to be justified for the District. These fees offset only a portion of the cost of new school facilities and will continue to be needed to provide additional school facilities for enrollments generated by employees from new commercial and industrial businesses.

OTHER LOCAL FUNDING SOURCES

Any other local funding sources that may become available will be required to provide additional school capacity for current unhoused enrollments.

## LEVEL 2 & 3 FEE ELIGIBILITY

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### LEVEL 2 AND 3 FEES

This section frames the District’s eligibility to continue to levy alternative school facility fees (“Level 2 fees”), in terms of the statutory requirements pursuant to Government Code Sections 65995.5(1) and 65995.5(3). In general, the District must make a “timely” application to the State Facilities Program and satisfy a certain number of statutory requirements in order to levy Level 2 fees. The specific requirements and findings for both fees are discussed below.

#### **THE SCHOOL DISTRICT MUST MAKE A TIMELY APPLICATION FOR STATE FUNDING FOR NEW CONSTRUCTION UNDER THE STATE FACILITIES PROGRAM.**

*This statutory requirement has been met for the District. The District is eligible to receive new construction funding under the School Facilities Program. On January 29, 1999, the District submitted eligibility documents to the State to participate in the State Facilities Program. SAB forms 50-01, 50-02, and 50-03 were approved by the State Allocation Board on April 28, 1999. As of March 4, 2014, the District is eligible for new construction funding for 1,356 students for grades K-6.*

#### **UNTIL JANUARY 1, 2000, SATISFY ONE OF THE FOLLOWING CONDITIONS AND, ON OR AFTER JANUARY 1, 2000, MEETING TWO OF THE FOLLOWING CONDITIONS:**

1. Attempt to pass a local bond at least once within the past four years and get the approval of 50 percent plus one of the voters.

*This statutory condition has been met by the District. The District’s \$19.7 million general obligation bond measure (Measure K) was approved by the voters on November 8, 2021.*

2. Have at least 30 percent of K-6 enrollment on year-round multi-track education, or at least 40 percent of public-school students in grades K-12 are on multi-track year-round education schedules within the high school attendance area for which the district is applying for funding.

*This statutory condition has not been met by the District. The District does not provide a multi-track year-round education at any school.*

3. Have issued debt or incurred obligations for capital outlay in an amount equivalent to 15 percent of the District's local bonding capacity (30 percent if post-November 1998 landowner-approved Mello-Roos special taxes are included).

*This statutory condition has been met by the District. The Galt Joint Powers Authority's current debt level for capital outlay is of the District's bonding capacity and thus is greater than 15 percent required.*

4. At least 20 percent of the teaching stations in the District are relocatable classrooms.

*This statutory condition has been met for the District. The District's total classroom inventory is 49.6 percent of relocatable classrooms.*

The District has made a timely application for state funding, has passed a local bond within the past four years, has over 20 percent of teaching stations in relocatable classrooms, and has bond indebtedness greater than 15 percent of the District's total local bonding capacity. Therefore, the District meets three of the four statutory prerequisites for levying Level 2 fees.

**LEVEL 3 FEE DETERMINATION**

If State school construction funding becomes unavailable due to a lack of State school construction bonds, the District would be eligible to levy fees pursuant to Government Code Section 65995.7 at twice the currently justified amount for Level 2 fees. The amounts of these Level 3 fees for residential construction would be as shown below.

It should be noted that if the District levies a Level 3 fee and later receives any State funding, any amounts collected in excess of the Level 3 fee would have to be refunded to the property owners from whom it was collected. If such reimbursement were to occur, the District could deduct from the reimbursable amount its expenditures for interim housing for students from new residential development.

**FIGURE 9 – LEVEL 3 FEE DETERMINATION**

<b>Cost and Fee Categories</b>	<b>Amount</b>
Allowable Cost per Elementary Student	\$36,345
Allowable Cost per Middle School Student	\$48,554
Alternate Level 3 Fee per Square Foot	\$6.92

## NEXUS FINDINGS

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This section frames the results of the Needs Analysis in terms of the nexus requirements pursuant to AB 1600, which is codified in California Government Code § 66000<sup>1</sup>. In general, it must be demonstrated that a reasonable relationship or “nexus” exists between new development that occurs within the District and the need for additional school facilities as a result of new residential development. The specific nexus requirements and findings for the fee are discussed below.

### IDENTIFY THE PURPOSE OF FEE

The purpose of the fee is to provide funding for the construction and reconstruction of school facilities for new students generated by residential development.

### IDENTIFY THE USE OF FEE

As outlined in the Needs Analysis, the general purpose of the fee is to fund the construction of additional school facilities as outlined in the Needs Analysis. The District may need to purchase or lease portable classrooms to use for interim housing while permanent facilities are being constructed.

Revenue from fees collected for residential development may be used to pay for any of the following:

- Construction or reconstruction of school facilities;
- Acquisition or leasing of land for school facilities;
- Design of school facilities;
- Permit and plan checking fees;
- Testing and inspection of school sites and buildings;
- Furniture for use in new school facilities;
- Purchased or leased interim school facilities;
- Legal and administrative costs associated with providing school facilities to students generated by new development;
- Administration of the justification and collection of developer fees;
- Other miscellaneous costs resulting from student enrollment growth caused by new development.

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<sup>1</sup> Otherwise known as the Mitigation Fee Act.

DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE FEE'S USE AND THE TYPE OF DEVELOPMENT PROJECT ON WHICH THE FEE IS IMPOSED

New residential development will cause families to move into the District and will, consequently, generate additional students in the District. As previously discussed, adequate school facilities do not exist for all these students. New residential development, therefore, creates a need for additional school facilities. The fee's use (acquiring new facilities) is therefore reasonably related to the type of project (new residential development) upon which it is imposed.

DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE NEED FOR PUBLIC FACILITIES AND THE TYPE OF DEVELOPMENT ON WHICH THE FEE IS IMPOSED

As previously discussed in this Needs Analysis, the District has insufficient permanent capacity to house all additional students projected to enroll in the District. New residential development, therefore, will generate "unhoused students" and, consequently, create a need for additional school facilities.

DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE AMOUNT OF FEE AND THE COST OF THE PUBLIC FACILITY ATTRIBUTABLE TO THE DEVELOPMENT ON WHICH THE FEE IS IMPOSED

The relationship between the amount of the Level 2 fee and the cost of the school facilities attributable to new residential development is detailed in Figure 9. As shown, the cost of school facilities attributable to each square foot of new residential housing units is \$3.58 per square foot.



## **APPENDICES**

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Appendix A – Level 1 Developer Fees Justification Report

Appendix B – Requirements for Adoption of Needs Analysis

Appendix C – Existing School Building Capacity Determination

Appendix D – Bonding Capacity Calculation

## APPENDIX A – LEVEL 1 DEVELOPER FEES JUSTIFICATION REPORT

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In order to establish or increase Level 1 developer fees, the District is required to develop a justification report that demonstrates the nexus between the imposed fee and the need for public facilities created by new development. If the cost of providing adequate school facilities for new housing units is greater than the amount collected by the maximum Statutory residential developer fee, then the District may levy the fees or a lower justified amount. The current maximum State authorized K-12 fees are \$4.79 per square foot of residential area and \$0.78 per square foot of commercial/industrial area. These statutory maximum amounts or “Level 1” fees were increased by the State Allocation Board in February 2022.

### RESIDENTIAL DEVELOPER FEE JUSTIFICATION

The estimated construction costs for adequate K-8 facilities are based on two times the new construction per-pupil grant amount in the State School Facilities Program as of February 23, 2022, plus site acquisition and development costs. Although the per-pupil grant amounts are intended to reflect half the cost of school construction or reconstruction, this estimate should be viewed as a very conservative estimate because projects funded at 100 percent of the state allowance often experience shortfalls between state funding and the District’s actual facilities costs.

The Needs Analysis finds that the average cost of adequate school facilities per new housing unit is \$16,468, which is two times the Level 2 fee multiplied by the average square foot per new housing unit. Given the projected average square footage of new housing units is 2,300 square feet, the District’s 60 percent share of the maximum developer fee of \$4.79 per square foot is \$6,610, which will mitigate only 40.1 percent of the impact of new residential development on school facilities. Therefore, the Level 1 residential developer fee is justified at the maximum rate for the District.

### COMMERCIAL / INDUSTRIAL FEE JUSTIFICATION

As commercial or industrial properties develop, new jobs are created. Many of the people hired into these new jobs move into the community, thereby increasing the need for additional school facilities to serve their children. Consequently, commercial or industrial development affects the District.

SCI Consulting Group gathered data from the State of California Employment Development Department, the California Department of Finance, U.S. Census Bureau, the Sacramento Area Council of Governments (“SACOG”), and the City of Galt. This data indicated that there was a total of 11,200 workers in the City of Galt’s 8,382 housing units<sup>2</sup>. This data provides a ratio of 1.34 workers per housing unit. Data from the U.S. Census found that approximately 19.8 percent of working-age residents work within the boundaries of the District.

Additionally, AB 530, adopted in 1990, allows for the use of employee generation figures from a report produced by the San Diego Association of Governments (“SANDAG”). The SANDAG study determined the average number of employees per square foot of commercial and industrial business space. The employee generation factors are summarized in the following table. The SANDAG study shows that, on average, there are 2.65 employees for every 1,000 square feet of commercial or industrial building area.

#### EMPLOYEES PER SQUARE FOOT OF COMMERCIAL/INDUSTRIAL FLOOR AREA

<b>Type of Business</b>	<b>Square Feet Per Employee</b>	<b>Employees per 1000 Square Feet</b>
Banks	354	2.83
Commercial Offices	226	4.43
Community Shopping Centers	652	1.53
Corporate Offices	372	2.68
Industrial Business Parks	284	3.52
Industrial Parks	668	1.50
Lodging	883	1.13
Medical Offices	217	4.61
Neighborhood Shopping Centers	360	2.78
Retail Self-Storage	15,541	0.06
Research & Development	329	3.04
<b>Overall Average</b>	<b>377</b>	<b>2.65</b>

<sup>2</sup> Current population and total housing stock figures are estimates as of January 1, 2022. The total employment figure, provided by the California Employment Development Department, is preliminary as of August 2022.

Using the SANDAG study average of 2.65 employees per 1,000 square feet of new commercial or industrial space, assuming that 19.8 percent of these employees reside in the City of Galt, and an average of 1.34 employees live in each home, then an average of 0.39 homes per 1,000 square feet of commercial/industrial space will be needed for each new employee. In other words, 2,544 square feet of new commercial/industrial space would, on average, create the need for one additional home in the City of Galt for new employees of that business.

Therefore, the total cost of K-8 school facilities needed per 2,300 square feet of commercial or industrial space is the same as the total school facilities cost per home of \$16,468. However, the District maximum residential fee provides an average of \$8,234 per new housing unit ( $\$3.58 \times 2,300$  square feet), so the unfunded cost of school facilities is \$8,234 per housing unit. Therefore, the average unfunded impact of commercial and industrial development on school facilities is \$3.24 per square foot. In comparison, the District's 60 percent share of the maximum commercial / industrial fee of \$0.66 per square foot covers only 14.5 percent of this unfunded impact.

This analysis is provided in the figure on the following page for each type of land use. As shown, the commercial/industrial fee is justified at the maximum rate of \$0.78 per square foot in every case except for the "retail self-storage" category. Therefore, the maximum commercial/industrial fee of \$0.78 per square foot is justified for all new commercial / industrial construction except for new "retail self-storage" construction, which is justified at the rate of \$0.08 per square foot.

In addition to the following justification, a percentage of employees for a new business will move into existing housing in the community. Given that employees typically have more children than the families or people they replace in existing housing, commercial/industrial development also creates enrollment growth in the existing housing stock. The commercial/industrial fee is also justified to offset this impact.

This commercial/industrial fee is shared with the Galt Joint Union High School District ("GJUHS"). If the GJUHS imposed the maximum K-12 fee of \$0.78 for commercial/industrial development, the District's share shall be 60 percent or \$0.468 per square foot. If the high school district imposes an amount lower than the maximum fee, the District may collect an amount equal to 60 percent of the maximum fee plus the difference between the GJUHS fee and the amount of \$0.78 per square foot.

### IMPACT OF COMMERCIAL/INDUSTRIAL DEVELOPMENT

Type of Business	Employees	Square Footage	Unfunded	Unfunded
	per 1000	Creating	Impact	Impact per
	Square Feet <sup>1</sup>	Need for One	per Home <sup>3</sup>	Square Feet <sup>4</sup>
		New Home <sup>2</sup>		
Banks	2.83	2,224	\$7,935	\$3.57
Commercial Offices	4.43	1,421	\$7,935	\$5.58
Community Shopping Centers	1.53	4,113	\$7,935	\$1.93
Corporate Offices	2.68	2,348	\$7,935	\$3.38
Industrial Business Parks	3.52	1,788	\$7,935	\$4.44
Industrial Parks	1.50	4,196	\$7,935	\$1.89
Lodging	1.13	5,570	\$7,935	\$1.42
Medical Offices	4.61	1,365	\$7,935	\$5.81
Neighborhood Shopping Centers	2.78	2,264	\$7,935	\$3.50
Retail Self-Storage	0.06	97,810	\$7,935	\$0.08
Research & Development	3.04	2,070	\$7,935	\$3.83
<b>Overall Average</b>	<b>2.65</b>	<b>2,375</b>	<b>\$7,935</b>	<b>\$3.34</b>

Notes:

<sup>1</sup> Employee generation factors from SANDAG Study.

<sup>2</sup> This is the square feet of commercial or industrial building area that generates the need for one new home in the District. Calculated: 1,000 SF \* employees per home / (generation factor per 1,000 SF \* 0.198 employees to live in the District)

<sup>3</sup> Unfunded impact equals total impact per single-family home of \$16,468 less the District's average residential developer fee of \$3.24 per square foot \* average home size of 2,300 square feet.

<sup>4</sup> Unfunded impact per square foot equals unfunded impact per home divided by square feet of commercial/industrial building area, which creates the need for one new home in the District.

### NEXUS FINDINGS

This section frames the results of the Level 1 Fees Justification Report in terms of the nexus requirements pursuant to AB 1600, which is codified in California Government Code § 66000.<sup>3</sup> In general, it must be demonstrated that a reasonable relationship or “nexus” exists between new development that occurs within the District and the need for additional school facilities as a result of new development. The specific nexus requirements and findings for the fees are discussed below and on the following page.

<sup>3</sup> Otherwise known as the Mitigation Fee Act.

**IDENTIFY THE PURPOSE OF FEES**

The purpose of the fees is to provide funding for the construction and reconstruction of school facilities for new students generated by residential, commercial, and industrial development.

**IDENTIFY THE USE OF FEES**

The general purpose of the fees is to fund the construction of additional school facilities, as outlined in this Report. The District may need to purchase or lease portable classrooms to use for interim housing while permanent facilities are being constructed.

Revenue from residential, commercial, and industrial development fees may be used to pay for any of the following:

- Construction or reconstruction of school facilities;
- Acquisition or leasing of land for school facilities;
- Design of school facilities;
- Permit and plan checking fees;
- Testing and inspection of school sites and buildings;
- Furniture for use in new school facilities,
- Purchased or leased interim school facilities;
- Legal and administrative costs associated with providing school facilities to students generated by new development;
- Administration of the justification and collection of developer fees;
- Other miscellaneous costs resulting from student enrollment growth caused by new development.

**DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE FEE'S USE AND THE TYPE OF DEVELOPMENT PROJECT ON WHICH THE FEES ARE IMPOSED**

New residential development will cause families to move into the District and will, consequently, generate additional students in the District. As previously discussed, adequate school facilities do not exist for all these students. New residential development, therefore, creates a need for additional school facilities. Therefore, the fee's use (acquiring new facilities) is reasonably related to the type of project (new residential development) upon which it is imposed.

Additionally, new commercial/industrial development will generate new workers to move into the District. Because some of these workers will have school-age children, commercial and industrial development will also generate new students

in the District. As previously mentioned, adequate school facilities do not exist for all of these students. New commercial / industrial development, therefore, creates a need for additional school facilities.

**DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE NEED FOR PUBLIC FACILITIES AND THE TYPE OF DEVELOPMENT ON WHICH THE FEES ARE IMPOSED**

As discussed in this Report, the District's school facilities are inadequate in that there is a need for additional school facilities. Both existing residents and residents from new development should share in these costs. Therefore, the need for adequate school facilities is reasonably related to the new residential, commercial, and industrial development projects upon which it is imposed.

The District has insufficient permanent capacity to house all additional students projected to enroll in the District. New commercial and industrial development will generate new workers to move into the District. Because some of these workers will have school-age children, commercial and industrial development will also generate new students in the District. Since adequate school facilities do not exist for all of these students, new commercial / industrial development, therefore, creates a need for additional school facilities.

**DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE AMOUNT OF FEE AND THE COST OF THE PUBLIC FACILITY ATTRIBUTABLE TO THE DEVELOPMENT ON WHICH THE FEE IS IMPOSED**

As outlined in this Report, the cost of school facilities attributable to each new residential housing unit is \$16,468. The District's 60 percent share of the new statutory residential developer fee of \$4.79 per square foot only provides \$6,610 for each new residential unit, mitigating only a small percentage of the impact from new residential construction. Therefore, the residential Level 1 fee is justified at the maximum rate.

The Report also demonstrated that the school facilities costs attributable to commercial and industrial development are \$3.24 per square foot. The new statutory commercial/industrial developer fee of \$0.78 per square foot of new commercial space only mitigates a small percentage of the impact from new commercial and industrial development. Therefore, the Level 1 commercial / industrial fee is justified at the maximum rate except for new "retail self-storage" construction, which is justified at the rate of \$0.08 per square foot.

## APPENDIX B – REQUIREMENTS FOR ADOPTION OF NEEDS ANALYSIS

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To levy Alternate (“Level 2”) fees, a school district must perform the following tasks:

1. Prepare a Needs Analysis as described by Government Code Section 65995.5.
2. The final Needs Analysis must be made available for public review for a period of at least 30 days.
3. Publish notice of hearing for the Needs Analysis and fee increase in a newspaper of general circulation at least 30 days prior to the hearing.
4. Mail a copy of the Needs Analysis 30 days prior to hearing to any party that has submitted a written request for such copies at least 45 days prior to the hearing.
5. Notify and provide a copy of the Needs Analysis to the local planning and land use agencies at least 45 days prior to the hearing as required by Government Code Section 65232.2.
6. The Governing Board must respond to any written comments received on the Needs Analysis.
7. Conduct a public hearing after the 30-day review period.
8. Pass a resolution adopting the Needs Analysis and Level 2 or Level 3 fee, as applicable.
9. The fees take effect immediately upon adoption and are effective for a period of one year. Level 1 fees take effect 60 days after adoption by the Board.
10. Annually update Needs Analysis.



## APPENDIX C – EXISTING SCHOOL BUILDING CAPACITY DETERMINATION

### EXISTING SCHOOL BUILDING CAPACITY

	Grade Levels	Permanent Classrooms	Total Portable T. Stations	Maximum 25% Port. T. Stations <sup>1</sup>	Total Teaching Stations	Total Capacity <sup>2</sup>
Fairsite	PreK - K	11	14	3	14	350
Greer Elementary	K-6	8	27	2	10	250
Lake Canyon	K-6	27	0	0	27	675
Marengo Ranch	K-6	12	26	3	15	375
River Oaks	TK-6	12	21	3	15	375
Valley Oaks	K-6	17	19	4	21	525
<b>Elementary School Total</b>		<b>87</b>	<b>107</b>	<b>15</b>	102	2,550
Robert L. McCaffrey	7-8	34	12	9	43	1,161
<b>Middle School Total</b>		<b>34</b>	<b>12</b>	<b>9</b>	<b>43</b>	<b>1,161</b>
<b>Classroom Capacity</b>		<b>121</b>	<b>119</b>	<b>24</b>	<b>145</b>	<b>3,711</b>
<b>SER Adjustment - Elementary School</b>						<b>74</b>
<b>SER Adjustment - Middle School</b>						<b>15</b>
<b>Existing School Building Capacity</b>						<b>3,800</b>

Notes:

<sup>1</sup> Pursuant to SB50, portable classrooms are included in school capacity calculations for SB50 fees at a rate of 25% times the number of permanent classrooms at the school site.

<sup>2</sup> Capacity is equal to the counted number of total teaching stations times 25 students per station for grades K-6 and 27 students per station for grades 7-12.

## APPENDIX D – BONDING CAPACITY CALCULATION

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### Galt JUESD Bonded Indebtness Calculation

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#### Assessed Value Calculation

District Assessed Value (July 2021)	\$3,953,940,518
Maximum Bonding Percentage	<u>1.25%</u>
District Maximum Bonding Capacity	\$49,424,256

#### Outstanding Debt Obligation <sup>1</sup>

General Obligation Bonds	\$23,148,473
Jt. Powers Bond (60%)	<u>\$1,369,529</u>
Total Debt Obligation	\$24,518,002
<b>Percentage of Bonding Capacity</b>	<b>49.61%</b>

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Notes:

<sup>1</sup> Remaining principal amount only.

<sup>2</sup> A CFD Special Tax was approved by the landowners in 1990 with the District receiving a 60% share of the Special Tax



## Board Meeting Agenda Item Information

<b>Meeting Date:</b> October 19, 2022	<b>Agenda Item: 212.373</b> Board Consideration of Approval 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]
<b>Presenter:</b> Nicole Lorenz	<b>Action Item:</b> XX <b>Information Item:</b>

Pursuant to Government Code § 65995.5, the District may levy an alternative fee ("Level 2 fee) to the District's Level 1 fee if certain requirements are met. The School Facility Needs Analysis ("Needs Analysis"), prepared by SCI Consulting Group, is required annually to establish the need for and level of the Level 2 Fee. The District has been made eligible for new construction funding under the School Facility Program and satisfies the two of the four statutory requirements necessary to levy Level 2. Furthermore, the Needs Analysis has determined that District is justified in imposing a district-wide Level 2 fee at the K-8 rate of \$3.58 per square foot for new residential development. The Level 2 fee is increasing by \$0.35 per square foot primarily due to construction cost inflation.

In order to adopt the School Facility Needs Analysis and impose the Level 2 fees justified in the Needs Analysis, the District must conduct a public hearing and adopt Resolution No. 6 adopting the Needs Analysis and the Level 2 fee.

The Level 2 fee takes effect immediately upon adoption and is effective for a period of one year.

Attachments: Resolution No. 6

# GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT

## Resolution No. 6

Resolution of the Board of Trustees  
Approving the Galt Joint 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

**RESOLVED** by the Board of Trustees (the "Board") of the Galt Joint Union Elementary School District (the "District"), County of Sacramento, State of California, that:

**WHEREAS**, this Board has had a School Facility Needs Analysis ("Needs Analysis") prepared as outlined in Section 65995 of the California Government Code; and

**WHEREAS**, said Need Analysis outlines the shortfall in revenues without levying fees as authorized in Sections 65995.5 and 65995.6 of the Government Code.

**WHEREAS**, the purpose of this Resolution is to approve and adopt fees pursuant to Government Code Section 65995.5 and 65995.6 on residential development projects in the amount of \$3.58 per square foot.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** as follows:

1. The Board hereby receives and approves the School Facility Needs Analysis, October 2022 as prepared by SCI Consulting Group.
2. Based upon said Needs Analysis, the Board makes the following findings.
  - a.) The purpose of the fees is to provide adequate school facilities for the students of the District who will be generated by residential development in the District.
  - b.) The fees are to be used to finance the construction and reconstruction of school facilities for new students generated by residential development.
  - c.) There is a reasonable relationship between the need for the fees, the use of the fees, and the development projects on which the fees are imposed.
  - d.) There is a reasonable relationship between the amount of the fees and the cost of the facilities attributable to the development projects on which the fees are imposed.
3. The Board hereby finds and determines the necessity to levy the fees authorized in Sections 65995.5 and 65995.6 of the Government Code in the amount of \$3.58 per square foot of new residential development.
4. The imposition of the fees shall take effect immediately.

5. The Superintendent or designee shall notify the City of Galt and the County of Sacramento having jurisdiction over territory within the District and request that no building permits be issued on or after this date without certification from the District that the fees specified herein have been paid.
6. The Board hereby finds that prior to the adoption of this Resolution, the Board conducted a public hearing at which oral and written presentations were made, as part of the Board's regularly scheduled October 19, 2022, meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, was published in a newspaper in accordance with Sections 65995.5 and 65995.6 of the California Government Code and at least 30 days prior to the meeting. A copy of said Needs Analysis was mailed to any interested party who had filed a written request with the District for mailed notice of the meeting on new fees within the period specified by law. Additionally, at least 30 days prior to the meeting the District made available to the public the final Needs Analysis for review.
7. If any portion of this Resolution is found by a Court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining portions of this resolution.

APPROVED, PASSED AND ADOPTED this 19<sup>th</sup> day of October 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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President, Board of Trustees  
Galt Joint Union Elementary School District

ATTEST:

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Secretary, Board of Trustees  
Galt Joint Union Elementary School District



## Board Meeting Agenda Item Information

<p><b>Meeting Date:</b> October 19, 2022</p>	<p><b>Agenda Item: 212.374</b>          Board Consideration of Approval to Piggyback on the Chawanakee Unified School District Agreement with Class Leasing, LLC for Modular and/or Pre-fabricated Structures (Building(s)) and Approval of Derive Castellanos Architects (DCA) Proposal for Architectural Design Services for Three New Portable Classrooms at Lake Canyon Elementary School</p>
<p><b>Presenter:</b> Lois Yount Nicole Lorenz</p>	<p><b>Action Item:</b> XX  <b>Information Item:</b></p>
<p>This project entails purchasing and installing three modular classrooms at Lake Canyon Elementary School.</p> <p>Board approval is recommended for the sales agreement with Class Leasing. The sales agreement includes the buildings, ramps, cabinets, sinks, set-up, installation, and DSA fees.</p> <p>Class Leasing contract price: \$350,352          Funding source: Expanded Learning Funds</p> <p>Pricing is guaranteed under a Piggyback contract approved by Chawanakee Unified School District on April 12, 2022. Documentation of the Piggyback contract is attached.</p> <p>Board approval is recommended for architectural design services provided by Derivi Castellanos Architects (DCA).</p> <p>Services include Schematic Design, Construction Documents, DSA Review, Bidding Support, Construction Phase, and Project Closeout.</p> <p>DCA contract price: \$89,601          Funding source: Expanded Learning Funds</p> <p>Total project cost: \$439,953</p>	

THE RIGHTS AND INTERESTS OF LESSOR AND LESSEE UNDER THIS LEASE AND ALL SCHEDULES, SUPPLEMENTS, AMENDMENTS AND RIDERS HERETO, HAVE BEEN COLLATERALLY ASSIGNED TO BMO HARRIS BANK N.A. (THE "AGENT") FOR THE BENEFIT OF CERTAIN SECURED PARTIES, AND THIS LEASE IS SUBJECT TO A FIRST PRIORITY PERFECTED SECURITY INTEREST IN FAVOR OF THE AGENT FOR THE BENEFIT OF SUCH SECURED PARTIES. NO SECURITY INTEREST IN THIS LEASE MAY BE CREATED OR PERFECTED THROUGH THE TRANSFER OR POSSESSION OF ANY COUNTERPART HERETO OTHER THAN THE COUNTERPART EXECUTED BY THE AGENT

## Sales Agreement

This Sales Agreement ("Agreement") dated, **October 6, 2022**, is entered into by and between Class Leasing, LLC located at 1651 S. Juanita Street, San Jacinto, CA 92583 ("Seller") and **Galt Joint Union Elementary School District** located at **1018 C Street, Ste-210, Galt, CA 95632** ("Buyer"), collectively referred to as the "parties".

Pursuant to the mutual covenants and agreements set forth herein and for other good and valuable consideration, the Buyer and Seller covenant and agree to be bound as set forth below.

Buyer agrees to purchase from Seller one or more modular and/or pre-fabricated structures ("Building(s)") and to have the set-up and installed ("Work") as detailed more particularly as follows:

### PROJECT DESCRIPTION

Project Name	Lake Canyon Elementary School
Project Address	800 Lake Canyon Avenue, Galt, CA 95632

### BUILDING INFORMATION

Description including: (Quantity, type, size & serial numbers)	One (1) 24'x40' Relocatable Classroom Serial Numbers: P-19-1980A/B, P-19-1981A/B, P-19-1982A/B Ramp Serial Numbers: CLRL-27319, CLRL-27320, CLRL-27321
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### COSTS AND FEES

Building(s)	\$257,276.76
Ramp	\$13,206.96
Cabinets	\$44,819.49
Delivery / Freight	\$20,574.00
Set-Up / Installation	\$14,175.00
Engineering and DSA Fees	\$300.00
<b>Total Contract Price</b>	<b>\$350,352.21</b>

Buyer acknowledges the Proposal, Purchase Order or any other documents attached to the Agreement and initialed by Buyer and Seller or referenced in the executed Sales Agreement are incorporated to the Agreement and become a part of the Agreement.

Documents forming Contract are as follows:

1. Class Leasing Proposal
2. Class Leasing Specification & Scope of work
3. Customer Submittal

The building(s) will be located at the above referenced project address ("Location") for the purchase price and on the payment terms contained herein, subject to the additional terms and conditions set forth on the subsequent pages of this Agreement.

Contract Price and Payment Terms: In consideration of Seller furnishing the building and performing the Work, Buyer will pay Seller the referenced Contract Price, subject to such additions or deductions relative to the changes which may hereinafter be agreed upon between the Parties in writing by Change Order described in and made pursuant to the Additional Terms and Conditions. Buyer will pay Seller the full Contract Price according to the terms set forth in subparagraph (2) immediately below. In the event that delivery of the building(s) requires more than one shipment, Seller may, at its option, render separate invoices for each shipment, which the Buyer agrees to satisfy.

**CONTRACT TIME:**

- (a) The Work will commence on **TBD, 2022** (the "Commencement Date") and be substantially completed as soon as possible following the Commencement Date (the "Contract Time"), with all "punch list" work completed within sixty (60) days following the date of substantial completion. The Work is deemed Substantially Complete when (i) all Work, excepting only minor punch list items, is complete, and (ii) the is capable of being beneficially used as intended ("Substantially Complete" or "Substantial Completion").
- (b) If Seller is delayed at any time in progress of the Work by changes ordered to the building(s) or to the Work, by labor disputes, fire, unusual delay in deliveries, abnormal adverse weather conditions not reasonably anticipatable, unavoidable casualties or any causes beyond the Seller's control, then the Contract Time will be extended for such reasonable time as determined by both Parties.

Payments will be made to Seller as follows:


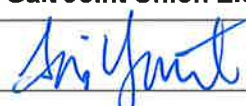
% Due Upon Execution of this Agreement

% Due Upon Delivery of the Building(s)

100 % Due 30-day after upon substantial Completion of the Work

Additional Terms and Conditions: The Parties acknowledges the Additional Terms and Conditions attached hereto are incorporated by reference herein and form part of this Agreement.

IN WITNESS WHEREOF, the parties, by their duly authorized officers, have signed, sealed, and delivered this Agreement on the date noted above and below:

Seller:	<b>Class Leasing, LLC</b>	Buyer:	<b>Galt Joint Union Elementary School District</b>
Signature:		Signature:	
Name:	Mike Bollero, Sr.	Name:	Lois Yant
Title:	President	Title:	Superintendent
Date:	October 6, 2022	Date:	10/6/22



**Sale Agreement Terms and Conditions**

The parties hereto, **Class Leasing, LLC**, a California limited liability company, as seller (the "Seller") and **Galt Joint Union Elementary School District** ("Buyer") whose address is **1018 C Street, Ste-210, Galt, CA 95632** hereby agree to this Sale Agreement and the terms and conditions set forth herein. The individual signing this Sale Agreement affirms that he/she is duly authorized to execute and commit to this Sale Agreement for the above named Buyer.

**1. SALE.** Seller sells to Buyer, and Buyer purchases from Seller, the equipment listed on each Sale Agreement hereto ("Equipment") on the terms and conditions set forth herein. Each such Sale Agreement shall constitute a separate and independent sale agreement (a "Sale Agreement") of the Equipment listed in such Agreement.

**2. TIME AND PLACE OF DELIVERY.**

**2.1 Deliver.** Seller agrees to deliver the Equipment to (Refer to Project Address above). Buyer shall own such site and/or have express legal authorization to locate the Equipment upon that same site. If Buyer fails to provide such a site, then Buyer shall pay for any resulting additional delivery, installation, and knock down and return charges, including, but not limited to, storage related charges attributable to delayed delivery and/or installation of the Equipment required and/or requested by Buyer.

**2.2 Site Conditions.** Seller agrees to deliver the Equipment to the site location listed in 2.1 above (the "Site"). Buyer shall ensure that a level compact, truck accessible site is available for placement of the Equipment. Buyer warrants that the Site will have: safe access free from encumbrances, a level pad with no more than 3 inches of variance in 30 feet, and adequate soil bearing pressure of not less than 2500 psf. Following delivery, Seller will remove all Seller-owned equipment such as plywood, tools, etc. prior to or at the time of building acceptance. Buyer is responsible for all necessary permits, utility hookups, pilot cars, and Site preparation.

**2.3 Building Codes, Licenses and Permits.** The Buyer is solely responsible for compliance with applicable building codes and/or for obtaining any type of building permits and licenses required for the Equipment. Buyer further warrants that the placement of the Equipment on the Site as well as any work performed at the Site will not violate zoning restrictions or other land use laws, and Buyer agrees to indemnify and hold Seller harmless from all loss or damage or liability which may result from any such violations. Buyer will provide to Seller any and all zoning verification required for the Equipment. Seller may reasonably rely on such information, warranties, and verifications from the Buyer.

**2.4 Excusable Delay.** Seller shall not be liable for any delay in delivering the Equipment or providing applicable services, resulting from but not restricted to, acts of Buyer or his representatives, fires, strikes, labor disputes, war, civil commotion, shortages of labor or material, acts or restrictions of any government, or other causes beyond the control of Seller. The existence of such causes of delay shall justify the suspension of delivery and/or the rendering of services by Seller, and shall extend the Seller's time of performance until such cause of delay has been removed. Seller shall give written notice to Buyer of details concerning the delay as soon as practicable after its occurrence.

**3. TITLE RETENTION.**

**3.1 Title Retention.** Title to the Equipment shall not pass to Buyer before the entire Purchase Price has been paid to Seller. Upon Seller's receipt of payment in full of the Purchase Price, title to the Equipment shall transfer to Buyer, free and clear of all encumbrances arising by or through Seller. All payments due from Buyer pursuant to the terms of the Sale Agreement shall be made without any abatement or set off of any kind, arising from any cause.

**4. WARRANTY.** There shall be no warranty by Seller in respect of the Equipment except as set out in the formal Warranty Certificate supplied by Seller to the Buyer and subject to the terms of such Warranty Certificate.

**5. RISK OF LOSS.** Upon substantial completion of the Equipment, all risk of loss or damage to the Equipment s) passes from Seller to Buyer. In addition, Buyer hereby indemnifies Seller and agrees to save, defend, and hold Seller harmless and waives rights of subrogation in favor of Seller against all losses, damages, liability, costs, and expenses (including attorneys' fees), as a result of any actions, claims, or demands made arising from events occurring following substantial completion.

**6. WAIVER OF CLAIMS.** Buyer hereby waives and releases all claims against Seller for (i) loss of or damage to all property, goods, wares, and merchandise in, upon or about the Equipment and (ii) injuries to Buyer, Buyer's agents and third persons. Seller shall not be liable for any consequential, incidental, or special damages of any kind (including, but not limited to damages for loss of use or of profit by Buyer or any other party; or for any collateral damages), whether or not caused or continued by Seller's negligence or delay, which may result from or arise in connection with the manufacture, delivery, installation, checkout or use of the Equipment or in connection with the services rendered by Seller hereunder.

7. **GOVERNING LAW.** Buyer and Seller agree that the Sale Agreement shall be governed in all respects by, and interpreted in accordance with the laws of, the State of California, without regard to its conflicts of laws provisions.

8. **JURISDICTION.** If the law of the State of California shall apply to the Sale Agreement, it is agreed that the venue for a legal action relating to the Sale Agreement shall be proper if brought in Riverside County, State of California. Subject to Section 6, the prevailing party shall be entitled to recover reasonable attorneys' fees and court costs, whether or not the action proceeds to judgment.

9. **SELLER'S EXPENSES.** Buyer shall pay Seller all costs and expenses, including attorney fees, incurred by Seller in exercising any of the terms, conditions or provisions of the Sale Agreement.

10. **LICENSE AND TRANSFER FEE(S).** If so listed on the Sale Agreement, the Purchase Price includes license and/or transfer fees.

11. **MISCELLANEOUS.**

11.1 **BUYER SOLVENCY.** Buyer hereby represents and warrants that the fair value of the assets of Buyer exceed its liabilities; Buyer is able to pay its debts and liabilities as they become due; and Buyer does not have an unreasonably small amount of capital with which to conduct the business in which it is engaged, as such business is now conducted and is proposed to be conducted.

11.2 **MODIFICATIONS AND AMENDMENTS.** Representations and warranties made by any person, including agents and representatives of Seller, which are inconsistent or conflict with the terms of the warranty contained in Section 1 of the Incorporated Provisions on the website (including but not limited to the liability of Seller as set forth above) shall not be binding upon Seller unless reduced to writing and approved by an officer of Seller. No amendment, supplement, or modification to the terms of the Sale Agreement shall be valid unless made in a writing signed by both parties hereto, and no waiver of any provision of the Sale Agreement shall be valid unless made in a writing signed by the waiving party. Notwithstanding the foregoing, from time to time, Buyer or Seller may request modifications to the scope of work hereunder, which at the sole option of the Seller may be accepted and thus alter the final price stipulated herein. These changes in scope will be deemed approved by Buyer when evidence of work performance is presented by Seller.

11.3 **NO WAIVER.** Failure of Seller to enforce any term or condition of the Sale Agreement shall not constitute waiver of any rights stipulated herein, nor shall it in any manner affect the rights of Seller to enforce any of the provisions stated herein. Waiver by Seller of any provision of the Sale Agreement shall be valid only as provided in subsection (b) above and only with respect to the specific matter to which such waiver relates. Notices is deemed received upon actual receipt by the recipient as evidenced by delivery from the United States Post Office or nationally recognized courier service.

11.4 **NOTICES.** Any notices to the other party shall be in writing and may be mailed by prepaid registered post to the other party at the address shown above or at other address as may be substituted from time to time by proper notice and such notice shall be deemed to be received by the addressee on the third business day next following that on which it was mailed.

11.5 **ASSIGNMENT.** Buyer will not assign any of its rights or obligations hereunder without the prior written consent of Seller, which Seller may grant or withhold at its sole discretion. To the extent not prohibited hereunder, the covenants, terms, provisions, and conditions herein contained will apply to, bind, and inure to the benefit of the respective successors and assigns of Buyer and Seller. Any attempted assignment in violation of this Agreement is void from inception.

12. **ENTIRE AGREEMENT** The Sale Agreement constitutes the entire agreement between Seller and Buyer regarding the subject matter hereof. If any part of the Sale Agreement is found to be invalid or illegal, Buyer and Seller agree that only the invalid or illegal portion of the Sale Agreement will be eliminated.

IN WITNESS WHEREOF, the parties, by their duly authorized officers, have signed, sealed, and delivered this Agreement on the date noted above and below:

Seller:	<b>Class Leasing, LLC</b>	Buyer:	<b>Galt Joint Union Elementary School District</b>
Signature		Signature:	
Name:	Mike Bollero, Sr.	Name:	Luis Yacint
Title:	President	Title:	Superintendent
Date:	October 6, 2022	Date:	10/6/22



PURCHASING  
CITY OF ROSEVILLE

2005 HILLTOP CIRCLE, ROSEVILLE, CA 95747  
(916) 774-5720 • TDD (916) 774-5220 • FAX (916) 774-5736

**SERVICE AGREEMENT**

SERVICE AGREEMENT  
No: **S1808253**

SERVICE LOCATION: ORCHARD RANCH  
ELEMENTARY SCHOOL  
4375 BROOKSTONE DRIVE  
ROSEVILLE, CA 95747

REQ. NO.: R1817170 DATE: 4/30/18

**SUBMIT ALL INVOICES TO:**  
CITY OF ROSEVILLE  
Finance Department  
311 Vernon Street  
Roseville, CA 95678

Contractor No.: V41709  
Telephone No.: 951-943-1908 Fax: 951-943-5768  
Email address: derickson@classleasing.net  
Contractor: CLASS LEASING, LLC  
ATTN: DOUGLAS ERICKSON  
1320 W. OLEANDER AVENUE  
PERRIS, CA 92571

Department: PARKS, RECREATION & LIBRARIES

Acct. Code: 08541-5125

Buyer: TIFFANY VALDEZ  
Phone: 916-774-5708

Start Date	Terms	Completion Date	Insurance Limits	Contact
EXECUTED AGREEMENT	NET 30	6/30/19	Approved by Risk Mgt.	ROB NAKAMURA

The contractor shall furnish all labor, equipment and materials necessary to accomplish the following:  
PROVIDE THE COMPLETE FABRICATION AND INSTALLATION OF ONE NEW DSA CLASSROOM BUILDING IN ACCORDANCE WITH THE ATTACHED CLASS LEASING, LLC QUOTE DATED 3/21/18 UTILIZING THE CHAWANAKEE UNIFIED SCHOOL DISTRICT PIGGYBACK FOR DSA APPROVED PORTABLE BUILDINGS INCLUDING, PURCHASE, LEASE, RELOCATION DISMANTLE AND REMOVAL, PROJECT #11.

PLEASE CONTACT ROB NAKAMURA AT 916-774-5135 FOR QUESTIONS REGARDING THIS AGREEMENT.

Total Cost of Service: \$ **224,615.00**

**ATTENTION: Total cost of service not to exceed the agreement amount without prior approval of the Purchasing Office.**

The Contractor named hereon by the acceptance of this order agrees to the provisions of this document titled "Service Agreement" and Attachment "A".

Roseville Business License No.: \_\_\_\_\_ Contractor License No.: 1001535 DIR Registration No.: 1000012018

SOLE PROPRIETOR

PARTNERSHIP

CORPORATION

CONTRACTOR: \_\_\_\_\_

SIGNATURE

PRINT NAME

TITLE

CONTRACTOR: \_\_\_\_\_

SIGNATURE

PRINT NAME

TITLE

By: \_\_\_\_\_  
Dominick Casey, Acting City Manager  
CITY OF ROSEVILLE, A MUNICIPAL CORPORATION

City of Roseville and Class Leasing LLC negotiated terms and conditions  
Revised 4/30/18

1. To the fullest extent allowed by law, Contractor shall defend, indemnify, and save and hold harmless the City, its officers, agents, employees and volunteers from any claims, suits or actions of every name, kind and description brought forth, or on account of, injuries to or death of any person (including but not limited to workers and the public), or damage to property, resulting from or arising, only out of the extent of the contractor's negligence, while engaged in the performance of obligations or exercise of rights created by this Agreement, except those matters arising from City's sole or active negligence or willful misconduct. The parties intend that this provision shall be broadly construed. Contractor's responsibility for such defense and indemnity obligations shall survive the termination or completion of this Agreement for the full period of time allowed by law. The defense and indemnity obligations of this Agreement are undertaken in addition to, and shall not in any way be limited by, the insurance obligations contained in this Agreement.
2. Contractor is an independent contractor, and shall not be considered an officer, agent or employee of the City.
3. Without the written consent of the City, this Agreement is not assignable by Contractor either in whole or in part.
4. Time is of the essence of this Agreement.
5. At any time during the term of this Agreement, the City has the right to terminate this Agreement provided Contractor is given a thirty (30) day notice.
6. This Agreement may only be amended or modified in writing. It is integrated and contains the complete understanding of the parties.
7. All equipment, supplies and services sold to the City of Roseville shall conform to the general safety orders of the State of California.
8. Unless notified to the contrary, in writing, the City assumes that the Contractor has accepted the work in accordance with the Contractor's plans and specifications and will govern this Agreement.
9. All prevailing wages and fair employment practices must be adhered to. For prevailing wage contracts over \$25,000, copies of certified payroll must be submitted with invoices. Prevailing wage rates may be obtained from the State Department of Industrial Relations and/or the following website address: <http://www.dir.ca.gov/dlsr/DPreWageDetermination.htm>. Prevailing Wages will be paid and Certified Payroll required for all work done at the site.
- 10a. Unless otherwise specified, the Contractor shall maintain the policies of insurance outlined in Attachment A, incorporated herein by this reference, in full force and effect during the term of this Agreement. The City of Roseville retains sole discretion in determining the types and proper levels of insurance coverage.
- 10b. Form. Contractor shall submit a certificate evidencing such coverage for the period covered by this Agreement in a form satisfactory to Risk Management and the City Attorney, prior to undertaking any work hereunder. Any insurance written on a claims made basis is subject to the approval of Risk Management and the City Attorney.
- 10c. Additional Insureds. Contractor shall also provide a separate endorsement or section of the policy showing City, its officers, agents, employees, and volunteers as additional insureds for each type of coverage (except Workers' Compensation) and for ongoing and completed operations. Such insurance shall specifically cover the contractual liability of Contractor. The additional insured coverage under the Contractor's policy shall be primary and noncontributory, as evidenced by a separate endorsement or section of the policy, and shall not seek contribution from City's insurance or self-insurance. In addition, the additional insured coverage shall be at least as broad as the Insurance Services Office ("ISO") CG 20 01 Endorsement. Any available insurance proceeds in excess of the specified minimum insurance coverage requirements and limits shall be available to the additional insureds. Furthermore, the requirements for coverage and limits shall be: (1) the minimum coverage and limits specified in this Agreement; or (2) the full coverage and maximum limits of any insurance proceeds available to the named insureds, whichever is greater.
- 10d. Cancellation/Modification. Contractor shall provide ten (10) days written notice to City prior to cancellation or modification of any insurance required by this Agreement.
- 10e. Umbrella/Excess Insurance. The limits of insurance required in this Agreement may be satisfied by a combination of primary and excess insurance. Any excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and noncontributory basis for the benefit of City (if agreed to in a written contract) before City's own insurance shall be called upon to protect it as a named insured.
- 10f. Subcontractors. Contractor agrees to include in its contracts with all subcontractors the same requirements and provisions of this Agreement, including the indemnity and insurance requirements, to the extent they apply to the scope of the subcontractor's work. Furthermore, Contractor shall require its subcontractors to agree to be bound to Contractor and City in the same manner and to the same extent as Contractor is bound to City under this Agreement. Additionally, Contractor shall obligate its subcontractors to comply with these same provisions with respect to any tertiary subcontractor, regardless of tier. A copy of City's indemnity and insurance provisions will be furnished to the subcontractor or tertiary subcontractor upon request.
- 10g. Self Insurance retentions are not declared and not subject to change. A policy will be submitted only in the event of a claim.
- 10i. Liability/Remedies. Insurance coverage in the minimum amounts set forth herein shall not be construed to relieve Contractor of liability in excess of such coverage, nor shall it preclude City from taking such other actions as are available to it under any other provisions of this Agreement or law.
11. Contractor shall comply with all federal, state and local laws and ordinances, including but not limited to the City's storm water regulations, as may be applicable to the performance of services under this Agreement. Failure to comply with local ordinances may result in monetary fines and cancellation of this Agreement. Refer to [www.roseville.ca.us/stormwater](http://www.roseville.ca.us/stormwater) for links to more information on the City's storm water regulations.
12. In the event that the terms of any attachment or exhibit conflict with any terms of this Service Agreement, The Class Leasing Open Piggyback Contract with the Chawanakee USD #11, and the terms of the Class Leasing quote, shall control.

13. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event that any signature is delivered by facsimile transmission or by e-mail delivery of a ".pdf" format data file, such signature shall create a valid and binding obligation of the party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or ".pdf" signature page were an original thereof.
14. If either party commences any legal action against the other party arising out of this Agreement or the performance thereof, the prevailing party in such action shall be entitled to recover its reasonable litigation expenses, including but not limited to, court costs, expert witness fees, discovery expenses, and attorneys' fees. Any action arising out of this Agreement shall be brought in Placer County, California, regardless of where else venue may lie. This Agreement shall be governed by and construed in accordance with the laws of the State of California.
15. This Agreement shall be binding upon the heirs, successors, executors, administrators and assigns of the respective parties hereto.
16. If any of the provisions contained in this Agreement are for any reason held invalid or unenforceable, such holding shall not affect the remaining provisions or the validity and enforceability of the Agreement as a whole.
17. No contractor or subcontractor may work on a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5. During the performance of this agreement, Contractor and its subcontractors shall have a continuing legal obligation to maintain current registration with the Department of Industrial Relations. Contractor is hereby notified that this project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.
18. Contractor must submit all claims as defined in and in accordance with the claim resolution process set forth in Section 9204 of the Public Contract Code. Each such claim must be sent to the City by registered mail or certified mail with return receipt requested and must contain reasonable documentation to support the claim. All claims must be received prior to acceptance of the work.

*City reserves the right to withhold any payments to Contractor in the event of noncompliance with insurance requirements or if required by law.*



**ATTACHMENT A**  
**HUMAN RESOURCES/RISK MANAGEMENT DIVISION**  
**INSURANCE REQUIREMENTS**  
**SERVICE AGREEMENTS OVER \$22,265 OR INVOLVING HIGH RISK ACTIVITIES**

**General - Required Coverage/Documentation**

- General Liability: \$1 Million per occurrence  
\$2 Million aggregate
- Automobile Liability: \$1 Million combined single limit
- Workers' Compensation: Statutory \*Must provide a Waiver of subrogation
- Additional Insured Endorsement (AIE) - General Liability policy: CG 20 38 04 13 or an equivalent, blanket endorsement or section of the policy. Endorsement shall cover the City of Roseville, its officers, agents, employees and volunteers as additional insured.
- Policies must be primary and non-contributory
- A 30 day notice of cancellation must be provided
- List certificate holder as: The City of Roseville -Insurance Compliance  
PO Box 100085-R1, Duluth, GA 30096

**Additional Liability Requirements if required by Agreement (and marked below):**

<input checked="" type="checkbox"/> <b>Construction</b>	<input type="checkbox"/> <b>Design Professional</b>	<input type="checkbox"/> <b>Chemical/Environmental</b>
General Liability: \$2 Million/occurrence \$4 Million aggregate	General Liability: \$2 Million/occurrence \$4 Million aggregate Professional Liability \$2 Million/occurrence	General Liability: \$3 Million/occurrence \$6 Million aggregate, Pollution – \$2 Million/Occurrence Auto - \$2 Million/Occurrence
<input type="checkbox"/> <b>IT Services</b>	<input type="checkbox"/> <b>Professional Consultant</b>	<input type="checkbox"/> <b>Hazardous Materials</b>
Professional Liability: \$1 Million/occurrence No auto required	Professional Liability: \$1 Million/occurrence	Pollution Liability: \$1 Million/occurrence
<input type="checkbox"/> <b>Special Events/Caterers-Vendors</b>	<input type="checkbox"/> <b>Professional Counseling/Psychological</b>	<input type="checkbox"/> <b>Pyrotechnics</b>
No auto required No workers' comp required	Professional Liability: \$1 Million/occurrence No auto required	General Liability: \$5 Million/occurrence \$10 Million aggregate Auto - \$2 Million/Occurrence

**Insurance Submission Process**

The City of Roseville Human Resources/Risk Management Department uses a service called EBIX to manage our insurance certificate tracking.

**How It Works**

- The vendor's contact information is entered into EBIX. EBIX will contact the vendor to request proof of insurance.
- The Vendor can forward the request to their Insurance Agent(s) if necessary.
- Vendor/Insurance Agent submits insurance to EBIX by email to [roseville@ebix.com](mailto:roseville@ebix.com) or by fax to (770) 325-5727. After faxing or emailing the certificate, please **DO NOT** send the certificate by mail to EBIX. Please do not mail, email or fax any certificates to the City of Roseville.
- Once submitted, EBIX reviews the insurance documentation. If there are deficiencies, EBIX will send a follow up letter or email requesting additional information.

**Questions Regarding Insurance Submission: Contact EBIX at (951) 652-4239**  
**Questions Regarding Insurance Requirements Contact Risk Management at (916) 774-5202**



LEASING LLC

1320 W. Oleander Ave., Perris, CA 92571

(951) 943-1908

530-333-3134

March 21, 2018

Q U O T A T I O N #

Douglas Erickson  
Territory Sales Manager

[derickson@Classleasing.net](mailto:derickson@Classleasing.net)

**Proposal**

District:	<b>City of Roseville Parks, Recreation and Libraries 316 Vernon Street, Ste 400 Roseville, CA 95678</b>	Site Location:	<b>Orchard Ranch Elementary 4375 Brookside Dr. Roseville, CA 95747</b>
Attn:	<b>Mr. Robert Nakamura</b>	Site Contact:	<b>Mr. Robert Nakamura</b>
Email:	<a href="mailto:rnakamura@roseville.ca.us">rnakamura@roseville.ca.us</a>	Email:	<a href="mailto:rnakamura@roseville.ca.us">rnakamura@roseville.ca.us</a>
Phone:	<b>916-774-5135</b>	Phone:	<b>916-774-5135</b>

The following quote is based on the Roseville Elementary School District utilizing the Open Piggyback Contract per the Chawanakee USD Piggyback Bid, Project #11 to purchase a 48' x 40' NEW DSA Classroom building.

**Description (Sale Pricing)**

**(1) (48' x 40' New DSA Classroom Building  
(Above Grade Wood Foundation) purchase**

		Quantity	Each	
A)	48' X 40' Classroom	96,513	1	\$ 96,513.00
				\$96,513.00
B)	Optional Improvements; interior wall and door, water heaters (remove whiteboards)	11,618	1	\$ 11,618.00
				\$11,618.00
C)	Requested Highland Park Forest 6"x8" vinyl plank	14,534	1	\$ 14,534.00
				\$14,534.00
D)	Included WIC Grade Cabinets, per drawings	43,199	1	\$ 43,199.00
				\$43,199.00
E)	Sprinklers (internal Only). No exterior or underground work	35,916	1	\$ 27,840.00
				\$27,840.00
				<b>Sub-Total</b>
				\$193,404.00

**Description (One-Time Items)**

One-Time Item	Quantity	Extended One-time Subtotal
F) Delivery	2,225	5
		\$11,125.00
G) Installation, 48' X 40' CL	8,200	1
		\$8,200.00
H) Ramps and Decks	6,765	1
		\$6,765.00
I) Performance & Payment Bonds	4,821	1
		\$4,821.00

\*\* Item "F" Includes  
delivery of ramp  
systems

**One-Time Total:** \$30,911.00  
**Building & One-Time Total:** \$224,615.00

**General Note**

**Payment Terms:** All pricing is subject to credit approval and payment terms, which will be determined upon receipt of required financial information. Down payment percentage and mobilization fees upon approval. Any and all ancillary, design and construction associated costs will be billed with initial invoice.

**Pricing Notes:** All pricing is based on prevailing wage rates unless specified otherwise by District or piggyback

financial information. Down payment percentage and mobilization fees upon approval. Any and all ancillary, design and construction associated costs will be billed with initial invoice.

**Pricing Notes:** All pricing is based on non-union, non prevailing wage rates unless specified otherwise by District or piggyback contract stated otherwise, subject to product availability and Class Leasing standard terms and conditions. This proposal is good for 30 days and will be made part of final contract.

**General Specifications:** Please note that all of the above buildings are subject to existing inventory. Selection by Class Leasing.

**Color And Materials:** All materials, unless otherwise stated on approved plans, are based on Class Leasing standard selections. Class Leasing will supply electronic color selections to choose from for repainting (if non-standard purchase). Selections will need to be made prior to procurement of materials and production or preparation of buildings. For projects utilizing existing buildings, color selections will not be given as the buildings are already completed, unless otherwise specified.

**Substitutes And Alternates:** Class Leasing reserves the right to substitute for Class Leasing standards.

**Special Notes: (Not Applicable)**

### Inclusions

- ∅ **48' X 40' Standard new DSA classrooms w/right-hand exterior door configuration**
  - Exterior windows 8040 XOx (x4)
  - 100 amp single phase electrical panel box (2)
  - Duplex wall receptacles (x12)
  - T-Grid ceiling system
  - Standard delivery and installation on above grade wood foundation with a 2' ft. separation
  - Standard carpet with top set base (new)
  - 6 gal. electric water heaters (3)
  - 40 l.f. added interior walls
  - solid core interior door (1)
  - WIC Grade cabinets per client drawings
  - two standard ramps and 15 lf added decking
  - Standard tackboard interior walls throughout
  - Two (2) Wall mounted 3.5 ton single phase HVAC with direct endwall return
  - Standard lights, electrical, and mechanical system
  - Exterior color selection, TBD
  - Skirting
  - 5'-0" Front overhang and 2'-6" rear overhang
  - Engineered drawings "stockpile" for Architect to submit for DSA approvals
  - Above grade wood foundation package (maximum height is 18")

### Clarifications And Exclusions

- 1) Proposal assumes Customer will provide a clear, unobstructed and accessible site to allow for the delivery and installation of modular sections using standard modular industry vehicles and equipment.
- 2) Proposal does not include unknown or unforeseen events such as lack of natural resources, driver wait time, escorts, customer preparedness, or site preparations, unless stated otherwise herein, of which the Customer will be responsible for any associated cost impacts.
- 3) Proposal does not include Engineering beyond Class Leasing DSA (Division of State Architect) Modular Engineering Packages for State Modular Certification; unless stated otherwise herein.
- 4) Proposal does not include applicable site development work up to building line including, but not limited to: parking, entries, sidewalks, site plumbing (water and sewer), site power (electrical), signage, landscaping, and fencing; unless stated otherwise herein.
- 5) Proposal does not include services, manifolds, piping, lifts, meters, valves, connections, etc. to site water and waste; unless stated otherwise herein.
- 6) Proposal does not include services, manifolds, conduits, panels, meters, disconnects, connections, etc. to site electrical or gas services; unless stated otherwise herein.
- 7) Proposal does not include any voice, data, security, notification, fire alarm or fire suppressions systems; unless stated otherwise herein.
- 8) Proposal does not include, FFE, signage, HVAC testing and balancing, condensation drains, gutters, downspouts, etc.; unless stated otherwise herein.
- 9) Project schedule shall be provided within (7) days of approved proposal.
- 10) Proposal does not include DSA site project approvals
- 11) Proposal does not include case work or blocking; unless stated otherwise herein.
- 12) Proposal does not include Craning, Shuttling or special unloading of building (if required due to limited access); unless stated otherwise herein.
- 13) Proposal does not include Performance and or payment bonds; unless stated otherwise herein.



- 14) Building permit submittal, and final site & building approval
- 15) Fire sprinklers, fire rating, or fire alarms, unless otherwise stated
- 16) Concrete foundation
- 17) 2' building closure panels between buildings
- 18) Special 4" separations (if required)
- 19) Soil testing and reports
- 20) Excavating and or backfilling; any applicable site development work up to building line including, but not limited to: parking, entries, sidewalks, site plumbing (water and sewer), site power (electrical), signage, landscaping, and fencing; unless stated otherwise herein
- 21) Soils removal/disposal
- 22) Reverse and/or Side unload/load of floors
- 23) City permits, escorts, pilot cars
- 24) Access in/out of site for all equipment, trucking and workmen
- 25) Level asphalt or dirt pad for building & ramp
- 26) Transition of ramp toe to grade; ramps are fixed at 11'
- 27) Soundboard interior walls, unless otherwise noted herein
- 28) On site inspections
- 29) Connection of site utilities, FA & low voltage systems
- 30) Sales Tax
- 31) Ramps and decks unless otherwise specified
- 32) Security screens or security doors
- 33) Provision of FFE (furnishings, fixtures and equipment) within the building, including mini blinds, security screens or security doors, unless otherwise noted herein
- 34) Unknown or unforeseen events such as lack of natural resources, driver wait time, escorts, customer preparedness, or site preparations unless stated otherwise herein, of which the Customer will be responsible for any associated cost impacts
- 35) Handling of, mitigation, or remediation of any hazardous materials
- 36) Engineering beyond standard DSA Packages for which the Customer will be responsible for any cost impacts
- 37) HVAC testing and balancing, condensation drains, dry wells, gutters, downspouts, etc.; unless otherwise stated herein. Customer to provide and install roof drainage control including, but not limited to, splash blocks, canopies and awnings.
- 38) Anything not specifically included is excluded

#### Reference Documents:

Building Drawing No.	<u>0000</u>	Class Leasing standard Lease Agreement
Building Specifications/PC		
Dated:	<u>1/00/0000</u>	
RFP Documents:	<u>(Not applicable)</u>	

#### Acceptance And Acknowledgements:

This proposal is subject to Class Leasing, LLC, herein known as "Class Leasing" credit approval of Customer. Equipment is subject to availability. By signing below, customer accepts the terms of this proposal including prices, specifications and referenced documentation, and instructs Class Leasing to make appropriate arrangements for the preparation and delivery of the Equipment identified herein, and agrees that such signature constitutes customer's acceptance of and agreement to the Class Leasing Lease Agreement. Such lease or sale, and the customer's agreement thereto, is subject to Class Leasing's standard terms and conditions that are incorporated by reference herein. Customer may request a copy of the terms and conditions from Class Leasing. If customer has previously executed a master agreement or the purchase is from one of Class Leasing's piggyback contracts, those terms and conditions shall govern the transaction. Such terms and conditions are

incorporated as if fully set forth herein. No alterations, additions, exceptions, or changes to any Proposal or Agreement made by Customer shall be effective against Class Leasing, whether made hereon, contained in any printed form of Lease or elsewhere unless accepted in writing by Class Leasing. Any customer purchase order or other customer-provided document purporting to replace, supersede or supplement the terms and conditions of the Class Leasing Lease Agreement shall carry no force or effect except as an instrument of billing.

**Class Leasing, LLC**

Signature: 

Name: MICHAEL BOLLERO SR.  
MANAGEMENT MGR

Title: PRESIDENT

Date: 5/1/2018

**Customer:**

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



**Project #11**

**Project: 2018 District Wide Requirement for Piggyback of DSA  
Approved Portable Buildings Including, Purchase, Lease, Relocation  
Dismantle & Removal Issued:**

**Bid Location:**

**Chawanakee Unified School District  
Maintenance/ Operation & Transportation Office  
26065 Outback Industrial Way, O'Neals, CA 93645**

**Mandatory Pre-bid conference January 31, 2018 at 1:00PM  
Chawanakee Unified School District  
Maintenance/ Operation & Transportation Office  
26065 Outback Industrial Way, O'Neals, CA 93645**

**Bid Deadline February 5, 2018 at 1:00 PM  
Contact: Fred Faysal (559) 868-3668**



26065 Outback Industrial Way, O'Neals, CA 93645

Mailing: PO Box 400, North Fork, CA 93643

559 877-6209 559 868-4488 FAX

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

**Darren Q. Sylvia**  
Superintendent

February 13, 2018

Dave Morgan  
Class Leasing, LLC.  
1320 W. Oleander Ave.  
Perris, CA 92571

Dear Dave,

After review and evaluation of the Class Leasing, LLC. proposal to provide Portable buildings, Chawanakee Unified School District is pleased to award this proposal to Class Leasing, LLC.

The contract agreement to be prepared as a result of this award will be one which incorporates by reference all the requirements, terms and conditions of the solicitation and the contract proposal as negotiated.

As permitted by Public Contract Code section 20118 school districts within Madera County, as well as other school districts and county offices of education outside of Madera County, may piggyback off of this RFP and lease portables directly from Class Leasing, LLC. on the same terms and conditions of the Contract.

On behalf of Chawanakee Unified School District, we thank you and look forward to a mutually beneficial relationship with your company.

Sincerely,

Darren Sylvia, Superintendent



## Regular Meeting of the Board of Trustee Minutes

7:00 P.M.

Tuesday, February 13, 2018

Minarets High School, Room 303

1. **CALL TO ORDER**

The meeting was called to order by Board President Barbara Bigelow at 7:00 PM.

2. **PLEDGE OF ALLEGIANCE, ROLL CALL AND ESTABLISHMENT OF QUORUM**

After the Pledge of Allegiance it was determined a quorum was established.

Members present: Barbara Bigelow; Claudia Box; Seth Waltner; Jim McDougald;  
Jessie Hutchens

Others present: Darren Sylvia, Superintendent; Joannie Lumbr, Business Manager,  
Melanie Burton, Administrative Assistant, Gayle Fain and Lana Jackson.

3. **ADOPTION OF AGENDA** *(If the Board and/or Administration determine they wish to add to or delete from the agenda, this would be the appropriate time.)*

A motion was made by Jim McDougald to adopt the agenda. The motion was seconded by Seth Waltner. The motion passed unanimously.

Ayes: B. Bigelow; C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: None

4. **PUBLIC HEARING, COMMENTS, PRESENTATIONS, COMMUNICATIONS AND REPORTS**

A. Showcase of Schools, Minarets Charter – Patrick Wilson, Director

Principal Daniel Ching reported that Minarets Charter pre-registration was tonight and lots of people in attendance. Mr. Kelly brought a group of his students to give a presentation on the procedures of a trial. They chose The Trial of Andrew Jackson. They used timelines to rebuild the case and were able to work together to get different perspectives on the case. Through this class project they were able to learn different values and ideas from others and there are different views on things.

B. **Audit Resolution – Joannie Lumbr, Business Manager**

Joannie Lumbr went over the Audit Report at the January meeting and since then has corrected the one finding from that report. Joannie has asked the Board to approve the correction and approve certification.

C. School Accountability Report Card (SARC) – Jessica Fairbanks, Principal

- Chawanakee Academy Charter
- Manzanita Community Day School
- Minarets Charter High School
- Minarets High School
- Mountain Oaks High School
- North Fork Elementary School
- Spring Valley Elementary School

The School Accountability Report is reported annually. It is an overview of staffing, curriculum and text books. The data in this report is a year old. Since the report came out we already have new updated data. Some discussion ensued about some of the data in the report.

**C. Bus Inspection Report/Update – Fred Faysal, Director MOT**

Fred Faysal reported that this is the annual inspection on the buses. Gary Gleim volunteered his time to come in and coach our current mechanics and went over the buses with them to point out anything that could be wrong. We were dinged on a few things but were able to fix those on the spot and had the buses rechecked. We did very well this year. Next year all buses will be required to have a safety device installed that would require the drivers to walk to the back of the bus to a switch to make sure no student is left on the bus.

**D. Project #11: 2018 District Wide Contract, Approved Portable Buildings, Purchase, Lease, Relocation Dismantling & Removal Issued of Division of the State Architect (DSA) approve Portable Buildings-Darren Sylvia, Superintendent**

On February 8, 2018 we received the bids for Project #11. Both bids were reviewed. The apparent low bidder was Class Leasing. Staff has recommended the award of the bid package to Class Leasing.

**5. VISITORS**

*(Members of the audience are welcome to address the Board at this time regarding items not listed on the agenda. The Trustees may ask questions for clarity, but cannot discuss or take action on these matters, if desired, until such matters are appropriately placed on a future agenda. Individuals who require special accommodation (American Sign Language interpreter, accessible seating, documentation in accessible format, etc.) should contact the Superintendent or designee at least two days before the meeting date.)*

Members of the Minarets FFA team gave an update on upcoming events and competitions. One of the upcoming events is Donkey Basketball, which is always entertaining to watch.

Roz Thrapp presented to the Board a check for \$4200 that she helped to fundraise for North Fork School's performing arts program.

**6. CONSENT AGENDA**

A motion was made by Jim McDougald to adopt the consent agenda. The motion was seconded by Seth Waltner. The motion passed unanimously.

Ayes: B. Bigelow; C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: None

**A. Consideration of Minutes:**

1. January 9, 2018, Regular Meeting

**B. Consideration of Payroll:**

1. January 31, 2018 Regular Payroll
2. February 6, 2018, Supplemental Payroll

**C. Consideration of Warrants:**

1. Register #01/10/2018
2. Register #01/18/2018
3. Register #01/23/2018
4. Register #02/01/2018

- D. Consideration of Employment Staffing List:
  - 1. Personnel #6-2017/2018
- E. Consideration and Acceptance of Donations – Daniel Ching, Principal
  - 1. \$1,500 – Western Growers Foundation, FFA
  - 2. \$2,000 – Thomas and Anna Dewitt, Media Club
- F. Consideration and Acceptance of Donations – Jessica Fairbanks, Principal
  - 1. \$200 – Kiwanis of Oakhurst, Art Supplies

**7. DISCUSSION AND ACTION ITEMS**

- A. Consideration and Approval of Audit Resolution and Certification for Corrective Action for FY 16/17

A motion was made by Jessie Hutchens to approve. The motion was seconded by Jim McDougald. Motion passed unanimously.

Ayes: B. Bigelow; C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: None

- B. Consideration and Approval of Project #11: 2018 District Wide Contract, Approved Portable Buildings, Purchase, Lease, Relocation Dismantling & Removal Issued of Division of the State Architect (DSA) approve Portable Buildings

A motion was made by Seth Waltner to approve. The motion was seconded by Jim McDougald. Motion passed unanimously.

Ayes: B. Bigelow; C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: None

- C. Consideration and Approval of Provisional Internship Permit (PIP) for Becher Marr for Multiple Subject at Chawanakee Academy Charter School: K-12 grades. Teacher Becher Marr will be employed on a Provisional Internship Permit.

A motion was made by Jim McDougald to approve. The motion was seconded by Seth Waltner. Motion passed unanimously.

Ayes: B. Bigelow; C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: None

- D. Consideration and Approval of Provisional Internship Permit (PIP) for Jennifer Varner for Multiple Subject at Spring Valley: grade 7-8. Teacher Jennifer Varner will be employed on a Provisional Internship Permit.

A motion was made by Jim McDougald to approve. The motion was seconded by Seth Waltner. Motion passed unanimously.

Ayes: B. Bigelow; C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: None

- 8. INFORMATION AND REPORTS - Superintendent's Report – Mr. Sylvia/Principals**  
No reports at this time.

**9. BOARD MEMBER SUGGESTIONS & COMMENTS**

Barbara Bigelow reported that only 2 school districts in Region 10 have passed a resolution for Full and Fair Funding of California Public Schools.

Claudia Box went to the Madera County School Board Association meeting. Claudia would like to see alumni stories from our district on the Madera County School Board Association website.

**10. ADVANCE PLANNING**

March 13, 2018	7:00 p.m.	North Fork School (Board Room)
April 10, 2018	7:00 p.m.	Minarets High School (Media Lounge)
May 08, 2018	7:00 p.m.	North Fork School (Board Room)
June 12, 2018	7:00 p.m.	Minarets High School (Media Lounge)
June 26, 2018	7:00 p.m.	North Fork School (Board Room)
August 14, 2018	7:00 p.m.	Minarets High School (Media Lounge)
September 11, 2018	7:00 p.m.	North Fork School (Board Room)
October 09, 2018	7:00 p.m.	Minarets High School (Media Lounge)
November 13, 2018	7:00 p.m.	North Fork School (Board Room)
December 11, 2018	6:30 p.m.	Minarets High School (Organizational Meeting)
December 11, 2018	7:00 p.m.	Minarets High School (Media Lounge)

**11. PUBLIC COMMENT RE: CLOSED SESSION ITEMS** *(General Public may comment on any Closed Session item that will be heard. The Board may limit comments to no more than 5 minutes pursuant to Board policy. Please refer to items listed below).*

A motion was made by Seth Waltner at 7:47 PM to move to Closed Session. The motion was seconded by Jim McDougald. The motion passed unanimously.

Ayes: B. Bigelow; C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: None

**12. CLOSED SESSION** *(Note: A Closed or Executive Session of the Board of Trustees may be held when legal and the need requires. Items to be discussed will be announced before the Board moves into Closed Session. Items can include personnel matters, student personnel matters, negotiations, and legal counsel regarding pending litigation and protection of records exempt from public disclosure.)*

- A. Government Code Section 54957 - Public Employee: Personnel/Staffing/Discipline/Dismissal/Release
- B. Conference with Labor Negotiator - Superintendent, Darren Sylvia, CTA unit
- C. Government Code Section 54956.9 - Pending Litigation
- D. Government Code Section 54956.8 - Real Estate Negotiation, The Preserve at Millerton Lake Proposal

A motion was made by Jim McDougald at 8:33 PM to reconvene to Open Session.

The motion was seconded by Claudia Box. The motion passed unanimously.

Ayes: B. Bigelow; C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: None

**13. RECONVENE TO OPEN SESSION AND REPORT OF CLOSED SESSION ACTION**

Board President Barbara Bigelow reported out from Closed Session that the Board will be looking into a Charter School at the Millerton Lake Preserve Development. The Board also received the Openers from CTA.

**14. ADJOURNMENT**



A motion was made by Claudia Box at 8:35 PM to adjourn the meeting. The motion was seconded by Jim McDougald. The motion passed unanimously.

Ayes: B. Bigelow; C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: None

Respectfully submitted by: Melanie Burton, Administrative Assistant

  
\_\_\_\_\_  
Seth Waltner, Clerk

3/13/18  
\_\_\_\_\_  
Date



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Mailing: PO Box 400, North Fork, CA 93643

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**Dr. Marcy Guthrie**

Superintendent

---

MEETING DATE: April 12, 2022

TO: Board of Trustees

FROM: Khai Nguyen, Chief Business Official

**REQUESTED ACTION:**

Approval of contract renewal with Class Leasing of Project #11 2018 Piggyback.

**DISCUSSION AND BACKGROUND:**

The District is recommending the renewal of Project #11 2018 District Wide Requirement for Piggyback of DSA approved Portable Buildings including, purchase, lease, relocation, dismantle % removal, issued to Class Leasing, LLC for an additional year (April 14, 2022 - April 15, 2023) as allowed under the provisions contained in the Education Code and the original contract documents. The contract would be renewed with a price increase of 7.5% per the CPI index.

This is the final year of the Project #11 2018 Piggyback contract. The Board's approval will allow other school districts, and ours, if needed, to "piggyback" on the "Project #11 2018 District Wide Requirement for Piggyback of DSA approved Portable Buildings".

**FISCAL IMPACT:**

None



# Regular Meeting of the Board of Trustees Minutes

P.O. Box 400  
North Fork, CA 93643  
(559) 877-6209

Time: 7:00 P.M.

Date: Tuesday, April 12, 2022

Place: Minarets High School, Media Lounge  
45077 Road 200, O'Neals, CA 93645  
4220 NW 153<sup>rd</sup> St., Edmond, OK 73014

## 1. CALL TO ORDER

The meeting was called to order by Board President Barbara Bigelow at 7:00 PM.

## 2. PLEDGE OF ALLEGIANCE, ROLL CALL AND ESTABLISHMENT OF QUORUM

After the Pledge of Allegiance, it was determined a quorum was established.

Members Present: Board President Barbara Bigelow; Board Vice President Jessie Hutchens; Clerk of the Board Jack Thornburg; and member Seth Waltner. Member Jim McDougald was absent.

Others Present: Superintendent Marcy Guthrie, Chief Business Officer Khai Nguyen; Administrative Assistant Melanie Burton, Jessica Fairbanks, Jerry Stehman, Kelli Bryant, Jennifer Stanley, Filiberto Camacho, Kaitlin Morgan, Cynthia Elm, Katie Bethune, Daniel Ching, Nick Von Flue, Lana Jackson and Kristi DeBernardi.

## 3. ADOPTION OF AGENDA *(If the Board and/or Administration determine they wish to add to or delete from the agenda, this would be the appropriate time.)*

A motion was made by Jessie Hutchens to adopt adding item 6I to the Consent Agenda, North Fork Overnight Field Trip to Catalina, April 13-15, 2022. The motion was seconded by Seth Waltner. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstention: None

Absent: J. McDougald

## 4. PUBLIC HEARING, COMMENTS, PRESENTATIONS, COMMUNICATIONS AND REPORTS

A. Student Delegate: Trever Jobinger  
Absent from meeting

B. Madera County Excellence in Education Recipients: Marcy Guthrie, Superintendent

- School Employee of the Year: Sharon Mello
- Teacher of the Year: Melissa Cottington
- Administrator of the Year: Rachelle Lee

Superintendent Marcy Guthrie congratulated Sharon Mello, Melissa Cottington and Rachelle Lee. She's looking forward to celebrating them in October.

C. Public Hearing: On the recommended adoption of Social Science Instructional Materials, Grades K-2, and/or Funds for the Social Science Instructional Materials from any State Source

Public Hearing was open at: 7:03 PM

There were no public comments. Seth Waltner asked about Arithmetic Studies, he wanted to know what that was. Jessica Fairbanks said that was a typo and should say Ethnic Studies. Public Hearing was closed at: 7:04 PM.

D. Borchardt, Corona, Faeth and Zakarian Contract Renewal: Khai Nguyen, Chief Business Officer

Borchardt, Corona, Faeth and Zakarian have been the District's external auditor for the last 7 years. The District would like to continue using their services.

E. ECORP Consulting, Inc. Contract for Proposed Rio Mesa Education Center: Khai Nguyen, Chief Business Officer

ECORP will provide technical studies on biological resources, cultural resources, air quality/climate change, noise, hazardous materials, geology, and traffic as it related to the location of Rio Mesa Education Center. September 2018 some work had been performed such as Biological Resource Assessment, Cultural Resource Inventory and a Phase 1 Environmental Assessment/Geologic Hazards Report. The District has not paid for the services performed. The job was not complete. The quote has been changed to reflect the original amount approved in 2018 from \$92,909 to \$114,935. Khai Nguyen said that this will be funded by Tesoro Viejo outside of the Master Settlement Agreement. Jessie Hutchens asked if Tesoro Viejo agreed to this. Superintendent Marcy Guthrie said that they did. Jessie would like to get something in writing. Seth Waltner asked if Kitchell was involved. Marcy said that they are.

F. **Contract Renewal with Class Leasing of Project #11 2018 Piggyback:** Khai Nguyen, Chief Business Officer

This is the final year of our contract with Class Leasing of Project #11 2018 Piggyback. This allows other school districts to use our Piggyback to get competitive bidding. The contract would be renewed with a price increase of 7.5% per the CPI index.

G. Resolution No. 19-2021/2022 In the Matter of Support of Applications for Eligibility Determination and Funding Authorization to Sign Applications and Associated Documents  
Khai Nguyen, Chief Business Officer

To authorize signors for the School Facility Program. The Chawanakee Unified School District may submit applications for eligibility determination and funding for programs including, but not limited to, modernization, new construction, career technical education and/or charter school. Superintendent Marcy Guthrie and Chief Business Office Khai Nguyen will be authorized to sign all documents and papers associated with the applications for funding.

H. Resolution No. 20-2021/2022 In the Matter of Submitting Applications for Eligibility Determination and Funding for Rio Mesa Education Center and New K-8 School at The Preserve: Khai Nguyen, Chief Business Officer

Under the School Facility Program, the Chawanakee Unified School District may submit applications for eligibility determination and funding for programs including, but not limited to, modernization, new construction, career technical education and/or charter school. This resolution applies to funding applications submitted under the School Facility Program for the Rio Mesa Education Center and the new K-8 School (the Preserve) projects.

I. LifeWings/KFI: Khai Nguyen, Chief Business Officer

The California Schools Healthy Air, Plumbing, and Efficiency Program provides funding to upgrade heating, air conditioning, and ventilation systems in public schools and replace noncompliant plumbing fixtures and appliances that fail to meet water efficiency standards. The District is requesting the service work from LifeWings/KFI to assess, test, and perform

maintenance on the existing HVAC units; installation of MERV-8 or MERV-13 filters; and install CO2 monitors in each classroom that does not presently have CO2 monitoring. All contract with LifeWings/KFI are contingent upon award and acceptance. The expenditures will be funded by the CalSHAPE grant (AB 841)

J. MOU for Consortium Application for Career Technical Education Incentive Grant Program  
Funding: Marcy Guthrie, Superintendent

The purpose of the CTEIG Program is to encourage and maintain the delivery of high-quality career technical education programs. The program allows for funding for career technical programs.

K. Proposed New Athletic Director Job Description: Marcy Guthrie, Superintendent

The District has had an Athletic Director but no job description. The Athletic Director works with the site administrator to ensure conformance in athletics to all District, league and California Interscholastic Federation regulations.

L. Proposed AG Teacher Job Description Revision/Salary Schedule: Marcy Guthrie, Superintendent

Current job description for Ag Teachers were paid a stipend for additional days worked. Based on the recommendation for the STRS audit, the additional days worked will be put on their contract and not paid as a stipend. The job duties were revised to reflect a more accurate description of what they do. FFA is a huge part of their job and is reflected in job duties.

M. Proposed TOSA Job Description Revision: Marcy Guthrie, Superintendent

Revision to the current TOSA job description by removing Instructional Coach from the title and by updating job duties. The revised job description has more of an emphasis on teacher support around curriculum and instruction and to support teacher in any improvement area.

N. Proposed Two New TOSA Position for 2022-23 and 2023-24 School Years: Marcy Guthrie, Superintendent

The District has a need to focus on our student's academic, behavior, and social emotional needs. Nearly all of our site leaders will be new to their site in 2022-23 and we continue to hire teachers who need professional development and support. Jessie Hutchens asked if we can track this to see how this affects students, he wants it to benefits kids. Jessie wanted to know if these funds were already earmarked for something else. He would like a list of what we have spent this money on. Seth Waltner said there is a direct need to help students. He said that we need support staff for students and not support for staff. Serving students is our first priority. Jessica Fairbanks said that it will help both students and teachers with support for more direction for intervention.

O. Disclosure of Collective Bargaining with CTA 2021-22: Khai Nguyen, Chief Business Officer

The District and CTA met and have agreed to 2% salary increase for the 2022-2023 school year. Both parties agreed to increase stipends for a total cost of \$41,250 beginning 2022-23. Khai Nguyen said that this has been approved by the county. Jessie Hutchens would like to see the correct reserve percentage put on the form.

P. Proposed Driver II and Utility II Positions: Nick Von Flue, Director of MOT

Transportation needs to replace a Driver II position which is a seven hour run. The Utility II position would be 4 hours of driving and 4 hours of grounds. By adding these 2 positions it would significantly reduce the overtime costs in the transportation department and decrease the need to pull other positions to cover other duties. We would like to start taking routes

back from Merced Transportation. Jessie Hutchens questioned being able to find drivers. In the past it's always been a problem. Seth Waltner said if we can save this much money why not get rid of Merced Transportation altogether. Nick Von Flue said that would be the goal. Jessie Hutchens asked if these positions were in the budget. One position is in the budget a replacement of a position that was previously being driven by a Retiree Vendor ID#005574 (Driver II). The Utility II position is not in the budget however by adding these positions the District will reduce the overtime costs in the transportation department and keep Utility staff to on their sites completing their duties.

Q. Status Report on the Projected Timeline of HVAC Project at North Fork School: Khai Nguyen, Chief Business Officer

Khai Nguyen gave an update on the HVAC project. SIM-PBK will submit construction documents before July for review. Substantial completion of project August 7, 2023.

R. Update on Removal, Purchase and Installation of New Waste Water Treatment Plant at Minarets High School: Nick Von Flue, Director of MOT

At the February meeting the board was presented with the District recommendation to purchase a 25,000 GPD, which at the time was estimated at \$567,600. The updated price to purchase the same product is \$627,449.60, an increase of 11% due to unprecedented inflation. It is in the Districts best financial interest to move forward with this project at this time.

S. School Site Plan Updates: Jessica Fairbanks, Categorical Coordinator

- Hillside Elementary
- Mountain Oaks High School
- North Fork School

Re-approval of 2021-2022 Single Plan for Student Achievement for Hillside Elementary, Mountain Oaks High School and North Fork Elementary. Budgets have been updated to reflect different expenditures.

T. Williams Quarterly Reporting April 2022: Marcy Guthrie, Superintendent

At this time there were no complaints.

U. First and/or Second Reading of Policy Updates: Marcy Guthrie, Superintendent

BP 0420.42	BP 1312.3	AR 1312.3	E(1) 1312.3
E(2) 1312.3	AR 3515.6	AR 4217.3	AR 5125
AR 5145.3	BP 5148	AR 5148	BP 5148.2
AR 5148.2	BP 5148.3	AR 5148.3	BP 6112
AR 6112	BP 6143	AR 6143	BP 6158
AR 6158	BP 6170.1	BB 9150	BB 9320

Updates and revisions to Board Policies. Jessie Hutchens had a question on board policies AR 5125 and AR 5145.3. He would like to see the old version to see what changes were made.

V. Updating Board Policy Titles: Marcy Guthrie, Superintendent

4112.41	4212.41	4212.9	4219.21
4258	4312.41	4312.9	4319.21
4358	6142.2	6145	6146.5
6162.51	6177	6178.1	6181
7210	3280	3300	4112.8
4212.41	4212.42	4212.8	4312.41
4312.42	4312.8	4361.11	5132
6142.2	6159.2	6178.1	6181
7210	9240	9240	9321

GAMUT Policy Plus is a service that helps us to update and maintain current school board policies. As part of the transition to the new platform several policies were identified that are unique to our District but are similar to existing CSBA policies. CSBA is recommending we rename the policies to match the CSBA title in codification system so we are alerted to updates that are likely to impact our unique policy. The only change will be to the title of the policy.

W. Board Policies to Delete: Marcy Guthrie, Superintendent

3111	4134	4138	4234	4253
4334	4211.1	4311.1	1325.5	1410.1
3316.1	4122.1	4212.1	4315.2	4315.3
4319.11(P)	4319.11(R)	5111.16	5120.5	6140.1
6164.23				

As part of the transition to the new platform CSBA identified some policies that refer to state and federal programs/funding that no longer exist. Because the policies are outdated, it is recommended that we delete these policies from the policy manual. Jessie Hutchens would like to pull policy 4253 for review.

**5. VISITORS**

*(The public is welcome to address the Board on any matter pertaining to the school district that is not on the agenda. Members of the public will be required to fill out a card prior to addressing the Board. The Board President will call upon members of the public who have requested to address the Board. If there are multiple speakers requesting to address the Board, the Board President may ask for a single spokesperson or may limit the number of persons speaking on the same topic. The Trustees may ask questions for clarity, but cannot discuss or take action on these matters, if desired, until such matters are appropriately placed on the agenda. Unless otherwise determined by the Board, each person is limited to 3 minutes. Individuals who require special accommodation (American Sign Language interpreter, accessible seating, documentation in accessible format, etc.) should contact the Superintendent or designee at least two days before the meeting date.)*

Board President Barbara Bigelow read a letter from Spring Valley and Chawanakee Academy giving their support of Amy Sheller.

**6. CONSENT AGENDA**

A motion was made by Seth Waltner to approve. The motion was seconded by Jack Thornburg. Jessie Hutchens said that there are still not two signatures on the warrants. Superintendent Marcy Guthrie said that she did review and will sign. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

A. Consideration of Minutes:

- March 1, 2022, Special Meeting
- March 8, 2022, Regular Meeting
- March 15, 2022, Special Meeting

B. Consideration of Payroll:

- March 10, 2022, Supplemental Payroll
- March 31, 2022, Regular Payroll

C. Consideration of Warrants:

- Register 03/01/2022
- Register 03/09/2022
- Register 03/15/2022
- Register 03/22/2022

- Register 03/29/2022
- D. Consideration of Employment Staffing List:
  - Personnel #9-2021/2022
- E. Consideration and Acceptance of Donation: Marcy Guthrie, Superintendent
  - \$98,036: Central Valley Community Foundation, (George and Evelyn Ducoff Endowment Trust), Art Teacher
- F. Consideration of Overnight Field Trip: Daniel Ching, Principal
  - Regional Officer Retreat: June 14-16, 2022, Shaver Lake, CA
  - Regional Officer Leadership Conference, July 25-28, 2022, Buellton, CA
  - San Joaquin Region Sectional Officer Conference, August 12-13, 2022, Location TBD
  - Glissaders ASB Club, May 13-15, 2022, Jackass Lakes or Twin Lakes
  - Minarets High Stunt Cheer, May 5-7, 2022, Atascadero or Paso Robles, CA
- G. Consideration and Approval of Donation: Daniel Ching, Principal
  - \$1,000: The Wonderful Company Foundation to Minarets FFA Program
- H. Consideration and Approval of Donation: Kristi DeBernardi, Principal
  - \$1,000: John Herbert Blossom for North Fork School Garden
  - \$ 500: Oakhurst Sunrise Rotary for North Fork Outdoor Classroom
- I. Consideration and Approval of Overnight Field Trip: Kristi DeBernardi, North Fork
  - North Fork 8<sup>th</sup> Grade: April 13-15, 2022, Catalina Science Camp

**7. DISCUSSION AND ACTION ITEMS**

- A. Consideration and Approval of Borchardt, Corona, Faeth and Zakarian Contract Renewal  
A motion was made by Seth Waltner to approve. The motion passed.  
Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner  
Noes: None  
Abstentions: None  
Absent: J. McDougald
- B. Consideration and Approval of ECORP Consulting, Inc. Contract  
A motion was made by Seth Waltner to approve. The motion was seconded by Jack Thornburg. The motion passed.  
Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner  
Noes: None  
Abstentions: None  
Absent: J. McDougald
- C. Consideration and Approval of Contract Renewal with Class Leasing of Project #11 2018 Piggyback  
A motion was made by Seth Waltner to approve. The motion was seconded by Jack Thornburg. The motion passed.  
Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner  
Noes: None  
Abstentions: None  
Absent: J. McDougald
- D. Consideration and Approval of Resolution No. 19-2021/2022 In the Matter of Support of Applications for Eligibility Determination and Funding Authorization to Sign Applications and Associated Documents



A motion was made by Seth Waltner to approve. The motion was seconded by Jack Thornburg. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstention: None

Absent: J. McDougald

- E. Consideration and Approval of Resolution No. 20-2021/2022 In the Matter of Submitting Applications for Eligibility Determination and Funding for Rio Mesa Education Center and New K-8 School at The Preserve

A motion was made by Seth Waltner to approve. The motion was seconded by Jack Thornburg. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

- F. Consideration and Approval of MOU for Consortium Application for Career Technical Education Incentive Grant Program Funding

A motion was made by Seth Waltner to approve. The motion was seconded by Jack Thornburg. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstention: None

Absent: J. McDougald

- G. Consideration and Approval of Proposed New Athletic Director Job Description

A motion was made by Jack Thornburg to approve. The motion was seconded by Seth Waltner. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

- H. Consideration and Approval of Proposed Ag Teacher Job Description Revision/Salary Schedule

A motion was made by Jack Thornburg to approve. The motion was seconded by Seth Waltner. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

- I. Consideration and Approval of Proposed TOSA Job Description Revision

A motion was made by Jessie Hutchens to approve. The motion was seconded by Jack Thornburg. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

- J. Consideration and Approval of Two New TOSA Positions for the 2022-23 and 2023-24 School Years

A motion was made by Jack Thornburg to approve temporary positions for 2 years. The motion was seconded by Seth Waltner. Seth Waltner asked if we are going to advertise or look internally. Superintendent Marcy Guthrie said that we will do both. Seth asked what will we do if we don't find a qualified candidate(s)? Marcy said that we are currently interviewing teachers and have some good candidates for the open positions. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

K. Consideration and Approval of Disclosure of Collective Bargaining with CTA 2022-23

A motion was made by Seth Waltner to approve. The motion was seconded by Jack Thornburg. The motion passed.

Ayes: B. Bigelow; J. Thornburg; S. Waltner

Noes: J. Hutchens

Abstentions: None

Absent: J. McDougald

L. Consideration and Approval of Proposed Driver II Position

A motion was made by Seth Waltner to approve. The motion was seconded by Jack Thornburg. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

M. Consideration and Approval of Proposed Utility II Position

A motion was made by Seth Waltner to approve. The motion was seconded by Jack Thornburg. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

N. Consideration and Approval of School Site Plan Updates

- Hillside Elementary
- Mountain Oaks High School
- North Fork School

A motion was made by Seth Waltner to approve. The motion was seconded by Jessie Hutchens. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

O. Consideration and Approval of Williams Quarterly Reporting April 2022

A motion was made by Seth Waltner to approve. The motion was seconded by Jack Thornburg. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

P. Consideration and Approval of First and/or Second Reading of Policy Updates

BP 0420.42	BP 1312.3	AR 1312.3	E(1) 1312.3
E(2) 1312.3	AR 3515.6	AR 4217.3	AR 5125
AR 5145.3	BP 5148	AR 5148	BP 5148.2
AR 5148.2	BP 5148.3	AR 5148.3	BP 6112
AR 6112	BP 6143	AR 6143	BP 6158
AR 6158	BP 6170.1	BB 9150	BB 9320

A motion was made by Seth Waltner to approve pulling AR 5125 and AR 5145.3 to bring back for review. The motion was seconded by Jessie Hutchens. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

Q. Consideration and Approval of Updating Board Policy Titles

4112.41	4212.41	4212.9	4219.21
4258	4312.41	4312.9	4319.21
4358	6142.2	6145	6146.5
6162.51	6177	6178.1	6181
7210	3280	3300	4112.8
4212.41	4212.42	4212.8	4312.41
4312.42	4312.8	4361.11	5132
6142.2	6159.2	6178.1	6181
7210	9240	9240	9321

A motion was made by Seth Waltner to approve. The motion was seconded by Jack Thornburg. Jessie Hutchens questioned why we are changing the titles, they seemed fine the way they were. The motion passed.

Ayes: B. Bigelow; J. Thornburg; S. Waltner

Noes: J. Hutchens

Abstentions: None

Absent: J. McDougald

R. Consideration and Approval of Board Policies to Delete

3111	4134	4138	4234	4253
4334	4211.1	4311.1	1325.5	1410.1
3316.1	4122.1	4212.1	4315.2	4315.3
4319.11(P)	4319.11(R)	5111.16	5120.5	6140.1
6164.23				

A motion was made by Seth Waltner to approve pulling 4253 for review. The motion was seconded by Jessie Hutchens. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

8. **INFORMATION AND REPORTS** – Superintendent/Principals/Cabinet

Superintendent Marcy Guthrie congratulated the employees that were nominated for Excellence in Education recognition. She thanked the principals and cabinet for their detailed board reports.

9. **BOARD MEMBER SUGGESTIONS & COMMENTS**

Seth Waltner would like to look at rotating location of board meetings. He appreciates the reports from the principals and cabinet.

Barbara Bigelow said it has been suggested to appoint an ADHOC committee for the Rio Mesa School. This would consist of members of the community, staff, board members who would meet with the architecture to make sure we are moving in the right direction. Good to gather input from all. The committee would report back to the Board.

**10. ADVANCE PLANNING**

A motion was made by Seth Waltner to change meeting locations as listed below. The motion was seconded by Jessie Hutchens. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

**Board Meeting Dates:**

May 9, 2022	7:00 PM	North Fork School, Board Room, Regular Meeting
June 14, 2022	7:00 PM	Minarets High School, Media Lounge, Regular Meeting
June 28, 2022	7:00 PM	Hillside Elementary, Media Center, Regular Meeting
August 9, 2022	7:00 PM	North Fork School, Board Room, Regular Meeting
Sept. 13, 2022	7:00 PM	Minarets High School, Media Lounge, Regular Meeting
October 11, 2022	7:00 PM	Hillside Elementary, Media Center, Regular Meeting
November 8, 2022	7:00 PM	North Fork School, Board Room, Regular Meeting
Dec. 13, 2022	6:30 PM	Minarets High School, Media Lounge (Organizational)
Dec. 13, 2022	7:00 PM	Minarets High School, Media Lounge, Regular Meeting

**11. PUBLIC COMMENT RE: CLOSED SESSION ITEMS** *(General Public may comment on any Closed Session item that will be heard. The Board may limit comments to no more than 5 minutes pursuant to Board policy. Please refer to items listed below).*

No comments.

A motion was made by Seth Waltner at 8:50 PM to move to Closed Session. The motion was seconded by Jack Thornburg. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

**12. CLOSED SESSION** *(Note: A Closed or Executive Session of the Board of Trustees may be held when legal and the need requires. Items to be discussed will be announced before the Board moves into Closed Session. Items can include personnel matters, student personnel matters, negotiations, and legal counsel regarding pending litigation and protection of records exempt from public disclosure.)*

- A. Government Code Section 54957-Public Employee: Personnel/Staffing/Discipline/Dismissal/Release/Resignation
- B. Conference with Labor Negotiators – Dr. Marcy Guthrie, Superintendent, CTA Unit
- C. Government Code 54956.0, subd. (d)(1)-Conference with Legal Counsel-Existing litigation
- D. It. Seq. Student Expulsion – Student #20348

A motion was made by Seth Waltner at 9:58 PM to reconvene to Open Session. The motion was seconded by Jessie Hutchens. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

**13. RECONVENE TO OPEN SESSION AND REPORT OF CLOSED SESSION ACTION**  
Reportable Action from Closed Session:

A motion was made by Seth Waltner to accept the settlement agreement of OAH Case No. 2022010432 consolidated with OAH Case No. 2022010161. The motion was seconded by Jessie Hutchens. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

A motion was made by Jessie Hutchens to expel Student #20348 for the remainder of the 2021-22 school year. The student will go back to North Fork School in August 2022 with stipulations. The motion was seconded by Jack Thornburg. The motion passed.

Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

**14. ADJOURNMENT**

A motion was made by Seth Waltner at 9:59 PM to adjourn. The motion was seconded by Jack Thornburg. The motion passed.


Ayes: B. Bigelow; J. Hutchens; J. Thornburg; S. Waltner

Noes: None

Abstentions: None

Absent: J. McDougald

Respectfully Submitted by: Melanie Burton, Administrative Assistant

  
Clerk of the Board

05/10/2022  
Date

September 8, 2022

DCA # P22.047

Ms. Lois Yount  
Superintendent  
GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT  
1018 C Street, Suite 210  
Galt, CA 95632

Re: Proposal for Architectural Design Services  
Three New Portable Classrooms  
Lake Canyon Elementary School

Dear Ms. Yount,

Thank you for inviting Derivi Castellanos Architects (DCA) to submit this Proposal to assist you with Architectural Design Services for the above-referenced project.

#### DESCRIPTION OF PROJECT

This project entails adding three new 960 square foot portable classrooms to Lake Canyon Elementary School as indicated on attached Exhibit A. These portable structures will be supported on elevated wood foundations with accessible ramps at the entry doors. The classrooms will include sinks and cabinetry. New utilities (water, sewer, electrical, data, low voltage) will tie to existing services on-site. A new accessible path of travel will be provided to the new classrooms. If this proposal is accepted, DCA will prepare a set of construction documents for submittal to the Division of State Architect (DSA).

#### SCOPE OF SERVICES TO BE PROVIDED BY DCA

- Review as-built information provided by District
- Site review, field-measurement
- Schematic Design
  - Reference site plan
  - Site demolition plan
  - New site plan
  - New floor plan, ceiling plan and elevations for purposes of bidding the new building as a DSA Pre-checked portable building from a turnkey vendor
  - Review of Schematic Design submittal with District
- Construction Documents
  - Reference site plan
  - Site demolition plan
  - Site grading, underground utilities plan and details
  - New site plan and details
  - Underground utilities plan and details
  - Specifications

- o Review 50% Construction Documents with District
- o Final Construction Documents incorporating feedback from District
- Submittal to DSA for review and approval of site work and building layout
- Respond to questions during Bid Phase
- Construction Administration
- Project closeout and DSA certification

TIMELINE

Architect's proposed timeline is as follows:

• Schematic Design	6 weeks
• Construction Documents	4 weeks
• DSA Review (Over-the-Counter)	1 weeks
• Bidding Support	4 weeks
• Construction Phase	8 weeks
• Project Closeout/Certification	4 weeks

If DCA's services are extended beyond the duration shown above by delays of the District or other factors beyond DCA's control, DCA will be entitled to additional compensation to cover additional staff time and expenses.

ARCHITECT FEE SUMMARY

The basis of District payments to Architect shall be Lump Sum by Phase by Percent Complete as set forth below:

1. Schematic Design	\$32,070
2. Construction Documents	\$30,682
3. DSA Review	\$1,620
4. Bidding Support	\$1,620
5. Construction Phase*	\$22,044
6. Project Closeout/Certification	<u>\$1,565</u>
Total	\$89,601

Notes:

- a. Additional Services requested by District shall be provided at T&M rates in effect at the time of the request
- b. Typical reimbursable expenses (printing and mileage) are included in above figures

- c. Assumes all tasks above will be completed in one phase; if project is broken up into multiple phases, or put-on hold for more than six months, DCA will be entitled to additional compensation
- d. Above Fee (\*) is based on an 8-week construction phase, if construction is extended beyond this duration, DCA will be entitled to a pro-rated increase to its Fee

Client will be billed monthly. Invoiced amounts are payable and due within thirty (30) days from receipt of invoice. DCA Hourly Rate Schedule attached. This Proposal is valid for 90 days.

ARCHITECT AND DISTRICT RESPONSIBILITIES

Architect and District agree that each will provide information and services as described below:

Discipline	By District (if required)	By DCA	Excluded, or not Required
Hazmat Testing			X
Soils Testing/Clearance			X
Topographic Survey	X		
Geotechnical/CGS Study	X		
Inspector of Record (IOR)	X		
Special Inspection & Testing	X		
CEQA Study			X
Traffic Study			X
State Funding/CDE/OPSC Consultant	X		
Educational Specifications	X		
Cost Estimating			X
Civil Engineering		X	
Storm Water Pollution Prevention Plan			X
Landscape Architecture			X
Portable Building Design (Pre-Check)	X		
Structural Engineering			X
Mechanical/HVAC Engineering			X
Mechanical/Plumbing Engineering - Site		X	
Fire Sprinklers Design			X
Electrical Engineering - Site		X	
Low Voltage Systems Design		X	
Fire Alarm Design		X	
Food Service Design			X
Audio/Visual Specifications	X		
Furniture Specifications	X		
LEED/CHPS Coordination			X
3 <sup>RD</sup> Party Commissioning Agent			X
Acoustic Engineer			X



## ASSUMPTIONS & CLARIFICATIONS

1. The new classrooms will be DSA Pre-checked portable units and will be procured separately by District.
2. It is assumed the new buildings will sit on elevated wood foundations, foundation and ramp to be designed by the building vendor.
3. Water, sewer, electrical, data, low voltage, fire alarm services will be extended from the existing on-site utilities within the project site (service/system upgrades or new services are not included).
4. Fire sprinklers are excluded.
5. Fire alarm will be interconnected to the main panel located on site.
6. Landscaping design and tree protection are excluded.
7. No work other than the scope of work specifically identified in this proposal is included.
8. Design services related to building structures are excluded from this proposal.
9. Design responsibility, inspection, site observation, final verified reports for the portable buildings will be delegated to the portable building vendor; this item is excluded from DCA's scope.
10. District will provide most recent DSA-approved drawings for this site, showing compliance with accessibility, fire/life safety, restroom fixture count.
11. District will provide a geotechnical report if required for the design work.
12. District will provide a topographic/boundary survey and title report of the project area if required for the design work.
13. District will provide an underground utility survey of the project area if required for the design work.
14. District will be responsible for any required CEQA process.
15. District will be responsible for providing Division 00 and 01 "Front End" specifications.
16. DCA's support services during the bid/construction phase are only advisory in nature; DCA does not provide Construction Management services.
17. DCA will not be responsible for project cost or schedule.
18. DCA will not be responsible for the performance of District vendors or contractors.
19. DCA will not accept responsibility for existing site conditions, deficiencies, violations, hazardous materials, contamination that may exist on the site.
20. DCA will not work with hazardous or contaminated materials.
21. District will be responsible to confirm that no easements or other encumbrances exist within the project area.
22. District will be responsible for all permit, agency or utility company fees.
23. District is advised to investigate any uncertified projects on the site prior to proceeding with the work. DCA can assist the District with certification of old/uncertified projects upon request at T&M rates in effect at the time of the request.
24. DCA's deliverables will be produced in two-dimensional industry-standard drawing format and will be transmitted to District in PDF format.
25. Changes to design requested by District after substantial completion of design will incur additional cost at T&M rates in effect at the time of the requested change.
26. Any other services not specifically included above will incur additional cost at T&M Rates in effect at the time.
27. The construction duration is assumed to be 8 weeks; if this is extended, DCA will be entitled to an additional \$2,200 per week.

28. DCA provides the following standard insurance coverages; if additional coverages are requested by District, they will be provided upon acceptance by District of additional premium:
- a. General Liability: \$1 mm per occurrence/\$2 mm aggregate/\$1mm umbrella
  - b. Automobile Liability: \$1 million per occurrence/\$1mm umbrella
  - c. Workers Comp: \$1mm policy limit (per statute)
  - d. Professional Liability: \$2 million per occurrence/\$2 million aggregate

ACCEPTANCE OF THIS AGREEMENT

GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT

DERMI CASTELLANOS ARCHITECTS

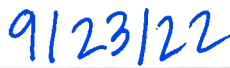
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(Signature of Client or Authorized Representative)

  
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(Signature of Authorized Representative)

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(Printed Name and Title)

  
\_\_\_\_\_  
(Printed Name and Title)

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(Date)

  
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(Date)



Lake Canyon Ave

Corvey Cir

PROPOSED LOCATION OF THREE  
NEW PORTABLE CLASSROOMS

**DERIVI CASTELLANOS ARCHITECTS**  
 Galt Joint Union Elementary School District  
 Three New Portable Classrooms  
 Lake Canyon Elementary School

**FEE ESTIMATE WORKSHEET**  
 Fee Estimate by: J. Barroso  
 Fee Estimate Date: 9/8/22  
 Revision No.: 0  
 DCA Proposal No.: P22.047

**DELIVERABLES:** Design and construction documents utilizing DSA Pre-checked structures, support during the bid process, construction oversight as required by DSA, project closeout and certification

Phase/Task	Hourly Rate (\$/hr):										DCA Staff Hours	DCA Staff Cost	Consultant Fees	Project Expenses	Total Cost
	Principal Architect	Project Manager	Architect	Cost Estimator	Senior Designer	Drafter	Admin Support	Hours	Cost	Fees					
Review as-built information					2						4	\$670		\$25	\$695
Site review, field measurement					8						8	\$1,160		\$150	\$1,310
Kick-off design mtg w stakeholders		2									2	\$380		\$25	\$405
Schematic Design - sitework		16			40						56	\$8,840		\$25	\$8,865
Schematic Design - floor plan		8			16						24	\$3,840		\$25	\$3,865
SD review mtg w stakeholders		2									2	\$380		\$25	\$405
SD updates		2			8						10	\$1,540		\$25	\$1,565
Construction Docs - sitework only		8			24						32	\$5,000		\$25	\$5,025
Consultant coordination		8									8	\$1,520		\$25	\$1,545
DSA review		8									8	\$1,520		\$100	\$1,620
Bid phase support		8									8	\$1,520		\$100	\$1,620
Construction administration (8 weeks)		32			60						92	\$14,780		\$1,500	\$16,280
Project closeout		2			8						10	\$1,540		\$25	\$1,565
											0	\$0		\$0	\$0
											0	\$0		\$0	\$0
											0	\$0		\$0	\$0
											0	\$0	\$15,840		\$15,840
											0	\$0	\$8,228		\$8,228
											0	\$0	\$14,960		\$14,960
											0	\$0	\$3,168		\$3,168
											0	\$0	\$2,640		\$2,640
											0	\$0	\$0		\$0
											0	\$0	\$0		\$0
											0	\$0	\$0		\$0
Subtotal - Hours:	0	98	0	0	166	0	0	0	0	0	264				
<b>Subtotals - Cost:</b>	<b>\$0</b>	<b>\$18,620</b>	<b>\$0</b>	<b>\$0</b>	<b>\$24,070</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$42,690</b>	<b>\$44,836</b>	<b>\$2,075</b>	<b>\$89,601</b>	

**HOURLY RATE SCHEDULE**  
**Effective January 1, 2022**

The following rate schedule shall be used as a basis for establishing "time-and-materials" compensation:

<b>Partner</b>	\$260.00
 <b><u>ARCHITECTURAL SERVICES:</u></b>	
Sr. Principal Architect	\$240.00
Principal Architect	\$230.00
Architect III	\$210.00
Architect II	\$200.00
Architect I	\$190.00
Project Manager	\$190.00
Design Manager	\$190.00
Designer III	\$160.00
Designer II	\$145.00
Designer I	\$110.00
Design Assistant	\$ 90.00
 <b><u>PROJECT MANAGEMENT/CONSULTING SERVICES:</u></b>	
Chief Operating Officer	\$240.00
Project Executive	\$230.00
Funding Advisor	\$230.00
Director of Engineering	\$230.00
Senior Project Manager	\$210.00
Project Manager	\$190.00
Cost Estimator	\$190.00
Senior Project Coordinator	\$160.00
Project Coordinator	\$145.00
Project Assistant	\$ 90.00
Support Staff	\$ 85.00
Consultants	Actual cost +10%

Reimbursable costs shall be billed at actual cost plus 10% and include reproduction, office consumables, mileage, shipping, telephone, software services, meeting costs, travel time, lodging, other miscellaneous services and expenses required to accomplish the work. Mileage will be reimbursed at the IRS standard mileage rate. These expenses shall not be considered a part of the overall maximum fee. All invoices are due and payable within 30 days of invoice date. All invoices for which payment is not received within 45 days will be assessed a 1.5% per month late charge (18% Annual Percentage Rate). This schedule is subject to adjustment every January 1st.



Galt Joint Union Elementary School District

## Galt Joint Union Elementary School District

1018 C Street, Suite 210, Galt, CA95632  
 209-744 4545 \* 209-744-4553 fax

### Board Meeting Agenda Item Information

<b>Meeting Date:</b> October 19, 2022	<b>Agenda Item: 212.375</b> Board Consideration of Approval of Derivi Castellanos Architects (DCA) Proposal for Architectural Design Services for New Six-Classroom Wing at Valley Oaks Elementary School
<b>Presenter:</b> Lois Yount	<b>Action Item:</b> XX <b>Information Item:</b>

This project entails removing four existing portable classrooms and constructing a new six-classroom building with a teacher workroom, two staff restrooms, and a custodial closet at Valley Oaks Elementary School. The new building will be stick built and sit on a concrete foundation.

Board approval is recommended for architectural design services provided by Derivi Castellanos Architects (DCA).

Services include Schematic Design, Design Development, Construction Documents, Bid Phase Support, DSA Submittal, Construction Administration, and Project Closeout.

Total contract price: \$558,775  
 Funding source: State Facility Modernization Funds

September 24, 2022

DCA #P22.046  
Revision No. 1

Ms. Lois Yount  
Superintendent  
GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT  
1018 C Street, Suite 210  
Galt, CA 95632

Re: Proposal for Architectural Design Services  
New Six-Classroom Wing  
Valley Oaks Elementary School

Dear Ms. Yount:

Thank you for inviting Derivi Castellanos Architects (DCA) to submit this Proposal to assist you with Architectural Design Services related to the above-referenced project.

#### DESCRIPTION OF PROJECT

This project entails removing four existing portable classrooms and constructing a new six-classroom wing with a teacher work room, staff restrooms and a custodial room as indicated on attached Exhibit A. The new classrooms will be 960 square feet each. The new structure will be stick-built and will sit on a concrete foundation at grade. The classrooms will include sinks and cabinetry. New utilities (water, sewer, electrical, data, low voltage) will tie to existing services on-site. A new accessible path of travel will be provided to the new classrooms. If this proposal is accepted, DCA will prepare a set of construction documents for submittal to the Division of State Architect (DSA).

#### SERVICES TO BE PROVIDED BY DCA

As detailed further in this Proposal, DCA will provide the following Architectural Design Services:

- Review as-built information provided by District
- Site review, field-measurement
- Schematic Design documents based on stakeholder input
  - 100% Schematic Design documents for stakeholder review/comment
- Design Development documents based on stakeholder input
  - 100% Design Development documents for stakeholder review/comment
- Construction Documents
  - Overall site plan
  - Site demolition plan
  - Grading plan
  - Underground utilities plan and details
  - 100% Construction Documents for the new structure

- Accessible path of travel to location of the new construction
- Technical Specifications
- Site review by local Fire Authority
- Plan review by DSA
- Final Construction Documents incorporating DSA comments
- Support to District during Bid Phase
- Construction administration/oversight as required by DSA
- Project closeout and certification

**ARCHITECT AND DISTRICT RESPONSIBILITIES**

Architect and District agree that each will provide information and services as described below:

Discipline	By District (if required)	By DCA	Excluded, or not Required
Hazmat Testing	X		
Soils Testing/Clearance	X		
Topographic Survey	X		
Underground Utility Survey	X		
Geotechnical/CGS Study	X		
Inspector of Record (IOR)	X		
Special Inspection & Testing	X		
CEQA Study			X
Traffic Study			X
State Funding/CDE/OPSC Consultant	X		
Educational Specifications	X		
Cost Estimating		X	
Civil Engineering		X	
Storm Water Pollution Prevention Plan			X
Landscape Architecture			X
Portable Building Design (Pre-Check)			X
Structural Engineering		X	
Mechanical/HVAC Engineering		X	
Mechanical/Plumbing Engineering		X	
Fire Sprinklers Design		X	
Electrical Engineering		X	
Low Voltage Systems Design		X	
Fire Alarm Design		X	
Food Service Design			X
Audio/Visual Specifications	X		
Furniture Specifications	X		
LEED/CHPS Coordination			X
3 <sup>RD</sup> Party Commissioning Agent			X
Acoustic Engineer			X



TIMELINE

Architect's proposed timeline is as follows:

• Schematic Design	6 weeks
• Design Development	4 weeks
• Construction Documents	6 weeks
• DSA Review	16 weeks
• Bidding Support	6 weeks
• Construction Phase	36 weeks
• Project Closeout/Certification	4 weeks

If DCA's services are extended beyond the duration shown above by delays of the District or other factors beyond DCA's control, DCA will be entitled to additional compensation to cover additional staff time and expenses.

PRELIMINARY CONSTRUCTION BUDGET

The District has provided a preliminary construction budget for the proposed scope of work at \$5.15 million. This preliminary budget may be adjusted by the District during the design process.

COMPENSATION

The basis of Client payments to DCA shall be Lump Sum by Phase by Percent Complete as set forth below:

Schematic Design	\$111,755
Design Development	\$111,755
Construction Documents	\$139,694
Bid Phase Support	\$13,969
DSA Submittal	\$27,939
Construction Administration*	\$139,694
Project Closeout	\$13,969
Total	\$558,775

Notes:

- The proposed architect compensation for design services is equal to 10.85% of the construction budget and shall be adjusted at the same rate if the construction budget is increased by the District or if the District accepts a Guaranteed Maximum Price higher than the approved construction budget.
- The above figures do not include reimbursable expenses. District will budget \$10,000 for reimbursable expenses.
- Additional Services requested by District shall be provided at T&M rates in effect at time of request.

- d. Assumes all tasks above will be completed in one phase (if project is broken up into multiple phases, or if project is put on hold more than six months, Client will incur additional costs)
- \* Construction duration assumed as 36 weeks, needs to be confirmed

The District will be billed monthly. Invoiced amounts are payable and due within thirty (30) days from receipt of invoice. DCA Hourly Rate Schedule is attached.

#### CLARIFICATIONS & EXCLUSIONS

1. Water, sewer, electrical, low voltage, fire alarm services will be extended from the existing on-site utilities within the project site; new services/service upgrades are excluded.
2. Offsite improvements are excluded.
3. No work other than the scope of work specifically identified in this proposal is included.
4. District will provide most recent DSA-approved drawings for this site, showing compliance with accessibility, fire/life safety, restroom fixture count.
5. District will be responsible for preparing Division 00 and 01 "Front End" specifications.
6. DCA's support services during the bid/construction phase are only advisory in nature; DCA does not provide Construction Management services.
7. DCA will not be responsible for project cost or schedule.
8. DCA will not be responsible for the performance of District vendors or contractors.
9. DCA will accept no responsibility for existing site conditions, deficiencies, violations, hazardous materials, contamination that may exist on the site.
10. DCA will not work with hazardous or contaminated materials.
11. District will be responsible to confirm no easements or other encumbrances exist within the project area.
12. District will be responsible for any permit, agency or utility company fees.
13. District is advised to investigate any-and-all uncertified projects on this site prior to proceeding with this work. DCA can assist the District with certification of old/uncertified projects upon request at T&M rates in effect at the time of the request.
14. DCA's deliverables will be produced in two-dimensional industry-standard drawing format and will be transmitted to District in PDF format.
15. Changes to design requested by District after substantial completion of design will incur additional cost at T&M rates in effect at the time of the requested change.
16. Any other services not specifically included above will incur additional cost at T&M Rates in effect at the time of the request.
17. The construction duration is assumed to be 36 weeks; if this is extended, DCA will be entitled to an additional \$3,900 per week.
18. It is assumed this project will be submitted as one package to DSA; if it is submitted as more than one package (increment), DCA will be entitled to an additional \$15,000 per increment.
19. DCA provides the following standard insurance coverages; if additional coverages are requested by District, they will be provided upon acceptance by District of additional premium:
  - a. General Liability: \$1mm per occurrence/\$2 mm aggregate/\$1mm umbrella
  - b. Automobile Liability: \$1 million per occurrence/\$1mm umbrella
  - c. Workers Comp: \$1mm policy limit (per statute)
  - d. Professional Liability: \$2 million per occurrence/\$2 million aggregate

ACCEPTANCE OF THIS PROPOSAL

GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT

DERIVI CASTELLANOS ARCHITECTS





09/29/2022

(Signature of Client or Authorized Representative)

(Signature of Authorized Representative)

*Lois Yant, Superintendent*

**Christopher R. Brown, Chief Operating Officer**

(Printed Name and Title)

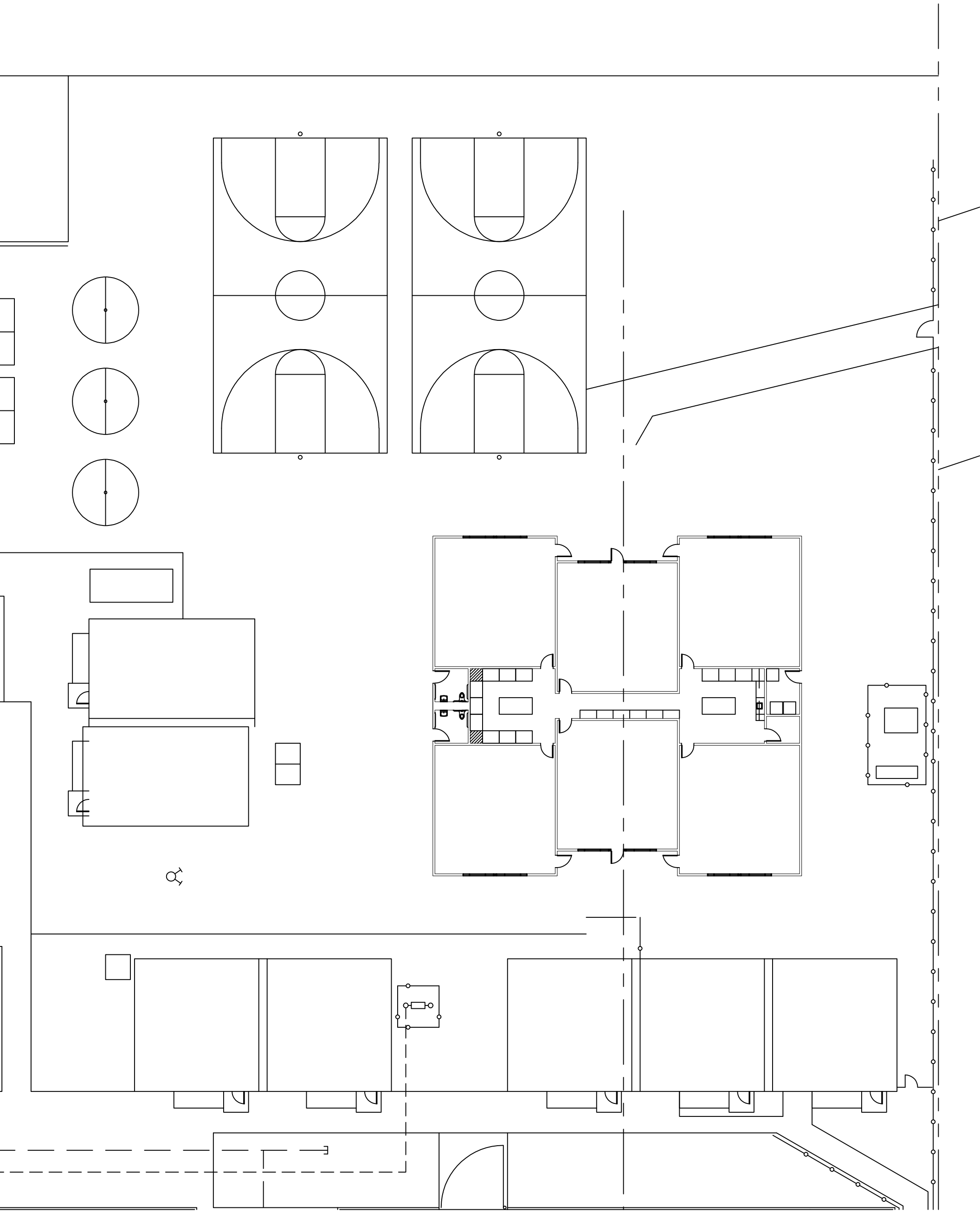
(Printed Name and Title)

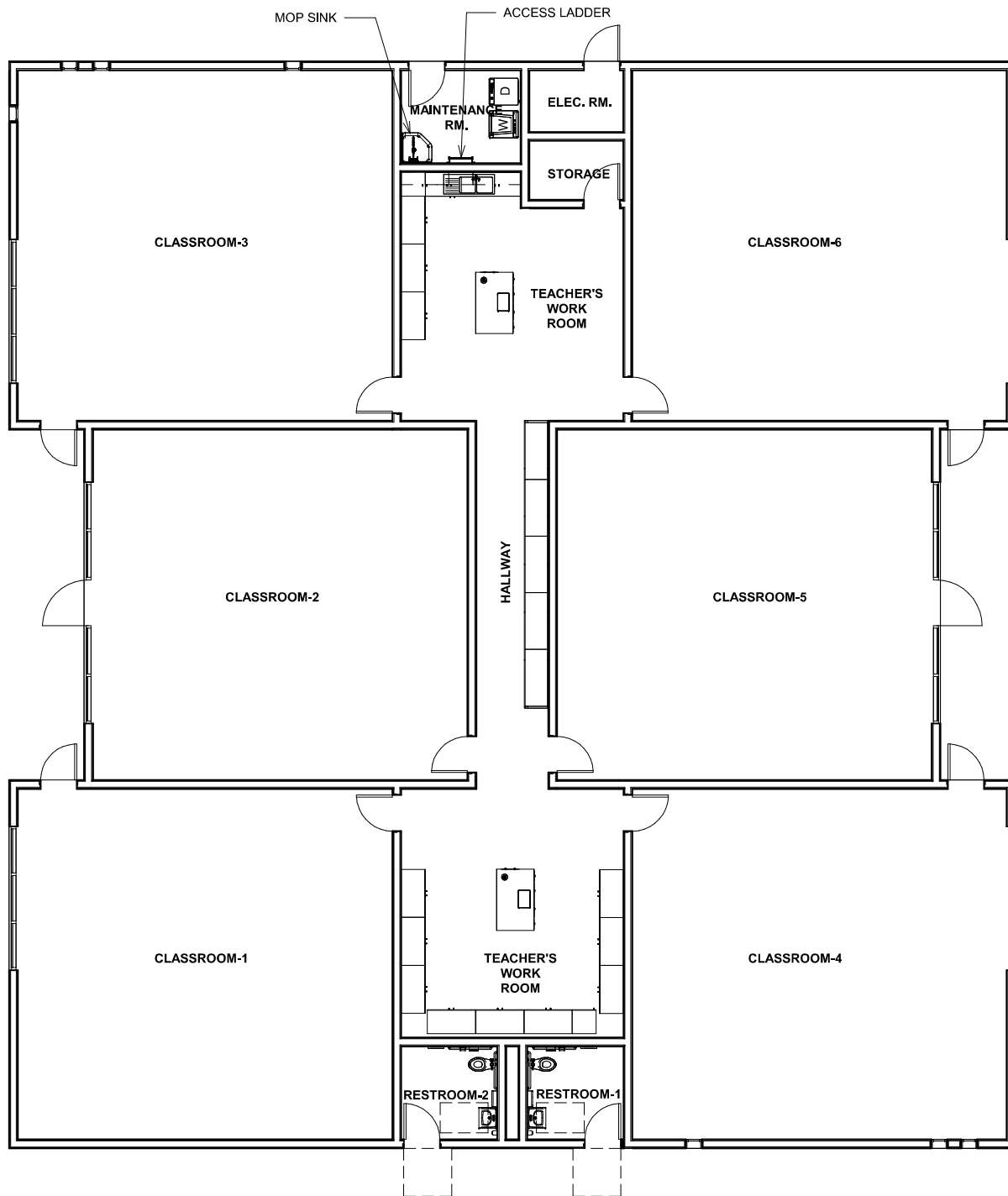
9/29/22

(Date)

(Date)

"Exhibit A"





1 **FINISH FLOOR**  
SCALE: 1/8" = 1'-0"



HOURLY RATE SCHEDULE  
Effective January 1, 2022

The following rate schedule shall be used as a basis for establishing "time-and-materials" compensation:

Partner	\$260.00
<u>ARCHITECTURAL SERVICES:</u>	
Sr. Principal Architect	\$240.00
Principal Architect	\$230.00
Architect III	\$210.00
Architect II	\$200.00
Architect I	\$190.00
Project Manager	\$190.00
Design Manager	\$190.00
Designer III	\$160.00
Designer II	\$145.00
Designer I	\$110.00
Design Assistant	\$ 90.00
<u>PROJECT MANAGEMENT/CONSULTING SERVICES:</u>	
Chief Operating Officer	\$240.00
Project Executive	\$230.00
Funding Advisor	\$230.00
Director of Engineering	\$230.00
Senior Project Manager	\$210.00
Project Manager	\$190.00
Cost Estimator	\$190.00
Senior Project Coordinator	\$160.00
Project Coordinator	\$145.00
Project Assistant	\$ 90.00
Support Staff	\$ 85.00
Consultants	Actual cost +10%

Reimbursable costs shall be billed at actual cost plus 10% and include reproduction for client deliverables, office consumables, mileage, shipping, telephone, software services, meeting costs, travel time, lodging, other project-specific services and expenses required to accomplish the work. Mileage will be reimbursed at the IRS standard mileage rate. These expenses shall not be considered a part of the overall maximum fee. All invoices are due and payable within 30 days of invoice date. All invoices for which payment is not received within 45 days will be assessed a 1.5% per month late charge (18% Annual Percentage Rate). This schedule is subject to adjustment every January 1st.



## 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> October 19, 2022	<b>Agenda Item: 212.376</b> Board Consideration of Approval of the Galt Joint Union Elementary School District PUBLIC NOTICE / "SUNSHINE" Proposal to the Galt Elementary Faculty Association (GEFA) Regarding Compensation
<b>Presenter:</b> Lois Yount	<b>Action Item:</b> XX <b>Information Item:</b>



## 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> October 19, 2022	<b>Agenda Item: 212.377</b> Board Consideration of Approval of the Galt Joint Union Elementary School District PUBLIC NOTICE / "SUNSHINE" Proposal to the Classified Schools Employee Association (CSEA), Galt Chapter #362 Regarding Compensation
<b>Presenter:</b> Lois Yount	<b>Action Item:</b> XX <b>Information Item:</b>





Galt Joint Union Elementary School District

## Galt Joint Union Elementary School District

1018 C Street, Suite 210, Galt, CA95632  
 209-744 4545 \* 209-744-4553 fax

### Board Meeting Agenda Item Information

<p><b>Meeting Date:</b> October 19, 2022</p>	<p><b>Agenda Item: 212.378</b>          Board Consideration of Approval of Memorandum of Understanding Between Galt Joint Union Elementary School District and Galt Elementary Faculty Association (GEFA) Regarding new Teacher Pre-In-Service Days</p>
<p><b>Presenter:</b> Lois Yount</p>	<p><b>Action Item:</b> XX  <b>Information Item:</b></p>

The Galt Joint Union Elementary School District and the Galt Elementary Faculty Association (GEFA) have a one-time, tentative Memorandum of Understanding (MOU) regarding new teacher pre-in-service days.

With this MOU, newly hired teachers who attended two pre-in-service orientation days on August 4 and 5, 2022, shall be paid their daily rate for these two days.

Following current contract language Article VI: Workyear; new teachers work an additional two days of pre-in-service orientation. Their daily rate is defined as their placement on the salary schedule divided by 188 days.

Board approval is recommended for this one-time MOU.


Cost: \$10,400  
 Funding source: LCFF

**Memorandum of Understanding Between  
Galt Joint Union Elementary School District (District)  
And  
Galt Elementary Faculty Association (GEFA)  
Regarding New Teacher Pre-In-Service Days**

The Galt Joint Union Elementary School District (District) and the Galt Elementary Faculty Association (GEFA) enter into this Memorandum of Understanding (MOU) regarding new teacher pre-in-service days.

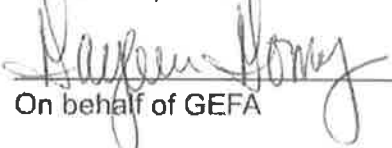
Newly hired teachers who attended two pre-in-service orientation days on August 4 and 5, 2022 shall be paid their daily rate for these two days.

This agreement is a one-time agreement and is a non-precedent setting. This MOU shall remain in full effect starting July 1, 2022 through June 30, 2023.

Date: 9/21/22  
  
On behalf of the District

Name Lois Yount

Title Superintendent

Date: 9/21/22  
  
On behalf of GEFA

Name Gayleen Gomez

Title GEFA President



## Board Meeting Agenda Item Information

<b>Meeting Date:</b> October 19, 2022	<b>Agenda Item: 212.379</b> Public Notice From Galt Elementary Faculty Association (GEFA) [PUBLIC NOTICE / “SUNSHINE”] to Galt Joint Union Elementary School District <ul style="list-style-type: none"> <li>• Article V – Hours</li> <li>• Article XIII – Class Size</li> <li>• Article XVIII – Salary</li> </ul>
<b>Presenter:</b> Lois Yount	<b>Action Item:</b> <b>Information Item:</b> XX

The Galt Elementary Faculty Association (“GEFA”) hereby presents its initial PUBLIC NOTICE “sunshine” statement in order to inform the public of matters which will be negotiated between the GEFA and the Galt Joint Union Elementary School District.

GEFA will propose contract language in the following articles:

- Article V - Hours
  - To negotiate language that provides positive working conditions for educators
- Article XIII - Class Size
  - To negotiate for class size limits that support student learning
- Article XVIII - Salary
  - To negotiate a competitive compensation package that recruits and retains the best staff for GJUESD students

## ARTICLE V

### HOURS

- A. The normal workday for all teachers shall be seven (7) hours.
- B. The normal teacher workday shall include a duty-free lunch period of at least thirty (30) minutes, or equivalent to the student lunch period, and provision shall be made for a morning relief period.
- C. Adjunct Duty
1. The District recognizes that teachers participate in adjunct duties, duties that extend beyond the normal work day, on an assigned and/or voluntary basis. Teachers are responsible for adjunct duties, when mandated by District and/or site, for a maximum of five (5) additional non-compensated hours per month.
  2. SCOE Teacher Inductions participants, teachers involuntarily placed in PAR, GEFA president and bargaining chair, and teachers participating in the Sly Park Outdoor Learning or Washington D.C. field trip are excused from non-compensated committee work. The teachers must participate in staff meetings, required trainings, Open House, Back to School Night, SST/MTSS/IEP meetings.
  3. For effective use of District and/or site mandated hours, and to avoid any scheduling conflicts, each school shall designate a place for posting mandated activities.
  4. Activities shall be planned as far in advance as possible, and except for emergency situations, teachers shall be notified at least forty-eight (48) hours in advance.
  5. Adjunct duties that count towards the five (5) hour adjunct duty limit include, Open House, Back-to-School Night, staff meetings (outside the contract day), SSTs/MTSS meetings (outside the contract day), IEP meetings (outside the contract day), non-compensated committee work, non-compensated staff development, and parent informational/activity events. Other activities may be considered with prior administrator approval. Once the five (5) hour adjunct duty limit is met, teachers shall be compensated at the adjunct duty rate for mandatory duties that exceed the five (5) hour limit.

6. Adjunct duties that do not count toward the five (5) hour adjunct duty limit include Parent Conferences, Red Flag Conferences, Report Card preparation, any compensated committee work and compensated staff development activities. Information regarding staff development activities shall include teacher compensation and time expectations. Compensation includes either:
  - a) a stipend designed for a specific staff development activity,
  - b) the Adjunct Duty rate for mandatory site and/or District staff development that extends beyond the regular work day or,
  - c) application of the hours to District Salary Schedule credit.
7. Certificated staff required to participate in Open House, Back to School Night, and Parent Conferences will not be required to attend any site or District level meetings scheduled the day before or the day(s) on which the activity takes place. Certificated Staff required to complete report cards will not be required to attend district or site level meetings beyond the contract day during the last week of each trimester and the following week.
8. Five (5) "minimum days" shall be scheduled for parent conferences in grades 1 through 8. In years in which MTYRE is in place and the MTYRE calendar is one-hundred seventy-seven (177) instructional days or longer, the instructional day shall not exceed 4.5 hours per day during Parent Conference Week. During the middle school conferences, the instructional day shall not exceed 4.75 hours.  
In years in which the MTYRE calendar is one-hundred seventy-six (176) instructional days or less, daily instruction shall end following the regular modified Wednesday dismissal time.
9. On those days when teachers are required to return for Open House and Back to School Nights, teachers shall be permitted to leave school after students have left for the day.
10. Teachers shall attend up to ninety (90) minutes per site, per event for Back to School and Open House Nights.

11. Compensation shall be provided for the following additional adjunct duties:
    - a) Extended Day Teaching. Participants will receive the hourly adjunct duty rate.
    - b) SCOE Teacher Induction Mentors will receive an honorarium.
    - c) Coaching intramural and/or interscholastic sports. Stipend will be determined by site.
    - d) Club Advisors. Clubs must be sanctioned by the site administration. Stipends shall be determined by sites.
    - e) 1. Independent Study:  
TK-6 Teachers administering Independent Study shall be compensated at a rate of two (2) hours of adjunct duty per Independent Study Contract.  
2. For 7-8 and Special Ed Teachers, the two (2) hours of adjunct duty pay, per contract, shall be prorated among the core subject teachers (Language Arts, Math, Social Studies and Science).
    - f) Two (2) hours of adjunct-duty shall be paid to TK-6 teachers and .5 hours to 7-8 teachers for every ten (10) consecutive days of work prepared for the home-hospital program (effective upon contract ratification).
  12. All positions receiving compensation shall be posted.
  13. All adjunct duties that receive compensation (stipend, adjunct duty rate, and or District credit) are not considered part of the five (5) hour adjunct duty limit.
- D. On the day prior to Thanksgiving, Winter, and Spring recess, teachers shall be permitted to leave after students have departed the school property.
- E. 1. Instructional planning/preparation time at the middle school site(s) shall be provided to each regular education classroom teacher within the regular student-contact time. Preparation time provided shall be equivalent to one period per day. All other teachers shall build equivalent preparation time into their schedule. In the event preparation time is not taking place; teachers shall work with the school principal to ensure preparation time is provided.

2. a) Classroom teachers (grades 4-6) shall be provided with one-hundred five (105) minutes of teacher preparation time weekly during their student-contact time. Classroom teachers (grades 4-6) shall be provided with an additional sixty (60) minutes of teacher preparation time per four (4) week period, during student contact time, with no individual preparation period being less than thirty (30) minutes in length. Classroom teachers (grades 1-3) shall be provided with seventy (70) minutes of teacher preparation time weekly during their student-contact time.
- b) Part-time teachers shall be provided preparation time on a prorated basis. All other teachers shall build equivalent preparation time into their schedule. In the event preparation time is not taking place for Special Education teachers, they shall work with the school principal to ensure that preparation time is provided.
3. The principal and all teachers at each elementary site shall determine the methods to be used for equitable scheduling of preparation time. Monday preparation time shall be rotated among teachers at all grade levels of a school on an annual basis.
4. a) A teacher, who is unable to receive his/her preparation time because of the absence of a specialist teacher, shall be provided with equivalent 'make-up' time within thirty (30) days. A 'make-up' schedule shall be determined by mutual agreement of the site principal and the teacher.
- b) A teacher who is unable to receive his/her preparation time because of the absence of a specialist teacher, within thirty (30) days, shall be compensated at the current adjunct duty hour rate, on a pro-rated basis.
- c) Make up preparation time shall not be made up or compensated for the following:

- short work week
- holiday
- parent conference
- minimum day
- staff development days

5. On scheduled non-student contact workdays, teachers shall receive a minimum of thirty-five (35) minutes for preparation time.

F. Preparation Teachers

Preparation teachers may be assigned a maximum of thirty-six (36) instructional periods per week with adequate passing time of up to five (5) minutes between preparation periods. Preparation teachers shall be entitled to their own preparation time same as provided for primary grades teachers seventy (70) minutes per week, to be built into their schedule, with no individual preparation period being less than thirty (30) minutes.

Adequate travel time between sites shall be built into the work day for those preparation teachers who are assigned to more than one site in a day.

- G. 1. School Psychologist shall work eight (8) hours per day.
  - a) A lunch break to provide a minimum of thirty (30) minutes.
  - b) A fifteen (15) minute break, twice a day.
2. School Psychologist shall attend faculty meetings when requested by the principal.
3. School Psychologist shall attend additional meetings of nursing staff, grade level, special education, county workshops and other related health agencies as required.
4. School Psychologist shall work a two hundred (200) day school year commensurate with the approved school calendar.
5. It is expected each School Psychologist will make appropriate long-range plans for her/his professional duties.



- H. 1. Nurses shall work eight (8) hours per day.
  - a) A lunch break to provide a minimum of thirty (30) minutes.
  - b) A fifteen (15) minute break, twice a day.
- 2. Nurses shall attend faculty meetings when requested by the principal.
- 3. Nurses shall attend additional meetings of nursing staff, grade level, special education, county workshops and other related health agencies as required.
- 4. Nurses shall work a one-hundred eighty-five (185) day school year commensurate with the approved school calendar.
- 5. It is expected each nurse will make appropriate long-range plans for her/his professional duties.

- I. 1. Dismissal on Modified Wednesdays for elementary schools will be ninety (90) minutes less than the regular school day.

Dismissal on Modified Wednesdays for middle schools will be one-hundred five (105) minutes less than the regular school day.

- 2. Modified Wednesdays include ninety (90) minutes per week that are set aside for grade-level or department planning and collaboration. The agenda for this collaboration time will be set by the grade level or department. Minutes/notes shall be made available to administration. Specialists will be given the flexibility to meet with site/district grade-level or department teams.
- 3. When a fifth Wednesday occurs, excluding the first month of school, it shall be used for District articulation purposes. Activities extending beyond the regular work day shall be included in the six (6) hour adjunct duty limit.

J. Kindergarten/Transitional-Kindergarten Hours

- 1. In addition to their regularly scheduled student contact time, kindergarten/transitional-kindergarten teachers shall be required to provide a minimum of ninety (90)

minutes of support per day (Monday, Tuesday, Thursday, and Friday) to a partner teacher (regardless of sharing a classroom). In the event that there is no partner teacher to provide support, the school will provide an instructional assistant for ninety (90) minutes. In return, the kindergarten/transitional-kindergarten teacher receiving IA support shall provide ninety (90) minutes of instructional support (M, T, Th, F) to the school.

2. The contract day for all kindergarten/transitional-kindergarten teachers will begin five (5) minutes prior to the AM student-contact time.

K. All Day Kindergarten/Transitional-Kindergarten

The District may offer all-day Kindergarten/Transitional-kindergarten at a school site. Teaching positions filled shall be on a voluntary basis. No teacher shall be involuntarily transferred or reassigned to teach in a full-day Kindergarten/Transitional-kindergarten class. All-day Kindergarten/Transitional-kindergarten teachers shall receive the same preparation periods, lunch periods, and recess breaks as provided for grades 1-3 teachers.

L. Minimum Days

1. Two additional minimum days will be added to the calendar to coincide with the dates in which Report Cards are due to the school office for the First and Second Trimester. Dismissal on these dates will be 1:00 p.m. for elementary schools and 1:15 p.m. for middle schools.
2. Dismissal on the minimum day on the last day of school will be 1:00 p.m. for elementary schools and 1:15 p.m. for middle schools.

- M. 1. Upon the absence of a teacher, and in the event the administrator is unable to cover the position, teachers needed to substitute for one (1) hour or more shall be compensated in the following manner:

- a) Kindergarten/Transitional-kindergarten teachers needed to serve as a substitute for another Kindergarten/transitional-kindergarten teacher shall be compensated with substitute pay at the  $\frac{1}{2}$  day rate and provided a duty-free lunch.
- b) Kindergarten/Transitional-kindergarten through sixth grade teachers needed to serve in the absence of a teacher for which there is no substitute shall be compensated the substitute rate that would have been paid. Should more than one teacher serve a class in the absence of a substitute, then the substitute rate shall be divided equally among the teachers providing instruction.

ARTICLE XIII

CLASS SIZE

A. Class sizes are limited to the following:

1. Elementary:

-TK-3- not to exceed 21 per classroom.

-4-6 - 30 per class

-P.E. classes in grades first through third may have 40 students per class if accompanied by an aide.

2. Middle School

- an average of 32 students over five (5) periods no class shall exceed 34 students

- an average of 45 students per P.E. class

- an average of 35 for band and choir class

3. Special Education

Special-Day caseload is not to exceed twenty (20) students. If this class size is exceeded, the teacher will choose from the compensation options listed below.

All Special-Day Classes will be staffed with no less than one 1) Special Education Instructional Assistant. (SPED IA)

Moderate/Severe:

TK-8: will maintain a 1:7 adult: student ratio

Mild/Moderate:

Elementary: will maintain a 1:8 adult: student ratio

Middle School: will maintain a 1:9 adult: student ratio

Specially-assigned SPED IAs and the students they assist shall not count in the adult: student ratios.

Resource Specialist Program (RSP) caseloads will be limited to twenty-eight (28) students per Federal Regulations.

4. Compensation

In grades TK-8 if class size limits are exceeded for ten (10) or more days the affected teachers will choose one of the following options:

- a. compensation of one-hundred fifty dollars (\$150) per month
- b. one (1) full sub day per month for planning and preparation
- c. another mutually agreed upon solution between the administrator and teacher/s

5. Speech-Language Pathologist

TK-8: Workload shall not exceed 55 per FTE Speech-Language Pathologist.

Preschool: Workload shall not exceed 40 per FTE Speech-Language Pathologist.

"Workload" is defined as a weighted caseload based upon qualifying disability (I.E.P.), participation in a speech improvement program, and intensiveness of services provided as determined by completion of the Workload Analysis spreadsheet.

Each SLP shall update his/her workload on 11/1 and 3/1, and will provide an estimated workload for the following school year by 6/1.

A workload can only exceed these limits if agreed upon by the SLP, Site Administrator, and the Director of Special Education (or designee).

If workload is exceeded, then the Speech Improvement Program (SIP) cases will be evaluated by the SLP, Site

Administrator and/or the Director of Special Education (or designee). Such evaluation will determine when some of the SIP students can be removed from the SLP workload.

B. Mainstream

1. The principal, teachers, and special education teachers shall meet to determine student mainstreaming needs prior to regular education class sizes or class lists being finalized.
2. Elementary students who are mainstreamed for fifty (50%) or more of the school day, without the support of an IA, shall normally be considered in the regular-education class size, but be included on the special-education caseload.
3. Elementary and Middle School SDC students, who are accompanied in the classroom by an instructional assistant or teacher and for whom the special-education teacher is responsible for assessment and/or PLP/report card, shall not be included in the regular education class size.
4. Attempts will be made by the principal and affected teachers at each site to work out problems that may occur.
5. If the above is not successful, GEFA/District representatives shall assist the principal and affected teachers in developing solutions.
6. If the above efforts do not resolve the difference, then the following shall apply. Mainstream students shall be enrolled in regular education classes if they meet all of the following requirements:
  - a. Funded by Special Education
  - b. Require collaboration between classroom and special education teachers
  - c. Spend at least ninety (90) minutes or more per day, at Elementary Sites or one (1) period or more at Middle School, of core academic time based on required IEP modifications/integrations in one (1) or more of the following subject areas:
    - Language Arts
    - Mathematics

- Social Studies
- Science/Health

C. District and Association representatives shall meet as necessary to review issues affecting Sections A. - C. including but not limited to:

- Students
- Classroom teachers
- Budgetary concerns
- Classroom availability
- District resources
- Special Education program
- State funding
- Number of minutes

ARTICLE XVIII

SALARY

- A. Salary:  
Refer to current salary schedules in Appendix A.
- B. Teachers must be in a paid status at least seventy-five percent (75%) of the previous work year in the District to be eligible for step advancement and/or credit towards longevity.
- C. Any teacher may apply for any compensated extra service offered by the District.
- D. The District shall mail June/July or off-track teacher salary warrants to the address provided by the teacher.
- E. Teachers shall be eligible for step advancement, on a prorated basis, if they are employed for no less than the equivalent of one-hundred percent (100%) of a full-time employment contract over two consecutive years.
- F. Teachers shall receive an additional \$1000 for a Masters Degree per year.
- G. Effective July 1, 2019, and prospectively, longevity increments for years of service only with the District shall be set as stipends rather than percentage increments as follows:
- 16-19 years of District service: \$975.00 earned in the 16<sup>th</sup> year and until year 20
  - 20-24 years of District service: \$1,200.00 earned in the 20<sup>th</sup> year until year 25
  - 25-29 years of District service: \$1,400.00 earned in the 25<sup>th</sup> year until year 30.
  - 30-plus years of District service: \$1,600.00 earned in the 30<sup>th</sup> year.



The unit member shall receive the longevity incentive included in salary.

This prospective modification of longevity steps for District service is mutually negotiated by the District and GEFA pursuant to Education Code section 45028, subdivisions (a)(1) and Government Code section 3543.2 subdivisions (d) and (e).

**APPENDIX A**

GALT JOINT UNION SCHOOL DISTRICT  
SALARY SCHEDULES

CERTIFICATED  
2022-2023

STEPS	CLASS I BA	CLASS II BA + 30	CLASS III BA + 45	CLASS IV BA + 60	CLASS V BA + 75	CLASS VI BA + 90
1	46,569	48,432	50,369	52,384	54,479	
2	48,432	50,369	52,384	54,479	56,658	
3	50,369	52,384	54,479	56,658	58,924	
4	52,384	54,479	56,658	58,924	61,281	
5	54,479	56,658	58,924	61,281	63,733	
6	56,658	58,924	61,281	63,733	66,282	
7		61,281	63,733	66,282	68,933	
8		63,733	66,282	68,933	71,691	
9			68,933	71,691	74,558	
10			71,691	74,558	77,541	
11				77,541	80,642	
12				80,642	83,868	
13						92,786
15						93,946
18						95,120
21						96,309
24						97,513
27						98,732

Board Approved 01/26/2022

Masters: \$1,000

Effective July 1, and prospectively, longevity increments for year of service only with the District shall be set as follows:

- 10-15 Years of District Service: \$750
- 16-19 Years of District Service: \$975
- 20-24 Years of District Service: \$1200
- 25-29 Years of District Service: \$1400
- 30-plus Years of District Service: \$1600

The unit member shall receive the longevity incentive included in salary.

\$1,000 stipend to the following: Special Education Resource Specialist, Special Day Class Teacher, TK-6<sup>th</sup> Grade Combination Teacher

\$2,500 stipend to the following: BCLAD teachers teaching in the Transitional Bilingual Program, BCLAD teachers teaching in the Dual Language Immersion Program, Bilingual Preschool teachers teaching in the Dual Language Immersion Program

CHILD CENTER PERMIT  
2022-2023

**CLASS 1**

Child Development Associate Teacher Permit or Child Development Teacher Permit

STEPS		75% Equivalent
1	37,283	27,962
2	38,775	29,081
3	40,326	30,245
4	41,939	31,454
5	43,617	32,713
6	45,362	34,022
7	47,176	35,382
8	49,063	36,797
9	51,026	38,270
10	53,067	39,800

**CLASS 2**

Child Development Master Teacher Permit or Child Development Site Supervisor Permit

STEPS		75% Equivalent
1	38,775	29,081
2	40,326	30,245
3	41,939	31,454
4	63,617	32,713
5	45,362	34,022
6	47,176	35,382
7	49,063	36,797
8	51,026	38,270
9	53,067	39,800
10	55,190	41,393

**CLASS 3**

Bachelor (BA) of Child Development with Master Teacher or Site Supervisor Permit or Site Director

STEPS		75% Equivalent
1	40,326	30,245
2	41,939	31,454
3	43,617	32,713
4	45,362	34,022
5	47,176	35,382
6	49,063	36,797
7	51,026	38,270
8	53,067	39,800
9	55,190	41,393
10	57,398	43,049

Masters: \$1,000

Continuing Education Units - One-time bonus of 5% of annual salary for 15 units, limited to 4 times.

10-14 Years \$500

15-19 Years \$1,000

20-24 Years \$1,500

25 + Years \$2,000

- A. The work year for Child Center Permit (CCP) Teachers shall be one hundred seventy-nine (179) days.
- B. CCP Teachers shall cover for each other's absences whenever possible.
- C. CCP teachers shall be eligible for seventy-five percent (75%) benefit coverage based on the current five and one-quarter (5.25) hour workday.
- D. The State Preschool Program shall be self-supporting.

LANGUAGE, SPEECH AND HEARING SPECIALIST  
2022-2023

<i>Steps</i>	<i>Class I BA</i>	<i>Class II BA+30</i>	<i>Class III BA+45</i>	<i>Class IV BA+60</i>	<i>Class V BA+75</i>	<i>Class VI BA+90</i>
1	50,250	52,260	54,350	56,524	58,785	
2	52,260	54,350	56,524	58,785	61,137	
3	54,350	56,524	58,785	61,137	63,582	
4	56,524	58,785	61,137	63,582	66,126	
5	58,785	61,137	63,582	66,126	68,771	
6	61,137	63,582	66,126	68,771	71,521	
7		66,126	68,771	71,521	74,382	
8		68,771	71,521	74,382	77,358	
9			74,382	80,452	83,670	
10			77,358	80,452	83,670	
11				83,670	87,017	
12				87,017	90,497	
13						100,121
15						101,372
18						102,639
21						103,922
24						105,221
27						106,537

Approved by the Board on 01/26/2022

Effective July 1, 2019, and prospectively, longevity increments for years of service only with the District shall be set as follows:

10-15 Years of District Service:	\$750
16-19 Years of District Service:	\$975
20-24 Years of District Service:	\$1200
25-29 Years of District Service:	\$1400
30-plus Years of District Service:	\$1600

The unit member shall receive the longevity incentive included in salary.

PSYCHOLOGIST  
2022-20223

	<b>BA</b>	<b>BA+45</b>	<b>BA+60</b>	<b>BA+75</b>	<b>BA+90</b>
1	64,180	72,150	74,314	76,544	
2	65,785	74,314	76,544	78,840	
3	67,429	76,544	78,840	81,205	
4	69,115	78,840	81,205	83,641	
5	70,843	81,205	83,641	86,151	
6	72,614	83,641	86,151	88,735	
7		86,151	88,735	91,397	
8		88,735	91,397	94,139	
9		91,397	94,139	96,963	
10		94,139	96,963	99,872	
11			99,872	102,868	
12			102,868	105,954	
13					111,252
15					112,643
18					114,051
21					115,476
24					116,920

Approved by the Board on 01/26/2022

Masters: \$1,000

Effective July 1, 2019, and prospectively, longevity increments for years of service only with the District shall be set as follows:

- 10-15 Years of District Service: \$750
- 16-19 Years of District Service: \$975
- 20-24 Years of District Service: \$1200
- 25-29 Years of District Service: \$1400
- 30-plus Years of District Service: \$1600

The unit member shall receive the longevity incentive included in salary.





## Board Meeting Agenda Item Information

<b>Meeting Date:</b> October 19, 2022	<b>Agenda Item: 212.380</b> Board Consideration of Approval of Board Policies, Administrative Regulations, Bylaws, and Exhibits
<b>Presenter:</b> Lois Yount Cabinet Members	<b>Action Item:</b> XX <b>First Reading:</b>

A first reading of the following CSBA sample Board Policies (BP), Administrative Regulations (ARs), Bylaws (BB) and Exhibits was held on September 21, 2022.

\*The Board directed the superintendent to:

- Edit language in AR 5141.31 Immunizations; Required Immunizations, item number 7.
- Attach the Education Code requirement (EC 35292.6) to AR/E 3517 Facilities Inspection to affirm the notice regarding menstrual products.

### Educational Services

1. AR/E 1312.4 Williams Uniform Complaint Procedures
2. BP/AR 6173.1 Education for Foster Youth
3. \*BP/AR 5141.31 Immunizations

### Business Services

4. BP 3110 Transfer of Funds
  - Delete AR 3110 Transfer of Funds
5. BP/AR 3523 Electronic Signatures
6. BP/AR 3550 Food Service Child Nutrition Program
7. BP/AR 3551 Food Service Operations Cafeteria Fund
8. BP/AR 3553 Free and Reduced-Price Meals

### Curriculum

9. BP/AR 4112.2 Certification

### Superintendent

10. \*AR/E 3517 Facilities Inspection
  - Delete BP 3517 Facilities Inspection
11. BP/AR 4144 Complaints
12. BB/E 9270 Conflict of Interest
13. BP/AR 6163.2 Animals at School

## **EDUCATIONAL SERVICES**

- 1. Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures 1-6**  
Regulation updated to reflect NEW STATE REGULATIONS (Register 2020, No. 21) which amends the definition of "beginning of the year or semester" and NEW LAW (AB 367, 2021) which requires any school serving any of grades 6-12 to, at all times, stock and make available and accessible free of cost an adequate supply of menstrual products in specified restrooms beginning with the 2022-23 school year. The regulation was also updated to clarify that the principal or Superintendent's designee is required to send a written resolution of the complaint to the mailing address of the complainant when the complainant has indicated on the complaint form a desire to receive a response to the complaint.

**Exhibit (2) 1312.4 - Williams Uniform Complaint Procedures 7-8**  
Exhibit updated to include that, for a school that serves any of grades 6-12, a complaint may be filed for failure to, at all times, stock and make available and accessible free of cost an adequate supply of menstrual products in specified restrooms, as required by NEW LAW (AB 367, 2021).
- 2. Board Policy 6173.1 - Education for Foster Youth 9-10**  
CSBA updated its policy on 12/1/13

**Administrative Regulation 6173.1 - Education for Foster Youth 11-17**  
Regulation updated to reflect NEW LAW (AB 1055, 2021) which modified the definition of "foster youth" to include a dependent child of a court of an Indian tribe, consortium of tribes, or tribal organization and includes the definition of "foster youth" as specified in law. The regulation was also updated to make clarifying changes to the responsibilities of the district liaison for foster youth.
- 3. Board Policy 5141.3 Immunizations 18-19**  
CSBA updated Policy and Administrative Regulation on 12/1/20. GJUESD last updated it on 2/23/11. It is referenced in AR 6173.1, Education for Foster Youth.

**Administrative Regulation 5141.3 Immunizations 20-24**  
CSBA updated Policy and Administrative Regulation on 12/1/20. GJUESD last updated it on 2/23/11. It is referenced in AR 6173.1, Education for Foster Youth.

## **BUSINESS SERVICES**

- 4. Board Policy 3110 - Transfer of Funds 25-26**  
Policy updated to delete authorization for the temporary transfer of funds which only pertained to the 2020-21 and 2021-22 fiscal years.

**Administrative Regulation 3110 – Transfer of funds: Delete 27-28**
- 5. NEW - Board Policy 3523 - Electronic Signatures 29**  
The new policy reflects the authorization for districts to use electronic signatures in their communications and operations, including the benefits of electronic records and signatures, the requirement that electronic signatures conform with criteria described in the law, and that the level of security is sufficient for the transaction being conducted, and that electronic records are retained in accordance with law and regulations and as specified in board policy and administrative regulation.

**NEW - Administrative Regulation 3523 - Electronic Signatures** 30

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The new regulation establishes procedures for district use of electronic signatures, including that in any business transaction electronic signatures may be used only when each party has agreed to conduct the transaction in such a manner and that in other district operations electronic signatures may be required, criteria that must be met in order for an electronic signature to be used, and specific requirements for notarized signatures and statements that are required to be signed under penalty of perjury.

**6. Board Policy 3550 - Food Service/Child Nutrition Program** 31-34

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Policy updated to reflect NEW LAW (AB 130, 2021) which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility, and NEW LAW (AB 486, 2021) which authorizes the coordination of food service programs with classroom instruction and other related district programs.

**Administrative Regulation 3550 - Food Service/Child Nutrition Program** 35-41

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Regulation updated to reflect changes necessary to implement NEW LAW (AB 130, 2021) which requires the provision of a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility, and make other clarifying changes in the "Food Safety" section.

**7. Board Policy 3551 - Food Service Operations/Cafeteria Fund** 42-45

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Policy updated to reflect NEW LAW (AB 130, 2021) which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility, including revisions to the "Meal Sales" and "Program Monitoring and Evaluation" sections.

**Administrative Regulation 3551 - Food Service Operations/Cafeteria Fund** 46-49

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Regulation updated to reflect NEW LAW (AB 130, 2021) which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility. Updated Regulation includes a revision to "Payment for Meals," "Cafeteria Funds," and "Contracts with Outside Services" sections to make them generally applicable to all food service programs and the deletion of the "Unpaid and Delinquent Meal Charges" section which is no longer applicable.

**8. Board Policy 3553 - Free and Reduced-Price Meals** 50-53

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Policy updated to reflect NEW LAW (AB 130, 2021) which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility. The updated policy includes general requirements applicable to federal National School Lunch and Breakfast Programs as well as the state Universal Meal Program. Updated Policy also includes a revision to the "Confidentiality/Release of Records" section to permit the use of student information to facilitate the provision of targeted educational services to a student based on the local control and accountability plan, as clarified in the California Department of Education's Management Bulletin SNP-02- 2018.

**Administrative Regulation 3553 - Free and Reduced-Price Meals** 54-58

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Regulation updated to reflect NEW LAW (AB 130, 2021) which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility and includes program implementation changes to "Verification of Eligibility" and "Nondiscrimination Plan" sections and the deletion of the "Prices" section which is no longer necessary.

## **CURRICULUM**

9. **Board Policy 4112.2 – Certification** 59-61  
Policy updated in March 2020 to clarify the hiring hierarchy if the district is unable to hire a person who possesses a clear or preliminary credential, including one who is approved for a limited assignment option. The policy reflects the Commission on Teacher Credentialing (CTC) Coded Correspondence stating that, if the district needs to hire a person who has been granted a credential waiver by CTC, that person must qualify for a "variable term waiver." The policy also expands the section on "National Board for Professional Teaching Standards Certification" to add examples of incentives that may encourage teacher participation.
- Administrative Regulation 4112.2 - Certification** 62-68  
Regulation updated to expand the section on "Basic Skills Proficiency" to include a list of the ways a person may demonstrate basic skills proficiency, and reflect NEW LAW (AB 130, 2021) which exempts a person from the basic skills proficiency test requirement by earning at least a letter grade of B in qualifying coursework and, in conjunction with NEW LAW (AB 167, 2021), exempts a person from the basic skills proficiency test requirement if it is determined that a person has demonstrated proficiency through a combination of coursework, passage of a component(s) of the basic skills proficiency test, and other specified exams. The section was also updated to reflect NEW LAW (AB 320, 2021) which impacts what is "qualifying coursework" by defining a "regionally accredited institution" to include an institution of higher education that held pre-accreditation status at the time the degree of an applicant for a credential was conferred if the institution achieved full accreditation status within five years of earning pre-accreditation status, in addition to an institution of higher education that has already been designated as regionally accredited at the time the degree of an applicant for a credential was conferred. Additionally, the regulation is updated to provide more detail for when an out-of-state prepared teacher is not required to meet the basic skills requirement within one year of being issued a California preliminary credential by the California Commission on Teacher Credentialing.

## **SUPERINTENDENT**

10. **Administrative Regulation 3517 - Facilities Inspection** 69-70  
Regulation updated to reflect NEW LAW (AB 367, 2021) which requires any school serving any of grades 6-12 to, at all times, stock and make available and accessible free of cost an adequate supply of menstrual products in specified restrooms beginning with the 2022-23 school year, and to post a notice, as specified, regarding this requirement in a prominent and conspicuous location.
- Board Policy 3517 – Facilities Inspection: Delete** 71
- NEW – Exhibit (1) 3517 - Facilities Inspection** 72  
The new exhibit presents a sample of the required notification to be posted in a prominent and conspicuous location in each restroom where free menstrual products are required to be stocked, pursuant to NEW LAW (AB 367, 2021).
11. **Board Policy 4144 – Complaints** 73-74  
Policy (BP) update to align with 1312.1 Complaints Concerning District Employees CSBA updated BP 4144 on 12/1/17.
- Administrative Regulation 4144 Complaints** 75-78  
Regulation (AR) update to align with 1312.1 Complaints Concerning District Employees CSBA updated AR 4144 on 12/1/17

<b>12. Board Bylaw 9270 Conflict Of Interest</b>	79-85
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Policy update to align with Conflict of Interest Code. GJUESD adopted it on 2/27/08 and CSBA updated 5/1/16.	
<b>Exhibit 9270 Conflict Of Interest</b>	86-90
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GJUESD does not have an exhibit. CSBA updated 5/1/16.	
<b>13. Board Policy 6163.2 Animals At School</b>	91-92
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Policy update to address non-service animals at school. GJUESD adopted 2/27/08, CSBA updated 3/1/11.	
<b>Administrative Regulation 6163.2 Animals At School</b>	93-95
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Regulation update to address non-service animals at school. GJUESD adopted 2/27/08, CSBA updated 3/1/11.	

**Board Policies, Administrative Regulations, Bylaws, and Exhibits**  
**First Reading: September 21, 2022**

**EDUCATIONAL SERVICES DIRECTOR**

**1. Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures**

Regulation updated to reflect NEW STATE REGULATIONS (Register 2020, No. 21) which amends the definition of "beginning of the year or semester" and NEW LAW (AB 367, 2021) which requires any school serving any of grades 6-12 to, at all times, stock and make available and accessible free of cost an adequate supply of menstrual products in specified restrooms beginning with the 2022-23 school year. The regulation was also updated to clarify that the principal or Superintendent's designee is required to send a written resolution of the complaint to the mailing address of the complainant when the complainant has indicated on the complaint form a desire to receive a response to the complaint.

**Exhibit (2) 1312.4 - Williams Uniform Complaint Procedures**

Exhibit updated to include that, for a school that serves any of grades 6-12, a complaint may be filed for failure to, at all times, stock and make available and accessible free of cost an adequate supply of menstrual products in specified restrooms, as required by NEW LAW (AB 367, 2021).

**2. Board Policy 6173.1 - Education for Foster Youth**

**Administrative Regulation 6173.1 - Education for Foster Youth**

Regulation updated to reflect NEW LAW (AB 1055, 2021) which modified the definition of "foster youth" to include a dependent child of a court of an Indian tribe, consortium of tribes, or tribal organization and includes the definition of "foster youth" as specified in law. The regulation was also updated to make clarifying changes to the responsibilities of the district liaison for foster youth.

**3. Board Policy 5141.3 Immunizations**

CSBA updated Policy 12/1/20. GJUESD last updated it on 2/23/11. It is referenced in AR 6173.1, Education for Foster Youth.

**Administrative Regulation 5141.3 Immunizations**

CSBA updated Regulation (AR) on 12/1/20. GJUESD last updated it on 2/23/11. It is referenced in AR 6173.1, Education for Foster Youth.

**Regulation 1312.4: Williams Uniform Complaint Procedures**

**Status:** DRAFT

**Original Adopted Date:** 02/23/2011

### 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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**Regulation 1312.4: Williams Uniform Complaint Procedures**

**Status:** ADOPTED

**Original Adopted Date:** 02/23/2011

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009) and ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), Education Code 42605 grants district flexibility in "Tier 3" categorical programs. The Galt Joint Union School District has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-2009 through 2012-2013 fiscal years. As a result, the district may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

### Types of Complaints

The district shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred: (Education Code 35186; 5 CCR 4681, 4682, 4683)

#### 1. Textbooks and instructional materials

- a. A pupil, 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 pupil 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 pupil.
- c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- d. A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

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

#### 2. Teacher vacancy or misassignment

- 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 learner pupils in the class.

(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)

- 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 first day classes necessary to serve all the pupils enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day pupils attend classes for that semester. (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)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

#### 3. Facilities

a. A condition poses an emergency or urgent threat to the health or safety of pupils 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 pupils 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 pupils 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 pupils are not in classes and has kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when the temporary closing of the restroom is necessary for pupil safety or to make repairs. (Education Code 35292.5)

(cf. 6179 - Supplemental Instruction)

#### Filing of Complaint

A complaint alleging any condition(s) specified in items #1-3 in the section entitled "Types of Complaints" above shall be filed with the principal or designee at the school in which the complaint arises. The principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee in a timely manner, but not to exceed 10 working days. (Education Code 35186; 5 CCR 4680)

#### Investigation and Response

The principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she 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)

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. If a response is requested, the response shall be made to the mailing address of the complainant as indicated on the complaint form. At the same time, the principal or designee shall report the same information 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, he/she 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 pupils or staff as described in item #3a in the section entitled "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)

(cf. 1340 - Access to District Records)

#### Reports

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

4686)

#### 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 contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. (Education Code 35186; 5 CCR 4680)

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

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**Exhibit 1312.4-E(4): Williams Uniform Complaint Procedures**

Status: DRAFT

Original Adopted Date: Pending

**K-12 COMPLAINT FORM:  
WILLIAMS UNIFORM COMPLAINT PROCEDURES**

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, or teacher vacancy or misassignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? \_\_\_ Yes \_\_\_ No

Contact information: (if response is requested)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: Day: \_\_\_\_\_ Evening: \_\_\_\_\_

E-mail address, if any: \_\_\_\_\_

Date problem was observed: \_\_\_\_\_

Location of the problem that is the subject of this complaint:

School name/address: \_\_\_\_\_

Course title/grade level and teacher name: \_\_\_\_\_

Room number/name of room/location of facility: \_\_\_\_\_

**Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact the school or district for the appropriate district complaint procedure.**

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)

- 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.
- 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.
- Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- 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. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4682)

- A semester begins and a teacher vacancy exists. A *teacher vacancy* is a position to which a single designated certificated employee has not been assigned at the beginning of the school 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 a semester for an entire semester.
- 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.
- A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facilities conditions: (Education Code 17592.72, 35186, 35292.5, 35292.6; 5 CCR 4683)

- A condition exists that poses an emergency or urgent threat to the health or safety of students or staff including 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; and any other condition deemed appropriate by the district.
- A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers.
- For a school serving any of grades 6-12, the school has not, at all times, stocked and made 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.
- The school has not kept all restrooms open during school hours when students are not in classes and has not kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when temporary closing of the restroom is necessary for student safety or to make repairs.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of students or staff.

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Please file this complaint at the following location:

Educational Services Director or Designee  
 1018 C Street, Suite 210  
 Galt, CA 95632

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

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 (Signature)

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 (Date)

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**Policy 6173.1: Education For Foster Youth**

**Status:** DRAFT

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

The Governing Board recognizes that foster youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. To enable such students to achieve state and district academic standards, the Superintendent or designee shall provide them with full access to the district's educational program and implement strategies identified as necessary for the improvement of the academic achievement of foster youth in the district's local control and accountability plan (LCAP).

The Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and administrative regulation. To that end, he/she shall designate a staff person as the district liaison for foster youth to help facilitate the enrollment, placement, and transfer of foster youth.

The Superintendent or designee and district liaison shall ensure that all appropriate staff, including, but not limited to, each principal, school registrar, and attendance clerk, receive training on the enrollment, placement, and transfer of foster youth and other related rights.

The Board desires to provide foster youth with a safe, positive learning environment that is free from discrimination and harassment and that promotes students' self-esteem and academic achievement. The Superintendent or designee shall develop strategies to build a foster youth's feeling of connectedness with his/her school, including, but not limited to, strategies that promote positive discipline and conflict resolution, the development of resiliency and interpersonal skills, and the involvement of foster parents, group home administrators, and/or other caretakers in school programs and activities.

To address the needs of foster youth and help ensure the maximum utilization of available funds, the Superintendent or designee shall collaborate with local agencies and officials including, but not limited to, the county placing agency, social services, probation officers, and juvenile court officers. The Superintendent or designee shall explore the feasibility of entering into agreements with these groups to coordinate services and protect the rights of foster youth.

At least annually and in accordance with the established timelines, the Superintendent or designee shall report to the Board on the outcomes for foster youth regarding the goals and specific actions identified in the LCAP, including, but not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, and suspension/expulsion rates. As necessary, evaluation data shall be used to determine and recommend revisions to the LCAP for improving or increasing services for foster youth.

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**Policy 6173.1: Education For Foster Youth**

**Status:** ADOPTED

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

The Governing Board recognizes its obligation to ensure that foster youth have access to the academic resources, services and extracurricular and enrichment activities that are available to district students. The district shall provide students in foster care within the district with access to educational opportunities and other services necessary to help such students achieve the district's performance standards.

(cf. 6011- Academic Standards)

(cf. 6173 - Education for Homeless Children)

The Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and administrative regulation.

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**Regulation 6173.1: Education For Foster Youth**

**Status:** DRAFT

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

**Definitions**

*Foster youth, foster child, or student in foster care* means any of the following: (Education Code 42238.01, 48853.5)

1. A child who is the subject of a petition filed pursuant to Welfare and Institutions Code 300, whether or not the child has been removed from the child's home by the juvenile court pursuant to Welfare and Institutions Code 319 or 361.
2. A child who is the subject of a petition filed pursuant to Welfare and Institutions Code 602, has been removed from the child's home by the juvenile court pursuant to Welfare and Institutions Code 727, and is in foster care as defined by Welfare and Institutions Code 727.4(d).
3. A nonminor who is under the transition jurisdiction of a juvenile court, as described in Welfare and Institutions Code 450, and satisfies the criteria specified in Education Code 42238.01.
4. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the court's jurisdiction in accordance with the tribe's law
5. A child who is the subject of a voluntary placement agreement, as defined in Welfare and Institutions Code 11400

*Person holding the right to make educational decisions* means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 726.

*School of origin* means the school that the foster youth attended when permanently housed or the school in which the foster youth was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which the foster youth was last enrolled, or if there is another school that the foster youth attended within the preceding 15 months and with which the foster youth is connected, the district liaison for foster youth shall determine, in the best interests of the foster youth, which school shall be deemed the school of origin. This determination shall be made in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the foster youth. (Education Code 48853.5)

*Best interests of a foster youth* means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the proximity to the school at the time of placement, appropriateness of the educational setting, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code 48850, 48853; 20 USC 6311)

**District Liaison**

The Superintendent designates the following position as the district's liaison for foster youth: (Education Code 48853.5)

Educational Services Director or Designee  
1018 C Street, Suite 210  
Galt, CA 95632  
209-744-4545 ext. 303  
educationalservices@galt.k12.ca.us

The liaison for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of

students in foster care (Education Code 48853.5)

2. Ensure proper transfer of credits, records, and grades when students in foster care transfer from one school to another or from one district to another (Education Code 48645.5, 48853.5)

When a student in foster care is enrolling in a district school, the liaison shall contact the school last attended by the student to obtain, within two business days, all academic and other records. When a foster youth is transferring to a new school, the liaison shall provide the student's records to the new school within two business days of receiving the new school's request. (Education Code 48853.5)

3. Notify a foster youth's attorney and the representative of the appropriate county child welfare agency, when required by law for a foster youth who is undergoing any expulsion or other disciplinary proceeding including a manifestation determination for a foster youth who is a student with a disability, prior to a change in the foster youth's placement. (Education Code 48853.5, 48911, 48915.5, 48918.1)
4. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973
5. As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and after-school services
6. Develop protocols and procedures for creating awareness for district staff, including principals, school registrars, and attendance clerks, of the requirements for the proper enrollment, placement, and transfer of foster youth
7. Collaborate with the county office of education, county placing agency, county child welfare agency, county probation department, juvenile court, and other appropriate agencies to help coordinate instruction, counseling, tutoring, mentoring vocational training, and other related services for the district's foster youth
8. Monitor the educational progress of foster youth and provide reports to the Superintendent or designee and the Governing Board based on indicators identified in the district's local control and accountability plan

The Superintendent or designee shall regularly monitor the liaison's caseload, as well as additional duties outside of the foster youth program, to ensure that adequate time and resources are provided to meet the needs of foster youth in the district.

### **Enrollment**

A student placed in a licensed children's institution or foster family home within the district shall attend programs operated by the district unless one of the following circumstances applies: (Education Code 48853, 48853.5)

1. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency or in another local educational agency.
2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interests of the student to be placed in another education program and submits a written statement to the district indicating that determination and an awareness of the following:
  - a. The student has a right to attend a regular public school in the least restrictive environment.
  - b. The alternate education program is a special education program, if applicable.
  - c. The decision to unilaterally remove the student from the district school and to place the student in an alternate education program may not be financed by the district.
  - d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent/guardian or other person holding the right to make educational decisions for the student.
3. At the initial placement or any subsequent change in placement, the student exercises the right to continue in the school of origin, as defined above. In any such circumstance, the following shall apply:

- a. The student may continue in the school of origin for the duration of the court's jurisdiction.
- b. If the court's jurisdiction over a grade K-8 student is terminated prior to the end of a school year, the student may continue in the school of origin for the remainder of the school year.
- c. If the court's jurisdiction is terminated while the student is in high school, the student may continue in the school of origin through graduation.
- d. If the student is transitioning between school grade levels, the student shall be allowed to continue in the district in the same attendance area to provide the student the benefit of matriculating with the student's peers in accordance with the established feeder patterns of school in the district. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

The role of the liaison shall be advisory with respect to placement decisions and determination of the school of origin. (Education Code 48853.5)

The district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the foster youth, recommend that the foster youth's right to attend the school of origin be waived and the foster youth be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interests. (Education Code 48853.5)

Prior to making any recommendation to move a foster youth from the school of origin, the liaison shall provide the foster youth and the person holding the right to make educational decisions for the youth with a written explanation of the basis for the recommendation and how the recommendation serves the youth's best interests. (Education Code 48853.5)

If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agrees that the best interests of the foster youth would be served by a transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth, regardless of whether the foster youth: (Education Code 48853.5)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
2. Does not have clothing normally required by the school, such as school uniforms
3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation

If the foster youth or a person holding the right to make educational decisions for the foster youth disagrees with the liaison's enrollment recommendation, an appeal may be filed with the Superintendent. The Superintendent shall make a determination within 30 calendar days of receipt of the appeal. Within 30 calendar days of receipt of the Superintendent's decision, the foster youth or the person holding the right to make educational decisions for the foster youth may appeal that decision to the Board. The Board shall consider the issue at its next regularly scheduled meeting. The Board's decision shall be final.

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the foster youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

### **Transportation**

The Superintendent or designee shall collaborate with the local child welfare agency to determine how transportation will be provided, arranged, and funded in a cost-effective manner to enable a foster youth to remain in the school of origin, for the duration of the time spent in foster care, when it is in the foster youth's best interest to do so. Such transportation costs may be paid by either the child welfare agency or the district, or shared by both. (20 USC 6312)

### **Effect of Absences on Grades**

The grades of a student in foster care shall not be lowered for any absence from school that is due to either of the following circumstances: (Education Code 49069.5)

1. A decision by a court or placement agency to change the student's placement, in which case the grades shall be calculated as of the date the student left school
2. A verified court appearance or related court-ordered activity

### **Transfer of Coursework and Credits**

When a foster youth transfers into a district school, the district shall accept and issue full credit for any coursework that the foster youth has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the foster youth to retake the course. (Education Code 51225.2)

If the entire course was not completed at the previous school, the foster youth shall be issued partial credit for the coursework completed and shall be required to take the uncompleted portion of the course. However, the district may require the foster youth to retake the portion of the course completed if, in consultation with the holder of educational rights for the foster youth, the district finds that the foster youth is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a foster youth in any particular course, the foster youth shall be enrolled in the same or equivalent course, if applicable, to enable the completion of the entire course. (Education Code 51225.2)

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.

In no event shall the district prevent a foster youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

### **Applicability of Graduation Requirements**

To obtain a high school diploma, a foster youth shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements prescribed by the Board.

However, when a foster youth who has completed the second year of high school transfers into the district from another school district or transfers between high schools within the district, the foster youth shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of the fourth year of high school. Within 30 calendar days of the foster youth's transfer, the Superintendent or designee shall notify the foster youth, the person holding the right to make educational decisions for the foster youth, and the foster youth's social worker of the availability of the exemption and whether the foster youth qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer a foster youth. (Education Code 51225.1)

To determine whether a foster youth is in the third or fourth year of high school, the district shall use either the number of credits the foster youth has earned as of the date of the transfer or the length of school enrollment, whichever qualifies the foster youth for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any foster youth who is granted an exemption and the person holding the right to make educational decisions for the foster youth how any requirements that are waived will affect the foster youth's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a foster youth to transfer schools in order to qualify for an exemption and

shall not grant any request made by a foster youth or any person acting on behalf of a foster youth for a transfer solely to qualify the foster youth for an exemption. (Education Code 51225.1)

If a foster youth is exempted from local graduation requirements, the exemption shall continue to apply after the termination of the court's jurisdiction over the student while still enrolled in school or if the foster youth transfers to another school or school district. (Education Code 51225.1)

Upon making a finding that a foster youth is reasonably able to complete district graduation requirements within the fifth year of high school, the Superintendent or designee shall: (Education Code 51225.1)

1. Inform the foster youth and the person holding the right to make educational decisions for the foster youth of the option to remain in school for a fifth year to complete the district's graduation requirements and how that will affect the foster youth's ability to gain admission to a postsecondary educational institution
2. Provide information to the foster youth about transfer opportunities available through the California Community Colleges
3. Upon agreement with the foster youth or, if under 18 years of age, the person holding the right to make educational decisions for the foster youth, permit the foster youth to stay in school for a fifth year to complete the district's graduation requirements

### **Eligibility for Extracurricular Activities**

A foster youth whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code 48850)

### **Notification and Complaints**

Information regarding the educational rights of foster youth shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

Any complaint alleging that the district has not complied with requirements regarding the education of foster youth may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures. If the district finds merit in a complaint, the district shall provide a remedy to the affected student. A complainant not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE) and shall receive a written decision regarding the appeal within 60 days of CDE's receipt of the appeal. If CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

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**Regulation 6173.1: Education For Foster Youth**

**Status:** ADOPTED

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

**Definitions**

Foster youth means a child who has been subject to one of the following: (Education Code 48853.5)

1. Has been removed from his/her home pursuant to Welfare and Institutions Code 309 (investigation and release of child)
2. Is the subject of a petition filed under Welfare and Institutions Code 300 (jurisdiction of juvenile court) or 602 (minors ward of court, violating law)
3. Has been removed from his/her home and is the subject of a petition filed under Welfare and Institutions Code 300 or 602

Person holding the right to make educational decisions means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 727.

School of origin means the school that the foster youth attended when permanently housed or the school in which the student was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that the foster youth attended within the preceding 15 months and with which the youth is connected, the district liaison shall, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, determine, in the best interest of the foster youth, the school of origin. (Education Code 48853.5)

Best interest means a placement that ensures that the youth is placed in the least restrictive educational program and has access to academic resources, services, and extracurricular and enrichment activities that are available to district students. (Education Code 48853)

**District Liaison**

The Superintendent or designee shall serve as the district liaison for foster youth.

He/She shall: (Education Code 48645.5, 48853.5)

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care

(cf. 1400 - Relations between Other Governmental Agencies and the Schools)

(cf. 5141.6 - Student Health and Social Services)

2. Assist foster youth when transferring from one school to another or from one district to another in ensuring proper transfer of credits, records, and grades, including ensuring that records reflect full or partial credit for courses taken

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 5125 - Student Records)

(cf. 6146.3 - Reciprocity of Academic Credit)

**Enrollment**

A foster youth placed in a licensed children's institution or foster family home shall attend programs operated by the district unless one of the following circumstances applies: (Education Code 48853)

1. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency or in another local educational agency.

(cf. 6159 - Individualized Education Program)

(cf. 6159.2 - Nonpublic Nonsectarian School and Agency Services for Special Education)

2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program.

3. The student is entitled to remain in his/her school of origin as defined above.

At the initial detention or placement, or any subsequent change in placement of a foster youth, the district shall allow the student to continue his/her education in the school of origin for the duration of the academic school year. However, the district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth's right to attend the school of origin be waived and he/she be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interest. (Education Code 48853.5)

Prior to making any recommendation to move a foster youth from his/her school of origin, the liaison shall provide the youth and the person holding the right to make educational decisions for the youth with a written explanation of the basis for the recommendation and how this recommendation serves the youth's best interests. (Education Code 48853.5)

If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agree that the best interests of the youth would be served by his/her transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth. The youth shall be immediately enrolled even if he/she has outstanding fees, fines, textbooks, or other items or monies due to the school last attended or is unable to produce records, such as academic, medical, or proof of residency, or clothing normally required for enrollment. (Education Code 48853.5)

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

(cf. 5132 - Dress and Grooming)

(cf. 5141.31 - Immunizations)

If a parent/guardian or foster youth disagrees with the liaison's enrollment decision, he/she may appeal the decision to the Superintendent. The Superintendent shall make a determination within 30 days of receipt of the appeal. Within 30 days of receipt of the Superintendent's decision, the parent/guardian or foster youth may appeal that decision to the Governing Board. The Board shall consider the issue at its next regularly-scheduled meeting. The Board's decision shall be final.

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

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**Policy 5141.31: Immunizations**

**Status:** DRAFT

**Original Adopted Date:** 02/23/2011

To protect the health of all students and staff and to curtail the spread of infectious diseases, the Governing Board shall cooperate with state and local public health agencies to encourage and facilitate immunization of all district students against preventable diseases.

Each student enrolling for the first time in a district school, preschool, or child care and development program or enrolling in or advancing to grade 7 shall present an immunization record from any authorized private or public health care provider certifying that the student has received all required immunizations in accordance with law. Students shall be excluded from school or exempted from immunization requirements only as allowed by law.

Transfer students shall be requested to present immunization records upon registration at district schools if possible.

The Superintendent or designee may arrange for an authorized health care provider to administer immunizations at school to any student whose parent/guardian has consented in writing. At the beginning of the school year, parents/guardians shall be notified of their right to provide consent for the administration of an immunization to their child at school. (Education Code 48980, 49403)

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**Policy 5141.31: Immunizations**

**Status:** ADOPTED

**Original Adopted Date:** 02/23/2011

To protect the health of all students and staff and to curtail the spread of infectious diseases, the Governing Board shall cooperate with state and local public health agencies to encourage and facilitate immunization of all district students against preventable diseases.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 6142.8 - Comprehensive Health Education)

Each student enrolling for the first time in a district elementary or secondary school, preschool, or child care and development program shall present an immunization record from any authorized private or public health care provider certifying that he/she has received all required immunizations in accordance with law. Students shall be excluded from school or exempted from immunization requirements only as allowed by law.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

Except to the extent otherwise authorized by law, each transfer student shall present evidence of immunization before he/she is admitted to school. Such evidence may include the child's personal immunization record from his/her authorized health care provider or his/her cumulative file from his/her previous school.

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**Regulation 5141.31: Immunizations**

**Status:** DRAFT

**Original Adopted Date:** 02/23/2011

**Required Immunizations**

Upon a student's registration at a district school, the Superintendent or designee shall provide the student's parents/guardians a written notice summarizing the state's immunization requirements.

The Superintendent or designee shall not unconditionally admit any student to a district school, preschool, or child care and development program for the first time nor admit or advance any student to grade 7, unless the student has been fully immunized. The student shall present documentation of full immunization, in accordance with the age/grade and dose required by the California Department of Public Health (CDPH), against the following diseases: (Health and Safety Code 120335; 17 CCR 6025)

1. Measles, mumps, and rubella
2. Diphtheria, tetanus, and pertussis (whooping cough)
3. Poliomyelitis (polio)
4. Hepatitis B
5. Varicella (chickenpox)
6. Haemophilus influenza type b (Hib meningitis)
7. Any other disease ~~designated~~ deemed appropriate by the CDPH

However, full immunization against hepatitis B shall not be a condition by which the Superintendent or designee shall admit or advance any student to grade 7. (Health and Safety Code 120335)

A student who qualifies for an individualized education program (IEP), unless otherwise exempt, shall be fully immunized in accordance with Health and Safety Code 120335 and this regulation. However, the district shall continue to implement the student's IEP and shall not prohibit the student from accessing any special education and related services required by the student's IEP regardless of whether the student is fully immunized. (Health and Safety Code 120335)

School personnel shall record information for each student regarding all doses of required immunizations and the status of all requirements in accordance with 17 CCR 6070. The school records shall be based on the student's immunization record provided by the student's health care provider, from the student's previous school immunization record, or through the California Immunization Registry (CAIR). (17 CCR 6070)

**Exemptions**

Exemption from one or more immunization requirements shall be granted under any of the following circumstances:

1. A medical exemption is submitted using the standardized form developed by CDPH and transmitted using CAIR which includes, but is not limited to, a description of the medical basis for which the exemption for each individual immunization is sought and whether the medical exemption is permanent or temporary. (Health and Safety Code 120372)

A student who has a medical exemption issued prior to January 1, 2020 shall be allowed to continue enrollment until the next grade span, except that after July 1, 2021, a student may not be admitted or advanced to grade 7 unless the student has been immunized or a medical exemption form filed as stated above. (Health and Safety Code 120370)

A temporary exemption shall not exceed one year, and all medical exemptions shall not extend beyond the grade span. (Health and Safety Code 120372)

If a student's medical exemption is revoked by CDPH on the basis that the exemption does not meet applicable criteria for medical exemptions, the student shall continue in attendance and, within 30 calendar days of the revocation, commence the immunization schedule required for conditional admittance pursuant to 17 CCR 6050, as described below. (Health and Safety Code 120372)

The student's parent/guardian may appeal a revocation to the Secretary of California Health and Human Services. If a revocation is appealed, the student shall continue in attendance and shall not be required to commence the immunization schedule required for conditional admittance provided the appeal is filed within 30 calendar days of the revocation. (Health and Safety Code 120372, 120372.05)

2. The student's parent/guardian filed with the district, before January 1, 2016, a letter or written affidavit stating that an immunization is contrary to the student's personal beliefs, in which case the student shall be exempted from the immunization until the student enrolls in the next applicable grade span requiring immunization (birth to preschool, grades K-6, grades 7-12). (Health and Safety Code 120335)

When a student transfers to a different school within the district or transfers into the district from another school district in California, the student's personal beliefs exemption filed before January 1, 2016, shall remain in effect until the next applicable grade span. A student transferring from a school outside the district shall present a copy of the personal beliefs exemption upon enrollment. When a student transfers into the district from outside California and presents a personal beliefs exemption issued by another state or country prior to January 1, 2016, the Superintendent or designee may consult with legal counsel regarding the applicable immunization requirements.

3. The student is enrolled in an independent study program pursuant to Education Code 51745-51749.6 and does not receive classroom-based instruction. (Health and Safety Code 120335)

### **Conditional Enrollment**

The Superintendent or designee may conditionally admit a student with documentation from an authorized health care provider that the student has not received all the immunizations required for the student's age group, but has commenced receiving doses of all required vaccines and is not due for any other doses at the time of admission. The Superintendent or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses as specified in 17 CCR 6035. (Health and Safety Code 120340; 17 CCR 6035)

In addition, a transfer student may be conditionally admitted for up to 30 school days while the student's immunization records are being transferred from the previous school. If such documentation is not presented within 30 days, the student shall be excluded from school until the required immunizations have been administered. (17 CCR 6035)

The Superintendent or designee shall immediately enroll homeless students, foster youth, and students of military families even if their immunization records are missing or unavailable at the time of enrollment. School or district staff shall work with the student's prior school to obtain the student's immunization records or shall ensure that the student is properly immunized. (Education Code 48853.5, 49701; Health and Safety Code 120341; 42 USC 11432)

The Superintendent or designee shall review the immunization record of each student admitted conditionally every 30 days until that student has received all the required immunizations. If the student does not receive the required immunizations within the specified time limits, the student shall be excluded from further attendance until the immunizations are received. (Health and Safety Code 120375; 17 CCR 6040, 6070)

### **Exclusions Due to Lack of Immunizations**

If an enrolled student who was previously believed to be in compliance with immunization requirements is subsequently discovered to not be in compliance with requirements for unconditional or conditional admission, the Superintendent or designee shall notify the parent/guardian that evidence of proper immunization or an appropriate exemption must be provided within 10 school days. This notice shall refer the parent/guardian to the student's usual source of medical care or, if the student has no usual source of medical care, then to the county health department or school immunization program, if any. (Education Code 48216; 17 CCR 6040)

The Superintendent or designee shall exclude from further attendance an enrolled student who fails to obtain the required immunization within 10 school days following the parent/guardian's receipt of the notice specified above. The student shall remain excluded from school until documentation is provided indicating that the student has received a dose of each required vaccine due at that time. (17 CCR 6040, 6055)

The student shall also be reported to the attendance supervisor or principal.

#### **Exclusion Due to Exposure to Disease**

If the district has good cause to believe that a student has been exposed to a disease listed in the section "Required Immunizations" above and the student's documentation of immunization does not show proof of immunization against that disease, that student may be temporarily excluded from the school until the local health officer is satisfied that the student is no longer at risk of developing or transmitting the disease. (Health and Safety Code 120370)

#### **Records**

Each student's immunization record shall be retained as part of the student's mandatory permanent student record. District staff shall maintain the confidentiality of immunization records and may disclose such information to state and local health departments only in accordance with law. (Health and Safety Code 120375, 120440; 17 CCR 6070)

The district shall also retain in the mandatory student record any physician or health officer statement, personal beliefs letter or affidavit, reason for conditional enrollment, or any other documentation related to the student's immunization record or exemptions.

At least annually, the Superintendent or designee shall file a written report on the immunization status of new students with CDPH and the local department of public health on forms prescribed by CDPH. (Health and Safety Code 120375; 17 CCR 6075)

#### **Audits**

If an audit reveals deficiencies in the district's reporting procedures, the Superintendent or designee shall present the Board with a plan to remedy such deficiencies.

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**Regulation 5141.31: Immunizations**

**Status:** ADOPTED

**Original Adopted Date:** 02/23/2011

**Required Immunizations**

The Superintendent or designee shall provide parents/guardians, upon school registration, a written notice summarizing the state's immunization requirements.

The Superintendent or designee shall not unconditionally admit any student to a district elementary or secondary school, preschool, or child care and development program nor advance a student to specified grade levels unless that student has presented documentation of full immunization, in accordance with the age/grade and dose required by the California Department of Public Health (CDPH), against the following diseases: (Health and Safety Code 120335; 17 CCR 6020)

1. Measles, mumps and rubella (MMR)
2. Diphtheria, tetanus and pertussis (whooping cough) (DTP, DTaP, or Tdap)
3. Poliomyelitis (polio)
4. Hepatitis B
5. Varicella (chickenpox)
6. Haemophilus influenza type b (Hib meningitis)
7. Any other disease designated by the CDPH

(cf. 5141.22 - Infectious Diseases)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

The student's immunization record shall be provided by the student's health care provider or from the student's previous school immunization record. The record must show the date that each dose was administered.

**Exemptions**

Exemption from immunization requirements is allowed when: (Health and Safety Code 120365, 120370; 17 CCR 6051)

1. The student's parent/guardian states in writing that immunization is contrary to his/her beliefs.

However, if there is good cause to believe that the student has been exposed to one of the communicable diseases listed above, the student may be temporarily excluded from school until the local public health officer is satisfied that the student is no longer at risk of developing the disease.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

2. The student's parent/guardian provides a written statement by a licensed physician that the physical condition or medical circumstances of the student are such that immunization is unsafe or is permanently not indicated, in which case the student shall be exempted to the extent indicated by the physician's statement.

**Exclusions Due to Lack of Immunizations**

Any student without the required evidence of immunization may be excluded from school until the immunization is obtained or the student presents a letter or affidavit of exemption from his/her parent/guardian or physician to the Superintendent or designee.

(cf. 5112.2 - Exclusions from Attendance)

(cf. 6183 - Home and Hospital Instruction)

Before an already admitted student is excluded from school attendance because of lack of immunization, the Superintendent or designee shall notify the parent/guardian that he/she has 10 school days to supply evidence of proper immunization or an appropriate letter of exemption. (Education Code 48216; 17 CCR 6040)

This notice shall refer the parent/guardian to the student's usual source of medical care or, if the student has no usual source of medical care, then to the county health department or school immunization program, if any. (Education Code 48216)

The Superintendent or designee shall exclude from further attendance any already admitted student who fails to obtain the required immunization within 10 school days following the parent/guardian's receipt of the notice specified above, unless the student is exempt from immunization for medical reasons or personal beliefs. The student shall remain excluded from school until he/she has received another dose of each required vaccine due at that time. The student shall also be reported to the attendance supervisor or principal. (17 CCR 6055)

#### Conditional Enrollment

The Superintendent or designee may conditionally admit a student with documentation from an authorized health care provider that: (Health and Safety Code 120340; 17 CCR 6000, 6035)

1. He/she has received some but not all required immunizations and is not due for any vaccine dose at the time of admission
2. He/she has a temporary exemption from immunization for medical reasons

The Superintendent or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses when they become due as specified in 17 CCR 6035.

The Superintendent or designee shall review the immunization record of each student admitted conditionally every 30 days until that student has received all the required immunizations. If the student does not receive the required immunizations within the specified time limits, he/she shall be excluded from further attendance until the immunizations are received. (Health and Safety Code 120375; 17 CCR 6070)

#### Records

The Superintendent or designee shall record each new entrant's immunizations in the California School Immunization Record and retain it as part of the student's mandatory permanent student record. District staff shall maintain the confidentiality of immunization records and may disclose such information to state and local health departments only in accordance with law. (Health and Safety Code 120375, 120440; 17 CCR 6070)

(cf. 5125 - Student Records)

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**Board Policies, Administrative Regulations, Bylaws, and Exhibits**  
**First Reading: September 21, 2022**

**CHIEF BUSINESS OFFICER**

**4. Board Policy 3110 - Transfer of Funds**

Policy updated to delete authorization for the temporary transfer of funds which only pertained to the 2020-21 and 2021-22 fiscal years.

- Delete Administrative Regulation 3110 - Transfer of Funds

**5. NEW - Board Policy 3523 - Electronic Signatures**

The new policy reflects the authorization for districts to use electronic signatures in their communications and operations, including the benefits of electronic records and signatures, the requirement that electronic signatures conform with criteria described in the law, and that the level of security is sufficient for the transaction being conducted, and that electronic records are retained in accordance with law and regulations and as specified in board policy and administrative regulation.

**NEW - Administrative Regulation 3523 - Electronic Signatures**

The new regulation establishes procedures for district use of electronic signatures, including that in any business transaction electronic signatures may be used only when each party has agreed to conduct the transaction in such a manner and that in other district operations electronic signatures may be required, criteria that must be met in order for an electronic signature to be used, and specific requirements for notarized signatures and statements that are required to be signed under penalty of perjury.

**6. Board Policy 3550 - Food Service/Child Nutrition Program**

Policy updated to reflect NEW LAW (AB 130, 2021) which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility, and NEW LAW (AB 486, 2021) which authorizes the coordination of food service programs with classroom instruction and other related district programs.

**Administrative Regulation 3550 - Food Service/Child Nutrition Program**

Regulation updated to reflect changes necessary to implement NEW LAW (AB 130, 2021) which requires the provision of a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility, and make other clarifying changes in the "Food Safety" section.

**7. Board Policy 3551 - Food Service Operations/Cafeteria Fund**

Policy updated to reflect NEW LAW (AB 130, 2021) which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility, including revisions to the "Meal Sales" and "Program Monitoring and Evaluation" sections.

**Administrative Regulation 3551 - Food Service Operations/Cafeteria Fund**

Regulation updated to reflect NEW LAW (AB 130, 2021) which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility. Updated Regulation includes a revision to "Payment for Meals," "Cafeteria Funds," and "Contracts with Outside Services" sections to make them generally applicable to all food service programs and the deletion of the "Unpaid and Delinquent Meal Charges" section which is no longer applicable.

**8. Board Policy 3553 - Free and Reduced-Price Meals**

Policy updated to reflect NEW LAW (AB 130, 2021) which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility. The updated policy includes general requirements applicable to federal National School Lunch and Breakfast Programs as well as the state Universal Meal Program. Updated Policy also includes a revision to the "Confidentiality/Release of Records" section to permit the use of student information to facilitate the provision of targeted educational services to a student based on the local control and accountability plan, as clarified in the California Department of Education's Management Bulletin SNP-02- 2018.

**Administrative Regulation 3553 - Free and Reduced-Price Meals**

Regulation updated to reflect NEW LAW (AB 130, 2021) which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility and includes program implementation changes to "Verification of Eligibility" and "Nondiscrimination Plan" sections and the deletion of the "Prices" section which is no longer necessary.



**Policy 3110: Transfer Of Funds**

**Status:** DRAFT

**Original Adopted Date:** 11/18/2009

The Governing Board recognizes its responsibility to monitor the district's fiscal practices to ensure accountability regarding the expenditure of public funds and compliance with legal requirements.

The total amount budgeted by the district for each major classification of expenditures, as listed in the California Department of Education's budget forms, shall be the maximum amount which the district may expend for that classification for the school year. (Education Code 42600)

However, when it is in the best interest of the district, the Board may:

1. At any time, adopt a written resolution providing for transfers from the designated fund balance or the unappropriated fund balance to any expenditure classification or between classifications. The resolution shall be filed with the County Superintendent of Schools and the County Auditor. (Education Code 42600)
  2. Direct the temporary transfer of monies held in any district fund or account to another fund or account as necessary for the payment of obligations. Such borrowing shall occur only when the fund or account receiving the money will earn sufficient income during the current fiscal year to repay the amount transferred. No more than 75 percent of the maximum amount held in any fund or account during the current fiscal year may be transferred. Amounts transferred shall be repaid in the same fiscal year, or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year. (Education Code 42603)
  3. At the close of a school year, request that the County Superintendent make transfers between the designated fund balance or the unappropriated fund balance and any expenditure classification(s), or balance any expenditure classifications of the district budget as necessary for the payment of obligations incurred during that school year. (Education Code 42601)
  4. If any special reserve funds that are maintained for capital outlay or other purposes pursuant to Education Code 42842 are not actually encumbered for ongoing expenses, transfer those monies into the general fund for the general operating purposes of the district. If any monies remain in the special reserve fund at the conclusion of a project, the Board may submit a written request to the County Superintendent, Auditor, and Treasurer to discontinue the special reserve fund and transfer those monies to the district's general fund. (Education Code 42841-42843)
  5. Transfer monies between other funds or accounts when authorized by law.
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**Policy 3110: Transfer Of Funds**

**Status:** ADOPTED

**Original Adopted Date:** 11/18/2009

The Governing Board recognizes its responsibility to monitor the district's fiscal practices to ensure accountability regarding the expenditure of public funds and compliance with legal requirements.

(cf. 3100 - Budget)

(cf. 3400 - Management of District Assets/Accounts)

The Board may transfer funds during or at the end of the fiscal year in accordance with law as necessary to meet district needs or to permit the payment of district obligations. (Education Code 16095, 17582-17592, 42600-42603, 42605, 42841-42843, 52616.4)

#### Tier 3 Categorical Flexibility

From the 2008-09 through 2012-13 fiscal years, the Board has determined that it is in the best interest of the district to utilize the categorical program flexibility authorized by Education Code 42605. Funds received for programs identified by law as Tier 3 categoricals may be expended for any educational purpose.

The Board shall hold a public hearing to take testimony from the public, discuss, and approve or disapprove the proposed use of the funding, and shall make explicit for each of the categorical budget items the purposes for which the funds will be used. (Education Code 42605)

During the hearing, the Board shall consider the district's goals for student learning and determine funding priorities and program focus. The Board may also discuss statutory constraints, available resources, and whether program modifications might improve educational outcomes.

The Superintendent or designee shall regularly report to the Board regarding how the district is exercising the flexibility and whether the desired results are being achieved. He/she shall also complete any necessary reports required by the California Department of Education.

**Regulation 3110: Transfer Of Funds**

**Status:** ADOPTED

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

Transfers may be made from the designated fund balance or the unappropriated fund balance to any expenditure classification or between expenditure classifications by the Governing Board on adoption of a resolution by a majority vote.

The resolution must be filed with the County Superintendent of Schools and the county auditor. (Education Code 42600)

#### End-of-the-Year Procedures

At the close of the school year, the Superintendent or designee may, with Board approval, identify and request the County Superintendent of Schools to make transfers between the designated fund balance or the unappropriated fund balance and any expenditure classification(s) or balance any budget expenditure classifications as necessary to permit the payment of obligations incurred by the district during that school year. (Education Code 42601)

#### Temporary Transfers Between Classifications

The Board may direct that monies held in any fund or account may be temporarily transferred from one or more of these accounts to another fund or account to be used for the payment of obligations of the district, with limitations as set by Education Code 42603. The transfer shall be accounted for as temporary borrowing and shall not be available for appropriation or be considered income to the borrowing fund or account. (Education Code 42603)

#### Special Reserve Funds

Upon resolution of the Board, a special reserve fund may be established for such purpose(s) as specified in the resolution. A copy of the resolution shall be filed with the County Superintendent of Schools, as well as the county auditor and treasurer. As necessary, the Board may amend the resolution to specify additional purposes or to withdraw any previously designated purpose. (Education Code 42841)

The Board may expend the money in the special reserve fund for capital outlay for the purpose specified in the resolution. In addition, unless encumbered for ongoing expenses, the Board may expend money in the fund for the general operating purposes of the district. Any money in a special reserve fund that is maintained for purposes other than capital outlay must be transferred into the district's general fund before it is expended. (Education Code 42842)

### Deferred Maintenance Funds

Funds deposited in the district's deferred maintenance fund may be received from any source and shall only be expended for maintenance purposes as provided for in Education Code 17582. (Education Code 17582)

Upon resolution of the Board, excess local funds deposited in the deferred maintenance fund may be transferred to other expenditure classifications when state funds provided pursuant to Education Code 17584 and 17585 are insufficient to fully match the local funds. The resolution shall be approved by a two-thirds vote of the Board and filed with the County Superintendent of Schools and the county auditor. (Education Code 17583)

### State School Building Funds

The Board shall transfer to the district state school building fund all funds which are required to be expended for the project for which the apportionment was made. (Education Code 16095)

**Policy 3523: Electronic Signatures**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board believes that the use of electronic records and signatures is a convenient paperless option that can increase efficiency in commercial and administrative transactions, reduce costs, and contribute to environmental sustainability in district operations. The Board authorizes the use of electronic signatures in district operations when authorized by law.

The Superintendent or designee shall ensure that any electronic signature utilized by the district conforms with criteria described in law and that the level of security is sufficient for the transaction being conducted. (Government Code 16.5; 2 CCR 22003, 22005)

The Superintendent or designee shall retain electronic records in accordance with law and regulations, and as specified in BP/AR 3580 - District Records.

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**Regulation 3523: Electronic Signatures**

**Status:** DRAFT

**Original Adopted Date:** Pending

When authorized by law, electronic signatures may be used in the operation of district business and/or administration.

In any business transaction, an electronic signature shall only be used when each party has agreed to conduct the transaction by electronic means. In other district operations, the Superintendent or designee may require the use of an electronic signature. (Civil Code 1633.5; 15 USC 7001)

A *digital signature* is defined as an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature. (Government Code 16.5)

An *electronic signature* consists of an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record. (Civil Code 1633.2)

In order for an electronic signature to be used, the electronic signature shall be: (Government Code 16.5; 2 CCR 22002)

1. Unique to the person using it
2. Capable of verification
3. Under the sole control of the person using it
4. Linked to data in such a manner that if the data are changed the electronic signature is invalidated
5. Conform to 2 CCR 22000-22005

Prior to accepting an electronic signature, the Superintendent or designee shall ensure the following: (2 CCR 22005)

1. That the signature is created by acceptable technology pursuant to 2 CCR 22003
2. That the level of security used to identify the signer of the document and to transmit the signature is sufficient for the transaction being conducted
3. That, if a certificate is a required component of the electronic signature, the certificate format used by the signer is sufficient for the security and interoperability needs of the district.

If a notarized signature is required with respect to an electronic signature, the electronic signature of the notary public together with all of the other information required by law to be included in a notarization shall accompany the electronic signature. (Civil Code 1633.11)

If a statement is required to be signed under penalty of perjury, the electronic signature shall include all of the information to which the declaration pertains together with a declaration under penalty of perjury by the person who submits the electronic signature that the information is true and correct. (Civil Code 1633.11)

**Policy 3550: Food Service/Child Nutrition Program**

**Status:** DRAFT

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

The Governing Board recognizes that adequate, nourishing food is essential to student health and well-being, development, and ability to learn. The Superintendent or designee shall develop strategies to increase students' access to and participation in the district's food service programs and maintain fiscal integrity of the programs in accordance with law.

Foods and beverages available through the district's food service program shall:

1. Be carefully selected so as to contribute to students' nutritional well-being and the prevention of disease
2. Meet or exceed nutrition standards specified in law
3. Be prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits
4. Be served in age-appropriate portions
5. Be provided at no cost to students who request a meal

At the beginning of each school year, the Superintendent or designee shall communicate information related to the district's food service programs to the public through available means, including, but not limited to, the district's web site, social media, flyers, and school publications.

The district's food service program shall give priority to serving unprocessed foods and fresh fruits and vegetables.

District schools are encouraged to establish school gardens and/or farm-to-school projects to increase the availability of safe, fresh, seasonal fruits and vegetables for school meals and to support the district's nutrition education program.

To the extent possible, the school meal program shall be coordinated with the nutrition education program, instructional program for teachers, parents/guardians and food service employees, available community resources, and other related district programs.

To encourage student participation in school meal programs, schools may offer multiple choices of food items within a meal service, provided all food items meet nutrition standards and all students are given an opportunity to select any food item.

The Superintendent or designee may invite students and parents/guardians to participate in the selection of foods of good nutritional quality for school menus.

Students shall be allowed adequate time and space to eat meals. To the extent possible, school, recess, and transportation schedules shall be designed to promote participation in school meal programs.

The Superintendent or designee shall periodically review the adequacy of school cafeterias and facilities for food preparation and consumption.

In accordance with law, the Superintendent or designee shall develop and maintain a food safety program in order to reduce the risk of foodborne hazards at each step of the food preparation and service process.

The Superintendent or designee shall annually report to the Board on student participation in the district's nutrition

programs and the extent to which the district's food service program meets state and federal nutrition standards for foods and beverages. In addition, the Superintendent or designee shall provide all necessary and available documentation required for the Administrative Review conducted by the California Department of Education (CDE) to ensure the food service program's compliance with federal requirements related to nutrition standards, meal patterns, provision of drinking water, school meal environment, food safety, and other areas as required by the CDE.

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**Policy 3550: Food Service/Child Nutrition Program**

**Status:** ADOPTED

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

The Governing Board recognizes that students need adequate, nourishing food in order to grow, learn, and maintain good health. Foods and beverages available through the district's food service program shall:

1. Be carefully selected so as to contribute to students' nutritional well-being and the prevention of disease

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

2. Meet or exceed nutritional standards specified in law and administrative regulation

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 6300 - Preschool/Early Childhood Education)

3. Be prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits

(cf. 6142.8 - Comprehensive Health Education)

4. Be served in age-appropriate portions

5. Be sold at reasonable prices

(cf. 3551 - Food Service Operations/Cafeteria Fund)

(cf. 3553 - Free and Reduced Price Meals)

The district's food service program shall give priority to serving unprocessed foods and fresh fruits and vegetables that are not deep fried.

The Superintendent or designee shall encourage the participation of students and parents/guardians in the selection of foods of good nutritional quality for school menus.

The Board desires to provide students with adequate time and space to eat meals. To the extent possible, school, recess, and transportation schedules shall be designed to encourage participation in school meal programs.

The Superintendent or designee shall periodically review the adequacy of school facilities for cafeteria eating and food preparation.

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3517- Facilities Inspection)

(cf. 7110 - Facilities Master Plan)

In accordance with law, the Superintendent or designee shall develop and maintain a food safety program in order to reduce the risk of foodborne hazards at each step of the food preparation process, from receiving to service.

The Superintendent or designee shall annually report to the Board regarding the district's compliance with state and federal nutritional standards for foods and beverages.

(cf. 0500 - Accountability)

**Regulation 3550: Food Service/Child Nutrition Program**

**Status:** DRAFT

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

### **Nutrition Standards for School Meals**

Meals, food items, and beverages provided through the district's food services program shall: (Education Code 49501.5, 49553; 42 USC 1758, 1773)

1. Comply with National School Lunch and/or Breakfast Program standards for meal patterns, nutrient levels, and calorie requirements for the ages/grade levels served, as specified in 7 CFR 210.10 or 220.8 as applicable
2. Not be deep fried, par fried, or flash fried, as defined in Education Code 49430 and 49430.7

### **Drinking Water**

The district shall provide access to free, fresh drinking water during meal times in food service areas at all district schools, including, but not limited to, areas where reimbursable meals under the National School Lunch or Breakfast Program are served or consumed. (Education Code 38086; 42 USC 1758)

### **Special Milk Program**

Any school that does not participate in the National School Lunch or Breakfast Program may participate in the Special Milk Program to provide all enrolled students with reasonably priced milk. (7 CFR 215.7)

### **Food Safety**

The Superintendent or designee shall ensure that the district's food service program meets the applicable sanitation and safety requirements of the California Retail Food Code as set forth in Health and Safety Code 113700-114437.

For all district schools participating in the National School Lunch and/or School Breakfast Program, the Superintendent or designee shall implement a written food safety program for the storage, preparation, and service of school meals which complies with the national Hazard Analysis and Critical Control Point (HACCP) system. The district's HACCP plan shall include, but is not limited to, a determination of critical control points and critical limits at each stage of food production, monitoring procedures, corrective actions, and recordkeeping procedures. (42 USC 1758; 7 CFR 210.13, 220.7)

The Superintendent or designee shall ensure that food service directors, managers, and staff complete an annual continuing education or training as required by law. Each new employee, including a substitute, or volunteer shall complete initial food safety training prior to handling food. For each employee, the Superintendent or designee shall document the date, trainer, and subject of each training.

The Superintendent or designee shall assign staff to maintain records and logs documenting food safety activities, including, but not limited to, records of food deliveries, time and temperature monitoring during food production, equipment temperature (freezer, cooler, thermometer calibration), corrective actions, verification or review of safety efforts, and staff training.

### **Inspection of Food Facilities**

All food preparation and service areas shall be inspected in accordance with Health and Safety Code 113725-113725.1 and applicable county regulations.

Each school participating in the National School Lunch and/or Breakfast Program shall, during each school year, obtain a minimum of two food safety inspections conducted by the county environmental health agency. (42 USC 1758; 7 CFR 210.13, 220.7)

The Superintendent or designee shall retain records from the most recent food safety inspection. All schools shall post a notice indicating that the most recent inspection report is available to any interested person upon request. (Health and Safety Code 113725.1; 42 USC 1758; 7 CFR 210.13, 210.15, 220.7)

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**Regulation 3550: Food Service/Child Nutrition Program**

**Status:** ADOPTED

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

Nutritional Standards for Elementary Schools

At each elementary school, the only foods that may be sold to a student during the school day are either: (Education Code 49431)

1. Full meals, defined by Education Code 49430 as a combination of food items that meet National School Lunch or Breakfast Program meal pattern requirements or the state's menu planning options of Shaping Health as Partners in Education (SHAPE); or
2. Individually sold portions of nuts, nut butters, seeds, eggs, cheese packaged for individual sale, fruit, vegetables that have not been deep fried, and legumes

Nutritional Standards for National School Lunch and Breakfast Program

Any school participating in the National School Lunch Program and/or School Breakfast Program pursuant to 42 USC 1751-1769h and 1771-1791 shall serve meals that, on average over each school week: (Education Code 49531; 42 USC 1758, 1773; 7 CFR 210.10, 220.8)

1. Meet the nutrient levels and calorie requirements appropriate for the ages/grade levels served and the menu planning approach used, as specified in 7 CFR 210.10 or 220.8
2. Provide one-fourth (breakfast) or one-third (lunch) of the Recommended Dietary Allowances for protein, calcium, iron, vitamin A, and vitamin C appropriate for the ages/grade levels served and the menu planning approach used
3. Comply with applicable Dietary Guidelines for Americans which recommend:
  - a. Limiting the percentage of calories from saturated fat to less than 10 percent of total calories offered
  - b. Limiting the percentage of calories from total fat to 30 percent of total calories offered
  - c. Reducing sodium and cholesterol levels
  - d. Increasing the level of dietary fiber

(cf. 5030 - Student Wellness)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

#### Nutritional Standards for Free and Reduced-Price Meals Program

Any school that has students who meet federal eligibility criteria for free or reduced-price meals shall: (Education Code 49430.7)

1. Ensure that meals meet National School Lunch and/or Breakfast Program nutritional guidelines or the state's menu planning options of SHAPE
2. Not sell or serve a food item that the district or school has deep fried, par fried, or flash fried, as defined in Education Code 49430, or that has been deep fried, par fried, or flash fried as part of the manufacturing process in an oil or fat prohibited by Education Code 49430.7
3. Not sell or serve a food item containing artificial trans fat, including vegetable shortening, margarine, or any kind of hydrogenated or partially hydrogenated vegetable oil unless the manufacturer's documentation or label lists the trans fat content as less than 0.5 gram per serving

(cf. 3533 - Free and Reduced Price Meals)

#### Nutritional Standards for Foods Outside the National School Lunch or Breakfast Program

For food items that are not sold as part of the National School Lunch or Breakfast Program, the following nutritional standards shall apply:

1. At each elementary school, an individually sold dairy or whole grain food item may be served to students if it meets all of the following standards: (Education Code 49431)
  - a. Not more than 35 percent of its total calories is from fat.
  - b. Not more than 10 percent of its total calories is from saturated fat.
  - c. Not more than 35 percent of its total weight is composed of sugar, including naturally occurring and added sugar.
  - d. Its total calories do not exceed 175 calories.

(cf. 3554 - Other Food Sales)

2. For foods sold to students in middle, junior high, and high schools: (Education Code 49430, 49431.2)

a. Each entree item shall:

- (1) Not exceed 400 calories
- (2) Contain no more than four grams of fat per 100 calories
- (3) Be categorized as an entree item in the National School Lunch or Breakfast Program

b. For each snack item that supplements a meal:

- (1) Not more than 35 percent of its total calories shall be from fat, excluding nuts, nut butters, seeds, eggs, cheese packaged for individual sale, fruits, vegetables that have not been deep fried, or legumes.
- (2) Not more than 10 percent of its total calories shall be from saturated fat, excluding eggs or cheese packaged for individual sale.
- (3) Not more than 35 percent of its total weight shall be composed of sugar, including naturally occurring and added sugar, excluding fruits or vegetables that have not been deep fried.
- (4) Its total calories shall not exceed 250 calories.

3. Beginning July 1, 2009, any food provided to K-12 students during school hours and within one-half hour before and after school shall not contain or have been prepared with artificial trans fat, including vegetable shortening, margarine, or any kind of partially hydrogenated vegetable oil, unless the manufacturer's documentation or label lists the trans fat content as less than 0.5 grams per serving. (Education Code 49431.7)

#### Nutritional Standards for Beverages

The only beverages that may be sold to elementary students, regardless of the time of day, are: (Education Code 49431.5)

1. Fruit-based drinks that are composed of no less than 50 percent fruit juice and have no added sweetener
2. Vegetable-based drinks that are composed of no less than 50 percent vegetable juice and have no added sweetener
3. Drinking water with no added sweetener
4. Milk that is 1 percent fat, 2 percent fat, or nonfat; soy milk, rice milk, or other similar nondairy milk

The only beverages that may be sold to middle school or junior high school students from one-half hour before the start of the school day until one-half hour after the end of the school day are: (Education Code 49431.5)

1. Fruit-based drinks that are composed of no less than 50 percent fruit juice and have no added sweetener
2. Vegetable-based drinks that are composed of no less than 50 percent vegetable juice and have no added sweetener
3. Drinking water with no added sweetener
4. Milk that is 1 percent fat, 2 percent fat, or nonfat; soy milk, rice milk, or other similar nondairy milk
5. Electrolyte replacement beverages that contain no more than 42 grams of added sweetener per 20 ounce serving

At least 50 percent of the beverages sold to high school students from one-half hour before the start of the school day until one-half hour after the end of the school day shall be those specified in items #1-5 above. Beginning July 1, 2009, all of the beverages sold to high school students from one-half hour before the start of the school day until one-half hour after

the end of the school day shall meet the standards specified in items #1-5 above. (Education Code 49431.5)

### Food Safety

The Superintendent or designee shall ensure that the district's food service program meets the sanitation and safety requirements of the California Retail Food Code as set forth in Health and Safety Code 113700-114437.

For all district schools participating in the National School Lunch and/or School Breakfast Program, the Superintendent or designee shall implement a school food safety program for the preparation and service of school meals which complies with the national Hazard Analysis and Critical Control Point (HACCP) principles. (42 USC 1758)

The district's HACCP plan shall be in writing and shall address the components specified in Health and Safety Code 114419.1 including, but not limited to, methods for determining control measures needed to prevent hazards at each stage of food production, monitoring of the implementation of the food safety program, establishment of corrective actions to be taken if the proper time or temperature range is not met, training of food service employees and supervisors on food safety issues, recordkeeping, and periodic review of the food safety program.



The Superintendent or designee shall designate at least one staff member to be responsible for verification of the HACCP plan and shall provide the designated staff member with training in HACCP principles and the contents of the plan. Records of the training shall be retained for the duration of employment or a period of not less than two years, whichever is greater. In addition, the Superintendent or designee shall provide applicable HACCP training to food service employees who work in food preparation and shall document the date, trainer, and subject of the training. (Health and Safety Code 114419.2)

(cf. 4231 - Staff Development)

All food preparation and service areas shall be inspected in accordance with Health and Safety Code 113725-113725.1 and county regulations.

Each school participating in the National School Lunch and/or Breakfast Program shall, during each school year, obtain a minimum of two food safety inspections conducted by the county environmental health agency. (42 USC 1758; 7 CFR 210.13, 220.7)

All schools shall post a notice indicating that the most recent inspection report is available to any interested person upon request. (42 USC 1758; 7 CFR 210.13, 220.7; Health and Safety Code 113725.1)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

**Policy 3551: Food Service Operations/Cafeteria Fund**

**Status:** DRAFT

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

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: 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:** 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)

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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**Policy 3551: Food Service Operations/Cafeteria Fund**

**Status:** ADOPTED

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

The Governing Board intends that, insofar as possible, school food services shall be a self-supporting, nonprofit program. To increase cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of food and supplies, the planning of menus, and the auditing of all food service accounts for the district.

(cf. 3100 - Budget)

(cf. 3300 - Expenditures and Purchases)

(cf. 3311 - Bids)

(cf. 3550 - Food Service/Child Nutrition Program)

Meals may be sold to students, 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 other individuals and organizations who are on campus during meal times for a legitimate purpose, such as classroom volunteers, parents/guardians, or student siblings.

The Superintendent or designee shall recommend meal prices for students and nonstudents for approval by the Board. Students who are enrolled in the free or reduced-price meal programs shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation.

(cf. 3553 - Free and Reduced Price Meals)

Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture commodities.

Program financial reports shall be presented regularly to the Board.

(cf. 3460 - Financial Reports and Accountability)

Cafeteria Fund

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund.  
(Education Code 38103)

#### Contracts with Outside Services/Providers

With Board approval, the district may enter into a contract for management consulting services related to food service.

(cf. 3600 - Consultants)

With Board approval, the district may enter into a contract with a private company that enables a school to operate a franchise offering fast food items for sale to students. The franchise agreement and food purchases shall be subject to the competitive bidding requirements of the National School Lunch and School Breakfast Programs.

**Regulation 3551: Food Service Operations/Cafeteria Fund**

**Status:** DRAFT

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

### **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 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)

### **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 three 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

### Payments

With the exception of students who are eligible to receive meals at no cost, students or their parents/guardians may pay on a per-meal basis or may submit payments in advance. The Superintendent or designee shall maintain an account indicating payments received from each student or his/her parents/guardians for the purchase of school meals.

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3553 - Free and Reduced Price Meals)

Students and their parents/guardians shall be notified whenever their account has a zero balance.

Whenever a student's account has an unpaid balance of \$50 or more, parents/guardians shall be notified in writing that full payment is due within seven school days from the date of the notice.

### Cafeteria Fund

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. The income and expenditures of any cafeteria revolving account established by the Governing Board shall be recorded as income and expenditures of the cafeteria fund. (Education Code 38090, 38091, 38092)

(cf. 3100 - Budget)

(cf. 3300 - Expenditures and Purchases)

The cafeteria fund shall be used only for Board-authorized expenditures necessary for the operation of school cafeterias as defined in the California School Accounting Manual or appropriately reported to the California Department of Education. (Education Code 38091, 38101)

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of the expenditure's purpose and basis. (Education Code 38101)

(cf. 3110 - Transfer of Funds)



Any funds derived from the sale of cafeteria food and deposited in a Board-established cafeteria equipment reserve shall be used only for the purchase, lease, maintenance, or replacement of cafeteria equipment. (Education Code 38102)

**Policy 3553: Free And Reduced Price Meals**

**Status:** DRAFT

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

The Governing Board recognizes that adequate nutrition is essential to the development, health and well-being, and learning of all students. The Superintendent or designee shall facilitate and encourage the participation of all students in the district's food service program.

Each school day, the district shall provide, free of charge, a nutritionally adequate breakfast and lunch for any student who requests a meal. (Education Code 49501.5)

To provide optimal nutrition and ensure that schools receive maximum federal meal reimbursement, the Superintendent or designee shall assess the eligibility of district schools to operate a federal universal meal service provision, such as Provision 2 or the Community Eligibility Provision, pursuant to 42 USC 1759a. The Superintendent or designee shall submit an application to operate a federal universal meal provision to the California Department of Education (CDE) on behalf of any district school that meets the definition of a "high poverty school." (Education Code 49564.3)

The Superintendent or designee shall ensure that meals served under the school nutrition program meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulation.

The Board shall approve, and shall submit to CDE for approval, a plan that ensures that students eligible to receive free or reduced-price meals are not treated differently from other students and that meets other requirements specified in Education Code 49557.

**Confidentiality/Release of Records**

All applications and records related to eligibility for the free and reduced-price meal program shall be confidential and may not be disclosed except as provided by law and authorized by the Board or pursuant to a court order. (Education Code 49558)

The Board authorizes designated employees to use records pertaining to an individual student's eligibility for the free and reduced-price meal program for the following purposes: (Education Code 49558)

1. Disaggregation of academic achievement data
2. Identification of students eligible for services under the federal Elementary and Secondary Education Act pursuant to 20 USC 6301-6576
3. Facilitation of targeted educational services and supports to individual students based on the local control accountability plan

If a student transfers from the district to another district, charter school, county office of education program, or private school, the Superintendent or designee may share the student's meal eligibility information to the other educational agency to assist that other educational agency in ensuring that the student continues to receive school meals.

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to another school district, charter school, or county office of education that is serving a student living in the same household for purposes related to program eligibility and data used in local control funding formula (LCFF) calculations. (Education Code 49558)

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to the Superintendent of Public Instruction for purposes of determining allocations under the LCFF and for assessing accountability of that funding. (Education Code 49558)

The Superintendent or designee may release information on the school lunch program application to the local agency that determines eligibility for participation in the Medi-Cal program if the student has been approved for free meals or, if included in the agreement with the local agency, for reduced-price meals. The Superintendent or designee also may release information on the school lunch application to the local agency that determines eligibility for CalFresh or another nutrition assistance program authorized under 7 CFR 210.1 if the student has been approved for free or reduced-price meals. Information may be released for these purposes only if the student's parent/guardian consents to the sharing of information and the district has entered into a memorandum of understanding with the local agency which, at a minimum, includes the roles and responsibilities of the district and local agency and the process for sharing the information. After sharing information with the local agency for purposes of determining eligibility for that program, no further information shall be shared unless otherwise authorized by law. (Education Code 49557.2, 49557.3, 49558)

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**Policy 3553: Free And Reduced Price Meals**

**Status:** ADOPTED

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

The Governing Board recognizes that adequate nutrition is essential to the development, health, and learning of all students. The Superintendent or designee shall facilitate and encourage the participation of students from low-income families in the district's food service program.

The district shall provide at least one nutritionally adequate meal each school day, free of charge or at a reduced price, for students whose families meet federal eligibility criteria. (Education Code 49550, 49552)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 6177 - Summer School)

(cf. 6300 - Preschool/Early Childhood Education)

The Superintendent or designee shall ensure that meals provided through the free and reduced-price meal program meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulation.

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 5030 - Student Wellness)

The Board shall approve, and shall submit to the California Department of Education for approval, a plan that ensures that students eligible to receive free or reduced-price meals and milk are not treated differently from other students. (Education Code 49557)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

Confidentiality/Release of Records

All applications and records related to eligibility for the free and reduced-price meal program shall be confidential except as provided by law. (Education Code 49558)

The Board authorizes designated employees to use individual records pertaining to student eligibility for any free and reduced-price meal program for the purposes of: (Education Code 49558)

1. Disaggregation of academic achievement data

2. In any school identified for program improvement under Title I of the No Child Left Behind Act, identification of students eligible for school choice and supplemental educational services

(cf. 0520.2 -Title I Program Improvement Schools)

(cf. 5125 - Student Records)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6171 - Title I Programs)

The Board further authorizes the release of information on the school lunch program application to the local agency that determines Medi-Cal program eligibility, provided that the student is approved for free meals and the parent/guardian consents to the sharing of information as provided by Education Code 49557.2.

(cf. 5141.6 - Student Health and Social Services)

**Regulation 3553: Free And Reduced Price Meals**

**Status:** DRAFT

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

### Applications

The Superintendent or designee shall ensure that the district's application form for free and reduced-price meals and related materials include the statements specified in Education Code 49557 and 7 CFR 245.5. The district's application packet shall include the notifications and information listed in Education Code 49557.2.

The application form and related information shall be distributed in paper form to all parents/guardians at the beginning of each school year and shall be available to students at all times during the school day. (Education Code 48980, 49520; 42 USC 1758; 7 CFR 245.5)

In addition, the district application form for free and reduced price meals shall be available online. The online application form shall require completion of only those questions necessary for determining eligibility, contain clear instructions for families that are homeless or migrant, and comply with other requirements specified in Education Code 49557.

An application form and related information shall also be provided whenever a new student is enrolled.

At the beginning of each school year, the Superintendent or designee shall send a public release, containing the same information supplied to parents/guardians and including eligibility criteria, to local media, the local unemployment office, and any major employers in the district attendance area contemplating large layoffs. Copies of the public release shall be made available upon request to any interested person. (7 CFR 245.5)

### Eligibility

The Superintendent or designee shall determine students' eligibility for the free and reduced-price meal program based on the criteria specified in 42 USC 1758 and 1773 and 7 CFR 245.1-245.13 and made available by the California Department of Education.

Participants in the CalFresh, California Work Opportunity and Responsibility to Kids (CalWORKS), and Medi-Cal programs shall be directly certified for enrollment in the free and reduced-price meal program without further application. Participants in other state or federal programs may be directly certified when authorized by law. (Education Code 49561, 49562; 42 USC 1758; 7 CFR 245.6)

### Verification of Eligibility

Not later than November 15 of each year, the Superintendent or designee shall verify the eligibility of a sample of household applications approved for the school year in accordance with the sample sizes and procedures specified in 42 USC 1758 and 7 CFR 245.6a. (42 USC 1758; 7 CFR 245.6a)

If the review indicates that the initial eligibility determination is correct, the Superintendent or designee shall verify the approved household application. If the review indicates that the initial eligibility determination is incorrect, the Superintendent or designee shall: (42 USC 1758; 7 CFR 245.6a)

1. If the eligibility status changes from reduced price to free, make the increased benefits immediately available and notify the household of the change in benefits
2. If the eligibility status changes from free to reduced price, first verify the application, then notify the household of the correct eligibility status, and, when required by law, send a notice of adverse action as described below
3. If the eligibility status changes from free or reduced price to paid, send the household a notice of adverse action as described below

If as a result of verification activities, the eligibility of a household that is receiving free or reduced-price benefits cannot be confirmed, or if the household fails to cooperate with verification efforts, the Superintendent or designee shall reduce or terminate benefits, as applicable, and shall properly document and retain on file in the district the reasons for the household's ineligibility. At least 10 days prior to the actual reduction or termination, the Superintendent or designee shall send a notice of adverse action to the household. The notice shall advise the household of: (7 CFR 245.6a)

1. The change and the reasons for the change
2. The right to appeal, when the appeal must be filed to ensure continued benefits while awaiting a hearing and decision, and instructions on how to appeal
3. The right to reapply at any time during the school year

### **Confidentiality/Release of Records**

The Superintendent designates the following district employee(s) to disclose a student's name and eligibility status from individual meal records only for the purpose of disaggregation of academic achievement data and/or the provision of services under the federal Elementary and Secondary Education Act pursuant to 20 USC 6301-6576.

Curriculum Director  
School Principals  
Food Services Supervisor

\_\_\_\_\_  
(title or position)

In permitting the disclosure of student records for such purposes, the Superintendent or designee shall ensure that: (Education Code 49558)

1. No individual indicators of participation in the free and reduced-price meal program are maintained in the permanent records of any student if not otherwise allowed by law.
2. Information regarding individual student participation in the free and reduced-price meal program is not publicly released.
3. All other confidentiality provisions required by law are met.
4. Information collected regarding individual students certified to participate in the free and reduced-price meal program is destroyed when no longer needed for its intended purpose.

### **Nondiscrimination Plan**

In implementing the district's food service programs for students who are eligible to receive free or reduced-price meals, the district shall ensure the following: (Education Code 49557; 42 USC 1758)

1. The names of the students shall not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast Programs, unless otherwise provided by law.
2. There shall be no overt identification of any of the students by the use of special tokens or tickets or by any other means.
3. The students shall not be required to work for their meals.
4. The students shall not be required to use a separate dining area, go through a separate serving line or entrance, or consume their meals at a different time.

**Regulation 3553: Free And Reduced Price Meals**

**Status:** ADOPTED

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

### Nondiscrimination Plan

The district's plan for students receiving free or reduced-price meals shall ensure the following:  
(Education Code 49557)

1. The names of the students shall not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast Programs, unless otherwise provided by law.
2. There shall be no overt identification of any of the students by the use of special tokens or tickets or by any other means.
3. The students shall not be required to work for their meals or for milk.
4. The students shall not be required to use a separate dining area, go through a separate serving line or entrance, or consume their meals or milk at a different time.

When more than one lunch, breakfast, or type of milk is offered, the students shall have the same choice of meals or milk as is available to those students who pay the full price. (Education Code 49557; 7 CFR 245.8)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

### Applications

An application form for free or reduced-price meals shall be distributed to all parents/guardians at the beginning of each school year, together with information about eligibility standards, application procedures, and appeal procedures. This form and information shall also be provided whenever a new student is enrolled. (Education Code 48980, 49520; 7 CFR 245.5)

(cf. 5145.6 - Parental Notifications)



Applications for the free and reduced-price meal program shall be available to students at all times during the regular school day and shall contain the following statements: (Education Code 49557; 7 CFR 245.5)

1. Applications may be submitted at any time during the school day.
2. Students participating in the National School Lunch and/or School Breakfast Programs will not be overtly identified by the use of special tokens, special tickets, special serving lines, separate entrances, separate dining areas, or by any other means.

The application packet also shall contain:

1. A notification that, if a student qualifies for free or reduced-price meals, then he/she may qualify for free or reduced-cost health insurance coverage
2. A request for the parent/guardian's consent for the student, if eligible for free school lunches, to participate in the Medi-Cal program and to have the information on the school lunch application shared with the local agency that determines eligibility under the Medi-Cal program
3. A notification that the district will not forward the application to the agency that determines Medi-Cal eligibility without the parent/guardian's consent
4. A notification that the application is confidential and will not be shared with any other governmental agency for any purpose other than the administration of the Medi-Cal program
5. A notification that the application information will be used only by the state and local agencies that administer the Medi-Cal program and will not be shared with other government agencies, including the federal Department of Homeland Security and the Social Security Administration, except as necessary to verify information provided by the parent/guardian
6. Information regarding the Medi-Cal program, including available services, program requirements, rights and responsibilities, and privacy and confidentiality requirements

(cf. 5141.6 - Student Health and Social Services)

### Eligibility

The Superintendent or designee shall determine students' eligibility for the free and reduced-price meal program based on the criteria specified in 42 USC 1758 and 1773 and 7 CFR 245.1-245.13 and made available by the California Department of Education.

When authorized by law, participants in other federal or state programs may be directly certified for enrollment in the free and reduced-price meal program. (Education Code 49561)

## Confidentiality/Release of Records

The Superintendent designates the following district employees to use individual records pertaining to student participation in the free and reduced-price meal program for the purpose of disaggregation of academic achievement data or for the identification of students in any program improvement school eligible for school choice and supplemental educational services pursuant to 20 USC 6316:

Director of Curriculum, School Site Principals

School Site Vice Principals

In using the records for such purposes, the following conditions shall be satisfied: (Education Code 49558)

1. No individual indicators of participation in the free and reduced-price meal program shall be maintained in the permanent records of any student if not otherwise allowed by law.

(cf. 5125 - Student Records)

2. Information regarding individual student participation in the free and reduced-price meal program shall not be publicly released.

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

3. All other confidentiality provisions required by law shall be met.

4. Information collected regarding individual students certified to participate in the free and reduced-price meal program shall be destroyed when no longer needed for its intended purpose.

**Board Policies, Administrative Regulations, Bylaws, and Exhibits**  
**First Reading: September 21, 2022**

**CURRICULUM DIRECTOR**

**9. Board Policy 4112.2 - Certification**

Policy updated in March 2020 to clarify the hiring hierarchy if the district is unable to hire a person who possesses a clear or preliminary credential, including one who is approved for a limited assignment option. The policy reflects the Commission on Teacher Credentialing (CTC) Coded Correspondence stating that, if the district needs to hire a person who has been granted a credential waiver by CTC, that person must qualify for a "variable term waiver." The policy also expands the section on "National Board for Professional Teaching Standards Certification" to add examples of incentives that may encourage teacher participation.

**Administrative Regulation 4112.2 - Certification**

Regulation updated to expand the section on "Basic Skills Proficiency" to include a list of the ways a person may demonstrate basic skills proficiency, and reflect NEW LAW (AB 130, 2021) which exempts a person from the basic skills proficiency test requirement by earning at least a letter grade of B in qualifying coursework and, in conjunction with NEW LAW (AB 167, 2021), exempts a person from the basic skills proficiency test requirement if it is determined that a person has demonstrated proficiency through a combination of coursework, passage of a component(s) of the basic skills proficiency test, and other specified exams. The section was also updated to reflect NEW LAW (AB 320, 2021) which impacts what is "qualifying coursework" by defining a "regionally accredited institution" to include an institution of higher education that held pre-accreditation status at the time the degree of an applicant for a credential was conferred if the institution achieved full accreditation status within five years of earning pre-accreditation status, in addition to an institution of higher education that has already been designated as regionally accredited at the time the degree of an applicant for a credential was conferred. Additionally, the regulation is updated to provide more detail for when an out-of-state prepared teacher is not required to meet the basic skills requirement within one year of being issued a California preliminary credential by the California Commission on Teacher Credentialing.

**Policy 4112.2: Certification**

**Status:** DRAFT

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

The Governing Board recognizes that the district's ability to provide a high-quality educational program is dependent upon the employment of certificated staff who are adequately prepared and have demonstrated proficiency in basic skills and in the subject matter to be taught. The Superintendent or designee shall ensure that persons employed to fill positions requiring certification qualifications possess the appropriate credential, permit, or other certification document from the Commission on Teacher Credentialing (CTC) and fulfill any additional state, federal, or district requirements for the position.

The Superintendent or designee shall provide assistance and support to teachers holding preliminary credentials to enable them to meet the qualifications required for the clear credential.

**Priorities for Hiring Based on Unavailability of Credentialed Teacher**

The Superintendent or designee shall make reasonable efforts to recruit a fully prepared teacher who is authorized in the subject or setting for each assignment or, when necessary, a fully prepared teacher serving on a local assignment option. Whenever a teacher with a clear or preliminary credential is not available, the Superintendent or designee shall make reasonable efforts to recruit an individual for the assignment in the following order: (Education Code 44225.7)

1. A candidate who enrolls in an approved intern program in the region of the district and possesses an intern credential
2. A candidate who is scheduled to complete preliminary credential requirements within six months and who is granted a provisional internship permit (PIP) or short-term staff permit issued by the CTC

The Board shall approve, as an action item at an open Board meeting, a notice of its intent to employ a PIP applicant for a specific position. (5 CCR 80021.1)

3. An individual who has been granted a credential waiver by the CTC

Prior to requesting that the CTC issue an emergency permit or a limited assignment permit, the Board shall annually approve a Declaration of Need for Fully Qualified Educators. The Declaration of Need shall be approved by the Board as an action item at a regularly scheduled open Board meeting, with the entire Declaration of Need being included in the Board agenda. (Education Code 44225, 44225.7; 5 CCR 80023.2, 80026, 80027, 80027.1)

The Declaration of Need shall certify that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) and that the district has made reasonable efforts to recruit individuals who meet the qualifications specified in items #1-2 above. The Declaration of Need shall also indicate the number and type of emergency permits that the district estimates it will need during the valid period of the Declaration of Need, based on the previous year's actual needs and projections of enrollment. Whenever the actual number of permits needed exceeds the estimate by 10 percent, the Board shall revise and resubmit the Declaration of Need. (5 CCR 80026)

Whenever it is necessary to employ noncredentialed teachers to fill a position requiring certification qualifications, the Superintendent or designee shall provide support and guidance in accordance with law to ensure the quality of the instructional program.

**National Board for Professional Teaching Standards Certification**

The Superintendent or designee shall promote a career continuum that includes participation of district teachers in professional learning that supports their completion of advanced certification awarded by the National Board for Professional Teaching Standards (NBPTS). The Superintendent or designee may coordinate a cohort of teachers through school or district programs or other available networks.

With Board approval and funding, and consistent with the collective bargaining agreement and applicable law, the Superintendent may provide an incentive program for teacher participation in NBPTS certification, which may include:

1. Defraying, subsidizing, or reimbursing the registration, certification, or maintenance fees for NBPTS certification
2. Providing bonuses, step increases, or differential pay for teachers who maintain their certification and continue to teach in the district, with priority given to teachers at Title I schools and schools serving a majority of low-income students
3. Providing substitute teachers to provide release time for participating teachers
4. Providing stipends for teacher participation that match other professional development stipends
5. Compensating mentor teachers who support other teachers' professional learning aligned to NBPTS standards

### **Parental Notifications**

At the beginning of each school year, the Superintendent or designee shall notify the parents/guardians of each student attending a school receiving Title I funds that they may request information regarding the professional qualifications of their child's classroom teacher including, but not limited to, whether the teacher: (20 USC 6312)

1. Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction
2. Is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived
3. Is teaching in the field of discipline of the teacher's certification

In addition, the Superintendent or designee shall notify parents/guardians in a timely manner whenever their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area to which the teacher has been assigned. (20 USC 6312)

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**Policy 4112.2: Certification**

**Status:** ADOPTED

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

The Superintendent or designee shall ensure that persons employed in positions requiring certification qualifications possess the appropriate credential or permit from the Commission on Teacher Credentialing (CTC) authorizing their employment in such positions.

(cf. 4111 - Recruitment and Selection)

(cf. 4112.21 - Interns)

(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)

(cf. 4112.23 - Special Education Staff)

(cf. 4113 - Assignment)

(cf. 4116 - Probationary/Permanent Status)

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 4131.1 - Beginning Teacher Support/Induction)

(cf. 5148 - Child Care and Development)

When a fully credentialed teacher is not available, the district may employ a person with a short-term staff permit or provisional internship permit under the conditions and limitations provided in state and federal law.

As necessary, all teachers of core academic subjects shall meet the requirements of the No Child Left Behind Act. (20 USC 6319, 7801; 5 CCR 6100-6125)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

**National Board for Professional Teaching Standards Certification**

The Governing Board encourages district teachers to voluntarily seek additional certification from the National Board for Professional Teaching Standards which demonstrates advanced knowledge and teaching skills.

The Superintendent or designee shall inform all teachers about the program and how to acquire the necessary application and information materials. The Superintendent or designee may provide release time, fee support, a stipend upon completion, or other support to teachers participating in the program contingent upon funding.

**Regulation 4112.2: Certification**

**Status:** DRAFT

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

**Verification of Credentials**

The Superintendent or designee shall verify that each employee in a position requiring certification qualifications possesses a valid certification document issued by the Commission on Teacher Credentialing (CTC). Such verification shall occur not later than 60 days after the commencement of employment or the renewal of a credential. (Education Code 44857)

The Superintendent or designee shall verify that any person who is employed by the district while CTC is processing the application for certification possesses a temporary certificate based on a demonstration of basic skills and completion of a criminal background check. (Education Code 44332, 44332.5, 44332.6)

The Superintendent or designee shall maintain records of the appropriate certification of all employees serving in certificated positions.

**Basic Skills Proficiency**

The district shall not initially hire a person in a position requiring certification, on a permanent, temporary, or substitute basis, unless that person has demonstrated basic skills proficiency in reading, writing, and mathematics or is specifically exempted from the requirement by law. (Education Code 44252, 44252.6, 44830)

A person may demonstrate basic skills proficiency in reading, writing, and mathematics by:

1. Passage of the California Basic Educational Skills Test (CBEST) (Education Code 44252.5)
2. Passage of the California Subject Examinations for Teachers plus Writing Skills Examination
3. Passage of the California State University (CSU) Early Assessment Program or the CSU Placement Examinations (Education Code 44252)
4. Achieving a qualifying score on the Scholastic Aptitude Test or the American College Test (Education Code 44252)
5. Achieving a qualifying score on College Board Advanced Placement Examinations
6. Passage of a basic skills examination from another state
7. Qualifying coursework (Education Code 44252)
8. Qualifying coursework and exams (Education Code 44252)

The district may hire a certificated employee who has not taken a test of basic skills proficiency if the employee has not yet been afforded the opportunity to take the test, provided that the employee takes the test at the earliest opportunity. The employee may remain employed by the district pending the receipt of the test results. (Education Code 44830)

An out-of-state prepared teacher shall meet the basic skills requirement within one year of being issued a California preliminary credential by CTC unless the teacher has completed a basic skills proficiency test in another state, passed a basic skills proficiency test developed and administered by the district, by cooperating districts or by the county office of education (COE), or is otherwise exempted by law. The district shall develop a basic skills proficiency test, which shall be at least equivalent to the district test required for high school graduation, for purposes of assessing out-of-state prepared teachers pending completion of the basic skills requirement. (Education Code 44252, 44274.2; 5 CCR 80071.4, 80413.3)

Any person holding or applying for a "designated subjects special subjects" credential which does not require possession of a bachelor's degree shall pass a district proficiency test in lieu of meeting the state basic skills proficiency requirement. (Education Code 44252, 44830)

The district may charge a fee to cover the costs of developing, administering, and grading the district proficiency test. (Education Code 44252, 44830)

### **Short-Term Staff Permit**

The district may request that CTC issue a short-term staff permit (STSP) to a qualified applicant whenever there is a need to immediately fill a classroom based on unforeseen circumstances, including, but not limited to: (5 CCR 80021)

1. Enrollment adjustments requiring the addition of another teacher
2. Inability of the teacher of record to finish the school year due to approved leave or illness
3. The applicant's need for additional time to complete preservice requirements for enrollment into an approved internship program
4. Inability of the applicant to enroll in an approved internship program due to timelines or lack of space in the program
5. Unavailability of a third-year extension of an internship program or the applicant's withdrawal from an internship program

The Superintendent or designee shall ensure that the applicant possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021 for the multiple subject, single subject, or education specialist STSP as appropriate. (5 CCR 80021)

When requesting issuance of an STSP, the Superintendent or designee shall submit to CTC: (5 CCR 80021)

1. Verification that the district has conducted a local recruitment for the permit being requested
2. Verification that the district has provided the permit holder with orientation to the curriculum and to instruction and classroom management techniques and has assigned a mentor teacher for the term of the permit
3. Written justification for the permit signed by the Superintendent or designee

The holder of an STSP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021)

### **Provisional Internship Permit**

Before requesting that CTC issue a provisional internship permit (PIP), the district shall conduct a diligent search for a suitable credentialed teacher or intern, including, but not limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media. (5 CCR 80021.1)

Whenever a suitable credentialed teacher cannot be found after a diligent search, the Superintendent or designee may request that CTC issue a PIP to an applicant who possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021.1 for the multiple subject, single subject, or education specialist PIP as appropriate. (5 CCR 80021.1)

When submitting the request for a PIP, the district shall provide verification of all of the following: (5 CCR 80021.1, 80026.5)



1. A diligent search has been conducted for a suitable credentialed teacher or suitable qualified intern as evidenced by documentation of the search.
2. Orientation, guidance, and assistance shall be provided to the permit holder as specified in 5 CCR 80026.5.

The orientation shall include, but not be limited to, an overview of the curriculum the permit holder is expected to teach and effective instruction and classroom management techniques at the permit holder's assigned level. The permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or COE and who has completed at least three years of full-time classroom teaching experience.

3. The district shall assist the permit holder in developing a personalized plan through a district-selected assessment that would lead to subject-matter competence related to the permit.
4. The district shall assist the permit holder to seek and enroll in subject-matter training, such as workshops or seminars and site-based courses, along with training in test-taking strategies, and shall assist the permit holder in meeting the credential subject-matter competence requirement related to the permit.
5. A notice of intent to employ the applicant in the identified position has been made public.

The district shall submit a copy of the agenda item presented at an open Governing Board meeting which shall state the name of the applicant, the assignment in which the applicant will be employed including the name of the school, subject(s), and grade(s) that the applicant will be teaching, and that the applicant will be employed on the basis of a PIP. The district also shall submit a signed statement from the Superintendent or designee that the agenda item was acted upon favorably.

6. The candidate has been apprised of steps to earn a credential and enroll in an intern program.

The holder of a PIP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021.1)

### **Teaching Permit for Statutory Leave**

Whenever there is an anticipated need for the district to temporarily fill the teaching assignment of a teacher of record who will be on sick leave, differential sick leave, industrial accident or illness leave, pregnancy disability leave, or family care and medical leave under the federal Family and Medical Leave Act or California Family Rights Act, the Superintendent or designee may request that CTC issue a Teaching Permit for Statutory Leave (TPSL) to a qualified individual who will be serving as the interim teacher of record. Prior to submitting an application to CTC, the district shall provide the applicant with 45 hours of preparation in the content areas listed in 5 CCR 80022. (5 CCR 80022)

A request for the TPSL shall only be submitted if the district has made reasonable efforts to hire a substitute with a full teaching credential that matches the setting and/or subject for the statutory leave position and no such candidate is available. (5 CCR 80022)

The district shall verify to CTC that it will provide the interim teacher: (5 CCR 80022)

1. An orientation to the assignment before or during the first month of service in the statutory leave assignment
2. An average of two hours of mentoring, support, and/or coaching per week through a system of support coordinated and/or provided by a mentor who possesses a valid life or clear credential that would also authorize service in the statutory leave assignment
3. Lesson plans for the first four weeks of the assignment as well as continued assistance in the development of curriculum, lesson planning, and individualized education programs

The holder of the TPSL may serve as the interim teacher of record for up to the full length of the leave(s) during the school year. (5 CCR 80022)

The Superintendent or designee shall maintain documentation on the assignment in accordance with 5 CCR 80022 and annually report data on the use of the TPSL to the County Superintendent of Schools for assignment monitoring pursuant to Education Code 44258.9. (5 CCR 80022)

The Superintendent or designee may annually request renewal of the TPSL, provided that no substitute with a full teaching credential is available for the assignment. The application for each reissuance shall include verification that the interim teacher has completed an additional 45 hours of preparation and the district is continuing to provide mentoring in accordance with items #2-3 above. (5 CCR 80022)

### **Long-Term Emergency Permits**

As necessary, the Superintendent or designee may request that CTC issue an emergency resource specialist permit, emergency teacher librarian services permit, emergency crosscultural language and academic development permit (CLAD), or emergency bilingual authorization permit. (5 CCR 80024.3.1, 80024.6, 80024.7, 80024.8)

The Superintendent or designee shall provide any first-time recipient of an emergency teaching permit with an orientation which, to the extent reasonably feasible, shall occur before beginning a teaching assignment. The Superintendent or designee may vary the nature, content, and duration of the orientation to match the amount of training and experience previously completed by the emergency permit teacher. The orientation shall include, but not be limited to, the curriculum the teacher is expected to teach and effective techniques of classroom instruction and classroom management at the assigned grade-level span. The emergency permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or COE and who has completed at least three years of full-time classroom teaching experience. (5 CCR 80026.5)

### **Substitute Teaching Permits**

The district may employ a person whose credential or permit authorizes substitute teaching services, provided that:

1. A person holding an emergency 30-day substitute teaching permit, STSP, PIP, TPSL, or any valid teaching or services credential that requires at least a bachelor's degree and completion of ~~basic skills the CBEST~~, shall not serve as a substitute for more than 30 days for any one teacher during the school year or as a substitute in a special education classroom for more than 20 days for any one teacher during the school year. (5 CCR 80025, 80025.3, 80025.4)
2. A person with an emergency career substitute teaching permit shall not serve as a substitute for more than 60 days for any one teacher during the school year. (5 CCR 80025.1)
3. A person with an emergency substitute teaching permit for prospective teachers shall not serve as a substitute for more than 30 days for any one teacher during the school year and not more than 90 days total during the school year. (5 CCR 80025.2)
4. A person with an emergency designated subjects 30-day substitute teaching permit for career technical education shall teach only in a program of technical, trade, or vocational education and shall not serve as a substitute for more than 30 days for any one teacher during the school year. (5 CCR 80025.5)

Before employing a person with an emergency substitute permit pursuant to item #1 or 4 above, the Superintendent or designee shall prepare and keep on file a signed Statement of Need for the school year. The Statement of Need shall describe the situation or circumstances that necessitate the use of a 30-day substitute permit holder and state either that a credentialed person is not available or that the available credentialed person does not meet the district's specified employment criteria. (5 CCR 80025, 80025.5)

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**Regulation 4112.2: Certification**

**Status:** ADOPTED

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

### Registration

Each person employed by the district for a position requiring certification qualifications shall, within 60 days after beginning employment, register with the county office of education a valid credential authorizing the person to work in that position. Certificated employees also shall register renewed credentials within 60 days after the renewal. (Education Code 44330, 44857)

### Basic Skills Proficiency Test

Prior to being hired by the Governing Board, all certificated persons, whether hired on a permanent, temporary, or substitute basis, shall pass a basic skills proficiency test in reading, writing, and mathematics, unless specifically exempted from this requirement by law or by fulfilling an alternative indicator of basic proficiency authorized by law. (Education Code 44252, 44252.6, 44830)

Certificated persons who have not held a position requiring certification within 39 months of employment and who have not taken the state basic skills proficiency test may be hired as temporary employees, provided they pass a basic skills proficiency test developed and administered by the district. Such employees shall subsequently take the state test within one year of employment. (Education Code 44830)

(cf. 4121 - Temporary/Substitute Personnel)

Persons holding a designated subjects/special subjects credential or vocational designated subject credential shall not be required to take the state basic skills proficiency test unless their specific credential requires the possession of a baccalaureate degree. Instead, these persons shall be assessed with district proficiency criteria established by the Board for these credentials, which shall be at least equivalent to the district test required for graduation from high school. (Education Code 44252, 44830)

### Out-of-State/Country Credentials

The district may employ an out-of-state applicant who has met the requirements for a preliminary or professional clear credential from the Commission on Teacher Credentialing (CTC) pursuant to Education Code 44252, 44274.2, and 44275.4.

(cf. 4112.5/4312.5 - Criminal Record Check)

(cf. 4131.1 - Beginning Teacher Support/Induction)

### Short-Term and Provisional Internship Permits

Whenever there is a need to fill a classroom immediately based on an unforeseen need, the district may request that the CTC issue a short-term staff permit to an applicant who meets the qualifications specified in 5 CCR 80021. In such cases, the district shall: (5 CCR 80021)

1. Verify that it has conducted a local recruitment for the short-term staff permit being requested

(cf. 4111 - Recruitment and Selection)

2. Verify that it has provided the permit holder with orientation to the curriculum and to instruction and classroom management techniques, and has assigned a mentor teacher for the term of the permit

(cf. 4131 - Staff Development)

(cf. 4138 - Mentor Teachers)

3. Submit written justification for the permit signed by the Superintendent or designee

The district may request that the CTC issue a provisional internship permit to an applicant who meets the qualifications specified in 5 CCR 80021.1 whenever a suitable credentialed teacher cannot be found after a diligent search. The district shall verify that: (5 CCR 80021.1)

1. A diligent search has been conducted for a suitable credentialed teacher or suitable qualified intern as evidenced by documentation of the search.

(cf. 4112.21 - Interns)

The search shall include, but not be limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media.

2. Orientation, guidance, and assistance will be provided to the permit holder as specified in 5 CCR 80026.5.

The orientation shall include, but not be limited to, an overview of the curriculum the teacher is expected to teach and effective instruction and classroom management techniques at the permit holder's assigned level. The Superintendent or designee shall assign an experienced educator to guide and assist each permit holder. (5 CCR 80026.5)

3. The district will assist the permit holder in developing a personalized plan through a district-defined assessment that would lead to subject-matter competence related to the permit.

4. The district will assist the permit holder to seek and enroll in subject-matter training, such as workshops or seminars and site-based courses, along with training in test-taking strategies, and will assist the permit holder in meeting the credential subject-matter competence requirement related to the permit.

5. A notice of intent to employ the applicant in the identified position has been made public.

The district shall submit a copy of the agenda item presented at a public Board meeting which shall state the name of the applicant, the assignment in which the applicant will be employed including the name of the school, subject(s), and grade(s) that he/she will be teaching, and that the applicant will be employed on the basis of a provisional internship permit. The district also shall submit a signed statement from the Superintendent or designee that the agenda item was acted upon favorably.

6. The candidate has been apprised of steps to earn a credential and enroll in an internship program.

Holders of either of the above permits shall be authorized to provide the same service as a holder of a teaching credential. (5 CCR 80021, 80021.1)

Emergency Substitute Teaching Permits

The district may employ, at any grade level, a person with an emergency substitute permit issued by the CTC with the following restrictions:

1. A person with a 30-day emergency substitute permit shall not serve as a substitute for more than 30 days for any one teacher during the school year. (5 CCR 80025)
2. A person with an emergency career substitute teaching permit shall not serve as a substitute for more than 60 days for any one teacher during the school year. (5 CCR 80025.1)
3. A person with an emergency substitute permit for prospective teachers shall not serve as a substitute for more than 30 days for any one teacher during the school year and not more than 90 days total during the school year. (5 CCR 80025.2)
4. A person authorized for day-to-day substitute teaching shall not serve as a special education substitute for more than 20 days for any one teacher during the school year. (5 CCR 80025.4)
5. A person with an emergency substitute permit for vocational education shall not serve as a substitute for more than 30 days for any one teacher during the school year. (5 CCR 80025.5)

Before employing any person pursuant to 5 CCR 80025 or 80025.5, the Superintendent or designee shall prepare and keep on file a signed statement of need. The statement of need shall describe the situation or circumstances that necessitate the use of a 30-day substitute permit holder and state either that a credentialed person is not available or that the available credentialed person does not meet the district's specified employment criteria. (5 CCR 80025, 80025.5)

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**Board Policies, Administrative Regulations, Bylaws, and Exhibits**  
**First Reading: September 21, 2022**

**SUPERINTENDENT**

**10. Administrative Regulation 3517 - Facilities Inspection**

Regulation updated to reflect NEW LAW (AB 367, 2021) which requires any school serving any of grades 6-12 to, at all times, stock and make available and accessible free of cost an adequate supply of menstrual products in specified restrooms beginning with the 2022-23 school year, and to post a notice, as specified, regarding this requirement in a prominent and conspicuous location.

- Delete Board Policy 3517 - Facilities Inspection

**NEW – Exhibit (1) 3517 - Facilities Inspection**

The new exhibit presents a sample of the required notification to be posted in a prominent and conspicuous location in each restroom where free menstrual products are required to be stocked, pursuant to NEW LAW (AB 367, 2021).

**11. Board Policy 4144 - Complaints**

Policy (BP) update to align with 1312.1 Complaints Concerning District Employees  
CSBA updated BP 4144 on 12/1/17.

**Administrative Regulation 4144 Complaints**

Regulation (AR) update to align with 1312.1 Complaints Concerning District Employees  
CSBA updated AR 4144 on 12/1/17.

**12. Board Bylaw 9270 Conflict Of Interest**

Policy update to align with Conflict of Interest Code. GJUESD adopted it on 2/27/08 and CSBA updated 5/1/16.

**Exhibit 9270 Conflict Of Interest**

GJUESD does not have an exhibit. CSBA updated 5/1/16.

**13. Board Policy 6163.2 Animals At School**

Policy update to address non-service animals at school. GJUESD adopted 2/27/08, CSBA updated 3/1/11.

**Administrative Regulation 6163.2 Animals At School**

Regulation update to address non-service animals at school. GJUESD adopted 2/27/08, CSBA updated 3/1/11.

**Regulation 3517: Facilities Inspection**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Superintendent or designee shall inspect school facilities to ensure that they are maintained in good repair. At a minimum, the Superintendent or designee shall assess those facility conditions specified on the facilities inspection tool developed by the Office of Public School Construction, including, but not limited to, the following: (Education Code 17002, 35292.5)

1. Gas Leaks: Gas systems and pipes appear and smell safe, functional, and free of leaks.
2. Mechanical Systems: Heating, ventilation, and air conditioning systems, as applicable, are functional and unobstructed; appear to supply an adequate amount of air to all classrooms, work spaces, and facilities; and maintain interior temperatures within normally acceptable ranges.
3. Windows and Doors: Windows and doors are intact, functional, and open, close, and lock as designed, unless there is a valid reason they should not function as designed.
4. Fences and Gates: Fences and gates are intact, functional, and free of holes and other conditions that could present a safety hazard to students, staff, or others. Locks and other security hardware function as designed.
5. Interior Surfaces (walls, floors, ceilings): Interior surfaces are free of safety hazards from tears, holes, missing floor and ceiling tiles, torn carpet, water damage, or other cause. Ceiling tiles are intact. Surfaces display no evidence of mold or mildew.
6. Hazardous Materials: Hazardous and flammable materials are stored properly. No evidence of peeling, chipping, or cracking paint is apparent. No indicators of mold, mildew, or asbestos exposure are evident. There does not appear to be evidence of hazardous materials that may pose a threat to the health and safety of students or staff.
7. Structures: Posts, beams, supports for portable classrooms and ramps, and other structures appear intact, secure, and functional as designed. Ceilings and floors are not sloping or sagging beyond their intended design. There is no visible evidence of severe cracks, dry rot, mold, or damage that undermines structural components.
8. Fire Safety and Emergency Equipment: Fire sprinklers, fire extinguishers, emergency alarm systems, and all emergency equipment and systems appear to be functioning properly. Fire alarm pull stations are clearly visible. Fire extinguishers are current and placed in all required areas, including every classroom and assembly area. Emergency exits are clearly marked and unobstructed.
9. Electrical Systems: Electrical systems, components, and equipment, including switches, junction boxes, panels, wiring, outlets, and light fixtures, are securely enclosed, properly covered and guarded from student access, and appear to be working properly.
10. Lighting: Interior and exterior lighting appears to be adequate and working properly. Lights do not flicker, dim, or malfunction, and there is no unusual hum or noise from light fixtures.
11. Pest/Vermin Infestation: No visible or odorous indicators of pest or vermin infestation are evident.
12. Drinking Fountains: Interior and exterior drinking fountains are functional, accessible, and free of leaks. Drinking water pressure is adequate. Fountain water is clear and without unusual taste or odor, and moss, mold, or excessive staining is not evident.
13. Restrooms: Restrooms are fully operational, maintained and cleaned regularly, and stocked at all times with supplies (including toilet paper, soap, and paper towels or functional hand dryers) in accordance with Education Code 35292.5. The school keeps all restrooms open during school hours when students are not in classes and keeps a sufficient number of restrooms open during school hours when students are in classes, except when necessary to temporarily close a restroom for student safety or to repair the facility.

In addition, any school serving any of grades 6-12 shall, 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. The district shall post in a prominent and conspicuous location a notice regarding this requirement that includes an email address and telephone number for a designated individual responsible for maintaining the requisite supply of menstrual products. (Education Code 35292.6)

14. Sewers: The sanitary sewer system controls odors as designed, displays no signs of stoppage, backup, or flooding in school facilities or on school grounds, and appears to be functioning properly.
15. Roofs: Roofs, gutters, roof drains, and downspouts appear to be functioning properly and are free of visible damage and evidence of disrepair when observed from the ground from inside and outside the building
16. Drainage: School grounds do not exhibit signs of drainage problems, such as visible evidence of flooded areas, eroded soil, water damage to asphalt playgrounds or parking areas, or clogged storm drain inlets.
17. Playground/School Grounds: Playground equipment (exterior fixtures, seating, tables, and equipment), school grounds, fields, walkways, and parking lot surfaces are functional and free of significant cracks, trip hazards, holes, deterioration that affects functionality or safety, and other health and safety hazards.
18. Overall Cleanliness: School grounds, buildings, common areas, and individual rooms appear to have been cleaned regularly and are free of accumulated refuse and unabated graffiti. Restrooms, drinking fountains, and food preparation or serving areas appear to have been cleaned each day that school is in session.

In addition, to ensure the health and safety of students, the Superintendent or designee shall provide for the testing of drinking water on campus and of the soil and painted surfaces of school facilities for the presence of lead and/or other harmful substances, in accordance with state and federal standards.

The Superintendent or designee shall ensure that any necessary repairs or removal of hazards identified during the inspection are made in a timely and expeditious manner.

An assessment of the safety, cleanliness, and adequacy of school facilities, including any needed maintenance to ensure good repair as defined in Education Code 17002, shall be reported on the school accountability report card. (Education Code 33126)

Any complaint alleging a school facility condition that poses an emergency or urgent threat to the health or safety of students or staff, or alleging that a school restroom is not clean, maintained, stocked, or kept open, shall be addressed in accordance with AR 1312.4 - Williams Uniform Complaint Procedures.

The Superintendent or designee shall provide the Governing Board with regular reports regarding the district's facility inspections and updates of any visits to district schools by the County Superintendent of Schools to review school facilities.

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**Policy 3517: Facilities Inspection**

**Status:** ADOPTED

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

The Governing Board recognizes that the condition of school facilities may have an impact on safety, student learning and achievement, and employee morale, and desires to provide school facilities that are safe, clean, and functional, as defined in Education Code 17002.

(cf. 0510 - School Accountability Report Card)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3111 - Deferred Maintenance Funds)

The Superintendent or designee shall develop a facilities inspection and maintenance program to ensure that district schools are maintained in good repair in accordance with law. At a minimum, the inspection program shall determine facility conditions specified on the inspection and evaluation instrument, including any evidence of:

1. Gas leaks
2. Problems with mechanical systems, including heating, ventilation, or air conditioning systems
3. Broken windows or doors
4. Broken gates or fences that could pose a safety hazard
5. Unsafe or unclean interior surfaces, such as walls, floors, or ceilings
6. Improperly stored hazardous or flammable materials that may pose an immediate threat to students or staff
7. Damaged or nonfunctioning structural elements, such as posts, beams, or supports
8. Nonfunctioning fire sprinklers and emergency equipment, such as alarms or fire extinguishers
9. Improperly secured or nonfunctioning electrical systems, components, or equipment
10. Inadequate or nonfunctioning lighting
11. Major pest or vermin infestation
12. Inaccessible or nonfunctioning drinking fountains
13. Inaccessible, unclean, nonfunctioning, or inadequately supplied restrooms during school hours
14. Backed-up, clogged, odorous, or flooded sewage system
15. Nonfunctioning or damaged roofs, gutters, drains, or downspouts
16. Drainage problems on school grounds, including water damage to playgrounds or parking lots
17. Nonfunctioning or hazardous playground equipment or exterior fixtures
18. Nonfunctioning or hazardous fields, walkways, or parking lot surfaces
19. Unclean school grounds, including accumulated refuse or unabated graffiti

The Superintendent or designee shall ensure that any necessary repairs identified during the inspection are made in a timely and expeditious manner. The Superintendent or designee shall provide the Board with regular reports regarding the district's facility inspection program and updates of any visits to district schools by the County Superintendent of Schools.

**Exhibit 3517-E(1): Facilities Inspection**

**Status:** ADOPTED

**Original Adopted Date:** 06/01/2022 | **Last Reviewed Date:** 06/01/2022

## NOTICE REGARDING MENSTRUAL PRODUCTS

Education Code 35292.6 requires that:

- a. On or before the start of the 2022–23 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 12, inclusive, shall stock the school’s restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women’s restrooms and all-gender restrooms, and in at least one men’s restroom.
- b. A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils.
- c. A public school described in subdivision (a) shall post a notice regarding the requirements of this section in a prominent and conspicuous location in every restroom required to stock menstrual products, available and accessible, free of cost, pursuant to this section. This notice shall include the text of this section and contact information, including an email address and telephone number, for a designated individual responsible for maintaining the requisite supply of menstrual products.
- d. For purposes of this section, “menstrual products” means menstrual pads and tampons for use in connection with the menstrual cycle.
- e. This section shall become operative on July 1, 2022.

The name and contact information for the individual responsible for maintaining the requisite supply of menstrual products is:

Chief Business Official  
[Business@galt.k12.ca.us](mailto:Business@galt.k12.ca.us)  
209-744-4545 ext. 345



## AB-367 Menstrual products. (2021-2022)

Date Published: 10/11/2021 02:00 PM

### Assembly Bill No. 367

#### CHAPTER 664

An act to amend, repeal, and add Section 35292.6 of, and to add Section 66027.7 to, the Education Code, relating to menstrual products.

[ Approved by Governor October 08, 2021. Filed with Secretary of State October 08, 2021. ]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 367, Cristina Garcia. Menstrual products.

Existing law requires a public school maintaining any combination of classes from grade 6 to grade 12, inclusive, that meets a 40% pupil poverty threshold specified in federal law, to stock 50% of the school's restrooms with feminine hygiene products, and prohibits a public school from charging for any menstrual products provided to pupils.

This bill would enact the Menstrual Equity for All Act of 2021, which would require a public school, as provided, maintaining any combination of classes from grades 6 to 12, inclusive, to stock the school's restrooms with an adequate supply of free menstrual products, as defined, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom, at all times, and to post a designated notice, on or before the start of the 2022-23 school year, as prescribed.

This bill would require the California State University and each community college district, and would encourage the Regents of the University of California and private universities, colleges, and institutions of higher learning, to stock an adequate supply of menstrual products, available and accessible, free of cost, at no fewer than one designated and accessible central location on each campus and to post a designated notice, as provided.

By imposing additional requirements on public schools and community college districts, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** (a) This act shall be known, and may be cited, as the Menstrual Equity for All Act of 2021.

(b) The Legislature finds and declares all of the following:

(1) California recognizes that access to menstrual products is a basic human right and is vital for ensuring the health, dignity, and full participation of all Californians in public life.

(2) California has an interest in promoting gender equity, not only for women and girls, but also for transgender men, nonbinary, and gender nonconforming people who may also menstruate and experience inequities resulting from lack of access to menstrual products.

(3) Inadequate menstrual support is associated with both health and psychosocial issues, particularly among low-income people. A lack of access to menstrual products can cause emotional distress, physical infection, and disease.

(4) Equal opportunity to education is a fundamental right recognized by the California Constitution. Section 5 of Article IX of, subdivision (a) of Section 7 of Article I of, and subdivision (a) of Section 16 of Article IV of, the California Constitution require the state to maintain and operate the public school system in a manner that provides basic educational equity to students.

(5) California has an interest in creating safe, welcoming, and inclusive schools for all students. Subdivision (b) of Section 201 of the Education Code, in particular, requires all preschool, elementary, and secondary schools to affirmatively combat racism, sexism, and other forms of bias.

(6) Research shows that students lacking access to menstrual products experience higher rates of absences and are less able to focus and engage in the classroom. Absenteeism can lead to significant performance gaps and is linked to social disengagement, feelings of alienation, and adverse outcomes even into adulthood.

(7) The provision of menstrual products in schools helps ensure California provides equal access to education and enables students to reach their full potential, irrespective of gender.

(8) Expanding student access to menstrual products can result in increased attendance rates. After the City of New York passed a law providing free menstrual products to students, participating schools saw a 2.4 percent increase in attendance.

(9) Expanding student access to menstrual products can also result in cost savings due to increased funding associated with student attendance and reduced administrative costs and expenses from charging for menstrual products.

(c) It is the intent of the Legislature that this act provide for the health, dignity, and safety of menstruating students at every socioeconomic level, normalize menstruation among all genders, and foster gender competency in California schools, colleges, and universities.

**SEC. 2.** Section 35292.6 of the Education Code is amended to read:

**35292.6.** (a) A public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 12, inclusive, that meets the 40-percent pupil poverty threshold required to operate a schoolwide program pursuant to Section 6314(a)(1)(A) of Title 20 of the United States Code shall stock at least 50 percent of the school's restrooms with menstrual products, available and accessible, free of cost, at all times.

(b) A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils.

(c) For purposes of this section, "menstrual products" means menstrual pads and tampons for use in connection with the menstrual cycle.

(d) This section shall become inoperative on June 30, 2022, and, as of January 1, 2023, is repealed.

**SEC. 3.** Section 35292.6 is added to the Education Code, to read:

**35292.6.** (a) On or before the start of the 2022-23 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 12, inclusive, shall stock the school's restrooms at all times with an adequate supply of menstrual products,

available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom.

(b) A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils.

(c) A public school described in subdivision (a) shall post a notice regarding the requirements of this section in a prominent and conspicuous location in every restroom required to stock menstrual products, available and accessible, free of cost, pursuant to this section. This notice shall include the text of this section and contact information, including an email address and telephone number, for a designated individual responsible for maintaining the requisite supply of menstrual products.

(d) For purposes of this section, "menstrual products" means menstrual pads and tampons for use in connection with the menstrual cycle.

(e) This section shall become operative on July 1, 2022.

**SEC. 4.** Section 66027.7 is added to the Education Code, to read:

**66027.7.** (a) (1) The California State University and each community college district shall stock an adequate supply of menstrual products, available and accessible, free of cost, at no fewer than one designated and accessible central location on each campus.

(2) (A) A location's accessibility shall be determined by considering all of, but not limited to, the following factors:

(i) Hours of operation, relative to hours that students are on campus.

(ii) Proximity to high-traffic areas on campus.

(iii) Accessibility by students of all genders and regardless of physical ability.

(iv) Privacy, including whether accessing products would require interaction with staff or other students.

(v) Safety.

(B) Locations described in this paragraph may include student centers, libraries, wellness or health centers, pantries, and study rooms.

(b) The California State University and each community college district shall post a notice regarding the requirements of subdivision (a) in a prominent and conspicuous location in all women's restrooms and all-gender restrooms and in at least one men's restroom.

(c) The Regents of the University of California, independent institutions of higher education, as defined in Section 66010, and private postsecondary educational institutions, as defined in Section 94858, are encouraged to stock an adequate supply of menstrual products, available and accessible, free of cost, at no fewer than one designated and accessible central location on each campus.

(d) If the Regents of the University of California, independent institutions of higher education, as defined in Section 66010, and private postsecondary educational institutions, as defined in Section 94858, implement subdivision (c), the campuses are further encouraged to post a notice regarding the requirements of subdivision (c) in a prominent and conspicuous location in all women's restrooms and all-gender restrooms and in at least one men's restroom.

(e) This section does not prevent a campus from providing more than one location where persons may access menstrual products.

(f) For purposes of this section, "menstrual products" means menstrual pads and tampons for use in connection with the menstrual cycle.

**SEC. 5.** If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

**Policy 4144: Complaints**

**Status:** DRAFT

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

The Governing Board recognizes the need to establish a process to allow employees and job applicants to have their concerns heard in an expeditious and unbiased manner. The Board expects that employees will make every effort to resolve complaints and disagreements informally before filing a formal complaint.

The Board prohibits retaliation against complainants. The Superintendent or designee may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint.

All matters related to a complaint shall be kept confidential and any document, communication, or record regarding the complaint shall be placed in a separate file and shall not be placed in an employee's personnel file.

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**Policy 4144: Complaints**

**Status:** ADOPTED

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

The Governing Board recognizes the need for providing employees with a complaint process.

The Board expects that employees and supervisors will make every effort to resolve employee complaints and disagreements informally before resorting to formal complaint procedures.

The Superintendent or designee shall establish complaint procedures which allow employees to appeal to the Board.

(cf. 4031 - Complaints Concerning Discrimination in Employment)

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

(cf. 4141/4241 - Collective Bargaining Agreement)

**Regulation 4144: Complaints**

**Status:** DRAFT

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

The procedure specified in this administrative regulation shall be used to investigate and resolve any complaint by an employee alleging misapplication of the district's policies, regulations, rules, or procedures or for "whistleblower" complaints by an employee or job applicant regarding an improper district activity including, but not limited to, an allegation of gross mismanagement, a significant waste of funds, an abuse of authority, or a specific danger to public health or safety.

Any of the time limits specified in the following procedure may be extended by written agreement between the district and complainant.

**Step 1: Informal Complaint Process**

Prior to instituting a formal, written complaint, the employee shall first discuss the issue with his/her supervisor or the principal of the school where the alleged act took place. Formal complaint procedures shall not be initiated until the employee has first attempted to resolve the complaint informally.

**Step 2: Site Level Formal Complaint Process**

If a complaint has not been satisfactorily resolved through the informal process in Step 1, the complainant may file a written complaint with his/her immediate supervisor or principal within 60 days of the act or event which is the subject of the complaint. If an employee fails to file a written complaint within 60 days, the complaint shall be considered resolved on the basis of the preceding step.

In the written complaint, the employee shall specify the nature of the problem, including names, dates, locations, witnesses, the remedy sought by the employee, and a description of informal efforts to resolve the issue.

Within 10 working days of receiving the complaint, the immediate supervisor or principal shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint. Within five working days after the meeting, he/she shall prepare and send a written response to the complainant.

**Step 3: District Level Appeal**

If a complaint has not been satisfactorily resolved at Step 2, the complainant may file the written complaint with the Superintendent or designee within five working days of receiving the written response from the immediate supervisor or the principal. The complainant shall include all information presented to the immediate supervisor or principal at Step 2.

Within 10 working days of receiving the complaint, the Superintendent or designee shall conduct any necessary investigation, including reviewing the investigation and written response by the immediate supervisor or principal at Step 2, and shall meet with the complainant in an effort to resolve the complaint. Within five working days after the meeting, he/she shall prepare and send a written response to the complainant.

**Step 4: Appeal to the Governing Board**

If a complaint has not been satisfactorily resolved at Step 3, the complainant may file a written appeal to the Board within five working days of receiving the Superintendent or designee's response. All information presented at Steps 1, 2, and 3 shall be included with the appeal, and the Superintendent or designee shall submit to the Board a written report describing attempts to resolve the complaint and the district's response.

The Board may uphold the findings by the Superintendent or designee without hearing the complaint or the Board may hear the complaint at a regular or special Board meeting. The hearing shall be held in closed session if the complaint relates to matters that may be addressed in closed session in accordance with law.

The Board shall make its decision within 30 days of the hearing and shall send its decision to all concerned parties.



The Board's decision shall be final.

**Alternate Procedures**

Complaints alleging unlawful discrimination on any basis specified in the district's nondiscrimination policies, including complaints of sexual harassment, shall be resolved in accordance with the district's procedure in BP/AR 4030 - Nondiscrimination in Employment.

Complaints regarding unlawful discrimination in district programs or the district's failure to comply with state or federal laws regarding educational programs shall be resolved in accordance with BP/AR 1312.3 - Uniform Complaint Procedures. Complaints regarding sufficiency of textbook materials, teacher vacancy or misassignment, or an urgent or emergency facility condition shall be resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186; 5 CCR 4621)

For complaints regarding working conditions or other subjects of negotiation, the employee shall use the grievance procedure specified in the applicable collective bargaining agreement.

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**Regulation 4144: Complaints**

**Status:** ADOPTED

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

The following guidelines shall prescribe the manner in which complaints are handled:

1. A "complaint" shall be defined as an alleged misapplication of the district's policies, regulations, rules or procedures. Procedures for the resolution of employee complaints provide a route of appeal through administrative channels and to the Governing Board, if necessary. If the complaint is related to discrimination, the district's procedure for complaints concerning discrimination should be used.

(cf. 4031 - Complaints Concerning Discrimination in Employment)

2. If a complaint involves sexual harassment, the initial complaint should be made directly to the offending employee's immediate supervisor. An employee is not required to resolve sexual harassment complaints with the offending person.

3. So as not to interfere with school schedules, meetings related to a complaint shall be held before or after the complainant's regular working hours.

4. All matters related to a complaint shall be kept confidential. Only those individuals directly involved in resolving the complaint shall be informed of the complaint.

5. All documents, communications and records dealing with the complaint shall be placed in a district complaint file. No such material shall be placed in an employee's personnel file.

6. No reprisals shall be taken against any participant in a complaint procedure by reason of such participation.

7. Time limits specified in these procedures may be reduced or extended in any specific instance by written mutual agreement of the parties involved. If specified or adjusted time limits expire, the complaint may proceed to the next step.

8. Any complaint not taken to the next step within prescribed time limits shall be considered settled on the basis of the answer given at the preceding step.

#### Informal Complaints

Employees are encouraged to resolve complaints informally. Formal complaint procedures shall not be initiated unless informal efforts to resolve the complaint have been exhausted and the complainant has provided a written description of such efforts.

#### Formal Complaint Procedure - Step 1

If a complaint has not been satisfactorily resolved by informal procedures, the complainant may file a written complaint with the immediate supervisor or principal within 60 days of the act or event which is the subject of the complaint.

Within five working days of receiving the complaint, the immediate supervisor or principal shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint. 81

The immediate supervisor or principal shall present all concerned parties with a written answer to the complaint within 10 working days after the meeting.

#### Formal Complaint Procedure - Step 2

If a complaint has not been satisfactorily resolved at Step 1, the complainant may file the written complaint with the Superintendent or designee within five working days of receiving the answer at Step 1. All information presented at Step 1 shall be included with the complaint, and the immediate supervisor or principal shall submit to the Superintendent or designee a report describing attempts to resolve the complaint at Step 1.

Within five working days of receiving the complaint, the Superintendent or designee shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint.

The Superintendent or designee shall present all concerned parties with a written answer to the complaint within 10 working days after the meeting.

#### Formal Complaint Procedure - Step 3

If a complaint has not been satisfactorily resolved at Step 2, the complainant may file a written appeal to the Board within five working days of receiving the answer at Step 2. All information presented at Steps 1 and 2 shall be included with the appeal, and the Superintendent or designee shall submit to the Board a report describing attempts to resolve the complaint at Step 2.

An appeal hearing shall be held at the next regularly scheduled Board meeting which falls at least 12 days after the appeal is filed. This hearing shall be held in closed session if the complaint relates to matters properly addressed in closed session.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall make its decision within 30 days of the hearing and shall mail its decision to all concerned parties. The Board's decision shall be final.

**Bylaw 9270: Conflict Of Interest**

**Status:** DRAFT

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

The Governing Board desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. Accordingly, no Board member, district employee, or other person in a designated position shall participate in the making of any decision for the district when the decision will or may be affected by his/her financial, family, or other personal interest or consideration.

Even if a prohibited conflict of interest does not exist, a Board member shall abstain from voting on personnel matters that uniquely affect his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

The Board shall adopt for the district a conflict of interest code that incorporates the provisions of 2 CCR 18730 by reference, specifies the district's designated positions, and provides the disclosure categories required for each position. The conflict of interest code shall be submitted to the district's code reviewing body for approval, in accordance with Government Code 87303 and within the deadline for submission established by the code reviewing body. (Government Code 87303)

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code and submit any changes to the code reviewing body or, if no change is required, the Board shall submit a written statement to that effect. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent. (Government Code 87306)

When reviewing and preparing the district's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the district's conflict of interest code. A Board member who leaves office or a designated employee who leaves district employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date of leaving office or district employment. (Government Code 87302, 87302.6)

**Conflict of Interest under the Political Reform Act**

A Board member, designated employee, or other person in a designated position shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A disqualifying conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect," which is distinguishable from the effect on the public generally, on the Board member, designated employee, or other person in a designated position, his/her immediate family, or any financial interest described in 2 CCR 18700. (Government Code 87100, 87101, 87103; 2 CCR 18700-18707)

A Board member, designated employee, or other person in a designated position makes a governmental decision when he/she, acting within the authority of his/her office or position, authorizes or directs any action on a matter, votes or provides information or opinion on it, contacts or appears before a district official for the purpose of

affecting the decision, or takes any other action specified in 2 CCR 18704.

However, a Board member shall participate in the making of a contract in which he/she has a financial interest if his/her participation is required by the rule of necessity or legally required participation pursuant to Government Code 87101 and 2 CCR 18705.

### **Additional Requirements for Boards that Manage Public Investments**

Any Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following: (Government Code 87105; 2 CCR 18707)

1. Publicly identify each financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. The Board member shall not be counted toward achieving a quorum while the item is discussed.

However, the Board member may speak on the issue during the time that the general public speaks on it and may leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion and deliberations of the matter with members of the public.

3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during consideration of the consent calendar.

4. If the Board's decision is made during closed session, disclose his/her interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. He/she shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recording or any other nonpublic information regarding the Board's decision

### **Conflict of Interest under Government Code 1090 - Financial Interest in a Contract**

Board members, employees, or district consultants shall not be financially interested in any contract made by the Board on behalf of the district, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest in a contract made by the Board, the contract is void. (Government Code 1090)

A Board member shall not be considered to be financially interested in a contract in which he/she has only a "remote interest," as specified in Government Code 1091, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member or district official to enter into the contract. (Government Code 1091)

In addition, a Board member shall not be considered to be financially interested in a contract in which his/her interest is a "noninterest" as defined in Government Code 1091.5. Noninterest includes a Board member's interest in being reimbursed for his/her actual and necessary expenses incurred in the performance of his/her official duties, in the employment of his/her spouse/registered domestic partner who has been a district employee for at least one year prior to the Board member's election or appointment, or in any other applicable circumstance specified in Government Code 1091.5.

### **Common Law Doctrine Against Conflict of Interest**

A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

### **Incompatible Offices and Activities**

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the district. (Government Code 1099, 1126)

### **Gifts**

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitation on gifts does not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

In addition, the limitation on gifts does not apply to informational materials such as books, reports, pamphlets, calendars, and periodicals. (Government Code 82028)

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation, except when: (Government Code 89506)

1. The travel is in connection with a speech given by a Board member or designated employee, provided the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the day immediately following the speech and the travel is within the United States.
2. The travel is provided by a person or agency specified in Government Code 89506, including a government, governmental agency or authority, bona fide public or private educational institution, as defined in Revenue and Taxation Code 203, or nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

Gifts of travel exempted from the gift limitation, as described in items #1 and 2 above, shall nevertheless be reportable on the recipient's Statement of Economic Interest/Form 700 as required by law.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

### **Honoraria**

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession, unless the sole or predominant activity of the business, trade, or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

**Bylaw 9270: Conflict Of Interest**

**Status:** ADOPTED

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

#### Incompatible Activities

Governing Board members shall not engage in any employment or activity which is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the district. (Government Code 1126)

#### Conflict of Interest Code

The district's conflict of interest code shall be comprised of the terms of 2CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with a district attachment specifying designated positions and the specific types of disclosure statements required for each position.

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code in even-numbered years. If no change in the code is required, the district shall submit by October 1 a written statement to that effect to the code reviewing body. If a change in the code is necessitated by changed circumstances, the district shall submit an amended code to the code reviewing body. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated by changed circumstances, such as the creation of new designated positions, amendments or revisions, the changed code shall be submitted to the code reviewing body within 90 days. (Government Code 87306)

When reviewing and preparing conflict of interest codes, the district shall provide officers, employees, consultants and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

If a Board member or designated employee determines that he/she has a financial interest in a decision, as described in Government Code 87103, this determination shall be disclosed. The member shall be disqualified from voting unless his/her participation is legally required. (2 CCR 18700)

Statements of economic interests submitted to the district by designated employees in accordance with the conflict of interest code shall be available for public inspection and reproduction. (Government Code 81008)

#### Financial Interest

Board members and designated employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board members or designated employees. (Government Code 1090)

A Board member shall not be considered to be financially interested in a contract if his/her interest includes, but is not limited to, any of the following: (Government Code 1091.5)

1. That of an officer who is being reimbursed for his/her actual and necessary expenses incurred in the performance of an official duty
2. That of a recipient of public services generally provided by the public body or board of which he/she is a member, on the same terms and conditions as if he or she were not a member of the board
3. That of a landlord or tenant of the contracting party if such contracting party is the federal government or any federal department or agency, this state or an adjoining state, any department or agency of this state or an adjoining state, any county or city of this state or an adjoining state, or any public corporation or special, judicial or other public district of this state or an adjoining state unless the subject matter of such contract is the property in which such officer or employee has such interest as landlord or tenant in which even his/her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Government Code 1091
4. That of a spouse of an officer or employee of the district if his/her spouse's employment or officeholding has existed for at least one year prior to his/her election or appointment
5. That of a nonsalaried member of a nonprofit corporation, provided that such interest is disclosed to the Board at the time of the first consideration of the contract, and provided further that such interest is noted in its official records
6. That of a noncompensated officer of a nonprofit, tax-exempt corporation which, as one of its primary purposes,

supports the functions of the nonprofit board or to which the school Board has a legal obligation to give particular consideration, and provided further that such interest is noted in its official records

7. That of a person receiving salary, per diem, or reimbursement for expenses from a governmental entity, unless the contract directly involves the department of the government entity that employs the officer or employee, provided that such interest is disclosed to the Board at the time of consideration of the contract, and provided further that such interest is noted in its official records

8. That of an attorney of the contracting party or that of an owner, officer, employee or agent of a firm which renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm or real estate firm

In addition, a Board member or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his/her sole interest is that of an officer, director, or employee of a bank or savings and loan association with which a party to the contract has the relationship of borrower or depositor, debtor or creditor. (Government Code 1091.5)

A Board member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract. Remote interests are specified in Government Code 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his/her minor child. (Government Code 1091)

A Board member may enter into a contract if the rule of necessity or legally required participation applies as defined in Government Code 87101.

Even if there is no prohibited or remote interest, a Board member shall abstain from voting on personnel matters that uniquely affect a relative of the Board member. A Board member may vote, however, on collective bargaining agreements and personnel matters that affect a class of employees to which the relative belongs. "Relative" means an adult who is related to the person by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes the individual's parents, grandparents and great-grandparents, children, grandchildren and great-grandchildren, brothers, sisters, aunts and uncles, nieces and nephews, and the similar family of the individual's spouse unless the individual is widowed or divorced.

#### Disqualification for Board Members Who Manage Public Investments

A Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following:

1. Publicly identify the financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required. (Government Code 87105)
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. This Board member shall not be counted toward achieving a quorum while the item is discussed. (Government Code 87105; 2 CCR 18702.5)
3. Leave the room until after the discussion, vote and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters. (Government Code 87105)

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during the consent calendar. (2 CCR 18702.5)

(cf. 3430 - Investing)

The Board member may speak on the issue during the time that the general public speaks on the issue. The Board member shall recuse himself/herself from voting on the matter and leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion of the matter with members of the public. (Government Code 87105; 2 CCR 18702.5)



If the Board's decision is made during closed session, the public identification may be made orally during the open session before the Board goes into closed session and shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. The Board member shall not be present when the decision is considered in closed session or knowingly obtain or review a recording or any other non-public information regarding the Board's decision. (2 CCR 18702.5)

#### Gifts

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

Gifts of travel and related lodging and subsistence shall be subject to the prevailing gift limitation except as described in Government Code 89506.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

#### Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade or profession unless the sole or predominant activity of the business, trade or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

#### APPENDIX

##### DESIGNATED POSITIONS/DISCLOSURE CATEGORIES

It has been determined that persons occupying the following positions manage public investments and shall file a full statement of economic interests pursuant to Government Code 87200:

##### Governing Board Members

##### Superintendent of Schools

1. Persons occupying the following positions are designated employees in Category 1:

##### Assistant/Associate Superintendent

##### Purchasing Agent

Designated persons in this category must report:

a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries or of any land owned or used by the district. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property.

b. Investments or business positions in or income from sources which:

(1) Are engaged in the acquisition or disposal of real property within the district

(2) Are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district or

(3) Manufacture or sell supplies, books, machinery or equipment of the type used by the district

2. Persons occupying the following positions are designated employees in Category 2:

Director

Principal

Assistant Principal

Maintenance and Operations Director

Program Coordinator

Project Specialist

Supervisor

Dean of Students

Designated persons in this category must report investments or business positions in or income from sources which:

a. Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs, or

b. Manufacture or sell supplies, books, machinery or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

3. Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18701)

a. Approve a rate, rule or regulation

b. Adopt or enforce a law

c. Issue, deny, suspend or revoke a permit, license, application, certificate, approval, order or similar authorization or entitlement

d. Authorize the district to enter into, modify or renew a contract that requires district approval

e. Grant district approval to a contract or contract specifications which require district approval and in which the district is a party

f. Grant district approval to a plan, design, report, study or similar item

g. Adopt or grant district approval of district policies, standards or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18702.2 or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's Conflict of Interest Code. (2 CCR 18701)

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**Exhibit (PDF) 9270-E PDF(1): Conflict Of Interest**

**Status:** DRAFT

**Original Adopted Date:** Pending

*See PDF on the next page.*

**Conflict of Interest Code of the  
Galt Joint Union Elementary School District**

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, and Board Bylaw 9270, are incorporated by reference and shall constitute the District's conflict of interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

**APPENDIX**

**Designated Positions and Disclosure Requirements**

**1. Persons occupying the following positions are designated employees in Category 1:**

- Member of the Board of Education, Area 1
- Member of the Board of Education, Area 2
- Member of the Board of Education, Area 3
- Member of the Board of Education, Area 4
- Member of the Board of Education, Area 5
- Superintendent
- Assistant/Associate Superintendent
- Chief Business Official
- Director: Curriculum
- Director: Educational Services

**Designated persons in the category 1 must report:**

- a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
- b. Investments or business positions in or income from sources that are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.

**2. Persons occupying the following positions are designated employees in Category 2:**

Principal: Robert L. McCaffrey Middle School

Principal: Fairsite Elementary and School Readiness Center

Principal: Lake Canyon Elementary School

Principal: Marengo Ranch Elementary School

Principal: River Oaks Elementary School

Principal: Valley Oaks Elementary School

Principal: Vernon E. Greer Elementary School

Assistant Principal: Robert L. McCaffrey Middle School

Assistant Principal: Fairsite Elementary and School Readiness Center

Assistant Principal: Lake Canyon Elementary School

Assistant Principal: Marengo Ranch Elementary School

Assistant Principal: River Oaks Elementary School

Assistant Principal: Valley Oaks Elementary School

Assistant Principal: Vernon E. Greer Elementary School

Coordinator: Technology

Coordinator: Expanded Learning

Coordinator: Service Learning

Coordinator: Prevention & Intervention

Coordinator: Instructional Technology Integration

Supervisor: Fiscal Services

Supervisor: Food Services

Supervisor: Maintenance

Supervisor: Transportation

Consultants \*

**Designated persons in the category 2 must report:**

- a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
- b. Investments or business positions in or income from sources that manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

**\* Disclosures for Consultants**

Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18700.3)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the district to enter into, modify, or renew a contract that requires district approval

**E 9270 (d)**

5. Grant district approval to a contract that requires district approval and in which the
6. district is a party, or to the specifications for such a contract
7. Grant district approval to a plan, design, report, study, or similar item
8. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participate in making a governmental decision as defined in 2 CCR 18704, subsections (a) and (b), or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR 18700.3)

**Policy 6163.2: Animals At School**

**Status:** DRAFT

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

The Governing Board recognizes that animals can contribute to the district's instructional program by being effective teaching aids to students and by assisting individuals with disabilities to access district programs and activities. In addition, instruction related to the care and treatment of animals teaches students a sense of responsibility and promotes the humane treatment of living creatures.

The Superintendent or designee shall develop rules and procedures to ensure that when animals are brought to school, the health, safety, and welfare of students, staff, and the animals are protected. However, the district assumes no liability for the safety of animals allowed on district property.

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**Policy 6163.2: Animals At School**

**Status:** ADOPTED

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

The Governing Board recognizes that animals can be an effective teaching aid. In addition, instruction related to the care and treatment of animals teaches students a sense of responsibility and promotes the humane treatment of living creatures.

Animals may be brought to school for educational purposes, subject to rules and precautions specified in administrative regulations related to health, safety and sanitation. Teachers shall ensure that these rules and precautions are observed so as to protect both the students and animals.

Seeing-eye dogs and service dogs may accompany students and staff at school as needed.

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

The district assumes no liability for the safety of animals voluntarily brought to school.

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

**Regulation 6163.2: Animals At School**

**Status:** DRAFT

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

**Use of Animals for Instructional Purposes**

Before any student or employee brings an animal to school for an instructional purpose, he/she shall receive written permission from the principal or designee. The principal or designee shall give such permission only after he/she has provided written notification to all parents/guardians of students in the affected class, asking them to verify whether their child has any known allergies, asthma, or other health condition that may be aggravated by the animal's presence. When a parent/guardian has provided notification that his/her child has an allergy, asthma, or other health condition that may be aggravated by the animal, the principal shall take appropriate measures to protect the student from exposure to the animal.

All animals brought to school must be in good physical condition and must be appropriately immunized. The teacher shall ensure that the species of animal is appropriate for the instructional purpose and age and maturity of the students.

All animals brought to school shall be adequately fed, effectively controlled, humanely treated, and properly housed in cages or containers suitable for the species. The teacher shall ensure that cages and containers are cleaned regularly and that waste materials are removed and disposed of in an appropriate manner.

The teacher shall ensure that students receive instructions regarding the proper handling of and personal hygiene around animals.

Except for service animals, as defined below, all animals are prohibited on school transportation services. (Education Code 39839; 13 CCR 1216)

**Use of Service Animals by Individuals with Disabilities**

For an individual with a disability, service animal means any dog that is individually trained to do work or perform tasks related to the individual's disability and for his/her benefit. For example, for an individual who is blind or has low vision, a service animal would mean a dog that helps him/her with vision, navigation, and other tasks; for an individual who is deaf or hard of hearing, a service animal would mean a dog that alerts him/her to the presence of people or sounds; and for an individual with psychiatric or neurological disabilities, a service animal would mean a dog that assists him/her by preventing or interrupting impulsive or destructive behaviors. (28 CFR 35.104)

Individuals with disabilities may be accompanied on school premises and on school transportation by service animals, including specially trained guide dogs, signal dogs, or service dogs. (Education Code 39839; Civil Code 54.2; 28 CFR 35.136)

~~The Superintendent or designee may permit the use of a miniature horse as a service animal when the horse has been individually trained to do work or perform tasks for the benefit of an individual with a disability, provided that: (28 CFR 35.136)~~

- ~~1. The district's facility can accommodate the type, size, and weight of the horse.~~
- ~~2. The individual has sufficient control of the horse.~~
- ~~3. The horse is housebroken.~~
- ~~4. The horse's presence in the specific facility does not compromise legitimate safety requirements of the facility.~~

The Superintendent or designee may ask any individual with a disability to remove his/her service animal from school premises or transportation if the animal is out of control and the individual does not take effective action to control it or the animal is not housebroken. When an individual's service animal is excluded, he/she shall be given an

opportunity to participate in the service, program, or activity without having the service animal present. (Education Code 39839; Civil Code 54.2; 28 CFR 35.136)

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**Regulation 6163.2: Animals At School**

**Status:** ADOPTED

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

All animals brought to school must be:

1. In good physical condition
2. Vaccinated against transmittable diseases
3. In clean, safe and suitable cages or containers or otherwise appropriately controlled

Students bringing animals to school must first obtain the consent of the teacher and the parent/guardian.

Animals shall not be brought to school on school buses without express permission of the principal or designee. Such permission shall not be required for seeing-eye dogs or service dogs needed by students.

(cf. 5131.1 - Bus Conduct)

Students shall not bring poisonous or wild animals to school. If wildlife specimens are used in a biology class, protective gloves and a face shield shall be worn by anyone handling these specimens and the animals' saliva and neurological tissue shall be treated as infectious.

(cf. 5141.22 - Infectious Diseases)

Animals brought to school by students shall generally be taken home the same day they are brought to school.

With the consent of the principal or designee, animals may remain at school longer under the following conditions:

1. The animal shall remain in the classroom only for the number of days needed to achieve the educational goal.
  2. The teacher shall provide a plan for the proper care, sanitation, feeding and handling of the animal.
  3. The teacher shall be responsible for the animal's care in the event of any school closure and may allow students to take class pets home over weekends.
  4. The teacher shall be familiar with any potential dangers caused by the animal and shall give special consideration to any students who have allergies to certain animals.
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