

CSBA POLICY GUIDE SHEET
December 2024

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

Board Policy 0460 – Local Control and Accountability Plan

Policy updated to reflect **NEW LAW (SB 153, 2024)** which (1) requires Learning Recovery Emergency Funds received by districts to be included in the local control and accountability plan (LCAP) or annual update to the LCAP for the period July 1, 2025 to June 30, 2028, (2) extends the date to July 1, 2027 by which an Individuals with Disabilities Education Act Addendum is required to be completed by identified districts, (3) provides that if the Governing Board is unable to review local indicator data due to an emergency specified in law, the local indicator data is required to be reviewed at the next Board meeting, and a resolution describing the emergency event and the date on which the local indicator data was reviewed is required to be adopted and submitted to the California Department of Education. Additionally, policy updated to reflect **NEW LAW (SB 114, 2023)** which requires districts that receive local control funding formula equity multiplier funding to include specific goals in the LCAP for each school generating such funding. In addition, policy updated to clarify that the District English Learner Advisory Committee may serve as the district's LCAP English Learner Parent Advisory Committee.

Administrative Regulation 0460 – Local Control and Accountability Plan

Regulation updated to reflect **NEW LAW (SB 153, 2024)** which (1) requires the Superintendent to present the annual report on the update to the local control and accountability plan and budget overview for parents/guardians as a nonconsent item at a regularly scheduled meeting of the Governing Board, and (2) extends the date to July 1, 2027 by which an Individuals with Disabilities Education Act Addendum is required to be completed by identified districts.

Board Policy 1250 – Visitors/Outsiders

Policy updated to (1) emphasize in the philosophical statement that visitation by parents/guardians and community members be consistent with the policy, the accompanying administrative regulation and procedures established by the Superintendent or designee, (2) clarify that visits during school hours are required to be arranged with the principal or designee, and (3) delete options regarding required registration when entering school buildings or grounds, in keeping with the removal of the distinction between visitors and outsiders throughout the policy and accompanying administrative regulation, and instead require everyone but staff and students to register upon arrival. Additionally, policy updated to change from being permissive to required (1) the provision of a visible means of identification for anyone who is not a student or staff member, (2) for any visitor who is in a school building or on school grounds, to behave in an orderly manner, and (3) the principal or designee's request that any individual who is causing a disruption to immediately leave school grounds. In addition, policy updated to add that the principal report to the Superintendent or designee anytime a request by a registered sex offender to enter the school campus or grounds is received.

Administrative Regulation 1250 – Visitors/Outsiders

Regulation updated to remove the distinction between visitors and outsiders, requiring everyone but staff and students to register upon arrival. Regulation also updated to add language regarding the principal or designee's authorization to issue a stay away letter if a visitor has shown reasonable cause to believe that the visitor is willfully disrupting the orderly operation of a school.

Board Policy 3100 - Budget

Policy updated to clarify that regardless of the option chosen for budget advisory committees, representation of Governing Board members on the committee may not comprise a majority of the Board, since having a quorum participate in any committee would in essence create a Board meeting when the committee meets. Additionally, policy updated to reference **NEW LAW (AB 176, 2024)** which provides that (1) attendance generated through an attendance recovery program will be excluded from the average daily attendance of the

district, and (2) when a school is between base year eligibility determinations, any current or newly enrolled students who are eligible for free or reduced-priced meals may be included for purposes of the local control funding formula (LCFF). In addition, policy updated to reflect **NEW LAW (SB 114, 2023)** which requires districts that receive LCFF equity multiplier funding to include specific goals in the local control and accountability plan, and reference **NEW LAW (SB 153, 2024)** which provides that if a school which is otherwise eligible to receive LCFF equity multiplier funds is closed in the year in which the funds are to be allocated, that school is instead deemed to be ineligible, and any unspent funds provided are required to be returned to the California Department of Education. Policy also updated to clarify that the Board may approve a plan for meeting the district's long-term obligations to fund contributions to other defined pension plans such as the California State Teachers Retirement System in addition to the California Public Employees' Retirement System.

Administrative Regulation 3100 - Budget

Regulation updated to reflect **NEW LAW (AB 721, 2023)** which, beginning January 1, 2027, repeals the requirement to publish notification of the hearing date and location for inspection for the district's proposed budget in a newspaper of general circulation, and instead requires the information to be posted prominently on the district's website homepage at least three days before the availability of the proposed budget for public inspection.

Board Policy 3280 – Sale of Lease of District-Owned Real Property

Policy updated to delete provision that until July 1, 2024, the Governing Board may elect not to appoint a district advisory committee for the sale or lease of surplus property that has not previously operated, or was not constructed to be operated, as an early childhood education facility or a school for elementary or secondary instruction, as this exception has expired. Additionally, policy updated to add that before taking any action to dispose of surplus real property, the Board is required to declare, at a regular meeting supported by written findings that, under the Surplus Land Act, the land is either surplus land or exempt surplus land. In addition, policy updated to reflect **NEW LAW (AB 480, 2023)** which provides that the Board may decide not to make such a declaration if the district provides notice and opportunity for public comment, as specified. In addition, policy updated to reflect **NEW GUIDELINES** which require the Board to provide the Department of Housing and Community Development (HCD) a copy of the Board's declarations and findings supporting the Board's determination that the property is exempt surplus land at least 30 days prior to disposing of the exempt surplus land, and **NEW LAW (SB 229, 2023)** which provides that if the district has received notification from HCD, the Board may not pursue a final action to ratify or approve the proposed disposal of surplus land unless the Board holds an open and public meeting to review and consider the substance of the notice. Policy also updated to delete the provision which authorized the proceeds from the sale or lease of property purchased entirely with local funds to be used for any general fund purpose, as that authorization has expired.

Administrative Regulation 3280 – Sale of Lease of District-Owned Real Property

Regulation updated to reflect **NEW LAW (AB 480, 2023)** which adds new definitions related to surplus property.

Board Policy 3320 Claims and Actions Against the District

Policy updated to incorporate material from the accompanying administrative regulation, as the majority of the content is related to Governing Board actions and therefore more appropriately placed in Board policy. Additionally, policy updated to reference **NEW LAW (AB 452, 2023)** which provides that there are no time limits for the commencement of actions for the recovery of damages for claims of childhood sexual assault that occurred on or after January 1, 2024, including plaintiffs who are 40 years of age or older who file certificates of merit by the plaintiff's attorney and by a licensed mental health practitioner selected by the plaintiff setting forth the facts which support the declaration, and in conjunction with **NEW LAW (SB 558, 2023)**, that the statute of limitations for acts of childhood sexual assault that occurred on or before December 31, 2023 is what was set forth in law on December 31, 2023. In addition, policy updated to (1) generalize and thereby make timeless the language regarding the monetary limit for a limited civil case, (2) require the Board, when a claim is presented late and is not accompanied by an application to present a late

claim, to give written notice as specified to avoid potentially waiving certain legal defenses, and (3) clarify that the written notice indicating that a claim was not presented timely and is being returned without further action be done in accordance with a specified Government Code section. Policy also updated to reflect the legal change of the term "Roster of Public Agencies" to "Registry of Public Agencies", and to provide more detail regarding the information that is required to be filed with the Secretary of State and County Clerk.

DELETE - Administrative Regulation 3320 – Claims and Actions Against the District

Regulation deleted with material moved to Board policy, as the majority of the content is related to Governing Board actions and therefore more appropriately placed in Board policy.

Board Policy 3515.5 – Sex Offender Notification

Policy updated to clarify that a district employee to whom sex offender information is disclosed by a law enforcement entity may only disclose the information when authorized by the law enforcement entity and in the manner authorized. Additionally, policy updated to include the purposes for which a registered sex offender's electronic mail address or username used for instant messaging or social networking or other internet identifier may be used by the district police/security department or released to another law enforcement entity.

Administrative Regulation 3515.5 – Sex Offender Notification

Regulation updated to emphasize that the components of the plan for receiving and communicating information about registered sex offenders residing within district boundaries are related to the safety of children. Additionally, regulation updated to include the specific means of providing notice when the principal has granted permission to a person who is required to register as a sex offender to come into a school building or upon school grounds to volunteer at the school.

Board Policy 3540 - Transportation

Policy updated to incorporate expanded learning opportunities in the philosophical statement, and reflect **NEW LAW (SB 88, 2023)** which (1) requires the district to obtain specified attestations from any private entity with which it contracts to provide student transportation, (2) provides for requirements for vehicles used to provide student transportation for compensation, and (3) adds qualification requirements for drivers who provide transportation to students.

Board Policy 5113.1 – Chronic Absence and Truancy

Policy updated to move to the philosophical paragraph language which provides that students who are identified as chronically absent or truant receive appropriate support services and interventions as early as possible. Additionally, policy updated to incorporate strategies identified by the California Department of Education for encouraging student attendance, and reflect **NEW LAW (SB 153, 2024)** which, beginning July 1, 2025, authorizes districts to implement attendance recovery programs for students in grades transitional kindergarten-12 to make up lost instructional time and offset absences.

Administrative Regulation 5113.1 – Chronic Absence and Truancy

Regulation updated to reflect **NEW LAW (SB 691, 2024)** which revises truancy parent/guardian notification requirements. Additionally, regulation updated to delete repealed language related to the delay of driving privileges, and reflect **NEW LAW (SB 153, 2024)** and **NEW LAW (AB 176, 2024)** which, beginning July 1, 2025, authorize districts to implement attendance recovery programs for students in grades transitional kindergarten-12 to make up lost instructional time and offset absences.

Board Policy 5148 – Child Care and Development

Policy updated to delete the requirement to provide distance learning when a district child care program is physically closed by local or state public health order, as such provision is no longer required. Additionally, policy updated to reflect **NEW LAW (SB 722, 2023)** which (1) requires the district to submit a completed incidental medical services plan to the California Department of Social Services (CDSS), but authorizes the district to enroll a child prior to approval of the plan, and (2) for a child with disabilities, authorizes the child to attend the district's child care and development program prior to the approval of an incidental medical services plan or amended plan of operation, so long as the forms have been submitted to CDSS. In addition,

policy updated to add that a district is prohibited from expelling or unenrolling a child or persuade or encourage a child's parents/guardians to voluntarily unenroll from the program based on the child's behavior, unless in accordance with the procedures specified in the accompanying administrative regulation, and to require, when necessary due to a reduction in state reimbursements, families be disenrolled from subsidized child care and development services as specified in the accompanying administrative regulation. Policy also updated to add new section "Fees and Charges", which includes general language regarding when the Superintendent or designee may charge fees for services.

Administrative Regulation 5148 – Child Care and Development

Regulation updated to reflect **NEW LAW (AB 393, 2023)** which (1) requires, for any child enrolled in a general childcare and development program or migrant childcare and development program who has been identified as a dual language learner, the child's teacher or other designated staff member to conduct a family language and interest interview, and (2) prohibits a family from being compelled to complete the family language survey for identification purposes or participate in the family language and interest interview. Additionally, regulation updated to delete duplicative information regarding enrollment priority where already addressed in accompanying Board policy, and to reflect **NEW LAW (AB 1808, 2024)** which provides that a family who receives CalWORKs Stage 1, 2, or 3 is considered to meet eligibility and need requirements for services for not less than 24 months, and is eligible to receive services for at least 24 months before having the family's eligibility or need recertified.

Board Policy 5148.2 – Before/After School Programs

Policy updated to require a district to prioritize expanded learning opportunity programs (ELO) at school sites in the lowest income communities, as determined by prior year percentages of students eligible for free and reduced-price meals, while maximizing the number of schools and neighborhoods with ELOs across their attendance area. Additionally, policy updated to reflect **NEW LAW (SB 153, 2024)** which requires, beginning in the 2025-26 fiscal year, a Governing Board to declare its operational intent to run an ELO to the Superintendent of Public Instruction, and authorizes districts to use ELO funds to support attendance recovery programs.

Administrative Regulation 5148.2 – Before/After School Programs

Regulation updated to add definition of "intersession program" and clarify, by describing when a student is considered to be enrolled in an expanded learning opportunities program (ELO), the definition of "provide access". Additionally, regulation updated to require a district that receives ELO apportionment to provide transportation to any student who attends a school that is not operating an ELO so that the student may attend at a location that is providing an ELO and return to the original location or another location that is established by the district. In addition, regulation updated to clarify that for hours of operation of an ELO program, recess and meals are included in the required nine hours of combined time per instructional day. Regulation also updated to reflect **NEW LAW (AB 723, 2023)** which requires a district that operates an intersession program to grant priority access to a foster youth and **NEW LAW (AB 373, 2023)** which grants priority access to a student experiencing homelessness, both of which provide that if a student experiencing homelessness or foster youth will be moving during an intersession period, the student's educational rights holder, or in the case of an American Indian Student, Indian custodian, may determine which school the student attends for the intersession period. Additionally, regulation updated to reflect **NEW LAW (SB 141, 2023)** which provides that a district that is temporarily prevented from operating an ELO because of a school or program site closure due to emergency conditions will not be subject to penalties if the Governing Board adopts a resolution and provides documentation substantiating the need for closure.

Board Policy 5148.3 – Preschool/Early Childhood Education

Policy updated to reflect **NEW LAW (SB 163, 2024)** which authorizes, until July 1, 2027, a district operating a California State Preschool Program (CSPP) to enroll interested two-year-old children. Additionally, policy updated to clarify that evidence of California residency may be established by providing evidence of a California street or post office address. In addition, policy updated to add that a district is prohibited from expelling or unenrolling a child or persuade or encourage a child's parents/guardians to voluntarily unenroll from the program based on the child's behavior, unless the expulsion or unenrollment is in accordance with the procedures specified in the accompanying administrative regulation, and to require, when necessary due to a reduction in state reimbursements, families be disenrolled as specified in the accompanying

administrative regulation. In addition, policy updated to reorganize for clarity and to keep related content together.

Administrative Regulation 5148.3 – Preschool/Early Childhood Education

Regulation updated to reflect **NEW LAW (SB 163, 2024)** which (1) adds the definition of “two-year-old children,” (2) revises eligibility criteria and enrollment priorities for part- and full-day preschool services to permit, but not require, districts to offer, until July 1, 2027, California State Preschool Program (CSPP) to eligible two-year-old children, and (3) indefinitely extends the requirement for five percent of CSPP enrollment be reserved for children with exceptional needs. Additionally, regulation updated to reflect **NEW LAW (SB 176, 2024)** which further expands eligibility and enrollment priorities for two-year-old children, and **NEW LAW (SB 153, 2024)** which requires districts to complete an observation using the Classroom Assessment Scoring System (CLASS) tool and CLASS environment tool when CSPP and transitional kindergarten students are commingled. In addition, regulation updated to reflect the California Department of Education’s federal program monitoring instrument which requires the district’s policies and procedures related to CSPPs to include procedures for excused absences including best interest days and abandonment of care. Regulation also updated to delete out of date information, reorganize for clarity, and keep related content together.

Board Policy 6158 – Independent Study

Policy updated to reflect **NEW LAW (SB 153, 2024)** and **NEW LAW (AB 176, 2024)** which require a district that submits an affidavit for a school closure necessitated by an emergency condition to (1) for an emergency event occurring after September 1, 2021 but before July 1, 2026, certify that the district has a plan for offering independent study to affected students within 10 instructional days, and (2) for events occurring on or after July 1, 2026, certify that an instructional continuity plan is included in the district’s comprehensive safety plan and that the district offered student engagement and instruction consistent with the instructional continuity plan or certify that it did not do so due to extenuating circumstances. Additionally, **NEW LAW (SB 153, 2024)** (1) provides that when computing average daily attendance for apportionment purposes, students participating in independent study may only be credited with one day of attendance for each calendar day, (2) makes specified independent study requirements applicable only when students are participating in an independent study program for 16 school days or more in a school year, (3) provides that evidence of student participation, in addition to other forms of evidence, may include documentation that the student participated in an instructional period either visually or verbally, (4) provides that a written agreement is required for independent study of any length of duration, (5) requires districts to obtain a signed written agreement for an independent study program of more than 15 school days before the beginning of independent study, and for an independent study program of 15 school days or fewer, during the school year in which the independent study program takes place, and (6) makes similar changes to course-based independent study. In addition, **NEW LAW (AB 176, 2024)** clarifies that the district is required to maintain documentation of hours or fraction of an hour for both student work products and the time that the student engaged in asynchronous instruction. Policy also updated to reflect **NEW LAW (SB 348, 2023)** which requires districts to make available, at no cost, a nutritionally adequate breakfast and lunch to any district student who requests a meal including an independent study student who is scheduled for educational activities, as defined in law, lasting for two or more hours at a school site, resource center, meeting space, or other satellite facility, regardless of the student’s eligibility for a free or reduced-price meal, and to clarify the meaning of “caregiver” in the context of general independent study agreement requirements to make consistent with similar material related to course-based independent study agreement requirements.

Administrative Regulation 6158 – Independent Study

Regulation updated to delete material related to students with disabilities who receive services from a nonpublic, nonsectarian school through a virtual program as the law is no longer operative. Additionally, regulation updated to reflect **NEW LAW (AB 176, 2024)** which clarifies that the district is required to maintain documentation of hours or fraction of an hour for both student work products and the time that the student engaged in asynchronous instruction.

Board Policy 6170.1 – Transitional Kindergarten

Policy updated to reflect **NEW LAW (AB 2268, 2024)** which exempts students in transitional kindergarten (TK) from the requirement to be assessed in English listening and speaking for purposes of initial

identification as an English learner, and **NEW LAW (SB 153, 2024)** which requires districts that commingle TK students and California State Preschool Program children in the same classroom to complete an observation using the Classroom Assessment Scoring System (CLASS) tool and CLASS environment tool.

Board Policy 6174 – Education for English Learners

Policy updated to reference **NEW LAW (AB 2074, 2024)** which requires the California Department of Education to develop a statewide implementation plan for the, “El Roadmap Policy”. Additionally, policy updated to reflect **NEW LAW (714, 2023)** which clarifies that the term “newcomer student” has the same meaning as “immigrant children and youth” as defined in law, **NEW LAW (SB 114, 2023)** which includes long-term English learners as a numerically significant subgroup, **NEW LAW (SB 141, 2023)** which defines “long-term English learner” as a student who has not attained English language proficiency within seven years of initial classification as an English learner, and **NEW LAW (AB 2268, 2024)** which exempts students in transitional kindergarten from the requirement to be assessed in English listening and speaking for purposes of initial identification as an English learner. In addition, policy updated to remove material related to instruction collaboration agreements which is more appropriately placed in other policy, include material from the accompanying administrative regulation “Reclassification/Redesignation” section as the content is more appropriately placed in policy, and clarify the differing definitions of “long-term English learner” for the distinct purposes for which they apply.

Administrative Regulation 6174 – Education for English Learners

Regulation updated to reflect **NEW LAW (SB 114, 2023)** which includes long-term English learners as a numerically significant subgroup, **NEW LAW (SB 141, 2023)** which defines “long-term English learner” as a student who has not attained English language proficiency within seven years of initial classification as an English learner, and to clarify the differing definitions of “long-term English learner” for the distinct purposes for which they apply. Additionally, regulation updated to reflect **NEW LAW (AB 2268, 2024)** which exempts students in transitional kindergarten from the requirement to be assessed in English listening and speaking for purposes of initial identification as an English learner. In addition the section “Reclassification/Redesignation was deleted and moved to the accompanying Board policy, as the content is more appropriately placed in policy.

Board Bylaw 9240 – Board Training

Bylaw updated to include ethics training required by Governing Board members who are in office as of January 1, 2025, with completion by January 1, 2026, and every two years thereafter. Additionally, bylaw updated to add that the Board president work with the Superintendent or designee to include funds for professional development and associated reasonable travel expenses for the Board as a whole and for each individual Board member in the district’s proposed annual budget and, consistent with the availability of funds in the district’s adopted annual budget, (1) the Board president or designee annually develop, and bring to the Board for adoption, a Board professional development calendar designed to assist the Board as a whole, and (2) individual Board members identify and participate in additional professional development opportunities and then timely inform the Board president and the Superintendent upon doing so. In addition, bylaw updated to revise references to relevant training opportunities.

Board Bylaw 9270 – Conflict of Interest

Bylaw updated to add that Governing Boards are mandated to adopt a conflict of interest code and to adopt policies regarding incompatible offices and activities. Additionally, bylaw updated to denote “District Official” as the general term for a position to which the district’s conflict of interest code applies and to reflect **NEW LAW (SB 1181, 2024)** and **NEW LAW (SB 1243, 2024)** which increased the threshold to \$500 for certain disclosure requirements and restrictions on accepting, soliciting, or directing campaign contributions. In addition, bylaw updated to permit any District Official, who, in good faith, believes that they may be subject to the requirements of the bylaw and has questions, is unclear, or is unsure regarding the application of the requirements of the bylaw, to seek advice from the district’s legal counsel with the permission of the Superintendent, Board president, or majority of the Board. Bylaw also updated to include ethics training required by Board members who are in office as of January 1, 2025, with completion by January 1, 2026, and every two years thereafter. Bylaw also reorganized for coherence, clarity, and consistent style.

Exhibit(1) 9270 – Conflict of Interest

Exhibit updated to denote “District Official” as the general term for a position to which the district’s conflict of interest code applies. Additionally, exhibit updated with revised resolution language and simplified list of designated positions.

CSBA UPDATE CHECKLIST –December 2024

District Name: _____

Contact Name: _____ Phone: _____ Email: _____

| POLICY | TITLE | OPTIONS/BLANKS | ADOPT DATE |
|-----------|---|---|------------|
| BP 0460 | Local Control and Accountability Plan | | |
| AR 0460 | Local Control and Accountability Plan | | |
| BP 1250 | Visitors/Outsiders | | |
| AR 1250 | Visitors/Outsiders | | |
| BP 3100 | Budget | OPTION 1: <input type="checkbox"/> OPTION 2: <input type="checkbox"/> OPTION 3: <input type="checkbox"/> | |
| AR 3100 | Budget | | |
| BP 3280 | Sale or Lease of District-Owned Real Property | | |
| AR 3280 | Sale or Lease of District-Owned Real Property | | |
| BP 3320 | Claims and Actions Against the District | | |
| AR 3320 | Claims and Actions Against the District | Delete AR <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| BP 3515.5 | Sex Offender Notification | | |
| AR 3515.5 | Sex Offender Notification | | |
| BP 3540 | Transportation | | |
| BP 5113.1 | Chronic Absence and Truancy | | |
| AR 5113.1 | Chronic Absence and Truancy | | |
| BP 5148 | Child Care and Development | | |
| AR 5148 | Child Care and Development | Fill in Blanks <hr/> <hr/> <hr/> | |

CSBA UPDATE CHECKLIST – December 2024

District Name: _____

| POLICY | TITLE | OPTIONS/BLANKS | ADOPT DATE |
|-----------|-------------------------------------|--|------------|
| BP 5148.2 | Before/After School Programs | OPTION 1: <input type="checkbox"/> OPTION 2: <input type="checkbox"/> | |
| AR 5148.2 | Before/After School Programs | OPTION 1: <input type="checkbox"/> OPTION 2: <input type="checkbox"/> | |
| BP 5148.3 | Preschool/Early Childhood Education | | |
| AR 5148.3 | Preschool/Early Childhood Education | | |
| BP 6158 | Independent Study | | |
| AR 6158 | Independent Study | | |
| BP 6170.1 | Transitional Kindergarten | | |
| BP 6171 | Education for English Learners | | |
| AR 6174 | Education for English Learners | | |
| BB 9240 | Board Training | | |
| BB 9270 | Conflict of Interest | | |
| E(1) 9270 | Conflict of Interest | Fill in Blanks <hr/> <hr/> <hr/> | |

Policy 0460: Local Control And Accountability Plan

Status: ADOPTED

Original Adopted Date: 10/01/2017 | **Last Revised Date:** 12/01/2023~~2024~~ | **Last Reviewed Date:** 12/01/2023~~2024~~

CSBA NOTE: Education Code 52060-52077 require the Governing Board to adopt, on or before July 1, a local control and accountability plan (LCAP), an annual update to the LCAP, and a local control funding formula (LCFF) budget overview for parents/guardians. Pursuant to Education Code 52060, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair, (2) implementation of and student access to state academic content and performance standards, (3) parent/guardian involvement and family engagement, (4) student achievement, (5) student engagement, (6) school climate, (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of supplemental and concentration grants under the LCFF), and (8) student outcomes in the specified course of study. Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities and goals. See the accompanying administrative regulation for further information about the required content of the LCAP.

The Governing Board desires to ensure the most effective use of available funding to improve outcomes for all students. A comprehensive, data-driven planning process shall be used to identify annual goals and specific actions which are aligned with the district budget and facilitate continuous improvement of district practices.

CSBA NOTE: Pursuant to Education Code 52064, the State Board of Education (SBE) has adopted a template that districts must use to complete the LCAP and the annual update, which, as amended by SB 114 (Ch. 48, Statutes of 2023), provides for numerous changes which are required to be adopted by SBE for use in the 2024-25 school year. Additionally, Education Code 52064.4, as added by SB 153 (Ch. 38, Statutes of 2024), requires, for the period July 1, 2025 to June 30, 2028, all Learning Recovery Emergency Funds received to be included, as specified, in the LCAP or annual update. This requirement will be reflected in the template and instructions that accompany the template adopted by SBE at its November 2024 meeting. Districts should ensure that they are using the most up-to-date template, an electronic version of which is available on the California Department of Education's (CDE) website.

The Board shall adopt a districtwide local control and accountability plan (LCAP) and an annual update to the LCAP, based on the most up-to-date template adopted by the State Board of Education (SBE), that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP and the annual update shall be adopted or updated, as required, on or before July 1 of each year. (Education Code 52060, 52064; 5 CCR 15494-15497)

The LCAP and the annual update shall focus on improving outcomes for all students, particularly those who are "unduplicated students" or are part of any numerically significant student subgroup that is at risk of or is underperforming. (Education Code 52060, 52064)

An "unduplicated student" is a student who is eligible for free or reduced-price meals, who is an English learner, or who is a foster youth, as defined in Education Code 42238.01. (Education Code 42238.02)

CSBA NOTE: Education Code 52052, as amended by SB 114, has been expanded to include long-term English learners as a numerically significant subgroup, separate from English learners. Pursuant to Education Code 52052, as amended by SB 141 (Ch. 194, Statutes of 2023), a "long-term English learner" is defined as a student who has not attained English language proficiency within seven years of initial classification as an English learner.

Numerically significant student subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, long-term English learners, students with disabilities, foster youth, and students experiencing homelessness, when there are at least 30 students in the subgroup or at least 15 foster youth, students experiencing homelessness, or long-term English learners. (Education Code 52052)

CSBA NOTE: The following paragraph is for use by districts that receive LCFF equity multiplier funding. Pursuant to Education Code 42238.024 and 52064, as added and amended by SB 114, districts that receive LCFF equity multiplier funding are required to include specific goals in the LCAP for each school generating such funding. Pursuant to Education Code 42238.024, as amended by SB 153, if a school which is otherwise eligible to receive LCFF equity multiplier funds is closed in the year in which the funds are to be allocated, that school is instead deemed to be ineligible, and any unspent funds provided are required to be returned to CDE.

The LCAP shall also include focused goals, as specified in Education Code 52064, for each school generating local control funding formula (LCFF) equity multiplier funds.

CSBA NOTE: Pursuant to Education Code 52064.3, by January 31, 2025, as amended by SB 153, the date upon which an Individuals with Disabilities Education Act (IDEA) Addendum adopted by SBE relating to improvements in services for students with disabilities is required to be completed by districts that are identified by CDE as needing an improvement plan pursuant to 34 CFR 300.600-300.647, has been extended to July 1, 2027. Such identified districts must comply with the requirements specified in the following paragraph.

Beginning July 1, 2025~~2027~~, if the district is identified by the California Department of Education (CDE) as needing an improvement plan pursuant to 34 CFR 300.600-300.647, the Board shall adopt, and update on an annual basis, an Individual with Disabilities Education Act (IDEA) Addendum, based on the template adopted by SBE. However, if the district adopts an improvement plan after being identified, but before July 1, 2025~~2027~~, the IDEA Addendum shall be developed upon expiration of the adopted improvement plan, but no later than July 1, 2028~~2030~~, whichever occurs first. The IDEA addendum~~Addendum~~ shall be developed, reviewed, and approved in conjunction with and in the same manner as the LCAP and the annual update, and shall be submitted to CDE within 15 days of adoption by the Board. (Education Code 52064.3)

The Superintendent or designee shall review the school plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

CSBA NOTE: Except for the IDEA Addendum, the LCFF budget overview for parents/guardians, and the school plan for student achievement, districts are not required to align the LCAP with any other district strategic documents (e.g., such as the District Strategic Plan, English Learner Master Plan, or Facilities Master Plan). However, districts are encouraged to align their LCAPs with other district strategic documents to ensure consistent implementation.

The LCAP shall also be aligned with other district and school plans, to the extent possible, in order to minimize duplication of effort and provide clear direction for program implementation.

CSBA NOTE: Pursuant to Education Code 52064.1, districts are required to develop an LCFF budget overview for parents/guardians in conjunction with, and attached as a cover to, the LCAP and the annual update. The budget overview is subject to the requirements of Education Code 52062 and 52070 pertaining to the adoption, review, and approval of the LCAP and the annual update.

As part of the adoption of the LCAP and the annual update, the Board shall separately adopt a local control funding formula LCFF budget overview for parents/guardians, based on the template developed by SBE, which includes specified information relating to the district's budget. The budget overview shall be adopted, reviewed, and approved in the same manner as the LCAP and the annual update. (Education Code 52064.1)

Advisory Committees

CSBA NOTE: Pursuant to Education Code 52063 and 5 CCR 15495, the Board is required to establish a parent advisory committee and, if district enrollment includes at least 15 percent English learners, an English learner parent advisory committee to review and comment on the LCAP and the annual update. The district may use existing parent advisory committees for these purposes if the committee composition complies with Education Code 52063 and 5 CCR 15945. However, the district should consider whether such opportunities need to be expanded to achieve significant levels of stakeholder involvement in the planning process as intended by law.

Education Code 52063 requires the LCAP parent advisory committee to include parents/guardians of currently enrolled students with disabilities.

The Board shall establish a parent advisory committee, which shall be composed of a majority of parents/guardians and shall include parents/guardians of unduplicated students and parents/guardians of students with disabilities. (Education Code 52063; 5 CCR 15495)

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board shall establish an English learner parent advisory

~~committee~~ Learner Parent Advisory Committee, which shall be composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

The District English Learner Advisory Committee (DELAC) may serve as the district's LCAP English Learner Parent Advisory Committee, as specified in Administrative Regulation 6174 - Education for English Learners.

CSBA NOTE: The following paragraph is for districts serving middle and/or high school students. Education Code 52063, as amended by SB 997 (Ch. 922, Statutes of 2022), requires, beginning July 1, 2024, 52063 requires districts serving middle or high school students to include two students as full members of the existing parent advisory committee or establish a student advisory committee to provide advice to the Board and the Superintendent or designee. Student members of the parent advisory committee or the student advisory committee shall represent the diversity of the district's students, as described below. Districts that do not serve middle or high school students may delete the following paragraphs relating to student advisory members.

Beginning July 1, 2024, unless Unless a student advisory committee is established to provide advice to the Board and Superintendent, two students shall be included as full members of the parent advisory committee. The students shall serve for a renewable term of one full school year. (Education Code 52063)

Student members of the parent advisory committee or the student advisory committee shall represent the diversity of the district's students, including geographical, socioeconomic, cultural, physical, and educational diversity, and particular effort shall be made to reach out to at-risk or disadvantaged students to serve as members of such committees. (Education Code 52063)

The Superintendent or designee shall present the LCAP and the annual update to each of these committee(s) before they are submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s).

LCAP Development and Consultation

The Superintendent or designee shall gather data and information needed for effective and meaningful development of the LCAP and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the number of students in student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

CSBA NOTE: Education Code 52060 requires consultation on LCAP development with all of the groups listed below. The Board may delegate responsibility for arranging meetings and other input opportunities to the Superintendent or designee.

5 CCR 15495 defines what it means to consult with students, including unduplicated students and other numerically significant student subgroups, and gives examples of methods that may be used for this consultation. State regulations do not provide examples of consultation with groups other

than students, but consultations might include surveys, the use of existing advisory committees, solicitation of feedback from the groups after drafts of the LCAP and annual update are available, discussion of the LCAP and the annual update at staff meetings, and communication with parent organizations, student councils, school site councils, or other established committees or organizations. The district may expand the list with whom the district seeks consultation.

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP and the annual update. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums and committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

CSBA NOTE: Pursuant to Education Code 305, the LCAP parent/guardian and community engagement process must include solicitation of input on language acquisition programs. See BP/AR 6174 - Education for English Learners for further information regarding the types of language acquisition programs that may be offered.

As part of the parent/guardian and community engagement process, the district shall solicit input on effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs to enable all students, including English learners and native English speakers, to have access to the core academic content standards and to become proficient in English. (Education Code 305-306)

The Superintendent or designee shall consult with the administrator(s) of the special education local plan area of which the district is a member to ensure that specific actions for students with disabilities are included in the LCAP and are consistent with strategies included in the annual assurances support plan for the education of students with disabilities. (Education Code 52062)

CSBA NOTE: Education Code 52062 requires notification to the public of the opportunity to submit written comments on the proposed LCAP and the annual update, including notification in the primary language of parents/guardians when required by Education Code 48985. Pursuant to Education Code 48985, whenever 15 percent or more of the students in a school speak a single primary language other than English, notifications sent to parents/guardians of such students must be written in the primary language as well as in English; see BP 5145.6 - Parental Notifications.

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP and the annual update. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP and the annual update shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

CSBA NOTE: Pursuant to Education Code 42127, the Board must not adopt a district budget until the LCAP is in place for the budget year; see BP 3100 - Budget. The budget must include the

expenditures necessary to implement the plan that will be effective during the subsequent fiscal year. If it does not, the County Superintendent of Schools will disapprove the district's budget.

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP and the annual update. The public hearing shall be held at the same meeting as the budget hearing required pursuant to Education Code 42127 and Board Policy 3100 - Budget. (Education Code 52062)

Adoption and Submission

The Board shall adopt the LCAP and the annual update prior to adopting the district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing. (Education Code 52062)

CSBA NOTE: Education Code 52070 requires the district to submit the LCAP and the annual update to the County Superintendent, who may seek written clarification of the contents and may submit recommendations for amendments as provided below. The County Superintendent is required to approve the LCAP and the annual update on or before October 8 if it is determined that (1) the LCAP and the annual update adhere to the template adopted by SBE and follows any SBE instructions or directions for completing the template, (2) the district budget includes expenditures sufficient to implement the specific actions and strategies in the LCAP, and (3) the LCAP adheres to supplemental and concentration grant expenditure requirements specified in Education Code 42238.07 for unduplicated students. In determining whether the district has fully demonstrated that it will use supplemental and concentration funds to increase or improve services for unduplicated students, 5 CCR 15497 requires the County Superintendent to review any descriptions of districtwide or schoolwide services provided.

Not later than five days after adoption of the LCAP, the annual update, the district budget, and the budget overview for parents/guardians, the Board shall file the LCAP, the annual update, the budget, and the budget overview with the County Superintendent of Schools. (Education Code 42127, 52064.1, 52070)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP and the annual update, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

If the County Superintendent does not approve the district's LCAP and the annual update, the Board shall accept technical assistance from the County Superintendent focused on revising the LCAP and the annual update so that they can be approved. (Education Code 52071)

CSBA NOTE: Pursuant to Education Code 52064.5, as amended by SB 153, if the Board is unable to review local indicator data (data adopted by SBE to measure district and school site performance in regard to specified state priorities), due to any emergency specified in Education Code 46392, the

Board is required to review such data at its next Board meeting, adopt a resolution describing the emergency event and the date on which the local indicator data was reviewed, and submit the resolution to CDE.

If the Board is unable to review local indicator data due to any emergency specified in Education Code 46392, the local indicator data shall be reviewed at the next Board meeting, and a resolution describing the emergency event and the date on which the local indicator data was reviewed shall be adopted and submitted to CDE. (Education Code 52064.5)

Revisions

The Board may adopt revisions to the LCAP and the annual update at any time during the period in which it is in effect, provided the Board follows the process to adopt the LCAP and the annual update pursuant to Education Code 52062 and the revisions are adopted in a public meeting.

Monitoring Progress and Complaints

CSBA NOTE: The following optional paragraph may be revised to reflect the district's timeline for reviewing the progress and effectiveness of strategies included in the LCAP. Reports should be provided to the Board in sufficient time to allow for any necessary changes in the annual update to the LCAP by July 1 of each year, as required by Education Code 52060-52061. The California School Dashboard provides a tool to assist in evaluation of district and school performance and includes all of the state priorities for the LCAP described in Education Code 52060.

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by the Superintendent and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. Evaluation shall include, but not be limited to, an assessment of district and school performance reported on the California School Dashboard. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

Any complaint that the district has not complied with legal requirements pertaining to the LCAP may be filed pursuant to Administrative Regulation 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

Technical Assistance

CSBA NOTE: Pursuant to Education Code 52071, if the County Superintendent does not approve a district's LCAP and annual update, including the annual update and the budget overview for parents/guardians, then technical assistance is required to be provided. For more information regarding intervention and technical assistance, see BP 0500 - Accountability and BP 0520 - Intervention in Underperforming Schools.

If the district's LCAP and the annual update are not approved, the district shall accept technical assistance or other intervention that may be required pursuant to Education Code 52071.

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

| State | Description |
|--|---|
| 5 CCR 15494-15497 | Local control and accountability plan and spending requirements |
| Ed. Code 17002 | State School Building Lease-Purchase Law, including definition of good repair |
| Ed. Code 305-306 | English language education |
| Ed. Code 33430-33436 | Learning Communities for School Success Program; grants for LCAP implementation |
| Ed. Code 41020 | Requirement for annual audit |
| Ed. Code 41320-41322 | Emergency apportionments |
| Ed. Code 42127 | Public hearing on budget adoption |
| Ed. Code 42238.01-42238.07 | Local control funding formula |
| Ed. Code 44258.9 | County superintendent review of teacher assignment |
| <u>Ed. Code 46392</u> | <u>Emergency average daily attendance</u> |
| Ed. Code 47604.33 | Submission of reports by charter schools |
| Ed. Code 47606.5 | Charter schools; local control and accountability plan |
| Ed. Code 48985 | Notices to parents in language other than English |
| Ed. Code 51210 | Course of study for grades 1-6 |
| Ed. Code 51220 | Course of study for grades 7-12 |
| Ed. Code 52052 | Numerically significant student subgroups |
| Ed. Code 52059.5 | Statewide system of support |
| Ed. Code 52059.5 <u>52060-52077</u> | Local control and accountability plan |
| Ed. Code 52302 | Regional occupational centers and programs |
| Ed. Code 52372.5 | Linked learning program |
| Ed. Code 54692 | Partnership academies |
| Ed. Code 60119 | Sufficiency of textbooks and instructional materials; hearing and resolution |

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| Ed. Code 60605.8 | California Assessment of Academic Achievement; Academic Content Standards Commission |
| Ed. Code 60900-60901 | California Longitudinal Pupil Achievement Data System |
| Ed. Code 64001 | School plan for student achievement; consolidated application programs |
| Ed. Code 99300-99301 | Early Assessment Program |
| W&I Code 300 | Dependent child of the court |
| Federal | Description |
| 20 USC 6311 | State plan |
| 20 USC 6312 | Local educational agency plan |
| 20 USC 6826 | Title III funds; local plans |
| 34 CFR 300.600-300.647 | Education of students with disabilities; monitoring, enforcement, confidentiality, and program information |
| 34 USC 300.600 | State monitoring and enforcement |
| Management Resources | Description |
| California Department of Education Publication | California Career Technical Education Model Curriculum Standards, 2013 https://www.cde.ca.gov/ci/ct/sf/ctemcstandards.asp |
| California Department of Education Publication | LCFF Frequently Asked Questions https://www.cde.ca.gov/Fg/aa/lc/lcfffaq.asp |
| California Department of Education Publication | Local Control and Accountability Plan and Annual Update (LCAP) Template https://www.cde.ca.gov/re/lc/ |
| California Department of Education Publication | California Common Core State Standards: English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. 2013 https://www.cde.ca.gov/re/cc/ |
| California Department of Education Publication | California Common Core State Standards: Mathematics, rev. 2013 https://www.cde.ca.gov/be/st/ss/documents/ccssmathstandardsaug2013.pdf |
| California Department of Education Publication | California English Language Development Standards, 2012 https://www.cde.ca.gov/sp/el/er/eldstandards.asp |
| California Department of Education Publication | California School Dashboard https://www.caschooldashboard.org/ |
| California Department of Education Publication | Family Engagement Framework: A Tool for California School Districts, 2014 |

<https://www.cde.ca.gov/ls/pf/pf/documents/famengageframeenglish.pdf>

California Department of Education
Publication
CSBA Publication

California School Accounting Manual

The California School Dashboard and Small Districts, October 2018 <https://www.csba.org/-/media/CSBA/Files/GovernanceResources/GovernanceBriefs/201810GovBriefCASchoolDashboard.ashx?la=en&rev=ef641be9b91742d8a1568091b15b44a1>

CSBA Publication

Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016
<https://www.csba.org/GovernanceAndPolicyResources/LCFF-LCAP/~/-/media/CSBA/Files/GovernanceResources/GovernanceBriefs/201611GBLCAPPromisingPractices.ashx>

CSBA Publication

LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016
https://www.csba.org/-/media/CSBA/Files/GovernanceResources/GovernanceBriefs/201608_GB_LCFFRubricsIssue1.ashx?la=en&rev=44794ecc188741d3b1fdaacee8de2123

Website

CSBA District and County Office of Education Legal Services

Website

California School Dashboard

Website

CSBA

Website

California Department of Education

Cross References

| Code | Description |
|-------------|------------------------------|
| 0000 | Vision |
| 0400 | Comprehensive Plans |
| 0415 | Equity |
| 0420 | School Plans/Site Councils |
| 0420 | School Plans/Site Councils |
| 0420.4 | Charter School Authorization |
| 0420.4 | Charter School Authorization |
| 0420.41 | Charter School Oversight |

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| 0420.41-E(1) | Charter School Oversight |
| 0430 | Comprehensive Local Plan For Special Education |
| 0430 | Comprehensive Local Plan For Special Education |
| 0440 | District Technology Plan |
| 0440 | District Technology Plan |
| 0450 | Comprehensive Safety Plan |
| 0450 | Comprehensive Safety Plan |
| 0500 | Accountability |
| 0520 | Intervention In Underperforming Schools |
| 0520.1 | Comprehensive And Targeted School Improvement |
| 1100 | Communication With The Public |
| 1113 | District And School Websites |
| 1113 | District And School Websites |
| 1113-E(1) | District And School Websites |
| 1220 | Citizen Advisory Committees |
| 1220 | Citizen Advisory Committees |
| 1312.3 | Uniform Complaint Procedures |
| 1312.3 | Uniform Complaint Procedures |
| 1312.3-E(1) | Uniform Complaint Procedures |
| 1312.3-E(2) | Uniform Complaint Procedures |
| 1312.4 | Williams Uniform Complaint Procedures |
| 1312.4-E(1) | Williams Uniform Complaint Procedures |
| 1312.4-E(2) | Williams Uniform Complaint Procedures |
| 1340 | Access To District Records |
| 1340 | Access To District Records |
| 2121 | Superintendent's Contract |
| 2210 | Administrative Discretion Regarding Board Policy |
| 3100 | Budget |
| 3100 | Budget |

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| 3110 | Transfer Of Funds |
| 3231 | Impact Aid |
| 3460 | Financial Reports And Accountability |
| 3460 | Financial Reports And Accountability |
| 3517 | Facilities Inspection |
| 3517-E(1) | Facilities Inspection |
| 3553 | Free And Reduced Price Meals |
| 3553 | Free And Reduced Price Meals |
| 4112.2 | Certification |
| 4112.2 | Certification |
| 4113 | Assignment |
| 4113 | Assignment |
| 4131 | Staff Development |
| 4140 | Bargaining Units |
| 4231 | Staff Development |
| 4240 | Bargaining Units |
| 4315 | Evaluation/Supervision |
| 4331 | Staff Development |
| 4340 | Bargaining Units |
| 5030 | Student Wellness |
| 5113.1 | Chronic Absence And Truancy |
| 5113.1 | Chronic Absence And Truancy |
| 5137 | Positive School Climate |
| 5144 | Discipline |
| 5144 | Discipline |
| 5144.1 | Suspension And Expulsion/Due Process |
| 5144.1 | Suspension And Expulsion/Due Process |
| 5144.2 | Suspension And Expulsion/Due Process (Students With Disabilities) |
| 5145.6 | Parent/Guardian Notifications |

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| 5145.6-E(1) | Parent/Guardian Notifications |
| 5145.9 | Hate-Motivated Behavior |
| 5147 | Dropout Prevention |
| 5148.2 | Before/After School Programs |
| 5148.2 | Before/After School Programs |
| 6011 | Academic Standards |
| 6020 | Parent Involvement |
| 6020 | Parent Involvement |
| 6120 | Response To Instruction And Intervention |
| 6141.4 | International Baccalaureate Program |
| 6141.5 | Advanced Placement |
| 6142.5 | Environmental Education |
| 6142.92 | Mathematics Instruction |
| 6142.93 | Science Instruction |
| 6143 | Courses Of Study |
| 6143 | Courses Of Study |
| 6146.1 | High School Graduation Requirements |
| 6151 | Class Size |
| 6152.1 | Placement In Mathematics Courses |
| 6152.1 | Placement In Mathematics Courses |
| 6153 | School-Sponsored Trips |
| 6153 | School-Sponsored Trips |
| 6159 | Individualized Education Program |
| 6159 | Individualized Education Program |
| 6161.1 | Selection And Evaluation Of Instructional Materials |
| 6161.1 | Selection And Evaluation Of Instructional Materials |
| 6161.1-E(1) | Selection And Evaluation Of Instructional Materials |
| 6162.5 | Student Assessment |
| 6162.51 | State Academic Achievement Tests |

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| 6162.51 | State Academic Achievement Tests |
| 6163.1 | Library Media Centers |
| 6164.2 | Guidance/Counseling Services |
| 6164.4 | Identification And Evaluation Of Individuals For Special Education |
| 6164.4 | Identification And Evaluation Of Individuals For Special Education |
| 6164.5 | Student Success Teams |
| 6164.5 | Student Success Teams |
| 6164.6 | Identification And Education Under Section 504 |
| 6164.6 | Identification And Education Under Section 504 |
| 6171 | Title I Programs |
| 6171 | Title I Programs |
| 6172 | Gifted And Talented Student Program |
| 6172 | Gifted And Talented Student Program |
| 6173 | Education For Homeless Children |
| 6173 | Education For Homeless Children |
| 6173 E(1) | Education For Homeless Children |
| 6173-E(2) | Education For Homeless Children |
| 6173.1 | Education For Foster Youth |
| 6173.1 | Education For Foster Youth |
| 6173.4 | Education For American Indian Students |
| 6174 | Education For English Learners |
| 6174 | Education For English Learners |
| 6177 | Summer Learning Programs |
| 6178 | Career Technical Education |
| 6178 | Career Technical Education |
| 6179 | Supplemental Instruction |
| 6184 | Continuation Education |
| 6184 | Continuation Education |

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| 6190 | Evaluation Of The Instructional Program |
| 7110 | Facilities Master Plan |
| 9230 | Orientation |
| 9310 | Board Policies |
| 9320 | Meetings And Notices |

Regulation 0460: Local Control And Accountability Plan

Status: ADOPTED

Original Adopted Date: 10/01/2017 | **Last Revised Date:** 12/01/20232024 | **Last Reviewed Date:** 12/01/20232024

CSBA NOTE: Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a three-year local control and accountability plan (LCAP). See the accompanying Board policy for information about LCAP development and monitoring.

Goals and Actions Addressing State and Local Priorities

CSBA NOTE: Education Code 52060 requires that the LCAP include annual goals, aligned with specified state priorities, to be achieved for all students and for each numerically significant subgroup as defined in Education Code 52052. Pursuant to Education Code 52052, a numerically significant subgroup includes ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, students experiencing homelessness, and, as amended by SB 114 (Ch. 48, Statutes of 2023), long-term English learners when there are at least 30 students in the subgroup (or at least 15 foster youth, students experiencing homelessness, or long-term English learners) in the school or district. Pursuant to Education Code 52052, as amended by SB 141 (Ch. 194, Statutes of 2023), a "long-term English learner" is defined as a student who has not attained English language proficiency within seven years of initial classification as an English learner.

The district's local control and accountability plan (LCAP) shall include, for the district and each district school: (Education Code 52060)

1. A description of the annual goals established for all students and for each numerically significant subgroup as defined in Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, long-term English learners, students with disabilities, foster youth, and students experiencing homelessness:

The LCAP shall identify goals for each of the following state priorities:

- a. The degree to which district teachers are appropriately assigned in accordance with Education Code 44258.9 and fully credentialed in the subject areas and for the students they are teaching; every district student has sufficient access to standards-aligned instructional materials as determined pursuant to Education Code 60119; and school facilities are maintained in good repair as specified in Education Code 17002
- b. Implementation of the academic content and performance standards adopted by the State Board of Education (SBE), including how the programs and services will enable English learners to access the Common Core State Standards and the English language development standards for purposes of gaining academic content knowledge and English language proficiency

CSBA NOTE: Education Code 52060 provides that family engagement may include, but not be limited to, efforts by the district and schools to apply research-based practices, such as welcoming all families into the school community, engaging in effective two-way communication, supporting student success, and empowering families to advocate for equity and access. It may also include partnering with families to inform, influence, and create practices and programs that support student success and collaboration with families and the broader community, expand student learning opportunities, and promote civic participation.

- c. Parent/guardian involvement and family engagement, including efforts the district makes to seek parent/guardian input in district and school site decision making and how the district will promote parent/guardian participation in programs for unduplicated students, as defined in Education Code 42238.02 and Board policy, and students with disabilities
- d. Student achievement, as measured by all of the following, as applicable:
 - i. Statewide assessments of student achievement
 - ii. The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University; have successfully completed career technical education (CTE) sequences or programs of study that align with SBE-approved ~~career technical education~~ CTE standards and frameworks, including, but not limited to, those described in Education Code 52302, 52372.5, or 54692; and have successfully completed both college entrance courses and CTE sequences or programs
 - iii. The percentage of English learners who make progress toward English proficiency as measured by the SBE-certified assessment of English proficiency
 - iv. The English learner reclassification rate
 - v. The percentage of students who have passed an Advanced Placement examination with a score of 3 or higher
 - vi. The percentage of students who demonstrate college preparedness in the Early Assessment Program pursuant to Education Code 99300-99301
- e. Student engagement, as measured by school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, and high school graduation rates, as applicable
- f. School climate, as measured by student suspension and expulsion rates and other local measures, including surveys of students, parents/guardians, and teachers on the sense of safety and school connectedness, as applicable
- g. The extent to which students have access to and are enrolled in a broad course of study that includes all of the subject areas described in Education Code 51210 and 51220, as applicable, including the programs and services developed and provided to

unduplicated students and students with disabilities, and the programs and services that are provided to benefit these students as a result of supplemental and concentration grant funding pursuant to Education Code 42238.02 and 42238.03

- h. Student outcomes, if available, in the subject areas described in Education Code 51210 and 51220, as applicable

CSBA NOTE: In addition to goals aligned with the state priorities described in Item #1 above, Education Code 52060 provides that the LCAP may include goals for local priorities established by the Board; see the accompanying Board policy. Optional Item #2 below may be revised to reflect local priorities.

- 2. Any goals identified for any local priorities established by the Governing Board:
- 3. A description of the specific actions the district will take during each year of the LCAP to achieve the identified goals, including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state and local priorities specified in Items #1-2 above:
 - 3. Such actions shall not supersede provisions of existing collective bargaining agreements within the district.

CSBA NOTE: Pursuant to Education Code 52060, in developing goals and actions for the LCAP, the Board may consider qualitative information, including, but not limited to, the results of school quality reviews conducted pursuant to Education Code 52052. Education Code 52052 authorizes the Superintendent of Public Instruction, with approval of the State Board of Education (SBE) and conditional upon an appropriation in the state budget, to develop and implement a program of school quality reviews that features locally convened panels to visit schools, observe teachers, interview students, and examine student work.

For purposes of the descriptions required by Items #1-3 above, the Superintendent or designee may consider qualitative information, including, but not limited to, findings that result from any school quality review conducted pursuant to Education Code 52052 or any other reviews. (Education Code 52060)

For any local priorities addressed in the LCAP, the Superintendent or designee shall identify and include in the LCAP the method for measuring the district's progress toward achieving those goals. (Education Code 52060)

To the extent practicable, data reported in the LCAP shall be reported in a manner consistent with how information is reported on the California School Dashboard. (Education Code 52060)

Increase or Improvement in Services for Unduplicated Students

CSBA NOTE: The following section is for use by districts that receive local control funding formula (LCFF) supplemental and/or concentration grant funds. Such districts are required to increase or improve services for unduplicated students in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students; see BP 3100 - Budget. 5 CCR

15494-15496 specify the method for determining the percentage by which services for unduplicated students must be increased or improved above services provided to all students in the fiscal year.

The LCAP shall demonstrate how the district will increase or improve services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students. (5 CCR 15494-15496)

When the district expends supplemental and/or concentration grant funds on a districtwide or schoolwide basis during the year for which the LCAP is adopted, the district's LCAP shall: (5 CCR 15496)

1. Identify those services that are being funded and provided on a districtwide or schoolwide basis
 2. Describe how such services are principally directed towards, and are effective in, meeting the district's goals for unduplicated students in the state priority areas and any local priority areas
 3. If the enrollment of unduplicated students is less than 55 percent of district enrollment or less than 40 percent of school enrollment, describe how these services are the most effective use of the funds to meet the district's goals for its unduplicated students in the state priority areas and any local priority areas.
3. The description shall provide the basis for this determination, including, but not limited to, any alternatives considered and any supporting research, experiences, or educational theory.

Timeline

CSBA NOTE: Education Code 52061-52065 only establish a limited number of date-specific requirements. For instance, Education Code 52062, as amended by SB 114, requires the Superintendent to annually report to the Board, at a regular meeting, on the annual update to the LCAP and the local control funding formula budget overview for parents/guardians on or before February 28. However, while Education Code 52062 requires that the LCAP and the annual update be presented to specified committees, it does not specify by when this must occur. Similarly, while Education Code 52062 provides these committees with the right to submit comments and requires the Superintendent to respond in writing to such comments, it does not provide any deadlines by which these actions must occur. Education Code 52062 also requires, without a specific deadline, notification to the public of the opportunity to submit written comments on the proposed LCAP, including notification in the primary language of parents/guardians when required by Education Code 48985.

Pursuant to Education Code 52062, as amended by SB 153 (Ch. 38, Statutes of 2024), the Superintendent is required to present the annual report on the update to the LCAP and budget overview for parents/guardians as a nonconsent item at a regularly scheduled meeting of the Board.

The following paragraphs include both required dates and recommended dates based on best practice. Districts should review the dates below carefully and modify them, as appropriate and permitted by law, to reflect district practice.

By February 28 of each year, the Superintendent or designee shall provide a report to the Board on the annual update to the LCAP and the budget overview for parents/guardians. The report, which shall be presented to the Board at a regular meeting as a nonconsent item, shall include all available midyear outcome data related to metrics identified in the current year's LCAP and all available midyear expenditure and implementation data on all actions identified in the current year's LCAP. (Education Code 52062)

By May 15, but in no event later than May 31, the Superintendent or designee shall present the drafts of the LCAP and the annual update to the committees listed in the accompanying ~~board~~Board policy for review and comment and shall provide each committee with a reasonable date by which each committee shall provide comments on the drafts. The Superintendent or designee shall respond in writing to comments received from the committee(s) no later than the public hearing on the LCAP and the annual update.

At the same time as the drafts of the LCAP and the annual update are presented to these committees, the Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. The notification shall also provide the deadline by which all written comments must be received, which shall be no later than the deadline for comments from the committee(s). All such written notifications shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

Availability

CSBA NOTE: Education Code 52065 requires the Superintendent to prominently post ~~its~~the LCAP, including any annual update or revisions to the LCAP and the LCFF budget overview for parents/guardians, on the homepage of its website and, as amended by SB 609 (Ch. 494, Statutes 2023), on the performance overview portion of the California School Dashboard.

Beginning Pursuant to Education Code 52064.3, as amended by SB 153, beginning July 1, 2025~~2027~~, if the district is identified by SBE as needing an improvement plan pursuant to 34 CFR 300.600-300.647, the Board shall adopt, and update on an annual basis, an Individual with Disabilities Education Act (IDEA) Addendum, based on the template adopted by SBE. However, if the district adopts an improvement plan after being identified, but before July 1, 2025~~2027~~, the IDEA Addendum shall be developed upon expiration of the adopted improvement plan, but no later than July 1, 2028~~2030~~.

The Superintendent or designee shall prominently post the LCAP, any updates or revisions to the LCAP, the annual update, the IDEA Addendum as applicable, and the local control funding formula budget overview for parents/guardians on the homepage of the district's website and the performance overview portion of the Dashboard. (Education Code 52064.1, 52064.3, 52065)

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

| State | Description |
|--|---|
| 5 CCR 15494-15497 | Local control and accountability plan and spending requirements |
| Ed. Code 17002 | State School Building Lease-Purchase Law, including definition of good repair |
| Ed. Code 305-306 | English language education |
| Ed. Code 33430-33436 | Learning Communities for School Success Program; grants for LCAP implementation |
| Ed. Code 41020 | Requirement for annual audit |
| Ed. Code 41320-41322 | Emergency apportionments |
| Ed. Code 42127 | Public hearing on budget adoption |
| Ed. Code 42238.01-42238.07 | Local control funding formula |
| Ed. Code 44258.9 | County superintendent review of teacher assignment |
| <u>Ed. Code 46392</u> | <u>Emergency average daily attendance</u> |
| Ed. Code 47604.33 | Submission of reports by charter schools |
| Ed. Code 47606.5 | Charter schools; local control and accountability plan |
| Ed. Code 48985 | Notices to parents in language other than English |
| Ed. Code 51210 | Course of study for grades 1-6 |
| Ed. Code 51220 | Course of study for grades 7-12 |
| Ed. Code 52052 | Numerically significant student subgroups |
| Ed. Code 52059.5 | Statewide system of support |
| Ed. Code 52059.5 <u>52060-52077</u> | Local control and accountability plan |

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| Ed. Code 52302 | Regional occupational centers and programs |
| Ed. Code 52372.5 | Linked learning program |
| Ed. Code 54692 | Partnership academies |
| Ed. Code 60119 | Sufficiency of textbooks and instructional materials; hearing and resolution |
| Ed. Code 60605.8 | California Assessment of Academic Achievement; Academic Content Standards Commission |
| Ed. Code 60900- 60901 | California Longitudinal Pupil Achievement Data System |
| Ed. Code 64001 | School plan for student achievement; consolidated application programs |
| Ed. Code 99300-99301 | Early Assessment Program |
| W&I Code 300 | Dependent child of the court |
| Federal | Description |
| 20 USC 6311 | State plan |
| 20 USC 6312 | Local educational agency plan |
| 20 USC 6826 | Title III funds; local plans |
| 34 CFR 300.600-300.647 | Education of students with disabilities; monitoring, enforcement, confidentiality, and program information |
| 34 USC 300.600 | State monitoring and enforcement |
| Management Resources | Description |
| California Department of Education Publication | California Career Technical Education Model Curriculum Standards, 2013 https://www.cde.ca.gov/ci/ct/sf/ctemcstandards.asp |
| California Department of Education Publication | LCFF Frequently Asked Questions https://www.cde.ca.gov/Fg/aa/lc/lcfffaq.asp |
| California Department of Education Publication | Local Control and Accountability Plan and Annual Update (LCAP) Template https://www.cde.ca.gov/re/lc/ |
| California Department of Education Publication | California Common Core State Standards: English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. 2013 https://www.cde.ca.gov/re/cc/ |
| California Department of Education Publication | California Common Core State Standards: Mathematics, rev. 2013 https://www.cde.ca.gov/be/st/ss/documents/ccssmathstandardsaug2013.pdf |

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| California Department of Education Publication | California English Language Development Standards, 2012 https://www.cde.ca.gov/sp/el/er/eldstandards.asp |
| California Department of Education Publication | California School Dashboard https://www.caschooldashboard.org/ |
| California Department of Education Publication | Family Engagement Framework: A Tool for California School Districts, 2014 https://www.cde.ca.gov/ls/pf/pf/documents/famengagefram eenglish.pdf |
| California Department of Education Publication CSBA Publication | <u>California School Accounting Manual</u> The California School Dashboard and Small Districts, October 2018 https://www.csba.org/- /media/CSBA/Files/GovernanceResources/GovernanceBriefs /201810GovBriefCASchoolDashboard.ashx?la=en&rev=ef64 1be9b91742d8a1568091b15b44a1 |
| CSBA Publication | Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016 https://www.csba.org/GovernanceAndPolicyResources/LCFF- LCAP/~media/CSBA/Files/GovernanceResources/Governan ceBriefs/201611GBLCAPPromisingPractices.ashx |
| CSBA Publication | LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016 https://www.csba.org/- /media/CSBA/Files/GovernanceResources/GovernanceBriefs /201608_GB_LCFFRubricsIssue1.ashx?la=en&rev=44794ecc 188741d3b1fdaacee8de2123 |
| Website | CSBA District and County Office of Education Legal Services |
| Website | California School Dashboard |
| Website | CSBA |
| Website | California Department of Education |

Cross References

| Code | Description |
|-------------|----------------------------|
| 0000 | Vision |
| 0400 | Comprehensive Plans |
| 0415 | Equity |
| 0420 | School Plans/Site Councils |

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| 0420 | School Plans/Site Councils |
| 0420.4 | Charter School Authorization |
| 0420.4 | Charter School Authorization |
| 0420.41 | Charter School Oversight |
| 0420.41-E(1) | Charter School Oversight |
| 0430 | Comprehensive Local Plan For Special Education |
| 0430 | Comprehensive Local Plan For Special Education |
| 0440 | District Technology Plan |
| 0440 | District Technology Plan |
| 0450 | Comprehensive Safety Plan |
| 0450 | Comprehensive Safety Plan |
| 0500 | Accountability |
| 0520 | Intervention In Underperforming Schools |
| 0520.1 | Comprehensive And Targeted School Improvement |
| 1100 | Communication With The Public |
| 1113 | District And School Websites |
| 1113 | District And School Websites |
| 1113-E(1) | District And School Websites |
| 1220 | Citizen Advisory Commillees |
| 1220 | Citizen Advisory Committees |
| 1312.3 | Uniform Complaint Procedures |
| 1312.3 | Uniform Complaint Procedures |
| 1312.3-E(1) | Uniform Complaint Procedures |
| 1312.3-E(2) | Uniform Complaint Procedures |
| 1312.4 | Williams Uniform Complaint Procedures |
| 1312.4-E(1) | Williams Uniform Complaint Procedures |
| 1312.4-E(2) | Williams Uniform Complaint Procedures |
| 1340 | Access To District Records |
| 1340 | Access To District Records |

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| 2121 | Superintendent's Contract |
| 2210 | Administrative Discretion Regarding Board Policy |
| 3100 | Budget |
| 3100 | Budget |
| 3110 | Transfer Of Funds |
| 3231 | Impact Aid |
| 3460 | Financial Reports And Accountability |
| 3460 | Financial Reports And Accountability |
| 3517 | Facilities Inspection |
| 3517-E(1) | Facilities Inspection |
| 3553 | Free And Reduced Price Meals |
| 3553 | Free And Reduced Price Meals |
| 4112.2 | Certification |
| 4112.2 | Certification |
| 4113 | Assignment |
| 4113 | Assignment |
| 4131 | Staff Development |
| 4140 | Bargaining Units |
| 4231 | Staff Development |
| 4240 | Bargaining Units |
| 4315 | Evaluation/Supervision |
| 4331 | Staff Development |
| 4340 | Bargaining Units |
| 5030 | Student Wellness |
| 5113.1 | Chronic Absence And Truancy |
| 5113.1 | Chronic Absence And Truancy |
| 5137 | Positive School Climate |
| 5144 | Discipline |
| 5144 | Discipline |

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| 5144.1 | Suspension And Expulsion/Due Process |
| 5144.1 | Suspension And Expulsion/Due Process |
| 5144.2 | Suspension And Expulsion/Due Process (Students With Disabilities) |
| 5145.6 | Parent/Guardian Notifications |
| 5145.6-E(1) | Parent/Guardian Notifications |
| 5145.9 | Hate-Motivated Behavior |
| 5147 | Dropout Prevention |
| 5148.2 | Before/After School Programs |
| 5148.2 | Before/After School Programs |
| 6011 | Academic Standards |
| 6020 | Parent Involvement |
| 6020 | Parent Involvement |
| 6120 | Response To Instruction And Intervention |
| 6141.4 | International Baccalaureate Program |
| 6141.5 | Advanced Placement |
| 6142.5 | Environmental Education |
| 6142.92 | Mathematics Instruction |
| 6142.93 | Science Instruction |
| 6143 | Courses Of Study |
| 6143 | Courses Of Study |
| 6146.1 | High School Graduation Requirements |
| 6151 | Class Size |
| 6152.1 | Placement In Mathematics Courses |
| 6152.1 | Placement In Mathematics Courses |
| 6153 | School-Sponsored Trips |
| 6153 | School-Sponsored Trips |
| 6159 | Individualized Education Program |
| 6159 | Individualized Education Program |
| 6161.1 | Selection And Evaluation Of Instructional Materials |

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| 6161.1 | Selection And Evaluation Of Instructional Materials |
| 6161.1-E(1) | Selection And Evaluation Of Instructional Materials |
| 6162.5 | Student Assessment |
| 6162.51 | State Academic Achievement Tests |
| 6162.51 | State Academic Achievement Tests |
| 6163.1 | Library Media Centers |
| 6164.2 | Guidance/Counseling Services |
| 6164.4 | Identification And Evaluation Of Individuals For Special Education |
| 6164.4 | Identification And Evaluation Of Individuals For Special Education |
| 6164.5 | Student Success Teams |
| 6164.5 | Student Success Teams |
| 6164.6 | Identification And Education Under Section 504 |
| 6164.6 | Identification And Education Under Section 504 |
| 6171 | Title I Programs |
| 6171 | Title I Programs |
| 6172 | Gifted And Talented Student Program |
| 6172 | Gifted And Talented Student Program |
| 6173 | Education For Homeless Children |
| 6173 | Education For Homeless Children |
| 6173-E(1) | Education For Homeless Children |
| 6173-E(2) | Education For Homeless Children |
| 6173.1 | Education For Foster Youth |
| 6173.1 | Education For Foster Youth |
| 6173.4 | Education For American Indian Students |
| 6174 | Education For English Learners |
| 6174 | Education For English Learners |
| 6177 | Summer Learning Programs |
| 6178 | Career Technical Education |

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|------|---|
| 6178 | Career Technical Education |
| 6179 | Supplemental Instruction |
| 6184 | Continuation Education |
| 6184 | Continuation Education |
| 6190 | Evaluation Of The Instructional Program |
| 7110 | Facilities Master Plan |
| 9230 | Orientation |
| 9310 | Board Policies |
| 9320 | Meetings And Notices |

Policy 1250: Visitors/Outsiders

Status: ADOPTED

Original Adopted Date: 07/01/2010 | Last Revised Date: 12/01/2014 2024 | Last Reviewed Date: 12/01/2014 2024

The Governing Board believes that it is important for parents/guardians and community members to take an active interest in the issues affecting district schools and students. Therefore, the Board encourages interested parents/guardians and community members to visit the schools and participate in the educational program: consistent with this Board policy, the accompanying administrative regulation, and any procedures established by the Superintendent or designee.

CSBA NOTE: In *Reeves v. Rocklin Unified School District*, a California Court of Appeal affirmed districts' the district's authority to establish reasonable regulations for student safety and protection against disruptions on school campuses.

To ensure the safety of students and staff and minimize interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours ~~should~~ shall be arranged with the principal or designee. When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during noninstructional time.

CSBA NOTE: Penal Code 627.2 requires "outsiders" to register upon entering school grounds during school hours, and Penal Code 627.1 lists individuals who are not "outsiders" for this purpose; see the accompanying administrative regulation. Additionally, Education Code 32212 authorizes the Governing Board to adopt policy to control classroom interruptions consistent with local circumstances (see AR 6116 - Classroom Interruptions) and, in addition, Education Code 35160 authorizes the Board to act in any manner not inconsistent with law. Therefore, ~~it appears that~~ in order to ensure the safety of students and staff, a district has the authority to may, in accordance with Education Code 32212, 35160 and Penal Code 627.2, require all visitors, including parents/guardians as well as those not defined as "outsiders" in Penal Code 627.1, to register upon entering school campus and to comply with other reasonable requirements. ~~Pursuant to Penal Code 627.1, media representatives are not "outsiders."~~ However, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel when requiring such registration.

The Attorney General has opined (in 95 Ops.Cal.Atty.Gen. 509 (1996)), that the Board may restrict media representatives' access in the same manner as access by the general public ~~may be limited (e.g., such as by requiring registration or accompaniment by a staff member when on school grounds).~~ Therefore, if a district has developed a policy requiring all visitors ~~or outsiders~~ to register upon entering school grounds, then media may be subject to the same requirements; see BP 1112 - Media Relations.

The following options may be revised to reflect district practice: Option 1 requires anyone who is not a student or staff member to register. Option 2 requires registration only for individuals who are not listed in Penal Code 627.1 (i.e., individuals who are "outsiders").

OPTION 1: Any person who is not a student or staff member shall register immediately as a visitor upon entering any school building or grounds when school is in session.

END OF OPTION 1

OPTION 2: All outsiders, as defined in law and administrative regulation, shall register immediately upon entering any school building or grounds when school is in session. (Penal Code 627.2)

END OF OPTION 2

CSBA NOTE: The remainder of this policy may be used by all districts.

The principal or designee may shall provide a visible means of identification for all individuals who are not students or staff members while on school premises.

No electronic listening or recording device may be used by any person in a classroom without the teacher's and principal's permission. (Education Code 51512)

CSBA NOTE: Pursuant to Education Code 35160, the Board is responsible for maintaining order in schools under its jurisdiction. Therefore, in accordance with law, the district may authorize school administrators to direct disruptive individuals to leave school grounds; see AR 3515.2 - Disruptions. Penal Code 626.7 provides that a person who is directed to leave the campus and fails to leave, or later reenters without following the school's posted registration requirements, may be guilty of a misdemeanor.

The following optional paragraph should be modified to reflect district practice.

The Board encourages all individuals to assist Any visitor who is in maintaining a safe and secure school environment by behaving building or on school grounds when school is in session shall behave in an orderly manner while on school grounds and by utilizing the district's complaint processes process if they have concerns with any district program or employee. In accordance with Penal Code 626.7 and Administrative Regulation 3515.2 - Disruptions, the principal or designee may shall request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

Presence of Sex Offender on Campus

CSBA NOTE: Pursuant to Penal Code 626.81, registered sex offenders are prohibited from school buildings and grounds except for lawful business and with written permission. As amended by SB 326 (Ch. 279, Statutes of 2013), Penal Code 626.81 requires that the written permission indicate the date(s) for which permission is granted. It also authorizes the principal to grant permission to a registered sex offender who is not the parent/guardian of a student at the school to volunteer at the school, provided that the principal notify the parent/guardian of each student at the school at least 14 days prior to the first date for which written permission is granted; see AR 1240-Volunteer Assistance and BP/AR 3515.5 - Sex Offender Notification.

In addition, pursuant to Education Code 49091.10 and 51101, parents/guardians, including those who are required to register as sex offenders, have a prescribed right to be involved in the education of their children. Thus, the district must adopt measures that are effective in maintaining a safe school environment while avoiding a violation of the statutory rights of such parents/guardians.

Any person who is required to register as a sex offender pursuant to Penal Code 290, including a parent/guardian of a district student, shall request written permission from the principal before entering the school campus or grounds. in accordance with Board Policy and Administrative Regulation 3515.5 - Sex Offender Notification. The principal shall report to the Superintendent or designee anytime such a request is received and notify the Superintendent or designee if permission is granted or denied. As necessary, the principal shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity. ~~The principal also shall report to the Superintendent or designee anytime he/she gives such written permission.~~

The principal shall indicate on the written permission the date(s) and times for which permission has been granted. (Penal Code 626.81)

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| State | Description |
|-------------------|---|
| Ed. Code 32210 | Willful disturbance of public school or meeting |
| Ed. Code 32211 | Threatened disruption or interference with classes |
| Ed. Code 32212 | Classroom interruptions |
| Ed. Code 35160 | Authority of governing boards |
| Ed. Code 35292 | Visits to schools (Board members) |
| Ed. Code 49091.10 | Parental right to inspect instructional materials and observe school activities |
| Ed. Code 51101 | Parents Rights Act of 2002 |
| Ed. Code 51512 | Prohibited use of electronic listening or recording device |
| Evid. Code 1070 | Refusal to disclose news source |

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| Lab. Code 230.8 | Discharge or discrimination for taking time off to participate in child's educational activities |
| Pen. Code 290 | Sex offenders |
| Pen. Code 626-626.11 | Weapons on school grounds and other school crimes |
| Pen. Code 626.81 | Misdemeanor for registered sex offender to come onto school grounds |
| Pen. Code 627-627.10 | Access to school premises |
| Pen. Code 627.1 | <u>Definitions</u> |
| Pen. Code 627.2 | <u>Necessity of registration by outsider</u> |
| Pen. Code 627.7 | <u>Misdemeanors; punishment</u> |
| Management Resources | Description |
| Attorney General Opinion | 95 Ops.Cal.Atty.Gen. 509 (1996) |
| Court Decision | Reeves v. Rocklin Unified School District (2003) 109 Cal.App.4th 652 |
| Website | CSBA District and County Office of Education Legal Services |

Cross References

| Code | Description |
|-------------|---|
| 1100 | Communication With The Public |
| 1112 | Media Relations |
| 1240 | Volunteer Assistance |
| 1240 | Volunteer Assistance |
| 1312.1 | Complaints Concerning District Employees |
| 1312.1 | Complaints Concerning District Employees |
| 1312.2 | Complaints Concerning Instructional Materials |
| 1312.2 | Complaints Concerning Instructional Materials |
| 1312.2-E(1) | Complaints Concerning Instructional Materials |
| 1312.3 | Uniform Complaint Procedures |
| 1312.3 | Uniform Complaint Procedures |
| 1312.3-E(1) | Uniform Complaint Procedures |
| 1312.3-E(2) | Uniform Complaint Procedures |

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| 1312.4 | Williams Uniform Complaint Procedures |
| 1312.4-E(1) | Williams Uniform Complaint Procedures |
| 1312.4-E(2) | Williams Uniform Complaint Procedures |
| 1313 | Civility |
| 1700 | Relations Between Private Industry And The Schools |
| 3513.3 | Tobacco-Free Schools |
| 3513.3 | Tobacco-Free Schools |
| 3513.4 | Drug And Alcohol Free Schools |
| 3515 | Campus Security |
| 3515 | Campus Security |
| 3515.2 | Disruptions |
| 3515.2 | Disruptions |
| 3515.3 | District Police/Security Department |
| 3515.3 | District Police/Security Department |
| 3515.31 | School Resource Officers |
| 3515.5 | Sex Offender Notification |
| 3515.5 | Sex Offender Notification |
| 5020 | Parent Rights And Responsibilities |
| 5020 | Parent Rights And Responsibilities |
| 5142 | Safety |
| 5142 | Safety |
| 6020 | Parent Involvement |
| 6020 | Parent Involvement |
| 6116 | Classroom Interruptions |

Regulation 1250: Visitors/Outsiders

Status: ADOPTED

Original Adopted Date: 06/01/1996 | **Last Revised Date:** 07/12/01/20102024 | **Last Reviewed Date:** 07/12/01/20102024

CSBA NOTE: Penal Code 627.6 requires that the following notice be posted at the entrance to each school and school grounds. In addition, Education Code 32211 requires that the notice include the "school hours," defined as the period from one hour before classes begin to one hour after classes end, unless it is otherwise defined by the Governing Board.

The Superintendent or designee shall post at every entrance to each school and school grounds a notice describing registration requirements, school hours or hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. (Education Code 32211; Penal Code 627.6)

CSBA NOTE: The following optional paragraph may be revised to reflect district practice.

Unless otherwise directed by the principal or designee, a staff member shall accompany visitors/outsideers while they are on school grounds.

Outsider Registration

CSBA NOTE: The following section should be used only by districts that select Option 2 of the accompanying Board policy, which requires registration only for "outsiders" as defined in Penal Code 627.2:

Outsiders Any person who is not a student or staff member shall register immediately upon entering any school premises during building or grounds when school hours. Any person other than the following is considered an outsider: (Evidence Code 1070; Penal Code 627.1, 627.2 is in session. (Education Code 35160)

- 1.—A student of the school, unless currently under suspension
- 2.—A parent/guardian of a student of the school
- 3.—A Governing Board member or district employee
- 4.—A public employee whose employment requires being on school grounds, or any person who is on school grounds at the school's request
- 5.—A representative of a school employee organization who is engaged in activities related to the representation of school employees
- 6.—An elected public official

- 7.—A publisher, editor, reporter, or other person connected with or employed by a newspaper, magazine, other periodical publication, press association or wire service, radio station, or television station

Registration Procedure

CSBA NOTE: Registration items listed below are those required by Penal Code 627.3 when "outsiders" register at a school. Pursuant to Education Code 32212 which authorizes districts to adopt a policy to control classroom interruptions, any district choosing Option 1 in the accompanying Board policy may also use the following list. When a district choosing Option 1 wishes to require the same information of all visitors, "outsider" should be changed to "visitor" in the following section.

In order to register, an outsider a visitor shall, upon request, furnish the principal or designee with the following information: (Penal Code 627.3)

1. His/her name Name, address, and occupation
2. His/her age Age, if less than 21
3. His/her purpose Purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provisions of law

Principal's Registration Authority

CSBA NOTE: Pursuant to Penal Code 627.4, the following section applies to districts that choose Option 2 in the accompanying Board policy. However, pursuant to Education Code 32212, districts that choose Option 1 also may use the section, if consistent with their local circumstances. When a district choosing Option 1 wishes to use this section, "outsider" should be changed to "visitor" throughout the following section.

The principal or designee may refuse to register any outsider if he/she visitor if the principal or designee reasonably concludes that the individual's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke any outsider's visitor's registration if he/she has there is a reasonable basis for concluding that the individual's presence on school grounds would interfere, or is interfering, with the peaceful conduct of school activities or would disrupt or is disrupting the school, students, or staff. (Penal Code 627.4)

When an outsider a visitor fails to register, or when the principal or designee denies or revokes an outsider's a visitor's registration privileges, the principal or designee may shall request that the individual promptly leave school grounds. if a visitor is shown reasonable cause to believe that the visitor is willfully disrupting the orderly operation of a school the principal or designee may issue a "Stay Away Letter" in accordance with Penal Code 626.4.

When an outsider a visitor is directed to leave, the principal or designee shall inform him/her/the visitor that if he/she/the visitor reenters the school within seven days he/she/the visitor may be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

Appeal Procedure

Any person who is denied registration or whose registration is revoked may appeal to the Superintendent or principal either of these determinations by submitting, within five days after the person's departure from school, a written request for a hearing: to either the Superintendent or the principal of the school at which the registration was denied or revoked. This request must state why he/she/the person believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or principal shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent or principal shall be held within seven days after receipt of the request. (Penal Code 627.5)

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| State | Description |
|-------------------|--|
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| Ed. Code 32211 | Threatened disruption or interference with classes |
| Ed. Code 32212 | Classroom interruptions |
| Ed. Code 35160 | Authority of governing boards |
| Ed. Code 35292 | Visits to schools {; Board members} |
| Ed. Code 49091.10 | Parental right to inspect instructional materials and observe school activities |
| Ed. Code 51101 | Parents Rights Act of 2002 |
| Ed. Code 51512 | Prohibited use of electronic listening or recording device |
| Evid. Code 1070 | Refusal to disclose news source |
| Lab. Code 230.8 | Discharge or discrimination for taking time off to participate in child's educational activities |
| Pen. Code 290 | Sex offenders |

Pen. Code 626-626.11

Weapons on school grounds and other school crimes

Pen. Code 626.81

Misdemeanor for registered sex offender to come onto school grounds

Pen. Code 627-627.10

Access to school premises

~~Pen. Code 627.1~~

Definitions

~~Pen. Code 627.2~~

Necessity of registration by outsider

~~Pen. Code 627.7~~

Misdemeanors; punishment

Management Resources

Description

Attorney General Opinion

95 Ops.Cal.Atty.Gen. 509 (1996)

Court Decision

Reeves v. Rocklin Unified School District (2003) 109 Cal.App.4th 652

Website

CSBA District and County Office of Education Legal Services

Cross References

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Communication With The Public

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Media Relations

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Volunteer Assistance

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Complaints Concerning District Employees

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Complaints Concerning Instructional Materials

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Uniform Complaint Procedures

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Policy 3100: Budget

Status: ADOPTED

Original Adopted Date: 10/01/2015 | **Last Revised Date:** 03/12/01/2019/2024 | **Last Reviewed Date:** 03/12/01/2019/2024

The Governing Board recognizes its critical responsibility for adopting a sound budget each fiscal year which is aligned with and reflects the district's vision, goals, priorities, local control and accountability plan (LCAP), and other comprehensive plans. The district budget shall guide decisions and actions throughout the year and shall serve as a tool for monitoring the fiscal health of the district.

The district budget shall show a complete plan and itemized statement of all proposed expenditures and all estimated revenues for the following fiscal year, together with a comparison of revenues and expenditures for the current fiscal year. The budget shall also include the appropriations limit and the total annual appropriations subject to limitation as determined pursuant to Government Code 7900-7914. (Education Code 42122)

Budget Development and Adoption Process

In order to provide guidance in the development of the budget, the Board shall annually establish budget priorities based on identified district needs and goals and on realistic projections of available funds.

The Superintendent or designee shall oversee the preparation of a proposed district budget for approval by the Board and shall involve appropriate staff in the development of budget projections.

CSBA NOTE: Education Code 42103 and 42127 require the district to hold a public hearing prior to adoption of the budget. A public hearing on the district's local control and accountability plan (LCAP) must occur at the same meeting as the public hearing on the proposed budget. See the accompanying administrative regulation and BP 0460 - Local Control and Accountability Plan for requirements pertaining to the public hearing.

Pursuant to Education Code 52064.1, as added by AB 1808 (Ch. 32, Statutes of 2018), districts are required, by July 1, 2019, to develop a local control funding formula (LCFF) budget overview for parents/guardians with specified information, based on a template created by the Superintendent of Public Instruction (SPI). The budget overview must be developed in conjunction with, and attached as a cover to, the LCAP and annual update to the LCAP. The adoption, review, approval, and posting of the budget overview are subject to the same requirements as for the LCAP, including the requirement for a public hearing.

The Board shall hold a public hearing on the proposed budget in accordance with Education Code 42103 and 42127. The hearing shall occur at the same meeting as the public hearing on the district's LCAP and the local control funding formula (LCFF) budget overview for parents/guardians. (Education Code 42103, 42127, 52062, 52064.1)

The Board shall adopt the district budget at a public meeting held after the date of the public hearing, but on or before July 1 of each year. The Board shall adopt the budget following its adoption of the LCAP, or annual update to the LCAP, and the LCFF budget overview for parents/guardians. The budget shall include the expenditures necessary to implement the LCAP or the annual update to the LCAP. (Education Code 42127, 52062)

CSBA NOTE: Pursuant to Education Code 42126, the district budget must be in a format prescribed by the SPI. The SPI has established a requirement that districts use the Standardized Account Code Structure (SACS). SACS ensures that districts meet state and federal reporting guidelines and comply with generally accepted accounting principles prescribed by the Governmental Accounting Standards Board (GASB). The California Department of Education's (CDE) ["California School Accounting Manual"](#) provides guidance regarding coding of revenues and expenditures.

The budget that is presented at the public hearing as well as the budget formally adopted by the Board shall adhere to the state's Standardized Account Code Structure as prescribed by the Superintendent of Public Instruction (SPI). (Education Code 42126, 42127)

The Superintendent or designee may supplement this format with additional information as necessary to effectively communicate the budget to the Board, staff, and public.

CSBA NOTE: Education Code 42127 requires the district to file the adopted budget with the County Superintendent of Schools as described below. If the district fails to submit a budget by July 1, the County Superintendent will, at district expense, develop a budget by September 15 and transmit that budget to the [Governing Board](#).

No later than five days after the Board adopts the district budget or by July 1, whichever occurs first, the Board shall file the adopted district budget with the County Superintendent of Schools. The budget and supporting data shall be maintained and made available for public review. (Education Code 42127)

CSBA NOTE: Pursuant to Education Code 42127, on or before September 15, the County Superintendent must approve, conditionally approve, or disapprove the district's adopted budget. Education Code 42127 requires that this determination be based on a consideration of whether the district's adopted budget complies with state standards and criteria, will allow the district to meet its current and multiyear financial obligations, includes the expenditures necessary to implement the LCAP or annual update to the LCAP, satisfies all conditions established by the County Superintendent in the case of a conditionally approved budget, and complies with the requirements pertaining to ending fund balances that exceed the state minimum recommended reserve.

Education Code 42127 also requires the County Superintendent to consider other studies, reports, evaluations, or audits that may indicate that the district is in fiscal distress; see the Fiscal Crisis and Management Assistance Team's ["Fiscal Oversight Guide"](#) and BP 3460 - Financial Reports and Accountability.

If the County Superintendent disapproves or conditionally approves the district's budget, the Board shall review and respond to the County Superintendent's recommendations at a regular public

meeting on or before October 8. The response shall include any revisions to the adopted budget and any other proposed actions to be taken as a result of those recommendations. (Education Code 42127)

Budget Advisory Committee

CSBA NOTE: The following optional section is for use by districts that choose to establish a budget advisory committee to provide input during the budget development process. The committee may be appointed by the Superintendent or designee (Option 1), by the Board (Option 2), or may be a Board subcommittee composed exclusively of Board members (Option 3). Regardless of whether the district chooses Option 1, 2, or 3, representation of Board members on the committee should be less than a majority of the Board, since having a quorum participate in any committee would in essence create a Board meeting when the committee meets. Committees established by Board action are subject to the Brown Act; see BP/AR 1220 - Citizen Advisory Committees. Districts should delete or modify the following options as appropriate. See the accompanying administrative regulation for optional language regarding the committee's composition and duties.

This committee is different from the budget review committee that is required pursuant to Education Code 42127 and 42127.1 if the County Superintendent disapproves the district's budget; see the accompanying administrative regulation.

OPTION 1: (Budget advisory committee appointed by the Superintendent)

The Superintendent or designee may appoint a budget advisory committee composed of staff, Board representatives, and/or members of the community.

OPTION 1 ENDS HERE

OPTION 2: (Budget advisory committee appointed by the Board)

The Board may appoint a budget advisory committee composed of staff, Board representatives, and/or members of the community.

OPTION 2 ENDS HERE

OPTION 3: OPTION 3 ENDS HERE

OPTION 2 ENDS HERE

OPTION 3: (Budget advisory committee is a Board subcommittee)

The Board may establish a budget subcommittee composed exclusively of Board members.

OPTION 3 ENDS HERE

CSBA NOTE: The following paragraph is for use by districts that selected either Option 1, 2, or 3 above.

Board representation on any budget advisory committee shall not comprise a majority of the Board.

The committee shall submit recommendations during the budget development process and its duties shall be assigned each year based on district needs. All recommendations of the committee shall be advisory only and shall not be binding on the Board.

Budget Criteria and Standards

CSBA NOTE: Pursuant to Education Code 46211, as amended by AB 176 (Ch. 998, Statutes of 2024), attendance generated through an attendance recovery program will be excluded from the average daily attendance (ADA) of the school district.

The district budget shall be developed in accordance with state criteria and standards specified in 5 CCR 15440-15450 as they relate to projections of average daily attendance (ADA), enrollment, ratio of ADA to enrollment, LCFF revenue, salaries and benefits, other revenues and expenditures, facilities maintenance, deficit spending, fund balance, and reserves. In addition, the Superintendent or designee shall provide the supplemental information specified in 5 CCR 15451, which addresses the methodology and budget assumptions used, contingent liabilities, use of one-time revenues for ongoing expenditures, use of ongoing revenues for one-time expenditures, contingent revenues, contributions, long-term commitments, unfunded liabilities, status of collective bargaining agreements, the LCAP, and LCAP expenditures. (Education Code 33128, 33129, 42127.01; 5 CCR 15440-15451)

CSBA NOTE: The following paragraph is for use by districts that receive supplemental and concentration funding within the LCFF based on the number and concentration of "unduplicated students" (i.e., students who are eligible for free or reduced-price meals, English learners, and foster youth), pursuant to Education Code 42238.02 and 42238.03. 5 CCR 15496 addresses the method of determining the percentage by which services for unduplicated students must be increased or improved above services provided to all students in the fiscal year. Pursuant to 5 CCR 15496, the district's LCAP must include evidence demonstrating how LCFF funding apportioned on the basis of unduplicated students is used to support such students; see AR 0460 - Local Control and Accountability Plan.

Pursuant to Education Code 42238.01, as amended by AB 176, when a school is between base year eligibility determinations, any current or newly enrolled students who are eligible for free or reduced-priced meals may be included for purposes of the LCFF.

The district budget shall provide for increased or improved services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students in accordance with 5 CCR 15496. Unduplicated students are students who are eligible for free or reduced-price meals, English learners, and/or foster youth. (Education Code 42238.07; 5 CCR 15496)

CSBA NOTE: The following paragraph is for use by districts that receive LCFF equity multiplier funding. Pursuant to Education Code 42238.024 and 52064, as added and amended by SB 114 (Ch. 48, Statutes of 2023), districts that receive LCFF equity multiplier funding are required to include specific goals in the LCAP for each school generating such funding. Pursuant to Education Code 42238.024, as amended by SB 153 (Ch. 38, Statutes of 2024), if a school which is otherwise eligible to receive LCFF equity multiplier funds is closed in the year in which the funds are to be allocated, that school is instead deemed to be ineligible, and any unspent funds provided are required to be returned to CDE.

Additionally, the district budget shall provide for increased or improved services for each school which generates LCFF equity multiplier funding. (Education Code 42238.024, 52064)

The Board may establish other budget assumptions or parameters which may take into consideration the stability of funding sources, legal requirements and constraints on the use of funds, anticipated increases and/or decreases in the cost of services and supplies, program requirements, and any other factors necessary to ensure that the budget is a realistic plan for district revenues and expenditures.

Fund Balance

CSBA NOTE: The following section should be revised to reflect district practice. GASB Statement 54 addresses the way fund balances (i.e., the gross differences between assets and liabilities reflected on the balance sheet) in governmental funds are reported in external financial reports. Fund balances must be classified as nonspendable, restricted, committed, assigned, and unassigned in accordance with GASB 54 definitions; also, For more information regarding reporting and accounting of district funds, see AR 3460 - Financial Reports and Accountability. Pursuant to GASB 54, the Board has sole authority to specify purposes of funds classified as "committed" and also must express, or delegate the authority to express, intended purposes of resources that result in the "assigned" fund balance. The Board may modify the following section to reflect its fund balance policy or may adopt a formal resolution containing the required components.

The district shall classify fund balances in compliance with Governmental Accounting Standards Board (GASB) Statement 54, as follows:

1. Nonspendable fund balance includes amounts that are not expected to be converted to cash, such as resources that are not in a spendable form (e.g., inventories and prepaids) or that are legally or contractually required to be maintained intact.
2. Restricted fund balance includes amounts constrained to specific purposes by their providers or by law.

CSBA NOTE: For purposes of the committed fund balance, GASB 54 requires that the Board commit funds no later than the end of the reporting period. In CDE's, "New Requirements for Reporting Fund Balance in Governmental Funds, the CDE," clarifies that for districts the end of the reporting period is June 30.

3. Committed fund balance includes amounts constrained to specific purposes by the Board:

For this purpose, all commitments of funds shall be approved by a majority vote of the Board. The constraints shall be imposed no later than the end of the reporting period (June 30), although the actual amounts may be determined subsequent to that date but prior to the issuance of the financial statements.

4. Assigned fund balance includes amounts which are intended for a specific purpose but do not meet the criteria to be classified as restricted or committed:

The Board delegates authority to assign funds to the assigned fund balance to the Superintendent and authorizes the assignment of such funds to be made any time prior to the issuance of the financial statements. The Superintendent shall have discretion to further delegate the authority to assign funds.

5. Unassigned fund balance includes amounts that are available for any purpose.

When multiple types of funds are available for an expenditure, the district shall first utilize funds from the restricted fund balance as appropriate, then from the committed fund balance, then from the assigned fund balance, and lastly from the unassigned fund balance.

CSBA NOTE: Although not required by GASB 54, the Government Finance Officers Association (GFOA) recommends that public agencies adopt a minimum fund balance policy that establishes an appropriate level of unrestricted fund balance that will be maintained in the general fund. The GFOA's "Best Practice: Fund Balance Guidelines for the General Fund" describes a variety of factors that should be considered when developing a minimum fund balance policy, such as the predictability of its revenue and volatility of its expenditures, perceived exposure to significant one-time outlays, potential drain upon the general fund from other funds as well as the availability of resources in other funds, potential impact on bond ratings and the corresponding increased cost of borrowed funds, and portion of unrestricted fund balance already committed or assigned for a specific purpose.

The Board intends to maintain a minimum assigned and unassigned fund balance in an amount the Board deems sufficient to maintain fiscal solvency and stability and to protect the district against unforeseen circumstances.

CSBA NOTE: The GFOA recommends that the minimum fund policy address both the circumstances under which the unrestricted fund balance can be spent down and the procedure for replenishing deficiencies. The district may revise the following optional paragraph to specify the rate at which the district will attempt to recover the fund balance (e.g., the Board shall develop a plan to recover the fund balance at a rate of at least one percent each year).

If the assigned and unassigned fund balance falls below the level set by the Board due to an emergency situation, unexpected expenditures, or revenue shortfalls, the Board shall develop a plan to recover the fund balance which may include dedicating new unrestricted revenues, reducing expenditures, and/or increasing revenues or pursuing other funding sources.

Reserve Balance

CSBA NOTE: 5 CCR 15450 establishes a minimum local reserve balance for economic uncertainties based on the district's average daily attendance (ADA). The minimum reserve balance is the greater of five percent or \$5580,000 for districts with 0-300 ADA; the greater of four percent or \$5580,000 for districts with 301-1,000 ADA; three percent for districts with 1,001-30,000 ADA; two percent for districts with 30,001-400250,000 ADA; and one percent for districts with over 400250,000 ADA. The following paragraph may be revised to reflect the minimum reserve applicable to the district's ADA.

The district budget shall include a minimum reserve balance for economic uncertainties that is consistent with the percentage or amount specified in 5 CCR 15450.

CSBA NOTE: Education Code 42127.01 establishes, under certain conditions, a maximum amount of local reserve balance for economic uncertainties. Pursuant to Education Code 42127.01, if the amount of monies in the state Public School System Stabilization Account is three percent or more of the combined total of general fund revenues appropriated for school districts and allocated local proceeds of taxes, the district's combined assigned or unassigned ending general fund balance must not exceed 10 percent of those funds in the immediately following fiscal year.

Basic aid districts, as described in Education Code 42238.02, and districts with 2,500 or less ADA are exempted from this requirement and may delete the following paragraph. Other districts may also be exempted from this requirement by the County Superintendent for up to two consecutive fiscal years within a three-year period upon providing documentation of extraordinary fiscal circumstances (e.g., such as multiyear infrastructure or technology projects), that substantiate the need for a reserve in excess of the limit specified in Education Code 42127.01.

In any year following the fiscal year in which the district is notified by the SPI that the amount of monies in the state Public School System Stabilization Account equals or exceeds three percent of the combined total of general fund revenues appropriated for school districts and allocated local proceeds of taxes, the district budget shall not contain a combined assigned or unassigned ending general fund balance that is in excess of 10 percent of these funds, unless the requirement is waived in accordance with Education Code 42127.01. (Education Code 42127.01)

Long-Term Financial Obligations

The district's current-year budget and multiyear projections shall include adequate provisions for addressing the district's long-term financial obligations, including, but not limited to, long-term obligations resulting from collective bargaining agreements, financing of facilities projects, unfunded or future liability for retiree benefits, and accrued workers' compensation claims.

CSBA NOTE: The following paragraph is optional. Government Code 21710-21716, as added by SB 1413 (Ch. 665, Statutes of 2018), establish the California Employers' Pension Prefunding Trust Program and related Trust Fund, allowing districts that provide a defined benefit pension plan to their employees to prefund required pension contributions to the California Public Employees' Retirement System (CalPERS). Districts may elect to participate in the Prefunding Trust Program for the purpose of investing payments toward their required CalPERS pension contributions.

The Board may approve a plan for meeting the district's long-term obligations to fund contributions

to the California Public Employees' Retirement System (CalPERS) or other defined pension plans such as the California State Teachers Retirement System which, to the extent possible, minimizes significant increases in annual general fund expenditures towards pension obligations. The plan may include prefunding required pension contributions through the California Employers' Pension Prefunding Trust Program pursuant to Government Code 21710-21716.

CSBA NOTE: The following two optional paragraphs are for use by districts that provide "other postemployment benefits" (OPEBs) (i.e., such as medical, dental, vision, hearing, life insurance, long-term care, long-term disability, and other nonpension benefits to retired employees or Board members), and should be revised to reflect district practice; see BP/AR 4154/4254/4354 - Health and Welfare Benefits and BB 9250 - Remuneration, Reimbursement and Other Benefits. CSBA recommends that districts adopt a specific funding strategy for addressing their OPEB obligations. The district may pay the premiums as they fall due ("pay-as-you-go"), but in such a case the district would then accrue a deficit with respect to future retirees which can be expected to grow as a result of an increasing retiree population and increases in benefit costs. Therefore, it is recommended that the district prefund the debt, to the extent possible, using a method and level to be determined by the Board. For example, the district may contribute a set amount or percentage of the actuarially determined "annual required contributions" to an irrevocable trust or designated fund each year.

GASB Statement 75 requires districts that do not provide OPEB through a trust to report the total unfunded liability (i.e., OPEBs that are not prefunded) in the district's financial statements; see AR 3460 - Financial Reports and Accountability.

CSBA's OPEB Solutions Program provides access to a trusted source of analysis and a GASB 75-compliant trust to prefund future obligations. See CSBA's web site website for further information.

The Board shall approve a plan for meeting the district's long-term obligations to fund nonpension, other postemployment benefits (OPEBs). This plan shall include a specific funding strategy and the method that will be used to finance the district's annual fiscal obligations for such benefits in a manner that continually reduces the deficit to the district to the extent possible. The Board reserves the authority to review and amend the funding strategy as necessary to ensure that it continues to serve the best interests of the district and maintains flexibility to adjust for changing budgetary considerations.

The Superintendent or designee shall annually present a report to the Board on the estimated accrued but unfunded cost of OPEBs. As a separate agenda item at the same meeting, the Board shall disclose whether ~~or not~~ it will reserve a sufficient amount of money in its budget to fund the present value of the benefits of existing retirees and/or the future cost of employees who are eligible for benefits in the current fiscal year. (Education Code 42140)

CSBA NOTE: The following optional paragraph is for use by districts that are self-insured for workers' compensation claims, either individually or as part of a joint powers agency. See AR 3460 - Financial Reports and Accountability for provisions related to reporting the estimated accrued but unfunded cost of workers' compensation claims based on an actuarial report.

The Superintendent or designee shall annually present a report to the Board on the estimated accrued but unfunded cost of workers' compensation claims and the actuarial reports upon which the estimated costs are based. As a separate agenda item at the same meeting, the Board shall disclose whether it will reserve in the budget sufficient amounts to fund the present value of accrued but unfunded workers' compensation claims or if it is otherwise decreasing the amount in its workers' compensation reserve fund. The Board shall annually certify to the County Superintendent the amount, if any, that it has decided to reserve in the budget for these costs. The Board shall submit to the County Superintendent any budget revisions that may be necessary to account for this budget reserve. (Education Code 42141)

Budget Amendments

CSBA NOTE: The following section is optional and should be revised to reflect district practice.

No later than 45 days after the Governor signs the annual Budget Act, the Superintendent or designee shall make available for public review any revisions in budgeted revenues and expenditures which occur as a result of the funding made available by that Budget Act. (Education Code 42127)

Whenever revenues and expenditures change significantly throughout the year, the Superintendent or designee shall recommend budget amendments to ensure accurate projections of the district's net ending balance. When final figures for the prior-year budget are available, this information shall be used as soon as possible to update the current-year budget's beginning balance and projected revenues and expenditures.

In addition, budget amendments shall be submitted for Board approval as necessary when collective bargaining agreements are accepted, district income declines, increased revenues or unanticipated savings are made available to the district, program proposals are significantly different from those approved during budget adoption, interfund transfers are needed to meet actual program expenditures, and/or other significant changes occur that impact budget projections.

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

| State | Description |
|-------------------|---|
| 5 CCR 15060 | Standardized account code structure |
| 5 CCR 15440-15451 | Criteria and standards for school district budgets |
| 5 CCR 15494-15497 | Local control and accountability plan and spending requirements |

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| Ed. Code 1240 | County superintendent of schools; duties |
| Ed. Code 33127 | Standards and criteria for local budgets and expenditures |
| Ed. Code 41202 | Determination of minimum level of education funding |
| Ed. Code 42103 | Budget notification |
| Ed. Code 42122-42129 | Budget requirements |
| Ed. Code 42130-42134 | Financial reports and certifications |
| Ed. Code 42140-42142 | Public disclosure of fiscal obligations |
| Ed. Code 42238-42251 | Apportionments to districts |
| Ed. Code 42238.01-42238.07 | Local control funding formula |
| Ed. Code 42602 | Use of unbudgeted funds |
| Ed. Code 42610 | Appropriation of excess funds and limitation thereon |
| Ed. Code 45253 | Annual budget of personnel commission |
| Ed. Code 45254 | First year budget of personnel commission |
| <u>Ed. Code 46211</u> | <u>Attendance Recovery Program</u> |
| Ed. Code 52059.5 <u>52060</u> -52077 | Local control and accountability plan |
| Gov. Code 21710-21716 | California Employer's Pension Prefunding Trust Program |
| Gov. Code 7900-7914 | Appropriations limit |
| Management Resources | Description |
| California Department of Education Publication | New Requirements for Reporting Fund Balance in Governmental Funds, January 7, 2011 https://www.cde.ca.gov/fg/ac/co/documents/gasb54.doc |
| California Department of Education Publication | California School Accounting Manual |
| Fiscal Crisis & Management Assistance Team Pub. | Fiscal Oversight Guide for AB 1200, AB 2756, <u>AB 1840</u> and Subsequent Related Legislation, December 2015 <u>June 2019</u> https://www.fcmat.org/PublicationsReports/Fiscal_Oversight_Guide_final_11-8-2019.pdf |
| Government Finance Officers Association | Best Practice: Fund Balance Guidelines for the General Fund, September 2015 https://www.gfoa.org/materials/fund-balance-guidelines-for-the-general-fund |
| Governmental Accounting Standards Board Statement | Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, February 2009 https://gasb.org/page/document?pdf=GASBS+54.pdf&title=GASB%20STATEMENT%20NO.%2054.%20FUND%20BALAN |

CE%20REPORTING%20AND%20GOVERNMENTAL%20FUND%20TYPE%20DEFINITIONS

Governmental Accounting Standards Board Statement

Statement 75, Accounting and Financial Reporting for Post-employment Benefits Other Than Pensions, June 2015 ccc

Governmental Accounting Standards Board Statement

Pronouncements <https://gasb.org/standards-and-guidance/pronouncements>

Website

CSBA District and County Office of Education Legal Services

Website

Governmental Accounting Standards Board

Website

California Department of Finance

Website

California Department of Education, Finance and Grants

Website

Government Finance Officers Association

Website

Association of California School Administrators

Website

CSBA

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Fiscal Crisis and Management Assistance Team

Website

School Services of California, Inc.

Cross References

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| 0460 | Local Control And Accountability Plan |
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| 9320 | Meetings And Notices |
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Regulation 3100: Budget

Status: ADOPTED

Original Adopted Date: 03/01/2019 | Last Revised Date: 12/01/2024 | Last Reviewed Date:
03/12/01/20192024

Budget Advisory Committee

CSBA NOTE: The following optional section is for use by districts that have established a budget advisory committee and have selected either Option 1 or 2 in the "Budget Advisory Committee" section of the accompanying Board policy.

Membership of the district's budget advisory committee may include representatives of each of the following groups:

1. Governing Board members, provided that less than a majority of the Board serves on the committee
2. District and school site administrators
3. Representatives of bargaining units
4. Certificated and/or classified staff
5. Parents/guardians
6. Representatives of the business community and/or other community members
7. Students

CSBA NOTE: The remainder of this section details the duties of the budget advisory committee and is for use by districts that selected either Option 1, 2, or 3 in the "Budget Advisory Committee" section of the accompanying Board policy.

The committee's duties may include, but are not necessarily limited to:

1. Making recommendations regarding budget priorities which align with the district's vision, goals, priorities, local control and accountability plan (LCAP), and other comprehensive plans
2. Recommending cost reduction strategies, such as identifying services that may be reduced, made more efficient, or discontinued
3. Reviewing the clarity and effectiveness of budget documents and communications
4. Presenting progress reports on the committee's work and a final report of recommendations to the Superintendent or designee and to the Board

The specific duties of the committee shall be clearly defined and presented to each member in writing, along with any background information necessary for the successful completion of the committee's charges, the timelines for reporting the committee's progress, and timelines for completion of each task.

Public Hearing

CSBA NOTE: Pursuant to Education Code 52062, the public hearing on the budget must be at the same meeting as the public hearing on the local control and accountability plan (LCAP). In addition, pursuant to Education Code 52064.1, as added by AB 1808 (Ch. 32, Statutes of 2018), districts are required to develop a local control funding formula budget overview for parents/guardians through a process that meets the requirements of Education Code 52062, including the requirement for a public hearing. See the accompanying Board policy and BP 0460 - Local Control and Accountability Plan.

The agenda for the public hearing on the district budget shall be posted at least 72 hours before the hearing and shall indicate the location where the budget may be inspected. The proposed budget shall be available for public inspection at least three working days before this hearing. (Education Code 42103, 42127, 52062)

CSBA NOTE: Pursuant to Education Code 42103, as amended by AB 721 (Ch. 811, Statutes of 2023), beginning January 1, 2027, the requirement to publish notification of the hearing date and location for inspection for the district's proposed budget in a newspaper of general circulation is repealed and instead requires the information to be posted prominently on the district's website homepage at least three days before the availability of the proposed budget for public inspection.

The Superintendent or designee shall notify the County Superintendent of Schools of the location and dates at which the proposed budget may be inspected, as well as the location, date, and time of the public hearing, in sufficient time for the County Superintendent to publish such information in a newspaper of general circulation at least 10 days but not more than 45 days before the hearing, as required by Education Code 42103. specified in Education Code 42103. Beginning January 1, 2027, this notification, rather than being published in a newspaper of general circulation as described above, shall be prominently posted on the homepage of the district's website at least three days before the availability of the proposed budget for public inspection.

Whenever the proposed district budget includes a combined assigned and unassigned ending fund balance that exceeds the minimum recommended reserve for economic uncertainties adopted by the State Board of Education, the district shall provide, for each fiscal year included in the budget, the following information for public review and discussion at the public hearing: (Education Code 42127; 5 CCR 15450)

1. The minimum recommended reserve for economic uncertainties
2. The combined assigned and unassigned ending fund balances that are in excess of the minimum recommended reserve
3. A statement of reasons substantiating the need for the combined assigned and unassigned ending balances that are in excess of the minimum recommended reserve

During the hearing, any district resident may appear and object to the proposed budget or to any item in the budget. The hearing may conclude when all residents who have requested to be heard have had the opportunity to speak. (Education Code 42103)

Budget Review Committee for Disapproved Budgets

CSBA NOTE: Pursuant to Education Code 42127, if the County Superintendent conditionally approves or disapproves the district's initial budget, the district must respond to the County Superintendent's recommendations by October 8; see the accompanying Board policy. If the County Superintendent then disapproves that revised budget, Education Code 42127 and 42127.1 require the County Superintendent to call for the formation of a budget review committee unless the Governing Board and the County Superintendent agree to waive the committee requirement and the California Department of Education agrees to the waiver. See BP 1431 - Waivers. The formation, convening procedures, and timelines of the budget review committee are set forth in Education Code 42127.1-42127.3.

Education Code 42127 provides that the County Superintendent cannot call for the formation of a budget review committee if the sole reason for disapproving the district's budget is disapproval of the district's LCAP or the annual update to the LCAP.

If the district's budget is disapproved by the County Superintendent for any reason other than disapproval of the district's LCAP or annual update to the LCAP, the budget shall be reviewed by a budget review committee, unless the Board and County Superintendent agree to waive the requirement and the California Department of Education accepts the waiver. (Education Code 42127)

CSBA NOTE: Pursuant to Education Code 42127.2, if the Board fails to select the budget review committee from a list of candidates provided by the Superintendent of Public Instruction (SPI) within five working days of receiving the list, as provided in ~~item~~ **Item #1** below, the SPI will select and convene the committee no later than 10 working days after the district's receipt of the candidate list.

This committee shall consist of either: (Education Code 42127.1, 42127.2)

1. Three persons selected by the Board from a list of candidates provided by the Superintendent of Public Instruction (SPI), who shall be selected within five working days after receiving the list of candidates
2. A regional review committee selected and convened by the County Superintendent with the approval of the Board and SPI

CSBA NOTE: Pursuant to Education Code 42127.2, the budget review committee is required to submit, by November 30, its recommendation as to whether the district's budget should be approved or disapproved and, if the recommendation is for disapproval, its recommended revisions to the budget. The SPI may extend this deadline for up to 15 working days.

If the budget review committee recommends disapproval of the district budget, the Board may submit a response to the SPI no later than five working days after receipt of the committee's report.

The response may include any revisions to the adopted final budget and any other proposed actions to be taken as a result of the committee's recommendations. (Education Code 42127.3)

If the SPI disapproves the district budget after reviewing the committee's report and the district's response, the Board shall consult with the County Superintendent to develop and adopt, by December 31, a fiscal plan and budget that will allow the district to meet its current fiscal year and multiyear financial obligations. For the current fiscal year, the district shall operate in accordance with the budget adopted by the County Superintendent. (Education Code 42127.3)

Until the district receives approval of its budget, it shall continue to operate either on the basis of the prior year's budget or on the basis of the current year's unapproved budget as adopted and revised by the Board, whichever budget contains a lower total spending authority. (Education Code 42127.4)

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

| State | Description |
|----------------------------|---|
| 5 CCR 15060 | Standardized account code structure |
| 5 CCR 15440-15451 | Criteria and standards for school district budgets |
| 5 CCR 15494-15497 | Local control and accountability plan and spending requirements |
| Ed. Code 1240 | County superintendent of schools; duties |
| Ed. Code 33127 | Standards and criteria for local budgets and expenditures |
| Ed. Code 41202 | Determination of minimum level of education funding |
| Ed. Code 42103 | Budget notification |
| Ed. Code 42122-42129 | Budget requirements |
| Ed. Code 42130-42134 | Financial reports and certifications |
| Ed. Code 42140-42142 | Public disclosure of fiscal obligations |
| Ed. Code 42238-42251 | Apportionments to districts |
| Ed. Code 42238.01-42238.07 | Local control funding formula |
| Ed. Code 42602 | Use of unbudgeted funds |
| Ed. Code 42610 | Appropriation of excess funds and limitation thereon |

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|--|---|
| Ed. Code 45253 | Annual budget of personnel commission |
| Ed. Code 45254 | First year budget of personnel commission |
| <u>Ed. Code 46211</u> | <u>Attendance Recovery Program</u> |
| Ed. Code 52059.5 <u>52060</u> -52077 | Local control and accountability plan |
| Gov. Code 21710-21716 | California Employer's Pension Prefunding Trust Program |
| Gov. Code 7900-7914 | Appropriations limit |
| Management Resources | Description |
| California Department of Education Publication | New Requirements for Reporting Fund Balance in Governmental Funds, January 7, 2011 https://www.cde.ca.gov/fg/ac/co/documents/gasb54.doc |
| California Department of Education Publication | California School Accounting Manual |
| Fiscal Crisis & Management Assistance Team Pub. | Fiscal Oversight Guide for AB 1200, AB 2756, <u>AB 1840</u> and <u>Subsequent</u> Related Legislation, December 2015 <u>June 2019</u> https://www.fcmat.org/PublicationsReports/Fiscal_Oversight_Guide_final_11-8-2019.pdf |
| Government Finance Officers Association | Best Practice: Fund Balance Guidelines for the General Fund, September 2015 https://www.gfoa.org/materials/fund-balance-guidelines-for-the-general-fund |
| Governmental Accounting Standards Board Statement | Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, February 2009 https://gasb.org/page/document?pdf=GASBS+54.pdf&title=ASB%20STATEMENT%20NO.%2054.%20FUND%20BALANCE%20REPORTING%20AND%20GOVERNMENTAL%20FUND%20TYPE%20DEFINITIONS |
| Governmental Accounting Standards Board Statement | Statement 75, Accounting and Financial Reporting for Post- employment Benefits Other Than Pensions, June 2015 https://gasb.org/page/document?pdf=gasbs75_final_cropped.pdf&title=GASB%20Statement%20No.%2075.%20Accounting%20and%20Financial%20Reporting%20for%20Postemployment%20Benefits%20Other%20Than%20Pensions |
| <u>Governmental Accounting Standards Board Statement</u> | <u>Pronouncements</u> https://gasb.org/standards-and-guidance/pronouncements |
| Website | CSBA District and County Office of Education Legal Services |
| Website | Governmental Accounting Standards Board |
| Website | California Department of Finance |

| | |
|---------|--|
| Website | California Department of Education, Finance and Grants |
| Website | Government Finance Officers Association |
| Website | Association of California School Administrators |
| Website | CSBA |
| Website | Fiscal Crisis and Management Assistance Team |
| Website | School Services of California, Inc. |

Cross References

| Code | Description |
|-------------|---|
| 0000 | Vision |
| 0200 | Goals For The School District |
| 0400 | Comprehensive Plans |
| 0415 | Equity |
| 0440 | District Technology Plan |
| 0440 | District Technology Plan |
| 0460 | Local Control And Accountability Plan |
| 0460 | Local Control And Accountability Plan |
| 1113 | District And School Websites |
| 1113 | District And School Websites |
| 1113-E(1) | District And School Websites |
| 1220 | Citizen Advisory Committees |
| 1220 | Citizen Advisory Committees |
| 1330.1 | Joint Use Agreements |
| 1340 | Access To District Records |
| 1340 | Access To District Records |
| 1400 | Relations Between Other Governmental Agencies And The Schools |
| 2210 | Administrative Discretion Regarding Board Policy |
| 2230 | Representative And Deliberative Groups |
| 3000 | Concepts And Roles |

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| 3110 | Transfer Of Funds |
| 3220.1 | Lottery Funds |
| 3230 | Federal Grant Funds |
| 3230 | Federal Grant Funds |
| 3231 | Impact Aid |
| 3260 | Fees And Charges |
| 3260 | Fees And Charges |
| 3270 | Sale And Disposal Of Books, Equipment And Supplies |
| 3270 | Sale And Disposal Of Books, Equipment And Supplies |
| 3280 | Sale Or Lease Of District-Owned Real Property |
| 3280 | Sale Or Lease Of District-Owned Real Property |
| 3300 | Expenditures And Purchases |
| 3312 | Contracts |
| 3350 | Travel Expenses |
| 3400 | Management Of District Assets/Accounts |
| 3400 | Management Of District Assets/Accounts |
| 3460 | Financial Reports And Accountability |
| 3460 | Financial Reports And Accountability |
| 3470 | Debt Issuance And Management |
| 3510 | Green School Operations |
| 3511 | Energy And Water Management |
| 3511 | Energy And Water Management |
| 3540 | Transportation |
| 3551 | Food Service Operations/Cafeteria Fund |
| 3551 | Food Service Operations/Cafeteria Fund |
| 3553 | Free And Reduced Price Meals |
| 3553 | Free And Reduced Price Meals |
| 3580 | District Records |
| 3580 | District Records |

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| 4131 | Staff Development |
| 4131.1 | Teacher Support And Guidance |
| 4131.1 | Teacher Support And Guidance |
| 4141 | Collective Bargaining Agreement |
| 4143 | Negotiations/Consultation |
| 4151 | Employee Compensation |
| 4154 | Health And Welfare Benefits |
| 4154 | Health And Welfare Benefits |
| 4156.2 | Awards And Recognition |
| 4231 | Staff Development |
| 4241 | Collective Bargaining Agreement |
| 4243 | Negotiations/Consultation |
| 4251 | Employee Compensation |
| 4254 | Health And Welfare Benefits |
| 4254 | Health And Welfare Benefits |
| 4256.2 | Awards And Recognition |
| 4331 | Staff Development |
| 4351 | Employee Compensation |
| 4354 | Health And Welfare Benefits |
| 4354 | Health And Welfare Benefits |
| 4356.2 | Awards And Recognition |
| 5142.2 | Safe Routes To School Program |
| 5142.2 | Safe Routes To School Program |
| 6000 | Concepts And Roles |
| 6020 | Parent Involvement |
| 6020 | Parent Involvement |
| 6141 | Curriculum Development And Evaluation |
| 6141 | Curriculum Development And Evaluation |
| 6141.4 | International Baccalaureate Program |

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| 6141.5 | Advanced Placement |
| 6151 | Class Size |
| 6173.1 | Education For Foster Youth |
| 6173.1 | Education For Foster Youth |
| 6174 | Education For English Learners |
| 6174 | Education For English Learners |
| 6181 | Alternative Schools/Programs Of Choice |
| 6181 | Alternative Schools/Programs Of Choice |
| 7160 | Charter School Facilities |
| 7160 | Charter School Facilities |
| 7210 | Facilities Financing |
| 9000 | Role Of The Board |
| 9130 | Board Committees |
| 9140 | Board Representatives |
| 9240 | Board Training |
| 9250 | Remuneration, Reimbursement And Other Benefits |
| 9250-E(1) | Remuneration, Reimbursement And Other Benefits |
| 9320 | Meetings And Notices |
| 9322 | Agenda/Meeting Materials |
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Policy 3280: Sale Or Lease Of District-Owned Real Property

Status: ADOPTED

Original Adopted Date: 07/01/2011 | Last Revised Date: ~~10/12/01/2020~~2024 | Last Reviewed Date: ~~10/12/01/2020~~2024

CSBA NOTE: The following optional policy and accompanying administrative regulation detail the procedures that govern the district's sale or lease of surplus real property, and may be revised to reflect district practice.

Education Code 17455 authorizes the sale, or lease for up to 99 years, of any district real property together with any personal property located thereon without approval of the voters within the district. To do so, the property must not or will not be needed by the district and the district must follow the procedures ~~stated~~specified in Education Code 17387-17391.

Pursuant to Education Code 33050, a district may request the State Board of Education to waive the statutory bid procedures specified in Education Code 17387-17391, in order to sell surplus real property through a request for proposal process.

Pursuant to Education Code 17219, when the district has not used a previously used site for school purposes within the preceding five years, or has not used a newly acquired site within five years of acquisition for any of grades K-8 or seven years of acquisition for any of grades 7-12, the State Allocation Board (SAB) is authorized to charge an "unused site fee" ~~pursuant to~~ in accordance with Education Code 17219-17224. For further information regarding non-use payments, see the Office of Public School Construction's "Unused Site Program Handbook."

Additionally, the Surplus Land Act (Government Code 54220-54234) requires local agencies, including school districts, prior to disposing of certain land, to offer to sell or lease such land to certain entities for affordable housing, parks and recreation, and other specified uses.

Due to the complexities surrounding the disposal of surplus real property, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel before initiating the process to sell or lease surplus real property.

The Governing Board believes that district facilities and resources should be utilized in an economical and practical manner. The Superintendent or designee shall periodically study the current and projected use of all district facilities to ensure the efficient utilization of space for the effective delivery of instruction.

CSBA NOTE: Pursuant to Education Code 17387-17391, before surplus real property is sold or leased, the Governing Board must appoint an advisory committee to advise the Board on the disposition of such property. Education Code 17388 and 17391 establish exceptions from this requirement: As amended by SB 820 (Ch. 110, Statutes of 2020), Education Code 17391 adds an exception, until July , which are listed in Items #1, 2024, for the sale or lease of property that has

not previously operated, or was not constructed to be operated, as an early childhood education facility or a school for elementary or secondary instruction. ~~3~~ [below](#).

Education Code 17389 requires that the advisory committee be representative of specific groups within the community and be composed of not less than seven ~~nor~~ more than 11 members (commonly referred to as a "7-11 ~~committee~~"). [Committee](#)". See the accompanying administrative regulation for further information on the composition and duties of this committee.

Prior to the sale or lease of any surplus real property, the Board shall appoint a district advisory committee to advise the Board regarding the use or disposition of schools or school building space which is not needed for school purposes. The Board may elect not to appoint a district advisory committee for any of the following: (Education Code 17388, 17391)

1. A rental of property for a period of time not exceeding 30 days
2. A lease or rental of surplus property to a private educational institution for the purpose of offering summer school
3. A sale, lease, or rental of surplus property to be used for teacher or other employee housing
4. ~~Until July 1, 2024, a sale or lease of surplus property that has not previously operated, or was not constructed to be operated, as an early childhood education facility or a school for elementary or secondary instruction~~

CSBA NOTE: Pursuant to Government Code 65402, if the county or city has adopted a general plan which is applicable in the area where the district property is located, the district must notify the county or city planning agency of the location, purpose, and extent of the proposed disposition of district property so that the ~~The planning agency can determine and is required to report on back to the district within 40 days, indicating whether~~ the extent to which the ~~proposed disposition conforms with the local planning agency's general plan. The planning agency has 40 days during which it may raise objections.~~ If objections are not raised within 40 days, the lack of response is deemed to be a finding that the district's proposed disposition of the property is in conformity with the local planning agency's adopted general plan. ~~Even if the planning agency disapproves of the location, purpose, or extent of the proposed disposition, the district may overrule the disapproval.~~

In addition, to ensure that the proposed disposition of the property conforms with any general plan adopted by the local planning agency that affects or includes the area where the surplus property is located, the Board shall submit a report to the local planning agency describing the location of the surplus property and the purpose and extent of the proposed sale or lease. (Government Code 65402)

CSBA NOTE: When proposing the sale or lease of surplus property, the district must also comply with Public Resources Code 21000-21177 (the California Environmental Quality Act) (CEQA) ~~(Public Resources Code 21000-21177)~~, when applicable. Pursuant to 14 CCR 15061, the sale or lease of property is exempt from detailed CEQA review if there is no possibility that the sale or

lease will have a significant environmental effect. In such cases, the district must adopt a notice of exemption in accordance with 14 CCR 15062.

The Board shall determine whether the sale or lease of the surplus property is subject to review under the California Environmental Quality Act. (Public Resources Code 21000-21177; 14 CCR 15061-15062)

CSBA NOTE: Pursuant to Government Code 54956.8, the Board may hold a closed session for real property negotiations, including the sale or lease of property by the district. ~~An~~The Attorney General ~~opinion (opined in 94 Ops.Cal.Atty.Gen. 82 (2011)) has concluded~~ that only three subjects related to real property negotiations may be considered in closed session: , which are (1) the amount of consideration the local agency is willing to pay or accept in exchange for the real property rights to be acquired or transferred; (2) the form, manner, and timing of how that consideration will be paid; and (3) items that are essential to arriving at the authorized price and payment terms. See BB 9321 - Closed Session.

The Board may meet in closed session with its real property negotiator prior to the sale or lease of real property by the district in order to grant its negotiator authority regarding the minimum price or rent and terms of the sale or lease. (Government Code 54956.8)

CSBA NOTE: Pursuant to Government Code 54221, the Board must first declare land to be either (1) surplus land or (2) exempt surplus land under the Surplus Land Act before taking any action to dispose of the land. If land is determined to be "exempt surplus land", certain requirements set forth in the Surplus Land Act (Government Code 54220-54234) do not apply, except for providing notice of the property's availability for sale or lease to specified public entities.

The declaration of whether land is surplus land or exempt surplus land may be done by way of a resolution, which is separate from the resolution adopted to order the sale or lease of surplus property, described below in "Resolution of Intention to Sell or Lease."

Before taking action to dispose of any land, the Board shall declare, at a regular meeting, supported by written findings that, under the Surplus Land Act, the land is either (1) surplus land or (2) exempt surplus land. (Government Code 54221)

CSBA NOTE: Pursuant to Government Code 54221, as amended by AB 480 (Ch. 788, Statutes of 2023), the Board is not required to make a resolution of intent to sell or lease described below at a public meeting for certain exempt surplus land if the district provides notice and opportunity for public comment as described below. Additionally, the Board is required to provide the Department of Housing and Community Development (HCD) notice as specified in its August 2024, "Updated Surplus Land Act Guidelines." For more information regarding land that is defined as "exempt surplus land", see the accompanying administrative regulation.

However, if the land involved is exempt surplus land as specified in Government Code 54221(f)(1), the Board, at its discretion, may decide not to make such a declaration. Instead of the declaration, the Board may identify the land as exempt surplus land in a notice that is published and available for public comment and to the entities identified in Government Code 54222 at least 30 days before the exemption takes effect. (Government Code 54221)

Additionally, at least 30 days prior to disposing of exempt surplus land, the district shall provide the Department of Housing and Community Development (HCD) a copy of the Board's declarations and findings supporting the Board's determination that the land is exempt surplus land using the form prescribed by HCD. (Government Code 54221)

CSBA NOTE: If the Board determines that under the Surplus Land Act the land involved is not exempt surplus land, then certain requirements must be followed in order to dispose of the property. Pursuant to Government Code 54230.5, before agreeing to terms for the disposition of surplus land, districts are required to provide HCD with a description of the notices of availability sent to public entities, summary of negotiations conducted with any responding public entities, and a copy of any restrictions to be recorded against the property as required by the Surplus Land Act. Pursuant to Government Code 54230.7, as added by SB 229 (Ch. 774, Statutes of 2023), districts disposing of surplus land that received a notification of violation from HCD are required to hold an open and public meeting to review and consider the substance of the notice of violation and may not take final action to ratify or approve the proposed disposal until a public meeting is held: see BB 9323.2-E(1) – Actions by the Board.

If the district has received notification from HCD that the district has violated the Surplus Land Act pursuant to Government Code 54230.5, the Board shall not pursue a final action to ratify or approve the proposed disposal of surplus land unless the Board holds an open and public meeting in compliance with Government Code 54230.7 to review and consider the substance of the notice.

CSBA NOTE: When a district is selling any surplus property or leasing it with an option to purchase, Education Code 17464 lists and Government Code 54222 of the Surplus Land Act list the public entities that must be given priority to lease or purchase the property and the types of notice that the district must provide such entities before disposing of the property.

Pursuant to Education Code 17464, the notice is required to be mailed to specified public entities and a general notice published once each week for three successive weeks in a regularly published newspaper, with at least five days intervening between the publication dates. If a public entity(ies) desiring to purchase or lease the property responds to the notice within 60 days after the third publication, the district is required to negotiate with the public entity in an effort to arrive at a mutually satisfactory price or lease payment during that 60-day period.

Additionally, pursuant to Government Code 54222 and 54223 of the Surplus Land Act, a public entity interested in leasing or purchasing the land is required to respond within sixty days after the notice is sent and is entitled to a negotiation period of ninety days.

Under certain circumstances, districts may also need to comply with the Naylor Act (Education Code 17485-17500), which requires that priority be given to public agencies when disposing of any district property that includes a playground, playing field, or land with an particularly suited for outdoor recreational purpose. or open-space purposes.

Under certain conditions, the district may grant priority to licensed child care providers pursuant to Education Code 17458 or may sell surplus property for less than fair market value to public entities for recreational purposes pursuant to Education Code 17230.

When selling or leasing district real property, the Board shall comply with applicable procedures and give priority to specified public agencies as required by law. (Education Code 17230, 17464, 17485-~~17499~~17500; Government Code ~~54222~~ 54221-54234)

Resolution of Intention to Sell or Lease

Before ordering the sale or lease of any real property, the Board shall adopt a resolution by a two-thirds vote of all of its members at a regularly scheduled open meeting. The resolution shall describe the property proposed to be sold or leased in such a manner as to identify it, specify the minimum price or rent, describe the terms upon which it will be sold or leased, and specify the commission or rate, if any, which the Board will pay to a licensed real estate broker out of the minimum price or rent. The resolution shall fix a time, not less than three weeks thereafter, for a public meeting, held at the Board's regular meeting place, at which sealed proposals to purchase or lease will be received and considered. (Education Code 17466)

The Superintendent or designee shall provide notice of the adoption of the resolution and of the time and place of the meeting that will be held to consider bids by posting copies of the resolution, signed by the Board, in three public places not less than 15 days before the date of the meeting. In addition, the notice shall be published at least once a week for three successive weeks before the meeting, in a newspaper of general circulation published in the county in which the district is located, if such a newspaper exists. (Education Code 17469)

CSBA NOTE: Education Code 17470 requires districts to take reasonable steps to notify the former owner of the property of the public meeting at which bids will be considered. However, the Board is not required to accord the former owner the right to purchase the property at the tentatively accepted highest bid price nor to offer to sell the property to the former owner at the tentatively accepted highest bid price.

At least 60 days prior to the public meeting, the Superintendent or designee shall take reasonable steps to provide written notification of the public meeting, by certified mail, to the former owner from whom the district acquired the property. (Education Code 17470)

Acceptance/Rejection of Bids

At the public meeting specified in the resolution of intention to sell or lease property, the Board shall open, examine, and declare all sealed bids. Before accepting a written proposal, the Board shall call for oral bids in accordance with law. (Education Code 17472, 17473)

The Board may reject any and all bids, either written or oral, and withdraw the properties from sale when the Board determines that rejection is in the best public interest. If no proposals are submitted or the submitted proposals do not conform to all the terms and conditions specified in the resolution of intention to lease, the Board may lease the property in accordance with Education Code 17477. (Education Code 17476, 17477)

Of the proposals submitted by responsible bidders which conform to all terms and conditions specified in the resolution of intention to sell or lease, the Board shall finally accept the highest bid after deducting the commission, if any, to be paid to a licensed real estate broker, unless the Board accepts a higher oral bid or rejects all bids. (Education Code 17472)

The final acceptance of the bid may be made either at the same meeting specified in the resolution or at any adjourned/continued meeting held within 10 days. Upon acceptance of the bid, the Board may adopt a resolution of acceptance that directs the Board president, or any other Board member, to execute the deed or lease and to deliver the document upon performance and compliance by the successful bidder of all of the terms and conditions of the contract. (Education Code 17475-17478)

Use of Proceeds

CSBA NOTE: Pursuant to Education Code 17462, the proceeds derived from the sale of surplus property or lease with an option to purchase must generally be used for one-time expenditures for capital outlay or maintenance, with specified exceptions. The law does not place limitations on the use of proceeds for a lease of surplus property that does not include an option to purchase.

The Superintendent or designee shall ensure that the proceeds from the sale or lease with an option to purchase of surplus district property are used for one-time expenditures and not for ongoing expenditures such as salaries and general operating expenses. (Education Code 17462; 2 CCR 1700)

Proceeds from a sale of surplus district property shall generally be used for capital outlay or maintenance costs that the Board determines will not recur within a five-year period. Proceeds from a lease of district property with an option to purchase may be deposited into a restricted fund for the routine repair of district facilities, as defined by the [State Allocation Board \(SAB\)](#), for up to a five-year period. (Education Code 17462)

CSBA NOTE: Pursuant to Education Code 17462, proceeds from the sale or lease with an option to purchase may be deposited in the district's general fund when the Board and SAB determine that the district has no anticipated need for additional sites or building construction for the next 10 years and no major deferred maintenance requirements. Thus, districts may not apply to the state for new construction or modernization funding during that time period unless certain conditions specified in Education Code 17462 are satisfied.

However, if the Board and SAB determine that the district has no anticipated need for additional sites or building construction for the next 10 years and no major deferred maintenance requirements, the proceeds from the sale or lease with an option to purchase may be deposited in a special reserve fund for the future maintenance and renovation of school sites or in the district's general fund. (Education Code 17462)

CSBA NOTE: ~~Until July 1, 2024, Pursuant to Education Code 17463.7, as added by SB 98 (Ch. 24, Statutes of 2020), authorizes 17462.3, if the proceeds from the sale or lease of district is selling real property purchased entirely, improved, or modernized with local funds to be used for any general fund purpose received from a state school facilities funding program within the previous 10 years,~~

the district is required to return those funds to SAB under specified conditions. The district must notify OPSC of the sale by submitting Form SAB 308, available on OPSC's website.

In addition, until July 1, 2024, if district surplus property was purchased entirely with local funds, the proceeds from the sale or lease of the property, together with any personal property located on the property, may be deposited into the general fund of the district and may be used for any one-time general fund purpose. Before exercising this authority, the Board shall: (Education Code 17463.7)

1. Submit to SAB documents certifying that the sale of real property does not violate the provisions of a local bond act and the real property is not suitable to meet projected school construction needs for the next 10 years
2. At a public meeting, adopt a plan for expending one-time resources from the sale or lease of the property which identifies the source and intended use of the surplus property proceeds and describes the reasons that the expenditure will not result in ongoing fiscal obligations for the district

CSBA NOTE: Pursuant to Education Code 17462.3, if the district is selling real property purchased, improved, or modernized with funds received from a state school facilities funding program within the previous 10 years, the district is required to return those funds to SAB under specified conditions. The district must notify OPSC of the sale by submitting Form SAB 308, available on OPSC's web site.

Whenever the district sells real property that was purchased, improved, or modernized with funds that were received from a state school facilities funding program within the previous 10 years, the district shall notify OPSC within 90 calendar days of the sale of the property if the proceeds from the sale are not used for capital outlay and the property is not sold to a charter school, another school district, a county office of education, or an agency that will use the property exclusively for the delivery of child care and development services. If SAB subsequently makes a finding that the sale is subject to Education Code 17462.3, the district shall return the funds to the SAB within 90 calendar days of the finding. (2 CCR 1702)

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

| State | Description |
|----------------------|---|
| 14 CCR 15061-15062 | Preliminary Review review of Projects projects and Conduct conduct of Initial Study initial study |
| 2 CCR 1700-1702 | Surplus property; use of proceeds |
| Ed. Code 17219-17224 | Acquisition of property not utilized as school site; nonuse payments; exemptions |

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|---|---|
| Ed. Code 17230-17234 | Surplus property |
| Ed. Code 17387-17391 | Advisory committees for use of excess school facilities |
| Ed. Code 17400-17429 | Leasing of school buildings |
| Ed. Code 17430-17447 | Leasing facilities |
| Ed. Code 17453 | Lease of surplus district property |
| Ed. Code 17455-17484 | Sale or lease of real property |
| Ed. Code 17462.3 | State Allocation Board program to reclaim funds |
| Ed. Code 17485-17500 | Surplus school playground (Naylor Act) |
| Ed. Code 17515-17526 | Joint occupancy |
| Ed. Code 17527-17535 | Joint use of district facilities |
| <u>Ed. Code 17536</u> | <u>Exchange of district property</u> |
| Ed. Code 33050 | Nonwaivable provisions |
| Ed. Code 38130-38139 | Civic Center Act |
| Gov. Code 50001-50002 | Definitions |
| Gov. Code 54220-54232 <u>54234</u> | Surplus land |
| Gov. Code 54222 | <u>Offer to sell or lease property</u> |
| Gov. Code 54950-54963 | The Ralph M. Brown Act |
| Gov. Code 54952 | Legislative body; definition |
| Pub. Res. Code 21000-21177 | California Environmental Quality Act of 1970 |
| Management Resources | Description |
| Attorney General Opinion | 94 Ops.Cal.Atty.Gen. 82 (2011) |
| <u>Attorney General Publication</u> | <u>Guidance Regarding Laws Governing School Closures and Best Practices for Implementation in California, April 2023</u> (https://oag.ca.gov/system/files/media/letter-school-districts-school-closures-04112023.pdf) |
| California Department of Education Publication | Closing a School Best Practices Guide for Potential School Closure, 2024 (https://www.cde.ca.gov/ls/fa/sf/schoolclose.asp) |
| <u>California Department of Housing and Community Development Publication</u> | <u>Updated Surplus Land Act Guidelines, August 2024</u> (https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/final-updated-surplus-land-act-guidelines-2024.pdf) |

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| Court Decision | San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District (2006) 139 Cal.App.4th 1356 |
| Office of Public School Construction Publication | Unused Site Program Handbook, December 2015 https://www.dgs.ca.gov/-/media/Divisions/OPSC/Services/Guides-and-Resources/Unused-Site-Handbook_ADA.pdf |
| Website | CSBA District and County Office of Education Legal Services |
| Website | Department of General Services, Office of Public School Construction |
| Website | Coalition for Adequate School Housing |
| Website | CSBA |
| Website | California Department of Education, School Facilities |

Cross References

| Code | Description |
|-------------|--------------------------------------|
| 1100 | Communication With The Public |
| 1220 | Citizen Advisory Committees |
| 1220 | Citizen Advisory Committees |
| 1330 | Use Of School Facilities |
| 1330 | Use Of School Facilities |
| 1431 | Waivers |
| 3100 | Budget |
| 3100 | Budget |
| 3311.2 | Lease-Leaseback Contracts |
| 3460 | Financial Reports And Accountability |
| 3460 | Financial Reports And Accountability |
| 3580 | District Records |
| 3580 | District Records |
| 5148 | Child Care And Development |
| 5148 | Child Care And Development |
| 5148.2 | Before/After School Programs |

| | |
|-------------|-------------------------------------|
| 5148.2 | Before/After School Programs |
| 5148.3 | Preschool/Early Childhood Education |
| 5148.3 | Preschool/Early Childhood Education |
| 6020 | Parent Involvement |
| 6020 | Parent Involvement |
| 7110 | Facilities Master Plan |
| 7111 | Evaluating Existing Buildings |
| 7160 | Charter School Facilities |
| 7160 | Charter School Facilities |
| 7210 | Facilities Financing |
| 9130 | Board Committees |
| 9320 | Meetings And Notices |
| 9321 | Closed Session |
| 9321-E(1) | Closed Session |
| 9321-E(2) | Closed Session |
| 9323.2 | Actions By The Board |
| 9323.2-E(1) | Actions By The Board |

Regulation 3280: Sale Or Lease Of District-Owned Real Property

Status: ADOPTED

Original Adopted Date: 09/01/1990 | Last Revised Date: 11/12/01/2006/2024 | Last Reviewed Date: 11/12/01/2006/2024

Definitions

CSBA NOTE: Government Code 54221, as amended by AB 480 (Ch. 788, Statutes of 2023), defines the term "dispose", as reflected below.

Dispose means either (1) the sale of surplus land or (2) the lease of surplus land for a term longer than 15 years, inclusive of any extension or renewal options included in the terms of the initial lease. Dispose does not include the entering of a lease for surplus land on which no development or demolition will occur, regardless of the term of the lease. (Government Code 54221)

CSBA NOTE: Government Code 54221, as amended by AB 480, lists what constitutes "exempt surplus land." As many of the exemptions do not apply to school districts, only some are included in the definition of exempt surplus land below. Additional information on exempt surplus land is available in the California Department of Housing and Community Development's August 2024 publication, "Updated Surplus Land Act Guidelines."

Under the Surplus Land Act, exempt surplus land means land, as described in Items #1-10 below, that is: (Government Code 54221)

1. Less than one-half acre in area and is not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate-income housing purposes
2. Being exchanged for another property necessary for the district's use, including easements, pursuant to Education Code 17536
3. Subject to the district advisory committee pursuant to Education Code 17388
4. Jointly occupied by the district and any private person, firm, local governmental agency or corporation pursuant to Education Code 17515
5. Being transferred to a local, state, or federal agency, or to a third-party intermediary for future dedication for the receiving agency's use, or to a federally recognized California Indian tribe
6. A former street, right of way, or easement, and is conveyed to an owner of an adjacent property
7. Developed for low- or moderate-income housing development that meets specified criteria

8. Subject to a valid legal restriction that is not imposed by the district and that makes housing prohibited, such as a conservation easement

9. Transferred to a community land trust, and meets certain specified conditions

10. Included in any of the other exemptions specified in Government Code 54221

District Advisory Committee

CSBA NOTE: Prior to the sale or lease of the property, Education Code 17388 requires the Governing Board to appoint a district advisory committee (often referred to as the 7-11 committee) Committee, to advise the Board in the disposition of the property. See For more information regarding district advisory committees, including when they are not required, see the accompanying Board policy.

The district advisory committee, which may be referred to as a "7-11 Committee." on use or disposition of surplus school buildings or space shall consist of ~~7~~ not less than seven or more than 11 members representative of each of the following: (Education Code 17389)

1. The district's ethnic, age group, and socioeconomic composition
2. The business community, such as store owners, managers, or supervisors
3. Landowners or renters, with preference to representatives of neighborhood associations
4. Teachers
5. Administrators
6. Parents/guardians of students
7. Persons with expertise in environmental impact, legal contracts, building codes, and land use planning, including, but not limited to, knowledge of the zoning and other land use restrictions of the cities and counties in which the surplus property is located

This committee shall: (Education Code 17390)

1. Review projected school enrollment and other data to determine the amount of surplus space and real property
2. Establish and circulate throughout the attendance area a priority list for use of surplus space and real property that will be acceptable to the community
3. Hold hearings, with community input, on acceptable uses of space and real property, including the sale or lease of surplus real property for child care development purposes
4. Make a final determination of limits of tolerance of use of space and real property
5. Send the Governing Board a report recommending uses of surplus space and real property

CSBA NOTE: Pursuant to Government Code 54952, ~~open meeting laws~~ (the Brown Act) apply applies to a committee created by formal action of the Board, regardless of whether that body is permanent or temporary, decision making, or advisory. Thus, because Education Code 17388 specifies that the district advisory committee is appointed by the Board, meetings of that committee are subject to the Brown Act. It is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel when questions arise regarding the applicability of Brown Act requirements to district or school committees. See AR 1220 - Citizen Advisory Committees and BB 9130 - Board Committees.

The district advisory committee shall comply with open meeting requirements of the Brown Act. (Government Code 54952)

Policy Reference UPDATE Service

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| State | Description |
|-----------------------|---|
| 14 CCR 15061-15062 | Preliminary Review <u>review</u> of Projects <u>projects</u> and Conduct <u>conduct</u> of Initial Study <u>initial study</u> |
| 2 CCR 1700-1702 | Surplus property; use of proceeds |
| Ed. Code 17219-17224 | Acquisition of property not utilized as school site; nonuse payments; exemptions |
| Ed. Code 17230-17234 | Surplus property |
| Ed. Code 17387-17391 | Advisory committees for use of excess school facilities |
| Ed. Code 17400-17429 | Leasing of school buildings |
| Ed. Code 17430-17447 | Leasing facilities |
| Ed. Code 17453 | Lease of surplus district property |
| Ed. Code 17455-17484 | Sale or lease of real property |
| Ed. Code 17462.3 | State Allocation Board program to reclaim funds |
| Ed. Code 17485-17500 | Surplus school playground (Naylor Act) |
| Ed. Code 17515-17526 | Joint occupancy |
| Ed. Code 17527-17535 | Joint use of district facilities |
| <u>Ed. Code 17536</u> | <u>Exchange of district property</u> |
| Ed. Code 33050 | Nonwaivable provisions |

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| Ed. Code 38130-38139 | Civic Center Act |
| Gov. Code 50001-50002 | Definitions |
| Gov. Code 54220-54232 54234 | Surplus land |
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| Gov. Code 54950-54963 | The Ralph M. Brown Act |
| Gov. Code 54952 | Legislative body; definition |
| Pub. Res. Code 21000-21177 | California Environmental Quality Act of 1970 |
| Management Resources | Description |
| Attorney General Opinion | 94 Ops.Cal.Atty.Gen. 82 (2011) |
| Attorney General Publication | Guidance Regarding Laws Governing School Closures and Best Practices for Implementation in California, April 2023 (https://oag.ca.gov/system/files/media/letter-school-districts-school-closures-04112023.pdf) |
| California Department of Education Publication | Closing a School Best Practices Guide for Potential School Closure, 2024 https://www.cde.ca.gov/ls/fa/sf/schoolclose.asp |
| California Department of Housing and Community Development Publication | Updated Surplus Land Act Guidelines, August 2024 (https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/final-updated-surplus-land-act-guidelines-2024.pdf) |
| Court Decision | San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District (2006) 139 Cal.App.4th 1356 |
| Office of Public School Construction Publication | Unused Site Program Handbook, December 2015 https://www.dgs.ca.gov/-/media/Divisions/OPSC/Services/Guides-and-Resources/Unused-Site-Handbook_ADA.pdf |
| Website | CSBA District and County Office of Education Legal Services |
| Website | Department of General Services, Office of Public School Construction |
| Website | Coalition for Adequate School Housing |
| Website | CSBA |
| Website | California Department of Education, School Facilities |
| Cross References | |

| Code | Description |
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| 1220 | Citizen Advisory Committees |
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| 3100 | Budget |
| 3311.2 | Lease-Leaseback Contracts |
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| 3460 | Financial Reports And Accountability |
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| 9130 | Board Committees |
| 9320 | Meetings And Notices |
| 9321 | Closed Session |

9321-E(1)

Closed Session

9321-E(2)

Closed Session

9323.2

Actions By The Board

9323.2-E(1)

Actions By The Board

Policy 3320: Claims And Actions Against The District

Status: ADOPTED

Original Adopted Date: 03/01/2009 | **Last Revised Date:** 07/12/01/20182024 | **Last Reviewed Date:** 07/12/01/20182024

CSBA NOTE: The following optional policy and accompanying administrative regulation reflect ~~reflect~~ reflects the claims procedure in the Government Claims Act pursuant to Government Code 810-996.6. The Government Claims Act details sets forth prelitigation requirements and deadlines for the filing of claims against public entities such as, including school districts. In City of Stockton v. Superior Court, the California Supreme Court held that the claim requirements in Government Code 900-915.4 also apply to claims for breach of contract. For any cause of action that is excepted from the Government Claims Act pursuant to Government Code 905 but has its claim presentation procedure specified in another statute or regulation, such as childhood sexual assault, a claim must be presented in accordance with that statute or regulation. For any cause of action that is excepted from the Government Claims Act pursuant to Government Code 905 but is not governed by any procedure in another statute or regulation, the district may establish its own claim presentation procedure in accordance with Government Code 935.

Government Code 905 specifies certain types of claims which are exempted from the procedures in the Government Claims Act. Pursuant to Government Code 935, a district is authorized to establish its own claims processing procedures for those exempted claims. A local claims requirement must be similar to and be no more restrictive than those established by the Government Claims Act. For example, the district's procedures may not allow a longer time for the Governing Board to take action on a claim than the timeline provided for claims under the Government Claims Act. The following policy and accompanying administrative regulation may be revised to reflect district practice.

Because a district's insurance carrier or joint powers authority (JPA) may require the district to comply with certain claims management conditions as part of the district's contractual coverage obligation, it is strongly recommended that, prior to adoption by the Governing Board, this ~~board~~ Board policy and accompanying administrative regulation be reviewed for consistency with any applicable conditions of coverage. A district's failure to follow those contractual conditions may result in a loss of coverage benefits. ~~The district's risk manager and legal counsel should also be consulted, as appropriate.~~

It is recommended that the district consult CSBA's District and County Office of Education Legal services or district legal counsel, as necessary, if questions arise regarding the proper procedure to follow for a claim against the district, and the district's insurance carrier and legal counsel for questions regarding conditions of coverage from an insurance carrier or JPA.

The Governing Board desires to conduct district operations in a manner that minimizes risk, protects district resources, and promotes the health and safety of students, staff, and the public.

Any and all claims for money or damages against the district shall be presented to and acted upon in accordance with the Government Claims Act or other applicable state or district procedures, as well as the district's joint powers authority (JPA) agreement or other insurance coverage.

CSBA NOTE: The following optional paragraph is for use by districts that choose to establish their own claims procedures for certain types of claims pursuant to Government Code 935.

Any claim for money or damages not governed by the Government Claims Act (Government Code 810-996.6) or specifically excepted by Government Code 905 shall be presented and acted upon in accordance with district-established procedures consistent with the manner and time limitations specified in the accompanying administrative regulation, unless a procedure for processing such claims is otherwise provided by state or federal law or regulation. (Government Code 935) this Board policy. (Government Code 935)

CSBA NOTE: Pursuant to Government Code 935, claims procedures established by the district may include a requirement that a claim be presented and acted upon in accordance with such procedures as a prerequisite to the filing of a lawsuit against the district. The following paragraph extends this requirement to claims filed under other statutes and may be revised to reflect district practice.

Unless otherwise provided by law, a written claim shall be presented to and acted upon by the Board in accordance with such procedures prior to filing a lawsuit against the district for money or damages.

Upon notice to the district of a claim, the Superintendent or designee shall take all necessary steps to protect the district's rights under any applicable contractual agreements, including the right to indemnification from its insurance or other coverage provider.

Time Limitations

CSBA NOTE: Items #1-4 below reflect timelines for presenting claims in relation to different causes of action, pursuant to the Government Claims Act and other applicable statutes.

The following time limitations apply to the presentation of claims for money or damages against the district:

1. Claims relating to a cause of action for death or for injury to a person, personal property, or growing crops shall be presented to the Board not later than six months after the accrual of the cause of action (Government Code 911.2)
2. Claims relating to any other cause of action subject to the Government Claims Act shall be filed not later than one year after the accrual of the cause of action (Government Code 911.2)

CSBA NOTE: Claims for childhood sexual assault are governed by the timelines and procedures specified in Code of Civil Procedure 340.1 and 340.11. For claims of childhood

sexual assault that occurred on or after January 1, 2024, Code of Civil Procedure 340.1, as amended by AB 452 (Ch. 655, Statutes of 2023), provides that there are no time limits for the commencement of actions for the recovery of damages for such assaults, including plaintiffs who are 40 years of age or older who file certificates of merit by the plaintiff's attorney and by a licensed mental health practitioner selected by the plaintiff setting forth the facts which support the declaration. For claims of childhood sexual assault that occurred on or before December 31, 2023, Code of Civil Procedures 340.1, as amended by AB 452, and Code of Civil Procedure 340.11, as added by SB 558 (Ch. 877, Statutes of 2023), provide that the statute of limitations is 22 years from the date the plaintiff attains age 18 or within five years of the date the plaintiff discovers or reasonably should have discovered that psychological injury or illness occurring after age 18 was caused by sexual assault, with claims by plaintiffs who are 40 years of age or older only permitted if the person or district knew or had reason to know, or was otherwise on notice, of any misconduct that creates a risk of childhood sexual assault by an employee, volunteer, representative, or agent or designee, or the person or district failed to take reasonable steps or to implement reasonable safeguards to avoid acts of childhood sexual assault.

3. Claims relating to childhood sexual assault and other causes of action which are specifically excepted from the Government Claims Act by Government Code 905, that are subject to a claims presentation procedure in another statute or regulation, shall be presented to the Board in accordance with the applicable governing statute or regulation (Government Code 905)

CSBA NOTE: Optional Item #4 below is for use by any district whose Board has chosen to exercise the authority in Government Code 935 to establish its own procedure for the presentation of claims which are excluded from the Government Claims Act by Government Code 905 and which are not governed by any other applicable statute or regulation. Pursuant to Government Code 935, the district's procedure cannot require a shorter time for presentation of a claim than the time specified in Government Code 911.2. However, the Board has the discretion to adopt a more flexible time limitation and may increase the amount of time allowed for filing such claims. If the Board adopts a more flexible time limitation, Item #4 should be revised accordingly.

4. Claims relating to any cause of action which is specifically excepted from the Government Claims Act by Government Code 905 but is not governed by any other claim presentation statute or regulation shall be presented to the Board within the time limits specified in Items #1 and 2 above, depending on the applicable cause of action (Government Code 911.2, 935)

Receipt of Claims

A claim shall be deemed presented and received when delivered to the district office or deposited in a post office, mailbox, sub-post office, substation, mail chute, or other similar facility maintained by the U.S. government, in a sealed envelope properly addressed to the district office with postage paid, or when otherwise actually received in the district office or by the Board secretary or clerk. (Government Code 915, 915.2)

CSBA NOTE: Government Code 915 authorizes a claim, amendment to a claim, or application for a late claim to be submitted through electronic means, if so authorized by a Board resolution. In practice, such electronic means involve online completion of a fillable form and/or transmission by email. The following paragraph may be revised to specify the electronic means authorized by the district. If the Board has not adopted a resolution authorizing electronic submission, the district should delete the following paragraph.

Pursuant to Government Code 915.4, if the Board authorizes electronic submission, then any notice required of the district in response to a claim, amendment, or application for a late claim is required to be sent to the electronic address from which the district received the claim or application, unless the claimant or applicant specified an alternative electronic address for that purpose.

For more information regarding district notice requirements, see "Notice of Claim Insufficiency," "Late Claims," and "Action on Claims", below.

A claim may be submitted electronically in the manner specified by the Superintendent or designee. (Government Code 915, 915.2)

CSBA NOTE: In most circumstances, a district's insurance provider or JPA is responsible for claims management, including investigating, defending, and managing a district's response to a claim presented under the Government Claims Act. The following paragraph requires the Superintendent or designee to immediately forward any claims received to the district's JPA or insurance provider in order to help ensure compliance with any conditions of coverage.

Upon receipt of a claim against the district pursuant to the Government Claims Act, the Superintendent or designee shall promptly provide written notice to the district's JPA or insurance carrier in accordance with the applicable conditions of coverage.

Review of Contents of the Claim

CSBA NOTE: Most JPAs and insurance carriers provide a claim form. The person submitting the claim need not use the claim form provided by the district but, pursuant to Government Code 910 and 910.2, the claim must contain a signature and all the information listed below.

The Superintendent or designee shall review any claim received to ensure that the claim contains all of the following information as specified in Government Code 910 and 910.2:

1. The name and post office address of the claimant
2. The post office address to which the person presenting the claim desires notices to be sent
3. The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted
4. A general description of the indebtedness, obligation, injury, damage, or loss incurred insofar as it may be known at the time of presentation of the claim
5. The name(s) of the district employee(s) causing the injury, damage, or loss, if known

6. The amount claimed if it totals less than \$10,000, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the claim, together with the basis of computation of the amount claimed

If the amount claimed exceeds \$10,000, the dollar amount shall not be included in the claim and the claimant shall indicate whether the claim is a limited civil case as specified in Code of Civil Procedure 85 and 86.

7. The signature of the claimant or the person acting on the claimant's behalf

Notice of Claim Insufficiency

CSBA NOTE: Pursuant to Government Code 910.8, if a claim is found insufficient, the district is required to notify the claimant of the defects or omission in the claim. Government Code 915.4 authorizes such notice to be personally delivered or mailed or, if the Board has adopted a resolution authorizing electronic submission of claims, then any notice of claim insufficiency is required to be sent to the electronic address from which the claim was sent unless the claimant specifies an alternative electronic address for that purpose; see "Receipt of Claims", above.

Pursuant to Government Code 911, if the district, or the JPA or insurance carrier acting on the district's behalf, fails to give notice that the claim is insufficient, as specified below, then the district may not later raise that issue as a defense to the claim.

If a claim is found insufficient or not to satisfy the form requirements under Government Code 910 and 910.2, the Board or its designee shall, within 20 days of receipt of the claim, provide a notice in the manner specified in Government Code 915.4 that states the particular defects or omission in the claim. (Government Code 910.8)

CSBA NOTE: Districts should investigate the background of each claim thoroughly, be cautious before rejecting a claim because of insufficiency of information, and consult CSBA's District and County Office of Education Legal Services or district legal counsel, and/or the district's JPA or insurance provider, as appropriate. In *Stockett v. Association of California Water Agencies Joint Powers Insurance Authority*, the California Supreme Court held that a claim is sufficient, and may not be barred, so long as enough information is disclosed to allow the district to adequately conduct an investigation of the claim's merits, even if the claim was not indicated in the claimant's initial notice.

The Board shall not act upon the claim until at least 15 days after such notice is given. (Government Code 910.8)

Amendment to Claims

Within the time limits provided in "Time Limitations" above or prior to final action by the Board, whichever is later, a claim may be amended if, as amended, it relates to the same transaction or occurrence which gave rise to the original claim. (Government Code 910.6)

Late Claims

When a claim that is required to be presented not later than six months after the accrual of the cause of action, as specified in "Time Limitations" above, is not presented within that time, an application to present a late claim may be presented to the Board, in the manner specified in Government Code 915 and 915.2, within a reasonable time not to exceed one year after the accrual of the cause of action. The application shall include the proposed claim and shall state the reason for the delay in presenting the claim. (Government Code 911.4)

CSBA NOTE: Pursuant to Government Code 911.3, when a claim is presented late and is not accompanied by an application to present a late claim, the Board or designee may, at any time within 45 days after the claim is presented, give written notice to the person presenting the claim that the claim was not filed timely and that it is being returned without further action. In such circumstances, the Board or designee should notify the claimant that "no action" was taken because the claim was presented late, as taking formal action to "reject" the claim could indicate that the Board had accepted the filing of the late claim and potentially waiver certain legal defenses.

Although districts are not required to provide this notice, failing to do so may prevent the district from relying on the claim's untimeliness as a defense in future litigation. Because of this, the language in the following paragraph has been drafted to require provision of the notice whenever an untimely claim is received. Districts that do not wish to notify claimants that their claim is untimely, and therefore risk the waiver of their untimeliness defense, may modify the language accordingly.

If the claim is presented late and is not accompanied by an application to present a late claim, the Board or its designee shall, within 45 days, give written notice, in the manner specified in Government Code 911.3, that the claim was not presented timely and that it is being returned without further action. (Government Code 911.3)

The Board shall grant or deny the application to present a late claim within 45 days after it is presented. This 45-day period may be extended by written agreement of the claimant and the Board provided that such agreement is made before the expiration of the 45-day period. (Government Code 911.6)

The Board shall grant the application to present a late claim where one or more of the following conditions are applicable: (Government Code 911.6)

1. The failure to present the claim was through mistake, inadvertence, surprise, or excusable neglect and the district was not prejudiced in its defense regarding the claim by the claimant's failure to present the claim within the time limit
2. The person who sustained the alleged injury, damage, or loss was a minor during all of the time specified for presentation of the claim

3. The person who sustained the alleged injury, damage, or loss was physically or mentally incapacitated during all of the time specified for presentation of the claim and the disability was the reason the person failed to present the claim
4. The person who sustained the alleged injury, damage, or loss died before the expiration of the time specified for the presentation of the claim

If the application to present a late claim is denied, the claimant shall be given notice in substantially the same form as set forth in Government Code 911.8 and in the manner specified in Government Code 915.4.

If the Board does not take action on the application to present a late claim within 45 days, the application shall be deemed to have been denied on the 45th day unless the time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement. (Government Code 911.6)

Action on Claims

CSBA NOTE: Pursuant to Government Code 945.6, if the Board formally acts to reject a claim and provides notice of such rejection, the claimant has only six months from the rejection to initiate a lawsuit. If the Board takes no action or fails to provide written notice rejecting the claim, the claimant then has two years to initiate a suit against the district. The notice of rejection is required to comply with the notification requirements of Government Code 913 unless the claim has no address on it.

Although the Board takes final action on claims as specified below, such action is based on the evaluation of the claim by the district's insurance provider or JPA.

Within 45 days after the presentation or amendment of a claim, the Board shall take action on the claim. This time limit may be extended by written agreement between the district and the claimant before the expiration of the 45-day period. If the 45-day period has expired, the time limit may be extended if legal action has not commenced or been barred by legal limitations. (Government Code 912.4)

The Board may act on the claim in one of the following ways: (Government Code 912.4, 912.6)

1. If the Board finds that the claim is not a proper charge against the district, the claim shall be rejected
2. If the Board finds that the claim is a proper charge against the district and is for an amount justly due, the claim shall be allowed
3. If the Board finds that the claim is a proper charge against the district but is for an amount greater than is justly due, the Board shall either reject the claim or allow it in the amount justly due and reject it as to the balance
4. If legal liability of the district or the amount justly due is disputed, the Board may reject or compromise the claim

5. If the Board takes no action on the claim, the claim shall be deemed rejected

CSBA NOTE: The following paragraph is optional. Government Code 935.4 authorizes, but does not require, the Board to delegate to any employee the authority to allow, compromise, or settle a claim of \$50,000 or less. Boards that do not wish to delegate such authority should delete the following paragraph. Boards that wish to delegate this authority may modify the following paragraph to specify a different employee to whom the authority is delegated and/or an amount less than \$50,000.

Management of the defense or settlement of the claim may be subject to contractual requirements contained in the district's insurance policy, memorandum of coverage, or contractual indemnity agreements. Thus, even when the Board has authorized the Superintendent or another employee to settle such claims, the authority is subject to any such requirements or conditions of coverage.

In accordance with Government Code 935.4, the Board delegates to the Superintendent the authority to allow, compromise, or settle claims of \$50,000 or less pursuant to any conditions of coverage in the district's JPA agreement or insurance coverage.

Roster of Public Agencies

CSBA NOTE: The following paragraph should be revised depending on whether the Board delegated to an employee, and if so to which employee, the authority to allow, compromise, or settle a claim of less than \$50,000.

If the Board, or Superintendent when appropriate, allows the claim, in whole or in part, or compromises the claim and the claimant accepts the amount allowed or offered to settle the claim, the Board may require the claimant to accept it in settlement of the entire claim. (Government Code 912.6)

The Board or its designee shall transmit to the claimant written notice of action taken or of inaction which is deemed rejection. The notice shall be in the form set forth in Government Code 913 and shall be provided in the manner specified in Government Code 915.4. (Government Code 913)

Registry of Public Agencies

CSBA NOTE: Government Code 53051 requires public agencies, such as school districts, to register the information specified below, including the names of all Board members, with the Secretary of State and County Clerk. In *Hovd v. Hayward Unified School District*, the appellate court held that if the information required to be registered to the Secretary of State and County Clerk is not on file or is not accurate or if not, then a claimant may still state a claim even if the time limit for presenting a claim has expired.

Pursuant to Government Code 960.2 and 960.3, if the information is not on file or is not accurate, the court may allow a person to proceed with serve a claim against on the district even if the time limit for by mailing or personally delivering process to the Secretary of State's office. Additionally, pursuant to Government Code 946.4, if the information is not on file or is not accurate, then if a

plaintiff fails to present a claim to the district before filing such a claim has expired. suit, this will not constitute a defense for the district. Thus, it is imperative that all required information be current and accurate.

Within 10 days of any change in the full, legal name of the district, the mailing address of the Board, or the names, titles, and addresses of the Board president, the Board clerk or secretary, or other Board members, the Superintendent or designee shall file the updated information with the Secretary of State and the County Clerk. (Government Code 53051)

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

State

Code of Civil Procedure 85-86
Code of Civil Procedure 340.1

Description

Limited civil cases; amount in controversy
Action for recovery of damages suffered as result of childhood sexual assault

Code of Civil Procedure 340.11

Damages suffered as result of childhood sexual abuse
Action for recovery of damages suffered as a result of childhood sexual assault that occurred before January 1, 2024

Ed. Code 35200

Liability for debts and contracts

Ed. Code 35202

Claims against districts; applicability of Government Code

Gov. Code 53051

Information filed with secretary of state and county clerk

Gov. Code 6500-6536

Joint powers agreements

Gov. Code 800

Cost in civil actions

Gov. Code 810-996.6

Government Claims Act

Pen. Code 72

Fraudulent claims

Management Resources

Description

Court Decision

City of Stockton v. Superior Court (2007) 42 Cal. 4th 730

Court Decision

Connelly v. County of Fresno (2006) 146 Cal.App.4th 29

Court Decision

CSEA v. Azusa Unified School District (1984) 152 Cal.App.3d 580

Court Decision

CSEA v. South Orange Community College District (2004) 123124 Cal.App.4th 574

Court Decision

Stockett v. Association of California Water Agencies Joint Powers Insurance Authority (2004) 34 Cal.4th 441

Court Decision

Hovd v. Hayward Unified School District (1977) 74 Cal.App.3d 470

Website

CSBA District and County Office of Education Legal Services

Website

California Secretary of State's Office

Website

Fiscal Crisis and Management Assistance Team

<https://www.fcmat.org/>

Cross References

Code

Description

1330.1

Joint Use Agreements

1340

Access To District Records

1340

Access To District Records

3530

Risk Management/Insurance

3530

Risk Management/Insurance

4119.1

Civil And Legal Rights

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Complaints

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Complaints

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Work-Related Injuries

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Employee Security

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Employee Security

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Civil And Legal Rights

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Work-Related Injuries

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Employee Security

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Employee Security

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Civil And Legal Rights

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Complaints

4357.1

Work-Related Injuries

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| 4358 | Employee Security |
| 4358 | Employee Security |
| 5141.4 | Child Abuse Prevention And Reporting |
| 5141.4 | Child Abuse Prevention And Reporting |
| 5143 | Insurance |
| 5143 | Insurance |
| 6163.2 | Animals At School |
| 6163.2 | Animals At School |
| 9012 | Board Member Electronic Communications |
| 9321 | Closed Session |
| 9321-E(1) | Closed Session |
| 9321-E(2) | Closed Session |
| 9322 | Agenda/Meeting Materials |

Regulation 3320: Claims And Actions Against The District

Status: ADOPTED

Original Adopted Date: 07/01/2019 | Last Revised Date: ~~12/01/2024~~03/01/2021 | Last Reviewed Date: ~~12/01/2024~~03/01/2021

CSBA NOTE: The Government Claims Act (Government Code 810-996.6) sets forth prelitigation requirements and deadlines for claims against public entities, including school districts. In *City of Stockton v. Superior Court*, the California Supreme Court held that the claim requirements in Government Code 900-915.4 also apply to claims for breach of contract. For any cause of action that is excepted from the Government Claims Act pursuant to Government Code 905 but has its claim presentation procedure specified in another statute or regulation, such as childhood sexual assault, a claim must be presented in accordance with that statute or regulation. For any cause of action that is excepted from the Government Claims Act pursuant to Government Code 905 but is not governed by any procedure in another statute or regulation, the district may establish its own claim presentation procedure in accordance with Government Code 935. The district should consult legal counsel as necessary if questions arise regarding the proper procedure.

Because a district's insurance carrier or joint powers authority (JPA) may require the district to comply with certain claims management conditions as part of the district's contractual coverage obligation, it is strongly recommended that this administrative regulation be reviewed for consistency with any applicable conditions of coverage. A district's failure to follow those contractual conditions may result in a loss of coverage benefits. The district's risk manager and legal counsel should also be consulted, as appropriate.

Any claim against the district for money or damages shall be filed and acted upon in accordance with the Government Claims Act (Government Code 810-996.6) or other applicable law. Claims that are specifically excepted from the Government Claims Act by Government Code 905 and are not governed by any other statute or regulation may be filed and acted upon in accordance with district-established procedures pursuant to Government Code 935.

CSBA NOTE: Pursuant to Government Code 935, claims procedures established by the district may include a requirement that a claim be presented and acted upon in accordance with those procedures as a prerequisite to the filing of a lawsuit against the district. The following paragraph extends this requirement to claims filed under other statutes and may be revised to reflect district practice.

Unless otherwise provided by law, a written claim shall be presented to and acted upon by the Governing Board in accordance with such procedures prior to filing a lawsuit against the district for money or damages.

Time Limitations

CSBA NOTE: Items #1-4 below reflect timelines for presenting claims in relation to different causes of action, pursuant to the Government Claims Act and other applicable statutes.

The following time limitations apply to the presentation of claims for money or damages against the district:

1. ~~Claims relating to a cause of action for death or for injury to a person, personal property, or growing crops shall be presented to the Board not later than six months after the accrual of the cause of action. (Government Code 911.2)~~
2. ~~Claims relating to any other cause of action subject to the Government Claims Act shall be filed not later than one year after the accrual of the cause of action. (Government Code 911.2)~~

CSBA NOTE: Claims for childhood sexual assault are governed by the timelines and procedures specified in Code of Civil Procedure 340.1. Pursuant to Code of Civil Procedure 340.1, the time limit for beginning an action for recovery of damages suffered as a result of childhood sexual assault is 22 years from the date the plaintiff attains age 18 or within five years of the date the plaintiff discovers or reasonably should have discovered that psychological injury or illness occurring after age 18 was caused by sexual assault, whichever is later. A claim may be filed on or after the plaintiff's 40th birthday only if the plaintiff files certificates of merit by an attorney and a licensed mental health practitioner selected by the plaintiff setting forth the facts which support the declaration.

3. ~~Claims relating to childhood sexual assault and other causes of action which are specifically excepted from the Government Claims Act by Government Code 905 but are subject to a claims presentation procedure in another statute or regulation shall be presented to the Board in accordance with the applicable governing statute or regulation. (Government Code 905)~~

CSBA NOTE: Optional item #4 below is for use by any district whose board has chosen to exercise the authority in Government Code 935 to establish its own procedure for the presentation of claims which are excluded from the Government Claims Act by Government Code 905 and which are not governed by any other applicable statute or regulation. See the accompanying Board policy. Pursuant to Government Code 935, the district's procedure cannot require a shorter time for presentation of a claim than the time specified in Government Code 911.2. However, the Governing Board has the discretion to adopt a more flexible time limitation and may increase the amount of time allowed for filing such claims. If the Board adopts a more flexible time limitation, item #4 should be revised accordingly.

4. ~~Claims relating to any cause of action which is specifically excepted from the Government Claims Act by Government Code 905 but is not governed by any other claim presentation statute or regulation shall be presented to the Board within the time limits specified in items #1 and 2 above, depending on the applicable cause of action. (Government Code 911.2, 935)~~

Receipt of Claims

A claim shall be deemed presented and received when delivered to the district office or deposited in a post office, mailbox, sub-post office, substation, mail chute, or other similar facility maintained by the U.S. government, in a sealed envelope properly addressed to the district office with postage paid, or when otherwise actually received in the district office or by the Board secretary or clerk. (Government Code 915, 915.2)

CSBA NOTE: Government Code 915, as amended by SB 1473 (Ch. 371, Statutes of 2020), authorizes a claim, amendment to a claim, or application for a late claim to be submitted through

electronic means, if so authorized by a Board resolution. In practice, such electronic means involve online completion of a fillable form and/or transmission by email. The following paragraph may be revised to specify the electronic means authorized by the district. If the Board has not adopted a resolution authorizing electronic submission, the district should delete the following paragraph:

Pursuant to Government Code 915.4, as amended by SB 1473, if the Board authorizes electronic submission, then any notice required of the district in response to a claim, amendment, or application for a late claim must be sent to the electronic address from which the district received the claim or application, unless the claimant or applicant specified an alternative electronic address for that purpose.

Also see the sections "Notice of Claim Insufficiency," "Late Claims," and "Action on Claims" below.

A claim may be submitted electronically in the manner specified by the Superintendent or designee. (Government Code 915, 915.2)

CSBA NOTE: In most circumstances, a district's insurance provider or JPA is responsible for claims management, including investigating, defending, and managing a district's response to a claim presented under the Government Claims Act. The following paragraph requires the Superintendent or designee to immediately forward any claims received to the district's JPA or insurance provider in order to help ensure compliance with any conditions of coverage.

Upon receipt of a claim against the district pursuant to the Government Claims Act, the Superintendent or designee shall promptly provide written notice to the district's joint powers authority or insurance carrier in accordance with the applicable conditions of coverage.

Review of Contents of the Claim

CSBA NOTE: Most JPAs and insurance carriers provide a claim form. The person submitting the claim need not use the claim form provided by the district but, pursuant to Government Code 910 and 910.2, the claim must contain a signature and all the information listed below.

The Superintendent or designee shall review any claim received to ensure that the claim contains all of the following information as specified in Government Code 910 and 910.2:

1. The name and post office address of the claimant
2. The post office address to which the person presenting the claim desires notices to be sent
3. The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted
4. A general description of the indebtedness, obligation, injury, damage, or loss incurred insofar as it may be known at the time of presentation of the claim
5. The name(s) of the district employee(s) causing the injury, damage, or loss, if known
6. The amount claimed if it totals less than \$10,000, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds \$10,000, the dollar amount shall not be included in the claim and the claimant shall indicate whether the claim is a limited civil case of \$25,000 or less.

7. The signature of the claimant or the person acting on the claimant's behalf

Notice of Claim Insufficiency

CSBA NOTE: Pursuant to Government Code 910.8, if a claim is found insufficient, the district must notify the claimant of the defects or omission in the claim. Government Code 915.4, as amended by SB 1473, authorizes such notice to be personally delivered or mailed or, if the Board has adopted a resolution authorizing electronic submission of claims (see section "Receipt of Claims" above), then any notice of claim insufficiency must be sent to the electronic address from which the claim was sent unless the claimant specifies an alternative electronic address for that purpose.

Pursuant to Government Code 911, if the district, or the JPA or insurance carrier acting on the district's behalf, fails to give notice that the claim is insufficient, as specified below, then the district may not later raise that issue as a defense to the claim.

If a claim is found insufficient or not to satisfy the form requirements under Government Code 910 and 910.2, the Board or its designee shall, within 20 days of receipt of the claim, provide a notice in the manner specified in Government Code 915.4 that states the particular defects or omission in the claim. (Government Code 910.8, 915.4)

CSBA NOTE: Districts should be cautious before rejecting a claim because of insufficiency of information and consult legal counsel and/or the district's JPA or insurance provider, as appropriate. Courts have held that a claim is sufficient as long as enough information is disclosed to allow the district to adequately conduct an investigation of the claim's merits.

The Board shall not act upon the claim until at least 15 days after such notice is given. (Government Code 910.8)

Amendment to Claims

Within the time limits provided in the section "Time Limitations" above or prior to final action by the Board, whichever is later, a claim may be amended if, as amended, it relates to the same transaction or occurrence which gave rise to the original claim. (Government Code 910.6)

Late Claims

When a claim that is required to be presented not later than six months after the accrual of the cause of action, as specified in the section "Time Limitations" above, is not presented within that time, an application to present a late claim may be presented to the Board, in the manner specified in Government Code 915 and 915.2, within a reasonable time not to exceed one year after the accrual of the cause of action. The application shall include the proposed claim and shall state the reason for the delay in presenting the claim. (Government Code 911.4, 915, 915.2)

CSBA NOTE: If the claim is presented late and is not accompanied by an application to present a late claim, the Board or its agent should notify the claimant that "no action" was taken because the claim was presented late. If the Board were to state that the claim was "rejected," this would indicate that the Board had accepted the filing of the late claim and taken action to reject it.

If the claim is presented late and is not accompanied by an application to present a late claim, the Board or its designee may, within 45 days, give written notice that the claim was not presented timely and that it is being returned without further action. (Government Code 911.3)

The Board shall grant or deny the application to present a late claim within 45 days after it is presented. This 45-day period may be extended by written agreement of the claimant and the Board provided that such agreement is made before the expiration of the 45-day period. (Government Code 911.6)

The Board shall grant the application to present a late claim where one or more of the following conditions are applicable: (Government Code 911.6)

1. The failure to present the claim was through mistake, inadvertence, surprise, or excusable neglect and the district was not prejudiced in its defense regarding the claim by the claimant's failure to present the claim within the time limit.
2. The person who sustained the alleged injury, damage, or loss was a minor during all of the time specified for presentation of the claim.
3. The person who sustained the alleged injury, damage, or loss was physically or mentally incapacitated during all of the time specified for presentation of the claim and the disability was the reason the person failed to present the claim.
4. The person who sustained the alleged injury, damage, or loss died before the expiration of the time specified for the presentation of the claim.

If the application to present a late claim is denied, the claimant shall be given notice in substantially the same form as set forth in Government Code 911.8 and in the manner specified in Government Code 915.4. (Government Code 911.8, 915.4)

If the Board does not take action on the application to present a late claim within 45 days, the application shall be deemed to have been denied on the 45th day unless the time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement. (Government Code 911.6)

Action on Claims

CSBA NOTE: Pursuant to Government Code 945.6, if the Board formally acts to reject a claim and provides notice of such rejection, the claimant has only six months from the rejection to initiate a lawsuit. If the Board takes no action or fails to provide written notice rejecting the claim, the claimant then has two years to initiate a suit against the district. The notice of rejection must comply with the notification requirements of Government Code 913 unless the claim has no address on it.

Although the Board takes final action on claims as specified below, such action is based on the evaluation of the claim by the district's insurance provider or JPA.

Within 45 days after the presentation or amendment of a claim, the Board shall take action on the claim. This time limit may be extended by written agreement between the district and the claimant before the expiration of the 45-day period. If the 45-day period has expired, the time limit may be extended if legal action has not commenced or been barred by legal limitations. (Government Code 912.4)

The Board may act on the claim in one of the following ways: (Government Code 912.4, 912.6)

1. If the Board finds that the claim is not a proper charge against the district, the claim shall be rejected.
2. If the Board finds that the claim is a proper charge against the district and is for an amount justly due, the claim shall be allowed.
3. If the Board finds that the claim is a proper charge against the district but is for an amount greater than is justly due, the Board shall either reject the claim or allow it in the amount justly due and reject it as to the balance.
4. If legal liability of the district or the amount justly due is disputed, the Board may reject or compromise the claim.
5. If the Board takes no action on the claim, the claim shall be deemed rejected.

If the Board allows the claim in whole or in part or compromises the claim and the claimant accepts the amount allowed or offered to settle the claim, the Board may require the claimant to accept it in settlement of the entire claim. (Government Code 912.6)

The Board or its designee shall transmit to the claimant written notice of action taken or of inaction which is deemed rejection. The notice shall be in the form set forth in Government Code 913 and shall be provided in the manner specified in Government Code 915.4. (Government Code 913, 915.4)

Policy 3515.5: Sex Offender Notification

Status: ADOPTED

Original Adopted Date: 02/01/1999 | **Last Revised Date:** 03/12/01/2005 2024 | **Last Reviewed**
Date: 03/12/01/2005 2024

CSBA NOTE: Penal Code 290.45 specifies that when a law enforcement agency reasonably suspects that children may be at risk from a registered sex offender, the agency may notify educational institutions. However, the law does not stipulate procedures for districts to follow when so notified. Penal Code 290.45 also provides that any person who receives such sex offender information from a law enforcement agency may only disclose that information in the manner and to the extent authorized by the law enforcement agency. Districts should act reasonably and responsibly if the information is received and should collaborate with local law enforcement in order to determine the most responsible means of communication. See; see the accompanying administrative regulation. Because school personnel are not equipped to assess the relative danger of offenders, it is recommended that districts consult with CSBA's District and County Office of Education Legal Services or district legal counsel when developing their planned response to the receipt of sex offender information.

In order to protect students while they are traveling to and from school, or attending school or a school-related activity, the Governing Board believes it is important that the district respond appropriately when a law enforcement agency notifies the district about registered sex offenders who may reside or work within district boundaries.

The Superintendent or designee shall establish an ongoing relationship with law enforcement officials to coordinate the receipt and dissemination of such information. To the extent authorized by law, the Superintendent or designee also shall establish procedures for notifying appropriate staff as necessary.

CSBA NOTE: Penal Code 290.45 grants the district and its employees immunity from civil liability for the good faith dissemination of any sex offender information received from a law enforcement agency, as long as the dissemination is in the manner and to the extent authorized by the law enforcement agency.

~~To protect the Any district and its employees from liability, employees shall disseminate employee to whom sex offender information in good faith, and is disclosed by a law enforcement entity shall disclose the information only in the manner and to the extent when authorized by the law enforcement agency. entity and in the manner authorized.~~

CSBA NOTE: Pursuant to Penal Code 290.46 ("Megan's law Law") information about certain sex offenders, including their home addresses, is available to the public via the Internet. The district may choose to include notice regarding the availability of this information in its annual parent/guardian notification. The following paragraph is optional and may be revised to reflect district practice.

The Superintendent or designee may annually notify parents/guardians of the availability of information about registered sex offenders on the Department of Justice's [Internet Megan's Law](#) website.

Role of District Police/Security Department

CSBA NOTE: The following optional section is for use by districts with district police/security departments. Penal Code 290.45 provides that a school district police/security department may be a "designated law enforcement agency" for purposes of receiving information from the Department of Justice about registered sex offenders. As a "designated law enforcement agency," the school district police/security department may make the determination to release information about sex offenders to the school community, such as parents/guardians of students attending the school and other persons regularly present at the school site including students, employees, or volunteers.

In accordance with law, Board policy and administrative regulation, the district police/security department may disseminate information about registered sex offenders to the school community. The district police/security department shall consult with local law enforcement and the Superintendent or designee prior to any such dissemination.

When a registered sex offender's email address or username used for instant messaging or social networking or other internet identifier, as defined in Penal Code 290.024, is submitted to the district police/security department, such information shall only be used by the department or released to another law enforcement entity for the purpose of investigating a sex-related crime, a kidnapping, or human trafficking. No other disclosure shall be made or authorized by the department, except as required by a court order. (Penal Code 290.45)

The district police/security department shall maintain records of the means and dates of dissemination for five years. (Penal Code 290.45)

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

| State | Description |
|--------------------------------|--|
| Ed. Code 32211 | Threatened disruption or interference with classes |
| Ed. Code 35160 | Authority of governing boards |
| Ed. Code 35160.1 | Broad authority of school districts |
| Ed. Code 48981 | Parental notifications |
| Ed. Code 48985 | Translation of notifications |

| | |
|-----------------------------------|---|
| Pen. Code 290 | Registration of sex offenders |
| Pen. Code 290.024 | Internet identifiers; definition |
| Pen. Code 290.4 | Information re:regarding sex offenders |
| Pen. Code 290.45 | Sex offenders; authority of peace officers to provide information |
| Pen. Code 290.46 | Making information about certain sex offenders available via the Internet |
| Pen. Code 290.9 | Addresses of persons who violate duty to register |
| Pen. Code 290.95 | Disclosure by person required to register as sex offender |
| Pen. Code 3003 | Parole; geographic placement |
| Pen. Code 626.8 | Disruptions |
| Pen. Code 626.81 | Sex offender; permission to volunteer at school |
| Pen. Code 830.32 | School district and community college police |

Federal

42 USC 14071

Description

Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program Act

Management Resources

Attorney General Opinion

Description

82 Ops.Cal.Atty.Gen. 20 (1999)

Website

CSBA District and County Office of Education Legal Services

Website

California Department of Justice, Megan's Law

[Website](#)

[U.S. Department of Justice, Sex Offender Registration and Notification Act](#)

<https://www.justice.gov/criminal/criminal-ceos/sex-offender-registration-and-notification-act-soma>

Cross References

Code

0450

Description

Comprehensive Safety Plan

0450

Comprehensive Safety Plan

1240

Volunteer Assistance

1240

Volunteer Assistance

1250

Visitors/Outsiders

| | |
|-------------|---|
| 1250 | Visitors/Outsiders |
| 1400 | Relations Between Other Governmental Agencies And The Schools |
| 3515 | Campus Security |
| 3515 | Campus Security |
| 3515.2 | Disruptions |
| 3515.2 | Disruptions |
| 3515.3 | District Police/Security Department |
| 3515.3 | District Police/Security Department |
| 3515.31 | School Resource Officers |
| 4112 | Appointment And Conditions Of Employment |
| 4212 | Appointment And Conditions Of Employment |
| 4231 | Staff Development |
| 5142 | Safety |
| 5142 | Safety |
| 5145.6 | Parent/Guardian Notifications |
| 5145.6-E(1) | Parent/Guardian Notifications |

Regulation 3515.5: Sex Offender Notification

Status: ADOPTED

Original Adopted Date: 02/01/1998 | Last Revised Date: 05~~12~~/01/2016~~2024~~ | Last Reviewed
Date: 05~~12~~/01/2016~~2024~~

CSBA NOTE: Pursuant to Penal Code 290.45, a law enforcement agency may notify the general public about the presence of a sex offender in the community by whatever means the law enforcement agency considers appropriate, including television, newspaper, or the Internet.

The following optional regulation provides a plan for communicating information received from law enforcement. CSBA recommends that districts work closely with local law enforcement in order to help develop a coordinated response to the situation, and revise this regulation accordingly to reflect district practice.

The Superintendent or designee shall develop a plan for receiving and communicating information about registered sex offenders residing within district boundaries. ~~He/she~~The Superintendent or designee shall ensure, at a minimum, that the following components are part of the plan:

1. The Superintendent or designee shall appoint a staff member to serve as the liaison with law enforcement regarding ~~these matters:~~ sex offender information in relation to the safety of children
2. The Superintendent or district liaison shall, at the beginning of each school year, contact local law enforcement to coordinate the receipt of information:
3. Law enforcement shall be informed that all notifications and correspondence should be directed to the liaison as well as the individual school sites:
 1. A letter shall be sent annually to local law enforcement, identifying the name, phone number, and address of the liaison.
 2. 4. The Superintendent or district liaison shall collaborate with law enforcement in order to alert children to the dangers of sex offenders, develop a system for distributing information about sex offenders, and train school staff and parents/guardians about the roles and responsibilities of both the district and law enforcement:
 3. 5. The Superintendent or district liaison shall, at the beginning of each school year, notify parents/guardians of the district's willingness and intention to work with law enforcement on this matterkeeping children safe from sex offenders and shall explain the appropriate roles and responsibilities of both the district and law enforcement:

This communication shall also explain:

- a. a. The reporting requirements pursuant to Penal Code 290 and 290.45, including the fact that law enforcement is the agency best able to assess the relative

danger of a sex offender

- b. b. The ability of the parents/guardians to contact law enforcement for additional information and to view the information on the [Department of Justice's \(DOJ\) Megan's Law Internet website](#)

CSBA NOTE: Penal Code 290.45 provides that law enforcement may authorize school districts to disclose sex offender information to additional persons upon a determination by law enforcement that this further disclosure will enhance public safety. Penal Code 290.45 requires law enforcement to identify the appropriate scope of further disclosure, which may not include placement of the information on a district internet website.

- 4. 6. When law enforcement notifies the district of the residency or employment of a sex offender within district boundaries, the Superintendent or district liaison shall consult with law enforcement about the appropriate scope of the disclosure. ~~When authorized by law enforcement, the Superintendent or liaison may disclose information about a sex offender to the following staff:~~
 - a. ~~The principal of the school which is in the attendance area of the sex offender's residence or place of employment~~
 - b. ~~Teachers and classified personnel at that school, including staff responsible for visitor registration~~
 - c. ~~Principals and staff at adjacent schools, as appropriate~~
 - d. ~~Security staff~~
 - e. ~~Bus drivers~~
 - f. ~~Yard supervisors~~
- 5. 7. Any staff member who receives information directly from law enforcement regarding registered sex offenders shall immediately contact the Superintendent or [district liaison](#) in order to help ensure that the district is able to respond appropriately.

CSBA NOTE: Penal Code 3003 prohibits certain sex offenders released on parole from residing within one-half mile of school grounds.

- 6. 8. If an identified sex offender is seen on or near school grounds or around any ~~student~~[child](#), staff shall immediately contact the district liaison. ~~A staff member may also, who shall~~ inform local law enforcement: [accordingly](#)

CSBA NOTE: Pursuant to Penal Code 290.45, any person who convicted of using sex offender information to commit a felony will receive a five-year prison term; any person who uses this information to commit a misdemeanor will be fined at least \$500 and not more than \$1000.

Notification to Parents/Guardians

CSBA NOTE: Pursuant to Penal Code 290.45, law enforcement determines the appropriate scope of the disclosure of sex offender information when necessary to protect public safety. In some circumstances, law enforcement may determine that notification should be provided to the parents/guardians of students attending a specific school. In order to help ensure that parents promptly receive the information and that students are not unduly alarmed, CSBA recommends it is recommended that notifications not be sent home with students. District should also consult legal counsel as appropriate.

The following optional section should be modified to reflect district practice.

When law enforcement has determined that parents/guardians should be notified regarding the presence of a sex offender in the community, the Superintendent or district liaison shall collaborate with local law enforcement in order to determine an appropriate response. This response may include:

1. 1. An article in a school or parent council newsletter notifying parents/guardians that law enforcement information about registered sex offenders is available at the local law enforcement agency headquarters and/or at the school office. ~~This article shall encourage parents/guardians to contact local law enforcement and access the Department of Justice's (DOJ) Megan's Law Internet website for additional information.~~
2. 2. A mailing, at law enforcement's expense, prepared by law enforcement, and printed on law enforcement letterhead and envelopes, notifying parents/guardians of the presence of registered sex offenders. ~~This notification shall encourage parents/guardians to contact local law enforcement and access the DOJ's Megan's Law Internet website for additional information.~~
3. 3. A mailing of a letter, at district expense, prepared by law enforcement and printed on law enforcement letterhead and envelopes, notifying parents/guardians of the presence of registered sex offenders. ~~This notification shall encourage parents/guardians to contact local law enforcement and access the DOJ's Megan's Law Internet website for additional information.~~

The article and mailings listed above shall encourage parents/guardians to contact local law enforcement and access the DOJ's Megan's Law website for additional information.

CSBA NOTE: Pursuant to Penal Code 626.81, a principal may permit a registered sex offender who is not a family member of a student attending the school to enter school premises to volunteer at the school, provided that parents/guardians are notified as provided below. For further information, see AR 1240 - Volunteer Assistance.

Whenever the principal has granted permission to a person who is required to register as a sex offender pursuant to Penal Code 290 to come into a school building or upon school grounds to volunteer at the school, ~~he/she~~ the principal or designee shall notify the parent/guardian of each student at that school, at least 14 days in advance ~~using one of the methods specified in Education Code 48981~~, that a registered sex offender has been granted such permission, the date(s) and times for which permission has been granted, and the parent/guardian's right to obtain information regarding the person from a designated law enforcement agency. ~~(Penal Code 626.81)~~ This notice shall be provided by regular mail or any other method normally used by the district to communicate with parents/guardians in writing. If a parent/guardian requests such notice in electronic format, the district shall provide electronic notice. (Education Code 48985, Penal Code 626.81)

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Policy Reference Disclaimer:

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State

Ed. Code 32211

Description

Threatened disruption or interference with classes

Ed. Code 35160

Authority of governing boards

Ed. Code 35160.1

Broad authority of school districts

Ed. Code 48981

Parental notifications

[Ed. Code 48985](#)

[Translation of notifications](#)

Pen. Code 290

Registration of sex offenders

[Pen. Code 290.024](#)

[Internet identifiers: definition](#)

Pen. Code 290.4

Information ~~re:~~ regarding sex offenders

Pen. Code 290.45

Sex offenders; authority of peace officers to provide information

Pen. Code 290.46

Making information about certain sex offenders available via the Internet

Pen. Code 290.9

Addresses of persons who violate duty to register

Pen. Code 290.95

Disclosure by person required to register as sex offender

Pen. Code 3003

Parole; geographic placement

Pen. Code 626.8

Disruptions

Pen. Code 626.81

Sex offender; permission to volunteer at school

Pen. Code 830.32

School district and community college police

Federal

42 USC 14071

Description

Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program Act

Management Resources

Attorney General Opinion

Description

82 Ops.Cal.Atty.Gen. 20 (1999)

Website

CSBA District and County Office of Education Legal Services

Website

California Department of Justice, Megan's Law

[Website](#)

[U.S. Department of Justice, Sex Offender Registration and Notification Act](#)

<https://www.justice.gov/criminal/criminal-ceos/sex-offender-registration-and-notification-act-soma>

Cross References

| Code | Description |
|-------------|---|
| 0450 | Comprehensive Safety Plan |
| 0450 | Comprehensive Safety Plan |
| 1240 | Volunteer Assistance |
| 1240 | Volunteer Assistance |
| 1250 | Visitors/Outsiders |
| 1250 | Visitors/Outsiders |
| 1400 | Relations Between Other Governmental Agencies And The Schools |
| 3515 | Campus Security |
| 3515 | Campus Security |
| 3515.2 | Disruptions |
| 3515.2 | Disruptions |
| 3515.3 | District Police/Security Department |
| 3515.3 | District Police/Security Department |
| 3515.31 | School Resource Officers |
| 4112 | Appointment And Conditions Of Employment |
| 4212 | Appointment And Conditions Of Employment |
| 4231 | Staff Development |
| 5142 | Safety |
| 5142 | Safety |
| 5145.6 | Parent/Guardian Notifications |
| 5145.6-E(1) | Parent/Guardian Notifications |

Policy 3540: Transportation

Status: ADOPTED

Original Adopted Date: 06/01/1992 | **Last Revised Date:** 12/01/2022~~2024~~ | **Last Reviewed Date:** 12/01/2022~~2024~~

CSBA NOTE: Pursuant to Education Code 39800, the Governing Board may provide transportation for students to and from school whenever such transportation is advisable and good reasons exist to provide these services. The following optional policy is for use by districts that choose to provide transportation services through their own transportation system, contracting out, or other methods, and should be revised to reflect district practice.

The Governing Board desires to provide for the safe and efficient transportation of students to and from school as necessary to ensure student access to the educational program, [including expanded learning opportunities programs](#), promote regular attendance, and reduce tardiness. In determining the extent to which the district will provide transportation services, the Board shall weigh student and community needs against the cost of providing such services.

CSBA NOTE: AB 181 (Ch. 52, Statutes of 2022) provides funding for zero-emission school buses and related infrastructure, such as charging or fueling stations, equipment, site design, and construction, with priority for such funding given to districts serving a high percentage of unduplicated students, districts operating the oldest internal combustion buses, small and rural districts, and those purchasing zero-emission buses with bidirectional charging. More information will become available through the State Air Resources Board and the Energy Commission.

CSBA NOTE: A district is authorized to provide transportation services in an economical and efficient way, as long as the arrangement complies with law. For example, Education Code 39800.1, as added by AB 181, permits partnering with a municipally-owned transit system, in order to provide transportation services to middle and high school students.

The Superintendent or designee shall recommend to the Board economical, environmentally sustainable, and appropriate means of providing transportation services. The district's transportation services may be provided by means of a joint powers agreement, a cooperative student transportation program, or a consortium, as permitted by law.

No student shall be required to be transported for any reason without the written permission of the student's parent/guardian, except in emergency situations involving illness or injury to the student pursuant to Education Code 35350 or the evacuation of students as necessary for their safety.

Transportation Plan

CSBA NOTE: The following section may be revised to reflect district practice. Education Code 39800.1, as added by AB 181, requires, as a condition of apportionment, a district to adopt a transportation plan in consultation with classified staff, teachers, school administrators, and other stakeholders by April 1, 2023, and to update the plan annually, by April 1. The plan is required to include descriptions of the transportation services to be provided to certain student groups as specified below.

The Superintendent or designee shall develop a transportation plan in consultation with classified staff, teachers, school administrators, regional local transit authorities, local air pollution control districts and air quality management districts, parents/guardians, students, and other stakeholders. (Education Code 39800.1)

The transportation plan shall be presented to and adopted by the Board at an open meeting, with the opportunity for in-person and remote public comment, and shall be updated annually by April 1. (Education Code 39800.1)

The transportation plan shall include descriptions of the following: (Education Code 39800.1)

1. The transportation services offered to students
2. ~~How~~The prioritization of transportation services ~~will be prioritized~~ for low-income students, and students in transitional kindergarten, kindergarten, and any of grades 1 to 6, inclusive
3. The transportation services accessible to students with disabilities and homeless children and youth, as defined pursuant to the federal McKinney-Vento Homeless Assistance Act (42 USC 11301)
4. ~~How~~The manner in which unduplicated students, as defined in Education Code 42238.02, ~~will be able to access available home-to-school transportation at no cost~~

Transportation Contracts

CSBA NOTE: The following paragraph may be revised to reflect district practice. Pursuant to Education Code 39800 and 39802, the district may use one or more means to provide transportation, as indicated below. For example, the district may use school buses for its regular home-to-school program and contract with private parties to provide transportation for field trips.

The Board may purchase, rent, or lease vehicles; contract with a common carrier or municipally owned transit system; contract with responsible private parties including the parent/guardian of the student being transported; and/or contract with the County Superintendent of Schools: to provide necessary transportation services. (Education Code 35330, 39800, 39801)

In contracting for transportation services, the district shall comply with all applicable laws related to bids and contracts. (Education Code 39802-, 39803)

CSBA NOTE: Pursuant to Education Code 39879, as added by SB 88 (Ch. 30, Statutes of 2023), the district is required to obtain written attestations from any private entity with which it contracts to provide student transportation.

Prior to contracting with a private entity for student transportation services, the district shall obtain written attestations from the entity that: (Education Code 39879)

1. The entity does not have any applicable law violations at the time of applying for the contract
2. The entity will maintain compliance with applicable laws for the duration of the contract

3. Under the contract, only drivers who meet the requirements specified in Education Code 39877 will work
4. The entity has on file all the reports and documents required pursuant to Education Code 39877 for the duration of the contract, including, but not limited to, updated, revised, or modified reports and documents, and that the reports and documents shall be available for inspection by the district

Any vehicle used to provide student transportation for compensation shall meet both of the following requirements: (Education Code 39879)

1. Be inspected every 12 months, or every 50,000 miles, whichever comes first, at a facility licensed by the Bureau of Automotive Repair to ensure that the vehicle passes a 19-point vehicle inspection, as adopted by the Public Utilities Commission and as specified in D.13-09-045, before allowing the vehicle to be driven, except for vehicles which are already subject to a statutory inspection program
2. Be equipped with a first aid kit and a fire extinguisher

Expenses and Fees

CSBA NOTE: The following paragraph is optional. If a district that has been providing transportation decides instead to have alternative transportation provided through an outside company or volunteers, this action may constitute "contracting out" and be subject to negotiation pursuant to the Educational Employment Relations Act (Government Code 3540-3549.3).

In lieu of providing transportation in whole or in part, the district may pay the student's parents/guardians either their actual and necessary expenses in transporting the student or the cost of the student's food and lodging at a place convenient to the school. In either case, the amount of the payment shall not exceed the cost that would be incurred by the district to provide for the transportation of the student to and from school. (Education Code 39806-39807)

CSBA NOTE: The following optional paragraph is for use by districts that choose to require parents/guardians of transported students to pay a portion of the cost of transportation as authorized by Education Code 39807.5. Pursuant to Education Code 39807.5, as amended by AB 181, the district ~~must~~ is required to waive the fee for a student with a disability who meets the requirements set forth in Education Code 56026, and an unduplicated student, as defined in Education Code 42238.02, which includes a student who is eligible for free or reduced-price meals, who is an English learner, or who is a foster youth. See BP/AR 3250 - Transportation Fees.

The Board may charge a transportation fee to parents/guardians of transported students in accordance with Education Code 39807.5 and BP/AR Board Policy/Administrative Regulation 3250 - Transportation Fees.

Safety and Monitoring

The Superintendent or designee shall develop procedures to promote safety for students traveling on school buses.

CSBA NOTE: The following optional paragraph is for use by districts that maintain their own transportation system and may be revised to reflect district practice. Pursuant to Penal Code

637.7, the district is authorized, as the registered owner of the school bus, to use electronic tracking systems to determine the location or movement of the vehicle. ~~It is recommended that school bus drivers be notified when a bus is so equipped.~~

In addition to using a global positioning system (GPS) to locate a bus in an emergency or to track delays, the district may choose to authorize parents/guardians to access the location data so that they may determine when their child has been picked up or dropped off at a bus stop.

Additionally, Vehicle Code 4854 permits the use of devices approved by the Department of Motor Vehicles as an alternative to conventional license plates, stickers, tabs, and cards when specified requirements are met. However, pursuant to Vehicle Code 4854, such alternative devices may not be used to monitor an employee except during work hours and if strictly necessary for the performance of the employee's duties. It is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel when considering the use of vehicle location technology to monitor employees.

The district may install a global positioning system (GPS) on school buses and/or student activity buses in order to enhance student safety and provide real-time location data to district and school administrators, and parents/guardians.

CSBA NOTE: The following optional paragraph is for use by districts that maintain their own transportation system. A driver who provides transportation to students shall meet the requirements specified in Education Code 39877 and 39878, as added by SB 88.

The Superintendent or designee shall ensure the qualifications of bus drivers, in accordance with Administrative Regulation 3542 – School Bus Drivers, and related staff employed by the district; provide for the maintenance and operation of district-owned school buses and other equipment; and ensure adequate facilities for equipment storage and maintenance.

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| State | Description |
|-------------------|--|
| 13 CCR 2025 | Retrofitting of diesel school buses |
| 5 CCR 14100-14103 | Use of school buses and school pupil activity buses |
| 5 CCR 15240-15343 | Allowances for student transportation |
| 5 CCR 15253-15272 | District records related to transportation |
| Ed. Code 35330 | Field trips and excursions; student fees |
| Ed. Code 35350 | Authority to transport pupils |
| Ed. Code 39800 | Powers of governing board to provide transportation to and from school |

| | |
|---|--|
| Ed. Code 39800-39860 | Transportation services |
| Ed. Code 39801 | Contract with County Superintendent of Schools to provide transportation |
| Ed. Code 39802-39803 | Bids and contracts for transportation services |
| Ed. Code 39806 | Payments to parents in lieu of transportation |
| Ed. Code 39807 | Food and lodging payments in lieu of transportation |
| Ed. Code 39807.5 | Payment of transportation costs by parents |
| Ed. Code 39808 | Transportation for private school students |
| Ed. Code 39877-39878 | School bus driver requirements |
| Ed. Code 39879 | Private transportation provider requirements |
| Ed. Code 41850-41851.1 | Allowances for transportation |
| Ed. Code 41860-41862 | Supplemental allowances for transportation |
| Ed. Code 42238.02 | Local Control Funding Formula |
| Ed. Code 45125.1 | Criminal records summary; employees of contracting entity |
| Ed. Code 52311 | Regional occupational centers; transportation |
| Ed. Code 56026 | Student with a disability; definition |
| Gov. Code 3540-3549.3 | Educational Employment Relations Act |
| Pen. Code 637.7 | Electronic tracking devices |
| Veh. Code 2807 | School bus inspection |
| Veh. Code 4854 | Alternatives to conventional license plates |
| Management Resources | Description |
| Court Decision | Arcadia Unified School District v. California Department of Education (1992) 2 Cal. 4th 251 |
| Public Utilities Commission Order | Order Instituting Rulemaking on Regulations Relating to Passenger Carriers, Ridesharing, and New Online-Enabled Transportation Services, September 2013 (https://docs.cpuc.ca.gov/publisheddocs/published/g000/m077/k192/77192335.pdf) |
| Website | Bureau of Automotive Repair (https://www.bar.ca.gov/) |
| Website | CSBA District and County Office of Education Legal Services |
| Website | Public Utilities Commission (https://www.cpuc.ca.gov/) |
| Website | California Air Resources Board Zero Emission School Bus and Infrastructure Program (https://www.energy.ca.gov/programs-and- |

[topics/programs/zero-emission-school-bus-and-infrastructure-program\)](#)

Website

California Energy Commission

[Website](#)

[Department of Motor Vehicles](#)
(<https://www.dmv.ca.gov/portal/>)

Website

CSBA

Cross References

Code

Description

0410

Nondiscrimination In District Programs And Activities

3000

Concepts And Roles

3100

Budget

3100

Budget

3250

Transportation Fees

3250

Transportation Fees

3311

Bids

3311

Bids

3312

Contracts

3510

Green School Operations

3511

Energy And Water Management

3511

Energy And Water Management

3512

Equipment

3512-E(1)

Equipment

3514

Environmental Safety

3514

Environmental Safety

3515.6

Criminal Background Checks For Contractors

3516

Emergencies And Disaster Preparedness Plan

3516

Emergencies And Disaster Preparedness Plan

3541

Transportation Routes And Services

3541.1

Transportation For School-Related Trips

3541.1-E(1)

Transportation For School-Related Trips

562

| | |
|-------------|---|
| 3541.1-E(2) | Transportation For School-Related Trips |
| 3541.2 | Transportation For Students With Disabilities |
| 3542 | School Bus Drivers |
| 3543 | Transportation Safety And Emergencies |
| 4112.4 | Health Examinations |
| 4112.42 | Drug And Alcohol Testing For School Bus Drivers |
| 4112.42 | Drug And Alcohol Testing For School Bus Drivers |
| 4212.4 | Health Examinations |
| 4212.42 | Drug And Alcohol Testing For School Bus Drivers |
| 4212.42 | Drug And Alcohol Testing For School Bus Drivers |
| 4231 | Staff Development |
| 4312.4 | Health Examinations |
| 4312.42 | Drug And Alcohol Testing For School Bus Drivers |
| 4312.42 | Drug And Alcohol Testing For School Bus Drivers |
| 5116.1 | Intradistrict Open Enrollment |
| 5116.1 | Intradistrict Open Enrollment |
| 5117 | Interdistrict Attendance |
| 5117 | Interdistrict Attendance |
| 5131.1 | Bus Conduct |
| 5131.1 | Bus Conduct |
| 5141.22 | Infectious Diseases |
| 5141.22 | Infectious Diseases |
| 5142.2 | Safe Routes To School Program |
| 5142.2 | Safe Routes To School Program |
| 5148 | Child Care And Development |
| 5148 | Child Care And Development |
| 5148.2 | Before/After School Programs |
| 5148.2 | Before/After School Programs |
| 6142.4 | Service Learning/Community Service Classes |
| 6173.1 | Education For Foster Youth |

| | |
|--------|--|
| 6173.1 | Education For Foster Youth |
| 6178.2 | Regional Occupational Center/Program |
| 6181 | Alternative Schools/Programs Of Choice |
| 6181 | Alternative Schools/Programs Of Choice |

Policy 5113.1: Chronic Absence And Truancy

Status: ADOPTED

Original Adopted Date: 11/01/2012 | **Last Revised Date:** ~~10/12/01/2020~~2024 | **Last Reviewed Date:** ~~10/12/01/2020~~2024

CSBA NOTE: The following optional policy addresses both chronic absence, which refers to students missing an excessive number of school days for any reason, whether excused or unexcused, and truancy, which refers to students missing school and/or being tardy without a valid excuse. Education Code 48260 defines a "valid excuse" for purposes of classifying students as truants; see the accompanying administrative regulation. Also see BP/AR 5113 - Absences and Excuses for information about methods of verification of student absences.

Pursuant to Education Code 48326, as added by AB 2771 (Ch. 154, Statutes of 2024), beginning with the 2026-27 school year, the California Department of Education (CDE) is required to post on its website information regarding methods of reducing chronic absenteeism, including the formation of school site absence intervention teams.

The Governing Board believes that absenteeism, whatever the cause, may be an early warning sign of poor academic achievement and may put students at risk of dropping out of school. The Board desires to ensure that all students attend school in accordance with the state's compulsory education law and take full advantage of educational opportunities provided by the district, and that students who are identified as chronically absent or truant receive appropriate support services and interventions as early as possible.

CSBA NOTE: The following paragraph may be revised to reflect district practice. Districts ~~must~~are required to track student attendance for the purpose of reporting chronic absenteeism for the state accountability system (the California School Dashboard) and identifying students who are classified as truants pursuant to Education Code 48260-48273. Tools to calculate chronic absence, such as the District Attendance Tracking Tool and School Attendance Tracking Tool, are available from Attendance Works.

The Superintendent or designee shall establish a system to accurately track student attendance in order to identify individual students who are chronic absentees and truants, as defined in law and administrative regulation, and to identify patterns of absence throughout the district.

CSBA NOTE: In developing strategies for addressing chronic absence and truancy, districts may consider reasons for absences given by individual students as well as survey data using tools such as the California Healthy Kids Survey and/or the California School Climate, Health, and Learning Survey System available from WestEd.

CDE has identified strategies that have a positive effect in encouraging students to regularly attend school, which can be found on CDE's webpage, "School Attendance Improvement Strategies." Some of these practices include identifying and responding to grade level and student subgroup patterns of chronic absence and truancy; improving communication with parents/guardians, including using bilingual aides and sending out attendance emails in the language used by parents/guardians; positive reinforcement for improved attendance such as prizes for individuals or classes with the most improved attendance; and personalizing relationships between students and school support staff and/or teachers, including establishing homeroom classes for secondary students for all years of high school.

Additionally, CSBA's, "Seize the Data: Using Chronic Absence Data to Drive Student Engagement," provides research and strategies for districts to use to reduce chronic absenteeism.

The Superintendent, attendance supervisor, or designee shall consult with students, parents/guardians, school staff, and community agencies, as appropriate, to identify factors contributing to chronic absence and truancy, including in relation to grade level and student subgroup patterns of chronic absence and truancy.

The Superintendent, attendance supervisor, or designee shall develop a tiered approach to reducing chronic absence. Such an approach shall include strategies for preventing attendance problems, which may include, but are not limited to, efforts to provide a safe and positive school environment; relevant and engaging learning experiences; school activities that help develop students' feelings of connectedness with the school, including personalized relationships between students and teachers and/or support staff; school-based health services; letters alerting parents/guardians to the value of regular school attendance, including the use of bilingual aides and communication in the primary language used by parents/guardians; and incentives and rewards to recognize students who achieve excellent attendance or demonstrate significant improvement in attendance.

The tiered approach shall also provide for early outreach to students as soon as they show signs of poor attendance or if they were chronically absent in the prior school year. Early intervention may include personalized outreach, individual attendance plans, and/or mentoring to students with moderate levels of chronic absence, with additional intensive, interagency wrap-around services for students with the highest level of absence.

Students with serious attendance problems shall be provided with interventions specific to their needs, which may include, but are not limited to, health care referrals; transportation assistance; counseling, including trauma-informed practices, for mental or emotional difficulties; academic supports; efforts to address school or community safety concerns; discussions with the student and parent/guardian about their attitudes regarding schooling; or other strategies to remove identified barriers to school attendance. The Superintendent, attendance supervisor, or designee may collaborate with child welfare services, law enforcement, courts, public health care agencies, other government agencies, and/or medical, mental health, and oral health care providers to make alternative educational programs and support services available for students and families.

The Superintendent or designee shall ensure that staff assigned to fulfill attendance-related duties are trained in implementing a trauma-informed approach to chronic absence and receive information about the high correlation between chronic absence and exposure to adverse childhood experiences.

CSBA NOTE: State law establishes a series of interventions that the district is required or authorized to impose depending on the number of trancies committed by a student; see the accompanying administrative regulation. Habitually truant students, as defined in Education Code 48262, may be referred to a school attendance review board (SARB) if established by the county office of education or to a SARB established by the district Governing Board pursuant to Education Code 48321; see BP/AR 5113.12 - District School Attendance Review Board. Instead of the SARB process, students may be referred to a truancy mediation program operated by the county's district attorney or probation officer pursuant to Education Code 48260.6. Education Code 48264.5 authorizes, but does not require, students who continue to be truant after receiving these interventions to be referred to a juvenile court. Parents/guardians of students who are identified as truant may be subject to penalties pursuant to Education Code 48293, Penal Code 270.1, and/or Penal Code 272.

Students who are identified as chronically absent or truant shall be subject to the interventions specified in law and administrative regulation.

CSBA NOTE: Pursuant to Education Code 46211, as added by SB 153 (Ch. 38, Statutes of 2024), a district may, beginning July 1, 2025, implement attendance recovery programs for students in grades transitional kindergarten-12 to make up lost instructional time and offset absences, including chronic absenteeism for up to 10 days of attendance in a school year or the number of absences a student accrued in that school year, whichever is less. A student's participation in an attendance recovery program may not be compulsory or punitive for such student. Students participating in an attendance recovery program may generate average daily attendance for the school year in which the program is operated, and that otherwise meets the requirements of Education Code 46211. For more information see the accompanying administrative regulation.

To provide students with an opportunity to make up lost instructional time and offset absences, the Superintendent or designee may implement an attendance recovery program for students in grades transitional kindergarten-12. Any such attendance recovery program shall be operated in accordance with Education Code 46211 and as specified in the accompanying administrative regulation.

CSBA NOTE: Education Code 48900 expresses legislative intent that alternatives to suspension or expulsion be used with students who are truant, tardy, or otherwise absent from assigned school activities; see BP 5144 - Discipline and BP 5144.1 - Suspension and Expulsion/Due Process.

A student's truancy, tardiness, or other absence from school shall not be the basis for suspension or expulsion. Alternative strategies and positive reinforcement for attendance shall be used whenever possible.

CSBA NOTE: Education Code 52060 requires districts to include the rates of school attendance, chronic absence, dropout, and graduation, as applicable, in their local control and accountability plan (LCAP); see BP/AR 0460 - Local Control and Accountability Plan.

The California School Dashboard includes measures of district and school performance in each priority area addressed in the LCAP, including chronic absence for grades ~~K~~kindergarten-8. The Dashboard reports the degree to which districts and schools meet performance criteria as well as changes in performance from year to year. See

For more information regarding LCAP measures see BP 0500 - Accountability. For grades 9-12, chronic absence rates are available through the California Department of Education's CDE's DataQuest.

The Superintendent, attendance supervisor, or designee shall periodically report to the Board regarding student attendance patterns in the district, including rates of chronic absence and truancy districtwide and for each school, grade level, and numerically significant student subgroup as defined in Education Code 52052. Such information shall be used to evaluate the effectiveness of strategies implemented to reduce chronic absence and truancy and to develop annual goals and specific actions for student attendance and engagement to be included in the district's local control and accountability plan and other applicable school and district plans. As appropriate, the Superintendent or designee shall engage school staff in program evaluation and improvement and in the determination of how to best allocate available community resources.

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| State | Description |
|-----------------------|---|
| 5 CCR 306 | Explanation of absence |
| 5 CCR 420-424 | Record of verification of absence due to illness and other causes |
| Ed. Code 1740 | Employment of personnel to supervise attendance |
| Ed. Code 37223 | Weekend classes |
| <u>Ed. Code 44266</u> | <u>Pupil Personnel Services credential</u> |
| Ed. Code 46000 | Attendance records |
| Ed. Code 46010-46015 | Absences |
| Ed. Code 46110-46120 | Attendance in kindergarten and elementary schools |
| Ed. Code 46140-46148 | Attendance in junior high and high schools |

Ed. Code 46210-46211

Ed. Code 48200-48208

Ed. Code 48225.5

Ed. Code 48240-48246

Ed. Code 48260-48273

Ed. Code 48290-48297

Ed. Code 48320-48325

Ed. Code 48326

Ed. Code 48340-48341

Ed. Code 48400-48403

Ed. Code 48900

Ed. Code 49067

Ed. Code 52052

Ed. Code 60901

Gov. Code 54950-54963

Pen. Code 270.1

Pen. Code 272

Pen. Code 830.1

~~Veh. Code 13202.7~~

W&I Code 11253.5

W&I Code 256-258

W&I Code 601-601.5

Management Resources

Attendance Works Publication

Attendance Works Publication

Attendance recovery programs

Children ages 6-18; compulsory full-time attendance

Work permits; entertainment and allied industries

Supervisors of attendance

Truants

Failure to comply; complaints against parents

School attendance review boards

Absence intervention teams

Improvement of student attendance

Compulsory continuation education

Grounds for suspension or expulsion

Unexcused absences as cause of failing grade

Accountability; numerically significant student subgroups

Chronic absence

The Ralph M. Brown Act

Chronic truancy; parent/guardian misdemeanor

Parent/guardian duty to supervise and control minor child; criminal liability for truancy

Peace officers

~~Driving privileges; minors; suspension or delay for habitual truancy~~

Compulsory school attendance; eligibility for aid

Juvenile hearing officer

Habitually truant minors

Description

District Attendance Tracking Tool

[\(https://www.attendanceworks.org/resources/data-tools/california-data-tools/\)](https://www.attendanceworks.org/resources/data-tools/california-data-tools/)

The Power of Positive Connections: Reducing Chronic Absence Through PEOPLE: Priority Early Outreach for Positive Linkages and Engagement, 2014

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| Attendance Works Publications | <p>https://www.attendanceworks.org/wp-content/uploads/2017/09/Positive-Priority-Outreach-Toolkit_081914.pdf</p> <p>Bringing Attendance Home: Engaging Parents in Preventing Chronic Absence, 2015</p> <p>https://www.attendanceworks.org/resources/toolkits/bringing-attendance-home/</p> |
| Attendance Works Publications | <p>School Attendance Tracking Tool</p> <p>https://www.attendanceworks.org/resources/data-tools/calculating-chronic-absence/</p> |
| Attendance Works Publications | <p>For School Board Members: Frequently Asked Questions About Chronic Absence</p> <p>https://www.attendanceworks.org/wp-content/uploads/2017/10/Attendance-Works-Frequently-Asked-Questions-About-Chronic-Absence-for-school-boards.pdf</p> |
| California Department of Education Publication | <p>School Attendance Review Board: A Road Map for Improved School Attendance and Behavior, rev. 2018 Boards Handbook & Forms</p> <p>https://www.cde.ca.gov/ls/ai/sb/</p> |
| Court Decision | <p>LA. v. Superior Court of San Diego County (2012) 209 Cal.App.4th 976</p> <p>School Attendance Improvement Strategies</p> <p>https://www.cde.ca.gov/ls/ai/cw/attendstrategy.asp</p> |
| California Department of Education Publication | <p>Research supported strategies to improve the accuracy and fairness of grades, July 2016</p> <p>https://www.csba.org/-/media/CSBA/Files/GovernanceResources/GovernanceBriefs/20161507-GradingGB.ashx?la=en&rev=4e25a7ce86c742198068af40c27324b5</p> |
| CSBA Publication | <p>Attendance Awareness Month, Fact Sheet, September 2014 Seize the Data: Using Chronic Absence Data to Drive Student Engagement, March 2024</p> <p>https://www.csba.org/-/media/CSBA/Files/GovernanceResources/GovernanceBriefs</p> |
| CSBA Publication | |

[/Attendance-Brief-2024.ashx?la=en&rev=a3dd0ccb6e214e3fbe0a4e5d49e797f5\)](#)

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|---------|---|
| Website | CSBA District and County Office of Education Legal Services |
| Website | California Healthy Kids Survey |
| Website | California School Climate, Health, and Learning Survey System |
| Website | CSBA |
| Website | Attendance Works |
| Website | California Association of Supervisors of Child Welfare and Attendance |
| Website | California Department of Education |

Cross References

| Code | Description |
|-------------|---|
| 0400 | Comprehensive Plans |
| 0410 | Nondiscrimination In District Programs And Activities |
| 0420 | School Plans/Site Councils |
| 0420 | School Plans/Site Councils |
| 0450 | Comprehensive Safety Plan |
| 0450 | Comprehensive Safety Plan |
| 0460 | Local Control And Accountability Plan |
| 0460 | Local Control And Accountability Plan |
| 0500 | Accountability |
| 1400 | Relations Between Other Governmental Agencies And The Schools |
| 3515.3 | District Police/Security Department |
| 3515.3 | District Police/Security Department |
| 4119.41 | Employees With Infectious Disease |
| 4131 | Staff Development |
| 4219.41 | Employees With Infectious Disease |

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| 4319.41 | Employees With Infectious Disease |
| 5030 | Student Wellness |
| 5112.1 | Exemptions From Attendance |
| 5112.1 | Exemptions From Attendance |
| 5112.3 | Student Leave Of Absence |
| 5112.3 | Student Leave Of Absence |
| 5112.5 | Open/Closed Campus |
| 5113 | Absences And Excuses |
| 5113 | Absences And Excuses |
| 5113.11 | Attendance Supervision |
| 5113.12 | District School Attendance Review Board |
| 5113.12 | District School Attendance Review Board |
| 5113.2 | Work Permits |
| 5113.2 | Work Permits |
| 5116.2 | Involuntary Student Transfers |
| 5117 | Interdistrict Attendance |
| 5117 | Interdistrict Attendance |
| 5121 | Grades/Evaluation Of Student Achievement |
| 5121 | Grades/Evaluation Of Student Achievement |
| 5125 | Student Records |
| 5125 | Student Records |
| 5126 | Awards For Achievement |
| 5126 | Awards For Achievement |
| 5131 | Conduct |
| 5131.2 | Bullying |
| 5131.2 | Bullying |
| 5131.4 | Student Disturbances |
| 5131.4 | Student Disturbances |
| 5137 | Positive School Climate |

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|-------------|---|
| 5141.21 | Administering Medication And Monitoring Health Conditions |
| 5141.21 | Administering Medication And Monitoring Health Conditions |
| 5141.22 | Infectious Diseases |
| 5141.22 | Infectious Diseases |
| 5141.33 | Head Lice |
| 5141.6 | School Health Services |
| 5141.6 | School Health Services |
| 5144 | Discipline |
| 5144 | Discipline |
| 5144.1 | Suspension And Expulsion/Due Process |
| 5144.1 | Suspension And Expulsion/Due Process |
| 5145.3 | Nondiscrimination/Harassment |
| 5145.3 | Nondiscrimination/Harassment |
| 5145.6 | Parent/Guardian Notifications |
| 5145.6-E(1) | Parent/Guardian Notifications |
| 5146 | Married/Pregnant/Parenting Students |
| 5147 | Dropout Prevention |
| 6020 | Parent Involvement |
| 6020 | Parent Involvement |
| 6158 | Independent Study |
| 6158 | Independent Study |
| 6164.2 | Guidance/Counseling Services |
| 6164.5 | Student Success Teams |
| 6164.5 | Student Success Teams |
| 6172 | Gifted And Talented Student Program |
| 6172 | Gifted And Talented Student Program |
| 6173 | Education For Homeless Children |
| 6173 | Education For Homeless Children |
| 6173-E(1) | Education For Homeless Children |

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| 6173-E(2) | Education For Homeless Children |
| 6173.1 | Education For Foster Youth |
| 6173.1 | Education For Foster Youth |
| 6173.2 | Education Of Children Of Military Families |
| 6173.2 | Education Of Children Of Military Families |
| 6173.4 | Education For American Indian Students |
| 6175 | Migrant Education Program |
| 6175 | Migrant Education Program |
| 6176 | Weekend/Saturday Classes |
| 6178 | Career Technical Education |
| 6178 | Career Technical Education |
| 6178.1 | Work-Based Learning |
| 6178.1 | Work-Based Learning |
| 6179 | Supplemental Instruction |
| 6181 | Alternative Schools/Programs Of Choice |
| 6181 | Alternative Schools/Programs Of Choice |
| 6183 | Home And Hospital Instruction |
| 6184 | Continuation Education |
| 6184 | Continuation Education |
| 6185 | Community Day School |
| 6185 | Community Day School |

Regulation 5113.1: Chronic Absence And Truancy

Status: ADOPTED

Original Adopted Date: 11/01/2010 | **Last Revised Date:** ~~10/12/01/2020~~2024 | **Last Reviewed Date:** ~~10/12/01/2020~~2024

CSBA NOTE: The following administrative regulation may be revised to reflect the district personnel responsible for duties related to attendance supervision and matters related to chronic absence and truancy. Pursuant to Education Code 48240-48246, the district may appoint an attendance supervisor, join a consortium of districts to employ an attendance supervisor, or contract with the County Superintendent of Schools to supervise the attendance of district students. See AR 5113.11 - Attendance Supervision.

Education Code 48273 **mandates** that the district adopt rules and regulations related to reports of district referrals to a school attendance review board (SARB). See the section on "ReportsRecords" below for language fulfilling this mandate.

Definitions

Chronic absentee means a student who is absent for any reason on 10 percent or more of the school days in the school year, when the total number of days the student is absent is divided by the total number of days the student is enrolled and school was actually taught in the regular schools of the district, exclusive of Saturdays and Sundays. (Education Code 60901)

Truant means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. (Education Code 48260)

Habitual truant means a student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and the student's parent/guardian after either of the two previous reports. (Education Code 48262, 48264.5)

Chronic truant means a student who has been absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, provided the district has met the requirements of Education Code 48260, 48260.5, 48261, 48262, 48263, and 48291. (Education Code 48263.6)

CSBA NOTE: As provided above, definitions of the various categories of truancy are based on the number of absences from school without a valid excuse. Education Code 48260 defines a "valid excuse," for purposes of classifying a student as a truant, as any of the reasons specified in Education Code 48205 (i.e., illness, quarantine, health services appointments, funeral service

attendance, jury duty, illness or medical appointment of student's child, justifiable personal reasons, service on precinct board, time with family member called to active duty or on leave from active duty, and religious exercises), Education Code 48225.5 (i.e., entertainment or allied industries work permits and nonprofit organization performances), or other reasons at the discretion of school administrators. AR 5113 - Absences and Excuses reflects the reasons that students may be excused from school and provides information about methods of verification of student absences.

For purposes of classifying a student as a truant, a valid excuse includes, but is not limited to, the reasons for which a student shall be excused from school pursuant to Education Code 48205 and 48225.5, and AR [Administrative Regulation 5113 - Absences and Excuses](#). A valid excuse may include other reasons that are within the discretion of school administrators and, based on the facts of the student's circumstances, are deemed to constitute a valid excuse. (Education Code 48260)

Addressing Chronic Absence

CSBA NOTE: The following optional section may be revised to reflect district practice.

When a student is identified as a chronic absentee, the Superintendent, attendance supervisor, or designee shall communicate with the student and the student's parents/guardians to determine the reason(s) for the excessive absences, ensure the student and parents/guardians are aware of the adverse consequences of poor attendance, and jointly develop a plan for improving the student's school attendance.

The student may be referred to a student success team or school-site attendance review team to assist in evaluating the student's needs and identifying strategies and programs to assist the student. When necessary, the student may be referred to a school attendance review board (SARB) program, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the Superintendent or designee, in accordance with Education Code 48263 and ~~item Item~~ #3 in the section "Addressing Truancy" below.

A student who is struggling academically may be offered tutoring or other supplemental instruction, ~~extended~~ [expanded](#) learning opportunities, and/or alternative educational options as appropriate.

CSBA NOTE: Pursuant to Education Code 49067, the Governing Board may authorize teachers to assign failing grades to students with excessive unexcused absences, with the threshold number of absences established by the Board. See BP 5121 - Grades/Evaluation of Student Achievement. However, CSBA's ~~governance brief~~ [governance brief](#), "Research-Supported Strategies to Improve the Accuracy and Fairness of Grades," recommends that student absences be dealt with separately from grading and that absences should not be considered in determining a student's level of understanding of course content. The following paragraph is consistent with that recommendation and may be revised to reflect district practice.

Students who are absent shall be given an opportunity to make up missed assignments or assessments and shall receive full credit for satisfactory completion of the work. Students with excessive absences shall be supported to the extent possible to limit the impact of absences on the student's grades.

Whenever chronic absenteeism is linked to a health, social-emotional, family, or other nonschool issue, the Superintendent or designee may recommend school or community resources and/or collaborate with community agencies and organizations to address the needs of the student and the student's family.

Addressing Truancy

An attendance supervisor or designee, peace officer, probation officer, or school administrator or designee may, as applicable, arrest or assume temporary custody during school hours of any minor student found away from home who is absent from school without a valid excuse. Any person arresting or assuming temporary custody of a minor student shall deliver the student and make reports in accordance with Education Code 48265 and 48266. (Education Code 48264, 48265, 48266)

The Superintendent, attendance supervisor, or designee shall investigate a complaint from any person that a parent/guardian has violated the state compulsory education laws contained in Education Code 48200-48341. (Education Code 48290)

When a student has been identified as a truant as defined above, the following steps shall be implemented based on the number of trancies the student has committed:

1. Initial truancy

- a. The student shall be reported to the Superintendent, attendance supervisor, or designee. (Education Code 48260)

CSBA NOTE: ~~When Beginning July 1, 2025, pursuant to Education Code 48260.5, as amended by SB 691 (Ch. 863, Statutes of 2024), when a student is classified as truant, Education Code 48260.5 requires notification of to the student's parents/guardians of the following information by the most cost-effective method possible, which may include email or a telephone call. The California Department of Education's (CDE) "School Attendance Review Board: A Road Map for Improved School Attendance and Behavior," provides sample letters.~~

- b. The student's parent/guardian shall be notified, by the most cost-effective method possible, which may include email or a telephone call, that: (Education Code 48260.5)
 - i. The student is truant.
 - ii. ~~The parent/guardian is obligated to compel the student to attend school and, if the parent/guardian fails to meet this obligation, the parent/guardian may be guilty of an infraction of the law and subject to prosecution pursuant to Education Code 48290-48296.~~
 - iii. Alternative educational programs are available in the district.
 - iv. The parent/guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy.

v. The student may be subject to arrest or held in temporary custody by a probation officer, a peace officer, a school administrator or designee, or attendance supervisor or designee pursuant to Education Code 48264 if found away from home and absent from school without a valid excuse.

v. Mental health and supportive services may be available to the student and the family

vi. If the student is at least 13 years of age but under age 18, the student may be subject to the suspension, restriction, or delay of driving privilege pursuant to Vehicle Code 13202.7. vi. School personnel are available to meet with the student and family to develop strategies to support the student's attendance at school

vii It is recommended that the parent/guardian accompany the student to school and attend classes

vii. Research shows that missing 10 percent of school for one day, any reason can translate into students having difficulty learning to read by third grade, achieving in middle school, and graduating from high school

c. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)

d. The student and, as appropriate, the student's parent/guardian may be requested to attend a meeting with a school counselor or other school designee to discuss the root causes of the attendance issue and develop a joint plan to improve the student's attendance. (Education Code 48264.5)

CSBA NOTE: The following optional ~~item~~Item #1e is for use by districts in which there is no county SARB and the county's district attorney or probation officer has elected to participate in a truancy mediation program pursuant to Education Code 48260.6.

c. The Superintendent, attendance supervisor, or designee may notify the district attorney and/or probation officer of the student's name and the name and address of the student's parents/guardians. (Education Code 48260.6)

2. Second truancy

a. Any student who has once been reported as a truant shall again be reported to the Superintendent, attendance supervisor, or designee as a truant if the student is absent from school without a valid excuse one or more days or is tardy on one or more days during the school year. (Education Code 48261)

b. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)

c. The student may be assigned to an after-school or weekend study program within the county. ~~If~~ and, if the student fails to successfully complete this study program, the student shall be subject to ~~item~~Item #3 below. (Education Code 48264.5)

CSBA NOTE: Education Code 48262 provides that a student cannot be classified as a habitual truant (~~item~~Item #3 below) until the district has made a conscientious effort to hold at least one conference with the student and parent/guardian after the attendance supervisor has been notified of either the first or second truancy. Education Code 48262 defines "conscientious effort," for

purposes of this section, as attempting to communicate with the parent/guardian at least once using the most cost-effective method possible, which may include email or a telephone call. Thus, the following paragraph requires such communication in the event of the second truancy.

- d. An appropriate district staff member shall make a conscientious effort to hold at least one conference with the student and the student's parent/guardian by communicating with the parent/guardian at least once using the most cost-effective method possible, which may include email or a telephone call. (Education Code 48262)
- e. The student may be given a written warning by a peace officer:
_____A record of that warning may be kept at the school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school. (Education Code 48264.5)

CSBA NOTE: The following optional item is for use by districts in which there is no county SARB and the county's district attorney or probation officer has elected to participate in a truancy mediation program. Pursuant to Education Code 48260.6, if the district notifies the district attorney and/or probation officer that a student continues to be classified as a truant after proper notification to the parents/guardians as described in ~~item~~ **Item #1b** above, the district attorney or probation officer may request a meeting with the student and the student's parents/guardians to discuss the possible legal consequences of the student's truancy.

- f. The Superintendent or designee may notify the district attorney and/or probation officer when the student continues to be classified as a truant after the parents/guardians have been notified in accordance with ~~item~~ **Item #1b** above. (Education Code 48260.6)

3. Third truancy (habitual truancy)

CSBA NOTE: Education Code 48263 and 48264.5 authorize the district to refer habitual truants, chronic absentees, and students who are habitually insubordinate or disorderly to a SARB, a county truancy mediation program, or a comparable program for services. The district should revise the following items to reflect the option(s) available in the district.

According to CDE's , "School Attendance Review Board: A Road Map for Improved School Attendance and Behavior," prior to referring a student to a SARB or county truancy mediation program, some districts initiate an intermediate step, such as a school-site attendance review team or student success team. Districts that have established such an intermediate step may revise the following item accordingly.

- a. A student who is habitually truant, a chronic absentee, or habitually insubordinate or disorderly during attendance at school may be referred to, and required to attend, a SARB program, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the Superintendent or designee. (Education Code 48263, 48264.5)
- b. Upon making a referral to the SARB or the probation department, the Superintendent, attendance supervisor, or other person designated to make the referral shall provide the student, the student's parent/guardian, and SARB or

probation department with documentation of the interventions undertaken at the school. ~~The~~

_____. Additionally, ~~the~~ attendance supervisor or designee shall also provide the student and the student's parent/guardian, in writing, the name and address of the SARB or probation department and the reason for the referral. This notice shall indicate that the student and the student's parent/guardian shall be required, along with the district staff person making the referral, to meet with the SARB or a probation officer to consider a proper disposition of the referral. (Education Code 48263)

- c. If the student does not successfully complete the truancy mediation program or other similar program, the student shall be subject to ~~item~~ **Item #4** below. (Education Code 48264.5)

CSBA NOTE: Pursuant to Education Code 48263, the SARB or probation officer may direct a student and/or the student's parents/guardians to make use of available community services and may require satisfactory evidence of participation. If the SARB or probation officer determines that available community resources cannot resolve the problem, or if the student and/or the student's parents/guardians have failed to respond to the directives of the SARB or probation officer, the SARB may so notify the district attorney and/or probation officer, or the probation officer may notify the district attorney provided the district attorney or probation officer participates in a truancy mediation program. If the county has not established a SARB, the district may make this finding and notification.

The following paragraph is for use by districts in which the county has not established a SARB and the county's district attorney or probation officer has elected to participate in a truancy mediation program.

- d. If the Superintendent or designee determines that available community services cannot resolve the problem of the truant or insubordinate student or if the student and/or the student's parents/guardians have failed to respond to the directives of the district or to services provided, the Superintendent or designee may so notify the district attorney and/or the probation officer. (Education Code 48263)

4. Fourth truancy

- a. Upon the fourth truancy within the same school year, the student may be referred to the jurisdiction of the juvenile court. (Education Code 48264.5; Welfare and Institutions Code 601)

CSBA NOTE: Pursuant to Education Code 48264.5 and Welfare and Institutions Code 601, a student coming within the jurisdiction of the juvenile court may be adjudged a ward of the court and required to perform community service, pay a fine, ~~and/or~~ attend a court-approved truancy prevention program, ~~and/or lose driving privileges.~~ In *L.A. v. Superior Court of San Diego County*, a court of appeal held that juvenile court judges have the authority to imprison a truant as a last resort if the student commits an egregious violation of a court order, less restrictive alternatives have proved ineffective, and the student is confined separately from youths held for criminal violations.

- b. If a student has been adjudged by the county juvenile court to be a habitual truant, the Superintendent or designee shall notify the juvenile court and the student's probation or parole officer whenever the student is truant or tardy on one or more days without a valid excuse in the same or succeeding school year, or is habitually insubordinate or disorderly at school:

_____ The juvenile court and probation or parole officer shall be notified within 10 days of the violation. (Education Code 48267)

CSBA NOTE: Item #5 below is for use by districts that offer any of grades K-8. Penal Code 270.1 states that a parent/guardian of a "chronic truant" who is at least six years old and is in any of grades K-8 is guilty of a misdemeanor punishable by a fine and/or imprisonment if the parent/guardian has failed to reasonably supervise and encourage the student's school attendance and has been offered language-accessible support services to address the student's truancy. Pursuant to Penal Code 270.1, a parent/guardian found guilty of a misdemeanor may participate in a program established by a superior court, if available, which includes periodic meetings with district representatives and service referrals.

5. ~~Chronic truancy (unexcused absence for 10 percent of school days)~~

- a. ~~The Superintendent or designee shall ensure that the student's parents/guardians are offered language-accessible support services to address the student's truancy.~~
- b. ~~If a chronically truant student is at least age six years and is in any of grades K-8, the Superintendent or designee shall notify the student's parents/guardians that failure to reasonably supervise and encourage the student's school attendance may result in the parent/guardian being found guilty of a misdemeanor pursuant to Penal Code 270.1.~~

Attendance Recovery Program

CSBA NOTE: Pursuant to Education Code 46211, as added by SB 153 (Ch. 38, Statutes of 2024), a district may, beginning July 1, 2025, implement an attendance recovery program for students in grades transitional kindergarten (TK)-12 to make up lost instructional time and offset absences, including chronic absenteeism for up to 10 days of attendance in a school year or the number of absences a student accrued in that school year, whichever is less. A student's participation in an attendance recovery program may not be compulsory or punitive for such student. Students participating in an attendance recovery program may generate average daily attendance (ADA) for the school year in which the program is operated, and that otherwise meets the requirements of Education Code 46211.

Additionally, Education Code 46211, as amended by AB 176 (Ch.998, Statutes of 2024), limits the attendance credit students may earn under the program to no more than five days of attendance per school week or more than one day of attendance for each calendar day of participation in the program.

On or before June 30, 2025, CDE is required to develop and maintain on its website guidance to support districts in creating and implementing a high-quality attendance recovery program.

Beginning July 1, 2025, the district may implement an attendance recovery program for students to make up a maximum of 10 days of attendance for lost instructional time and offset absences incurred during the school year. Any student participating in the program shall not be credited with more than five days of attendance per school week or more than one day of attendance for any calendar day of participation in the program. (Education Code 46211)

The district's program may be operated before or after school, on weekends, or during intersessional periods. The district shall offer access to an attendance recovery program throughout the school year, including, at least once during each term. (Education Code 46211)

The program shall be provided only as a limited-term option for a classroom-based, regular educational program. Students otherwise enrolled in a nonclassroom-based program, such as independent study, shall not participate in an attendance recovery program. (Education Code 46211)

A student shall not be required to participate in the program. Students concurrently participating in both an attendance recovery program and an Expanded Learning Opportunities Program (ELO) pursuant to Education Code 46120, shall retain the ability to participate in the entirety of the ELO's offerings for the duration of the school year. (Education Code 46211)

CSBA NOTE: Pursuant to Education Code 46211, as added by SB 153 and amended by AB 176, a district's attendance recovery program must satisfy the requirements specified in the following paragraphs for student participation in the program to generate ADA for the district.

The district's attendance recovery program shall be composed of students engaged in educational activities and content aligned to grade level standards that are substantially equivalent to the students' regular instructional program, which may include one-on-one or small group tutoring, and shall be under the immediate supervision and control of a certificated teacher who is also an employee of the district and who possesses a valid certification document. (Education Code 46211)

The district's attendance recovery program shall not exceed a student-to-certificated teacher ratio of 10 to 1 for TK and kindergarten or 20 to 1 for grades 1 to 12. The district shall maintain documentation demonstrating how the attendance recovery program met these applicable ratios. (Education Code 46211)

Records

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. CDE's "School Attendance Review Board: A Road Map for Improved School Attendance and Behavior," cautions that it is important to keep accurate and complete records of any violations of compulsory school attendance laws because such records may ultimately be introduced as evidence in a trial for truancy.

The Superintendent, attendance supervisor, or designee shall maintain accurate attendance records for students identified as habitual or chronic truants. In addition, the attendance supervisor,

designee, and/or the staff persons who have direct contact with the student or parent/guardian shall document all their contacts regarding the student's attendance, including a summary of all conversations and a record of all intervention efforts.

The Superintendent, attendance supervisor, or designee shall gather and transmit to the County Superintendent of Schools the number and types of referrals made to the SARB and of requests for petitions made to the juvenile court. (Education Code 48273)

CSBA NOTE: Pursuant to Education Code 46211, as amended by AB 176, the district is required to maintain documentation of compliance with law as specified below, if the district participates in an attendance recovery program.

Additionally, in regard to the district's attendance recovery program, the Superintendent or designee shall maintain documentation demonstrating how the attendance recovery program met the student-to-teacher ratios specified in Education Code 46211.

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

| State | Description |
|-----------------------------|---|
| 5 CCR 306 | Explanation of absence |
| 5 CCR 420-424 | Record of verification of absence due to illness and other causes |
| Ed. Code 1740 | Employment of personnel to supervise attendance |
| Ed. Code 37223 | Weekend classes |
| <u>Ed. Code 44266</u> | <u>Pupil Personnel Services credential</u> |
| Ed. Code 46000 | Attendance records |
| Ed. Code 46010-46015 | Absences |
| Ed. Code 46110-46120 | Attendance in kindergarten and elementary schools |
| Ed. Code 46140-46148 | Attendance in junior high and high schools |
| <u>Ed. Code 46210-46211</u> | <u>Attendance recovery programs</u> |
| Ed. Code 48200-48208 | Children ages 6-18; compulsory full-time attendance |
| Ed. Code 48225.5 | Work permits; entertainment and allied industries |
| Ed. Code 48240-48246 | Supervisors of attendance |

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| Ed. Code 48260-48273 | Truants |
| Ed. Code 48290-48297 | Failure to comply; complaints against parents |
| Ed. Code 48320-48325 | School attendance review boards |
| Ed. Code 48326 | Absence intervention teams |
| Ed. Code 48340-48341 | Improvement of student attendance |
| Ed. Code 48400-48403 | Compulsory continuation education |
| Ed. Code 48900 | Grounds for suspension or expulsion |
| Ed. Code 49067 | Unexcused absences as cause of failing grade |
| Ed. Code 52052 | Accountability; numerically significant student subgroups |
| Ed. Code 60901 | Chronic absence |
| Gov. Code 54950-54963 | The Ralph M. Brown Act |
| Pen. Code 270.1 | Chronic truancy; parent/guardian misdemeanor |
| Pen. Code 272 | Parent/guardian duty to supervise and control minor child; criminal liability for truancy |
| Pen. Code 830.1 | Peace officers |
| Veh. Code 13202.7 | Driving privileges; minors; suspension or delay for habitual truancy |
| W&I Code 11253.5 | Compulsory school attendance; eligibility for aid |
| W&I Code 256-258 | Juvenile hearing officer |
| W&I Code 601-601.5 | Habitually truant minors |
| Management Resources | Description |
| Attendance Works Publication | District Attendance Tracking Tool |
| | (https://www.attendanceworks.org/resources/data-tools/california-data-tools/) |
| Attendance Works Publication | The Power of Positive Connections: Reducing Chronic Absence Through PEOPLE: Priority Early Outreach for Positive Linkages and Engagement, 2014 |
| | (https://www.attendanceworks.org/wp-content/uploads/2017/09/Positive-Priority-Outreach-Toolkit_081914.pdf) |
| Attendance Works Publications | Bringing Attendance Home: Engaging Parents in Preventing Chronic Absence, 2015 |

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| | (https://www.attendanceworks.org/resources/toolkits/bringing-attendance-home/) |
| Attendance Works Publications | School Attendance Tracking Tool (https://www.attendanceworks.org/resources/data-tools/calculating-chronic-absence/) |
| Attendance Works Publications | For School Board Members: Frequently Asked Questions About Chronic Absence https://www.attendanceworks.org/wp-content/uploads/2017/10/Attendance-Works-Frequently-Asked-Questions-About-Chronic-Absence-for-school-boards.pdf |
| California Department of Education Publication | School Attendance Review Board: A Road Map for Improved School Attendance and Behavior, rev. 2018 Boards Handbook & Forms (https://www.cde.ca.gov/ls/ai/sb/) |
| Court Decision | LA. v. Superior Court of San Diego County (2012) 209 Cal.App.4th 976 |
| California Department of Education Publication | School Attendance Improvement Strategies https://www.cde.ca.gov/ls/ai/cw/attendstrategy.asp |
| CSBA Publication | Research supported strategies to improve the accuracy and fairness of grades, July 2016 https://www.csba.org/-/media/CSBA/Files/GovernanceResources/GovernanceBriefs/20161507-GradingGB.ashx?la=en&rev=4e25a7ce86c742198068af40c27324b5 |
| CSBA Publication | Attendance Awareness Month, Fact Sheet, September 2014 Seize the Data: Using Chronic Absence Data to Drive Student Engagement, March 2024 https://www.csba.org/-/media/CSBA/Files/GovernanceResources/GovernanceBriefs/Attendance-Brief-2024.ashx?la=en&rev=a3dd0ccb6e214e3fbe0a4e5d49e797f5 |
| Website | CSBA District and County Office of Education Legal Services |
| Website | California Healthy Kids Survey |

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| Website | California School Climate, Health, and Learning Survey System |
| Website | CSBA |
| Website | Attendance Works |
| Website | California Association of Supervisors of Child Welfare and Attendance |
| Website | California Department of Education |

Cross References

| Code | Description |
|-------------|---|
| 0400 | Comprehensive Plans |
| 0410 | Nondiscrimination In District Programs And Activities |
| 0420 | School Plans/Site Councils |
| 0420 | School Plans/Site Councils |
| 0450 | Comprehensive Safety Plan |
| 0450 | Comprehensive Safety Plan |
| 0460 | Local Control And Accountability Plan |
| 0460 | Local Control And Accountability Plan |
| 0500 | Accountability |
| 1400 | Relations Between Other Governmental Agencies And The Schools |
| 3515.3 | District Police/Security Department |
| 3515.3 | District Police/Security Department |
| 4119.41 | Employees With Infectious Disease |
| 4131 | Staff Development |
| 4219.41 | Employees With Infectious Disease |
| 4319.41 | Employees With Infectious Disease |
| 5030 | Student Wellness |
| 5112.1 | Exemptions From Attendance |
| 5112.1 | Exemptions From Attendance |
| 5112.3 | Student Leave Of Absence |

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| 5112.3 | Student Leave Of Absence |
| 5112.5 | Open/Closed Campus |
| 5113 | Absences And Excuses |
| 5113 | Absences And Excuses |
| 5113.11 | Attendance Supervision |
| 5113.12 | District School Attendance Review Board |
| 5113.12 | District School Attendance Review Board |
| 5113.2 | Work Permits |
| 5113.2 | Work Permits |
| 5116.2 | Involuntary Student Transfers |
| 5117 | Interdistrict Attendance |
| 5117 | Interdistrict Attendance |
| 5121 | Grades/Evaluation Of Student Achievement |
| 5121 | Grades/Evaluation Of Student Achievement |
| 5125 | Student Records |
| 5125 | Student Records |
| 5126 | Awards For Achievement |
| 5126 | Awards For Achievement |
| 5131 | Conduct |
| 5131.2 | Bullying |
| 5131.2 | Bullying |
| 5131.4 | Student Disturbances |
| 5131.4 | Student Disturbances |
| 5137 | Positive School Climate |
| 5141.21 | Administering Medication And Monitoring Health Conditions |
| 5141.21 | Administering Medication And Monitoring Health Conditions |
| 5141.22 | Infectious Diseases |
| 5141.22 | Infectious Diseases |
| 5141.33 | Head Lice |

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| 5141.6 | School Health Services |
| 5141.6 | School Health Services |
| 5144 | Discipline |
| 5144 | Discipline |
| 5144.1 | Suspension And Expulsion/Due Process |
| 5144.1 | Suspension And Expulsion/Due Process |
| 5145.3 | Nondiscrimination/Harassment |
| 5145.3 | Nondiscrimination/Harassment |
| 5145.6 | Parent/Guardian Notifications |
| 5145.6-E(1) | Parent/Guardian Notifications |
| 5146 | Married/Pregnant/Parenting Students |
| 5147 | Dropout Prevention |
| 6020 | Parent Involvement |
| 6020 | Parent Involvement |
| 6158 | Independent Study |
| 6158 | Independent Study |
| 6164.2 | Guidance/Counseling Services |
| 6164.5 | Student Success Teams |
| 6164.5 | Student Success Teams |
| 6172 | Gifted And Talented Student Program |
| 6172 | Gifted And Talented Student Program |
| 6173 | Education For Homeless Children |
| 6173 | Education For Homeless Children |
| 6173-E(1) | Education For Homeless Children |
| 6173-E(2) | Education For Homeless Children |
| 6173.1 | Education For Foster Youth |
| 6173.1 | Education For Foster Youth |
| 6173.2 | Education Of Children Of Military Families |
| 6173.2 | Education Of Children Of Military Families |

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| 6173.4 | Education For American Indian Students |
| 6175 | Migrant Education Program |
| 6175 | Migrant Education Program |
| 6176 | Weekend/Saturday Classes |
| 6178 | Career Technical Education |
| 6178 | Career Technical Education |
| 6178.1 | Work-Based Learning |
| 6178.1 | Work-Based Learning |
| 6179 | Supplemental Instruction |
| 6181 | Alternative Schools/Programs Of Choice |
| 6181 | Alternative Schools/Programs Of Choice |
| 6183 | Home And Hospital Instruction |
| 6184 | Continuation Education |
| 6184 | Continuation Education |
| 6185 | Community Day School |
| 6185 | Community Day School |

Policy 5148: Child Care And Development

Status: ADOPTED

Original Adopted Date: 03/01/2009 | **Last Revised Date:** 06/12/01/2023 **2024** | **Last Reviewed Date:** 06/12/01/2023 **2024**

CSBA NOTE: The following optional policy may be revised to reflect the type(s) of child care and development programs offered by the district.

The Child Care and Development Services Act (Welfare and Institutions Code 10207-10492.2) establishes a variety of child care programs including resource and referral programs (Welfare and Institutions Code 10217-10224.5; 5 CCR 18240-18249), alternative payment programs (Welfare and Institutions Code 10225-10234; 5 CCR 18220-18231), migrant child care and development programs (Welfare and Institutions Code 10235-10238), general child care and development programs (Welfare and Institutions Code 10240-10243), and programs for children with special needs disabilities (Welfare and Institutions Code 10260-10263).

The Early Education Expansion Program (Education Code 8337, as amended by AB 210 (Ch. 62, Statutes of 2022)) provides grant funding, as specified, until June 30, 2027, for the purpose of increasing access to inclusive early care and education programs. Additionally, the California Department of Education (CDE) has developed a Universal Prekindergarten resources landing page, "Universal Prekindergarten (UPK), California's Great Start," designed for use by districts that operate California State Preschool Programs (CSPP), Head Start programs, transitional kindergarten, and child care providers.

Effective July 1, 2021, administrative authority over the state's child care and development programs was statutorily transferred from CDE to the California Department of Social Services (CDSS), pursuant to Welfare and Institutions Code 10200-10206. Accordingly, the related statutes were repealed from the Education Code and reenacted in the Welfare and Institutions Code. Pursuant to Welfare and Institutions Code 10205, all existing regulations relating to child care programs that have been adopted by CDE are expressly continued in force, unless they conflict with law. Additionally, pursuant to Welfare and Institutions Code 10206, as amended by AB 210, the date by which CDE and CDSS are required to adopt implementing regulations related to early childhood development has been extended to December 31, 2025.

Education Code 8207 clarifies that the Superintendent of Public Instruction (SPI) and CDE retain administrative supervision of the CSPP.

For requirements pertaining to before-school and after-school programs, including the After-School Education and Safety program (Education Code 8482-8484.65), 21st Century Community Learning Centers (Education Code 8484.7-8484.8), and Expanded Learning Opportunities Program (Education Code 46120), see BP/AR 5148.2 - Before/After School Programs. For requirements

pertaining to preschool programs for children ages 3-4 pursuant to the CSPP, see BP/AR 5148.3 - Preschool/Early Childhood Education.

The Governing Board desires to provide child care and development services which meet the developmental needs of children and offer a convenient child care alternative for parents/guardians in the community.

CSBA NOTE: Pursuant to Welfare and Institutions Code 10277, as added by SB 140 (Ch. 193, Statutes of 2023), each county and contractor that reimburses child care providers for the provision of state-funded subsidized child care and development services is required to develop, implement, and publish a plan for timely payment to child care providers.

The Board Upon approval by the Board, the district shall enter into a contract with the California Department of Social Services (CDSS) for the provision of child care and development services by the district.

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. Welfare and Institutions Code 10480-10487 establish county-level child care and development planning councils, with members selected by the County Board of Supervisors and County Superintendent of Schools, to identify local priorities for child care and to develop policies to meet identified needs.

Pursuant to Welfare and Institutions Code 10492.1 and 10492.2, CDSS is required to develop the Whole Child Equity Framework and Whole Child Community Equity Screening Tool to provide data needed to support the equitable distribution of resources and monitor progress on addressing racial and economic inequities of children up to 13 years of age, including access to child care.

The district shall work cooperatively with the local child care and development planning council, public and private agencies, parents/guardians, and other community members to assess child care needs in the community, establish program priorities, obtain ongoing feedback on program quality, and supply information about child care options.

CSBA NOTE: Pursuant to 5 CCR 18271, the district must have a written philosophical statement, goals, and objectives, approved by the Governing Board, which address each program component specified in 5 CCR 18272-18281. See the accompanying administrative regulation for required program components.

The Board shall approve for the district's child care and development program a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 18272-18281 and the accompanying administrative regulation. (5 CCR 18271)

~~When a district child care program is physically closed by local or state public health order, the district shall provide distance learning when required to do so as a condition of funding or when required by law.~~

Eligibility and Enrollment [Eligibility, Enrollment, and Disenrollment](#)

CSBA NOTE: Pursuant to 5 CCR 18105, districts contracting to offer child care services are mandated to develop written admissions policies and procedures that conform to the requirements of 22 CCR 101218, as provided below. See the accompanying administrative regulation for additional language that fulfills this mandate. Child care admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the child care center's program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and health examination requirements. (5 CCR 18105; 22 CCR 101218)

CSBA NOTE: Welfare and Institutions Code 10271 and 5 CCR 18106 establish eligibility criteria and priorities for subsidized child care services, as provided below and in the accompanying administrative regulation.

Eligibility is generally limited to children who reside within district boundaries. However, Welfare and Institutions Code 10332 and 5 CCR 18107 authorize the Board to enter into an agreement with the boards of other districts to serve children who reside within those districts. The district may revise the following paragraph to reflect any such agreement approved by the Board.

The Superintendent or designee shall ensure that subsidized child care services are provided to eligible families to the extent that state and/or federal funding is available and in accordance with enrollment priorities specified in Welfare and Institutions Code 10271 and 5 CCR 18106.

CSBA NOTE: The following paragraph is optional and may be revised to reflect any district-established priorities for nonsubsidized services.

To the extent that space is available after the enrollment of children who are eligible for subsidized services, priority for admissions shall be given to district students, children of district students, and children of district employees.

CSBA NOTE: Pursuant to Health and Safety Code 1596.802, as added by SB 722 (Ch. 631, Statutes of 2023), CDSS is required to create a template form for plans of operations and for incidental medical services plans, and to eliminate any requirement that an incidental medical services plan or amended plan of operation be approved before a child with a disability is allowed to attend a child care and development program.

So long as the district has submitted a completed incidental medical services plan to CDSS, a child may be enrolled in the district's child care and development program prior to approval of the plan. Additionally, for a child with disabilities, the child may attend the district's child care and development program prior to the approval of an incidental medical services plan or amended plan of operation, so long as the forms have been submitted to CDSS. (Health and Safety Code 1596.802)

A child's eligibility for transitional kindergarten enrollment shall not impact family eligibility for a

childcare child care or preschool program. (Education Code 48000)

A child shall not be expelled or unenrolled from the district's child care and development program, nor shall the child's parents/guardians be persuaded or encouraged to voluntarily unenroll from the program based on the child's behavior, unless in accordance with the procedures specified in the accompanying administrative regulation.

When necessary due to a reduction in state reimbursements, families shall be disenrolled from subsidized child care and development services as specified in the accompanying administrative regulation.

Fees and Charges

CSBA NOTE: Except when prohibited, the district may charge a fee for families using child care services, including families who are eligible for subsidized child care services; see the accompanying administrative regulation for additional information on charging family fees for child care programs.

Except when offering a program that is prohibited by law from charging any fees, the Superintendent or designee may charge fees for services in accordance with law and the accompanying administrative regulation.

Staffing

CSBA NOTE: The Commission on Teacher Credentialing (CTC) issues permits for child development program directors, site supervisors, master teachers, teachers, associate teachers, and assistants pursuant to criteria established in Welfare and Institutions Code 10380-10387.5 and 5 CCR 80105-80125. Welfare and Institutions Code 10383.5, as added by AB 1930 (Ch. 687, Statutes of 2024), requires CTC to authorize a holder of a Child Development Associate Teacher Permit to renew their permit without a limitation on the number of renewals if the permitholder completes specified hours of professional growth activities. The district may request a waiver of the qualification requirements for a site supervisor upon demonstration of a compelling need, in accordance with Welfare and Institutions Code 10213.5 and 5 CCR 18295.

Additionally, CTC has adopted 5 CCR 80067, 80067.1, 80067.2, and 80067.2, which are pending approval by the Office of Administrative Law³, pertaining to the prekindergarten-grade 3 early childhood education specialist credential, that include requirements, and accelerated pathways to meet the requirements, in an effort to increase the number of early childhood education teachers to support UPK; see CTC Coded Correspondence ~~23-02~~ 24-03 for more information regarding the regulations.

Health and Safety Code 1596.7995 requires that employees and volunteers at a day care center be immunized against influenza, pertussis, and measles, with specified exemptions. In addition, Health and Safety Code 1597.055 requires that teachers in a day care center obtain a tuberculosis clearance. See; see the accompanying administrative regulation.

Welfare and Institutions Code 10208 specifies indicators for the implementation of quality programs, which, as amended by AB 210, requires that staff have the appropriate and required training, or any combination of qualifications, experience, or training.

The Superintendent or designee shall ensure that individuals working in child care and development programs have the necessary qualifications, experience, and training, and have satisfied all legal requirements.

Facilities

CSBA NOTE: Optional Items #1-5 below present examples of methods that may be used to provide facilities for child care services and may be revised to reflect district practice.

Upon recommendation of the Superintendent or designee, the Board may approve any of the following for the provision of child care and development services:

1. The use of existing district facilities that have capacity
2. Renovation or improvement of district facilities to make them suitable for such services
3. Purchase of relocatable child care facilities
4. Inclusion of child care facilities in any new construction
5. Agreement with a public agency or community organization for the use of community facilities

CSBA NOTE: Health and Safety Code 1596.804, as added by AB 2827 (Ch. 916, Statutes of 2022), requires CDSS to revise its regulations to permit children with disabilities to use outdoor play spaces simultaneously with children who do not have disabilities without having to first seek a regulatory waiver and to specify any health and safety requirements that are required to be met when simultaneous play occurs.

The Superintendent or designee shall ensure that facilities used for child care services meet all applicable health and safety standards. (5 CCR 18020; 22 CCR 101238-101239.2)

Complaints

CSBA NOTE: Pursuant to 5 CCR 4610, the district's uniform complaint procedures should be used to resolve any complaint alleging violation of state or federal laws governing educational programs, including child care and development programs; see BP/AR 1312.3 - Uniform Complaint Procedures. However, 5 CCR 4611, provides that health and safety complaints regarding licensed facilities that operate a child care and development program should be referred to CDSS as described in the following paragraph and BP 1312.3 - [Uniform Complaint Procedures](#).

Pursuant to 22 CCR 101156, all child care centers must be licensed by CDSS unless exempted by law. See the accompanying administrative regulation for information about child care programs that are exempted from licensure requirements. If all of the district's child care services are license-exempt, the following paragraph may be deleted.

For a licensed child care center, any complaint alleging health and safety violations shall be referred to CDSS. (5 CCR 4611)

Any other alleged violation of state or federal laws governing child care and development programs shall be investigated and resolved using the district's procedures in [BP/AR Board Policy/Administrative Regulation 1312.3](#) - Uniform Complaint Procedures.

Program Evaluation

CSBA NOTE: 5 CCR 18279-18281 require child care and development programs to be evaluated through the standardized "Desired Results for Children and Families" system. The system requires a program self-evaluation that includes, but is not limited to, a staff assessment, a parent survey, and an environment rating scale. [guardian survey, and an environment rating scale. CDE's Early Education Division Management Bulletin 23-10 provides that each child care setting that includes one or more children enrolled in a CSPP is required to conduct Classroom Assessment Scoring System observations with respect to all children in the child care setting, regardless of funding source.](#)

The Superintendent or designee shall annually conduct an evaluation of the district's child care and development services in accordance with state requirements. The results of the evaluation shall be used to develop an action plan which establishes program goals and objectives for the coming year and addresses any areas identified as needing improvement. (5 CCR 18279-18281)

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

| State | Description |
|------------------------|---|
| 22 CCR 101151-101191 | Licensing and application procedures |
| 22 CCR 101151-101239.2 | General requirements; licensed child care centers |
| 22 CCR 101212-101231 | Continuing requirements |
| 22 CCR 101237-101239.2 | Facilities and equipment |
| 5 CCR 18000-18308 | Early Learning and Care Programs |
| 5 CCR 18012-18122 | General requirements |
| 5 CCR 18180-18192 | Federal and state migrant programs |
| 5 CCR 18210-18213 | Severely handicapped program |
| 5 CCR 18220-18231 | Alternative payment program |

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| 5 CCR 18240-18249 | Resource and referral program |
| 5 CCR 18270-18281 | Program quality; accountability |
| 5 CCR 18290-18292 | Staffing ratios |
| 5 CCR 18295 | Waiver of qualifications for site supervisor |
| 5 CCR 18300-18308 | Appeals and dispute resolution |
| 5 CCR 4680 <u>4600</u> -4687 | Williams uniform <u>Uniform</u> complaint procedures <u>and Williams complaints</u> |
| 5 CCR 80067-80067. 23 | Early Childhood Education Specialist Credential |
| 5 CCR 80105-80125 | Commission on Teacher Credentialing; child care and development permits |
| Ed. Code 46120 | Expanded Learning Opportunities Program |
| Ed. Code 48000 | Transitional kindergarten |
| Ed. Code 49540-49546 | Child care food program |
| Ed. Code 49570 | National School Lunch program |
| Ed. Code 56244 | Staff development funding |
| Ed. Code 8200-8340 | California State Preschool Program |
| Ed. Code 8207 | California State Preschool Program administration |
| Ed. Code 8337 | Early Education Expansion Program |
| Ed. Code 8482-8484.65 | After School Education and Safety Program |
| Ed. Code 8484.7-8484.9 | 21st Century Community Learning Centers |
| H&S Code 120325-120380 | Immunization against communicable diseases |
| H&S Code 120440 | Disclosure of immunization information to local and state health departments |
| H&S Code 1596.70-1596.895 | California Child Day Care Act |
| H&S Code 1596.90-1597.21 | Day care centers |
| W&I Code 10200-10206 | Early Childhood Development Act of 2020 |
| W&I Code 10207-10215 | <u>General provisions</u> |
| W&I Code 10207-10492.2 | Child Care and Development Services Act |
| W&I Code 10217-10224.5 | Resource and referral programs |
| W&I Code 10225-10234 | Alternative payment programs |

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| W&I Code 10235-10238 | Migrant child care and development programs |
| W&I Code 10240-10243 | General child care and development programs |
| W&I Code 10250-10252 | Family child care home education networks |
| W&I Code 10260-10263 | Child care and development services for children with special needs |
| W&I Code 10271 | Eligibility, enrollment and priority of services; physical examinations; rules and regulations |
| W&I Code 10271.5 | Income eligibility |
| W&I Code 10271.7 | Family member certified as eligible to receive benefits; definition |
| W&I Code 10272.5 | Order of disenrollment |
| W&I Code 10273 | Preferred placement for otherwise eligible children ages 11 or 12 |
| W&I Code 10276 | Child Care and Development Fund notice to providers |
| W&I Code 10290 | Fee schedule for families using preschool and child care and development services |
| W&I Code 10291 | Families exempt from family fees |
| W&I Code 10315 | Transfer of information to public schools |
| W&I Code 10332 | Children residing in another district; use of facilities and personnel |
| W&I Code 10491-10491.1 | Expulsion and suspension procedures in childcare and development services programs |

Federal

20 USC 1232g

20 USC 1400-1482

34 CFR 303.1-303.734

42 USC 1751-1769j

42 USC 9831-9852c

42 USC 9857-9858r

45 CFR 98.1-98.93

7 CFR 210.1-210.33

Management Resources

Description

Family Educational Rights and Privacy Act (FERPA) of 1974

Individuals with Disabilities Education Act

Early Intervention Program for Infants and Toddlers with Disabilities

School Lunch Program

Head Start programs

Child Care and Development Block Grant

Child Care and Development Fund

National School Lunch Program

Description

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| CA Commission on Teacher Credentialing Publication | <u>Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to the PK-3 Childhood Education Specialist Credential, Coded Correspondence 23-02, February 10, 2023</u> <u>Approval of Regulations Authorizing the New PK-3 Early Childhood Education Specialist Instruction Credential, Coded Correspondence 24-03, March 2024 (https://www.ctc.ca.gov/docs/default-source/commission/coded/2024/coded-24-03.pdf)</u> |
| <u>CA Dept of Social Services Publication</u> | <u>AB 116 Implementation: Family Fee Changes, Child Care Bulletin No. 23-22, August 2023 (https://www.cdss.ca.gov/Portals/9/Additional-Resources/Letters-and-Notices/CCBs/2023/CCB_23-22.pdf?ver=2023-09-06-093957-867)</u> |
| CA Dept of Social Services Publication | Child Care Transition: The Early Childhood Development Act of 2020 (https://www.cdss.ca.gov/inforesources/child-care-and-development/child-care-and-development-transition) |
| CA Dept of Social Services Publication | American Rescue Plan Act Child Care & Development Division FAQ (https://www.cdss.ca.gov/inforesources/child-care-and-development/arpa-frequently-asked-questions) |
| CA Dept <u>California Department of Social Services</u> <u>Education</u> Publication | COVID-19 Licensed Child Care Facilities and Providers (FAQs) <u>Implementation of the Classroom Assessment Scoring System (CLASS) and CLASS Environment and Removal of the Environment Rating Scale for the California State Preschool Program (CSPP), Early Education Division Management Bulletin 23-10, December 2023 (https://www.cde.ca.gov/sp/cd/ci/mb2310.asp)</u> |
| Court Decision | CBS Inc. v. The Superior Court of Los Angeles County, State Department of Social Services (2001) 91 Cal.App.4th 892 |
| U.S. Department of Education Publication | Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, 2016 |
| <u>Bipartisan Policy Center</u> | <u>From the Ground Up: Improving Child Care and Early Learning Facilities, 2023 (https://bipartisanpolicy.org/download/?file=/wp-content/uploads/2023/08/BPC_Facilities-Report_2023_R02.pdf)</u> |
| Website | Osteopathic Medical Board of California |
| Website | Medical Board of California |
| Website | California Department of Social Services, Child Care Licensing |

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|---------|---|
| Website | EveryChild California, an Association of Leaders Advancing Early Learning |
| Website | Office of Administrative Law |
| Website | Universal Prekindergarten, California's Great Start |
| Website | CSBA District and County Office of Education Legal Services |
| Website | California Commission on Teacher Credentialing |
| Website | California Association for the Education of Young Children |
| Website | California Department of Education, Early Education Division |
| Website | California Department of Education, Early Education Management Bulletins |
| Website | California Head Start Association |
| Website | California School-Age Consortium |
| Website | National Association for the Education of Young Children |
| Website | U.S. Department of Health and Human Services |
| Website | Commission on Teacher Credentialing |
| Website | CSBA |
| Website | U.S. Department of Education |
| Website | California Department of Public Health |

Cross References

| Code | Description |
|-------------|---|
| 0000 | Vision |
| 0100 | Philosophy |
| 0200 | Goals For The School District |
| 0410 | Nondiscrimination In District Programs And Activities |
| 0500 | Accountability |
| 1240 | Volunteer Assistance |
| 1240 | Volunteer Assistance |
| 1312.3 | Uniform Complaint Procedures |
| 1312.3 | Uniform Complaint Procedures |

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| 1312.3-E(1) | Uniform Complaint Procedures |
| 1312.3-E(2) | Uniform Complaint Procedures |
| 1330 | Use Of School Facilities |
| 1330 | Use Of School Facilities |
| 1330.1 | Joint Use Agreements |
| 1400 | Relations Between Other Governmental Agencies And The Schools |
| 1700 | Relations Between Private Industry And The Schools |
| 3260 | Fees And Charges |
| 3260 | Fees And Charges |
| 3280 | Sale Or Lease Of District-Owned Real Property |
| 3280 | Sale Or Lease Of District-Owned Real Property |
| 3312 | Contracts |
| 3523 | Electronic Signatures |
| 3523 | Electronic Signatures |
| 3540 | Transportation |
| 3550 | Food Service/Child Nutrition Program |
| 3550 | Food Service/Child Nutrition Program |
| 3552 | Summer Meal Program |
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| 4112.6 | Personnel Files |
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Regulation 5148: Child Care And Development

Status: ADOPTED

Original Adopted Date: 07/01/2015 | **Last Revised Date:** 06/12/01/2023/2024 | **Last Reviewed**

Date: 06/12/01/2023/2024

CSBA NOTE: The following administrative regulation reflects provisions generally applicable to programs under the Child Care and Development Services Act (Welfare and Institutions Code 10207-10492.2). Such programs include resource and referral programs (Welfare and Institutions Code 10217-10224.5; 5 CCR 18240-18249), alternative payment programs (Welfare and Institutions Code 10225-10234; 5 CCR 18220-18231), migrant child care and development programs (Welfare and Institutions Code 10235-10238), general child care and development programs (Welfare and Institutions Code 10240-10243), and programs for children with special needs/disabilities (Welfare and Institutions Code 10260-10263).

Pursuant to Welfare and Institutions Code 10200-10206, effective July 1, 2021, the state's responsibility for administering these programs transferred from the California Department of Education (CDE) to the California Department of Social Services (CDSS). Education Code 8207 clarifies that the Superintendent of Public Instruction and CDE retain administrative supervision of the California State Preschool Programs (CSPP).

The district may revise this regulation to reflect specific requirements for the program(s) it offers. See BP/AR 5148.2 - Before/After School Programs for requirements pertaining to the After-School Education and Safety program (Education Code 8482-8484.65), 21st Century Community Learning Centers (Education Code 8484.7-8484.9), and Expanded Learning Opportunities Program (Education Code 46120), and BP/AR 5148.3 - Preschool/Early Childhood Education for CSPP requirements.

The following administrative regulation does not reflect all policy language mandated for each specific program. The district should be careful to include the mandates, if any, applicable to the program(s) it offers. For example, for the alternative payment program, 5 CCR 18221 mandates a written policy statement that includes specified components, including, but not limited to, program purpose, enrollment priorities, family eligibility, conditions/requirements for participation, reimbursement of providers, range of services available, and family fee collection. For the resource and referral program, 5 CCR 18244 and 18247 mandate written referral policies and written complaint procedures.

In addition to the program requirements described below, child care and development programs may be subject to other policies in the district's policy manual (e.g., such as BP/AR 1240 - Volunteer Assistance, AR 3514.2 - Integrated Pest Management, and BP/AR 3550 - Food Service/Child Nutrition Program). Districts should, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel if there are

questions regarding the applicability of other laws to the district's child care and development program.

Licensing

CSBA NOTE: Pursuant to 22 CCR 101156, all child care centers must be licensed by CDSS unless exempted by law. Health and Safety Code 1596.792 and 22 CCR 101158 list exemptions from the licensure requirements including, but not limited to, any program that (1) is a "public recreation program" that meets the criteria specified in Health and Safety Code 1596.792, (2) is operated before and/or after school by qualified teachers employed by the district, (3) is a school parenting program or adult education child care program, (4) operates only one day per week for no more than four hours on that day, (5) offers temporary child care services to parents/guardians who are on the same premises as the child care site, (6) provides activities that are of an instructional nature in a classroom-like setting when K-12 students are normally not in session and the sessions do not exceed a total of 30 days when only school-age children are enrolled or 15 days when younger children are enrolled, or (7) is a CSPP program operated in a school building that meets specified health and safety requirements. If the district offers only programs that are exempted from licensure, it should modify the following regulation accordingly.

Pursuant to Health and Safety Code 1596.951, CDSS was required to adopt regulations by January 1, 2021 to ~~create~~created a child care center license that includes components for serving infant, toddler, preschool, and school-age children; health and safety standards; and enhanced ability to transition children to the next age group. However, as amended by AB 2131 (Ch. 910, Statutes of 2022), Health and Safety Code 1596.951, authorizes CDSS to implement and administer the creation of a single child care center license through all-county letters or similar written instructions until regulations are adopted. Pursuant to Health and Safety Code 1596.951, all child care centers are required to be licensed by January 1, 2024. All child care centers are required to be licensed as a "single license child care center," which is defined as a child care center that operates as one facility under a single license and may serve children with more than one age component.

All district child care and development services shall be licensed by the California Department of Social Services, unless exempted pursuant to Health and Safety Code 1596.792 or 22 CCR 101158.

The license shall be posted in a prominent, publicly accessible location in the facility. (Health and Safety Code 1596.8555)

Licensed child care centers shall be subject to the requirements of Health and Safety Code 1596.70-1597.21, 22 CCR 101151-101239.2, and, when applicable, 22 CCR 101451-101539.

Program Components

CSBA NOTE: Items #1-7 and 9 below list components of child care and development programs that are required for all providers pursuant to 5 CCR 18272-18281. The Governing Board is required, pursuant to 5 CCR 18271, to approve goals and objectives addressing each of these

program components; see the accompanying Board policy. Additionally, Welfare and Institutions Code 10208 specifies indicators for the implementation of quality programs, which, as amended by AB 210 (Ch. 62, Statutes of 2022), requires require that program activities meet the needs of dual language learners. The district may add components of other programs offered by the district.

The district's child care and development program shall include the following components:

1. The use of a developmental profile reflecting each child's physical, cognitive, social, and emotional development to plan and conduct developmentally and age appropriate activities (Welfare and Institutions Code 10209.5; 5 CCR 18272)

Program staff shall complete the developmental profile for each child who is enrolled in the program for at least 10 hours per week and for any child with disabilities regardless of the number of hours enrolled. The profile shall be completed within 60 days of enrollment and at least once every six months thereafter for children of all ages. (Welfare and Institutions Code 10209.5; 5 CCR 18270.5, 18272)

CSBA NOTE: Pursuant to Welfare and Institutions Code 10209.6, as added by AB 393 (Ch. 435, Statutes of 2023), child care and development contractors are required to identify dual language learners enrolled in general or migrant child care and development programs through a family language instrument, which may be fulfilled by using the previous designation of a kindergarten-12 child as an "English learner," and supporting their needs through a family language and interest interview. Pursuant to Welfare and Institutions Code 10209.6, as added by AB 393, a family may not be compelled to complete a family language instrument or to participate in the family language and interest interview.

2. An educational program that complies with Welfare and Institutions Code 10208 and 5 CCR 18273, including the provision of services that are developmentally, linguistically, and culturally appropriate, and inclusive of children with special needs disabilities

For any child enrolled in a general child care and development program or migrant child care and development program who has been identified as a dual language learner pursuant to Welfare and Institutions Code 10209.6, the child's teacher or other designated staff member shall conduct a family language and interest interview that includes, at a minimum, an inquiry and a discussion about the strengths and interests of the child, the language background of the child, and the needs of parents/guardians or family members of the child to support the language and development of the child. However, the family shall not be compelled to complete the family language survey for identification purposes or participate in the family language and interest interview. (Welfare and Institutions Code 10209.6)

3. A staff development program which complies with 5 CCR 18274
4. Parent/guardian involvement and education that comply with 5 CCR 18275 and includes an orientation, at least two individual conferences per year, meetings with program staff, an advisory committee, participation in daily activities, and information regarding their child's progress
5. A health and social services component that complies with 5 CCR 18276 and includes referrals to appropriate community agencies as needed
6. A community involvement component that complies with 5 CCR 18277

CSBA NOTE: Health and Safety Code 1596.808 establishes beverage standards for licensed child care centers. In addition, centers that receive funding through the Child and Adult Care Food Program (42 USC 1766) must meet federal guidelines for meals, snacks, fluid milk or nutritionally equivalent milk substitutes, and drinking water.

7. As applicable, a nutrition component that ensures children in the program are provided nutritious meals, beverages, and snacks that meet state and federal standards and have access to drinking water throughout the day, including meal times (Health and Safety Code 1596.808; 5 CCR 18278; 42 USC 1766)

CSBA NOTE: Item #8 below is optional and may be revised to reflect district practice. 42 USC 1766 encourages child care centers to provide opportunities for physical activity and to limit the amount of time spent in sedentary activities, such as time spent using electronic devices.

8. Programs that promote age-appropriate structured and unstructured opportunities for physical activity and that limit the amount of time spent in sedentary activities to an appropriate level

CSBA NOTE: 5 CCR 18279-18281 require an annual evaluation using the standardized "Desired Results for Children and Families" system. The system requires a program self-evaluation that includes a staff assessment, a parent/guardian survey, and an environment rating scale. Each contractor is required to submit a summary of the self-evaluation findings by June 1 of each year.

9. An annual plan for program evaluation which conforms with the state's system and includes a self-evaluation, parent/guardian survey, and environment rating scale (5 CCR 18270.5, 18279, 18280, 18281)

Health and Safety

CSBA NOTE: The following section is for use by districts that offer one or more licensed child care programs. Health and Safety Code 1596.7996 requires licensed child care programs to provide parents/guardians of enrolled children with a flyer developed by CDSS in conjunction with the California Department of Public Health (CDPH), which contains specified information regarding lead exposure and blood testing. The flyer is available on CDSS' website.

When a child enrolls or reenrolls in a licensed child care program, the center shall provide the child's parent/guardian with written information on the risks and effects of lead exposure, blood lead testing recommendations and requirements, and options for obtaining blood lead testing, including any state or federally funded programs that offer free or discounted tests. (Health and Safety Code 1596.7996)

CSBA NOTE: Pursuant to Health and Safety Code 1597.16, a licensed child care center located in a building that was constructed before January 1, 2010 must have its drinking water tested for lead contamination as provided below. A licensed child care center is subject to the temporary suspension of its license if it fails to comply with the requirements to cease using any fountains and faucets where elevated lead levels may exist and to provide potable water.

If a licensed child care center is located in a building that was constructed before January 1, 2010, the center shall have its drinking water tested for lead contamination levels every five years. The center shall notify the parents/guardians of enrolled children of the requirement to test a facility's drinking water and of the test results. If notified of elevated lead levels, the center shall immediately make inoperable and cease using the fountains and faucets where elevated lead levels may exist and shall obtain a potable source of water for children and staff at that location. (Health and Safety Code 1597.16)

Staffing

The district's child care and development program shall maintain at least the minimum adult-child and teacher-child ratios specified in Welfare and Institutions Code 10275.5 and 5 CCR 18290-18292 based on the ages of the children served.

All persons employed at a licensed district child care center and all volunteers who provide care and supervision to children at such a center shall be immunized against influenza, pertussis, and measles. If a person meets all other requirements for employment or volunteering, as applicable, but needs additional time to obtain and provide immunization records, the person may be employed or volunteer conditionally for a maximum of 30 days upon signing and submitting a written statement attesting that the person has received the required immunizations. Employees and volunteers shall be immunized against influenza between August 1 and December 1 of each year. (Health and Safety Code 1596.7995)

A person shall be exempt from the above immunization requirements only under any of the following circumstances: (Health and Safety Code 1596.7995)

1. The person submits a written statement from a licensed physician declaring either that immunization is not safe because of the person's physical condition or medical circumstances or that the person has evidence of current immunity to influenza, pertussis, and measles.
2. In the case of the influenza vaccine, the person submits a written declaration declining the vaccination.
3. In the case of the influenza vaccine required during the first year of employment or volunteering, the vaccine is not timely because the person was hired after December 1 of the previous year and before August 1 of the current year.

Documentation of the required immunizations or exemptions from immunization shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

In addition to the above immunization requirements, teachers employed in a licensed child care center shall present evidence of a current tuberculosis clearance and meet other requirements specified in Health and Safety Code 1597.055. (Health and Safety Code 1597.055)

Eligibility and Enrollment

CSBA NOTE: State funding is only available for services to families who meet the criteria for subsidized services as specified in Welfare and Institutions Code 10271, 10271.5, and, as added by SB 1047 (Ch. 923, Statutes of 2022), 10271.7. The district may also provide services to nonsubsidized families provided the district uses other funding sources or the families pay the full cost of services; see section on "Fees and Charges" below.

Pursuant to 5 CCR 18105, districts contracting to offer child care services are mandated to develop and make available to the public written admissions policies and procedures that conform to requirements of 22 CCR 101218, including, but not limited to, criteria designating those children whose needs can be met by the child care center's program and services and the ages of children who will be accepted.

The following section should be revised to reflect the district's contract(s).

The district's subsidized child care and development services may be available to infants and children through 12 years of age and to individuals with disabilities through 21 years of age in accordance with their individualized education program and Welfare and Institutions Code 10213.5. (Welfare and Institutions Code 10213.5, 10273; 5 CCR 18089, 18407, 18422)

CSBA NOTE: Pursuant to 5 CCR 18082-18083, the parent/guardian must submit an application for services which contains specified information and documentation. The family's or child's eligibility must be certified by a person designated by the district.

Pursuant to Welfare and Institutions Code 10271.5, as amended by AB 210, income eligibility which is based on an adjusted monthly family income at or below 85 percent of the state median income, adjusted for family size, does not include foster care payments made on behalf of a child or guaranteed income payments. Welfare and Institutions Code 10271.5, as amended by AB 185 (Ch. 571, Statutes of 2022), requires CDSS to adopt regulations regarding the exclusion of these two forms of payment no later than July 1, 2025.

Welfare and Institutions Code 10271, as amended by SB 1047, extends eligibility for child care and development programs to families in which a member of the family has been certified as eligible to receive benefits from specified means tested government programs, as reflected below.

To participate in the district's subsidized child care program, families shall document both an eligibility basis and need for care as follows: (Welfare and Institutions Code 10271 and 10271.5)

1. The family is eligible for subsidized services on the basis of being:
 - a. A current aid recipient
 - b. Income eligible
 - c. Homeless
 - d. The family's children are recipients of child protective services or have been identified as being or at risk of being abused, neglected, or exploited

- e. A member of the household is certified to receive benefits from Medi-Cal, CalFresh, the California Food Assistance Program, the California Special Supplemental Nutrition Program for Women, Infants, and Children, the federal Food Distribution Program on Indian Reservations, Head Start, Early Head Start, or any other means-tested government program as determined by the California Department of Social Services.
2. The family has a need for child care based on either of the following:
- a. The parents/guardians are participating in vocational training leading directly to a recognized trade, paraprofession, or profession; are engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate; are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated
 - b. The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of protective services, as being or at risk of being neglected, abused, or exploited, or as experiencing homelessness

CSBA NOTE: The following paragraph may be revised to reflect district practice. Unless state funding is allocated to support the centralized eligibility list established in each county pursuant to Welfare and Institutions Code 10231, such lists will be maintained only if locally funded. In situations where there is no locally funded centralized eligibility list or the district elects not to participate in the local list, the district must establish its own waiting list in accordance with admission priorities pursuant to Welfare and Institutions Code 10271 and 5 CCR 18106.

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment shall be given to neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Welfare and Institutions Code 10271)

CSBA NOTE: Pursuant to Welfare and Institutions Code 10271, as amended by SB 1047, if a family's eligibility for the district's subsidized child care and services program is based on a family member's certification as eligible to receive benefits from a specified means tested government program, as defined in Welfare and Institutions Code 10271.7, as added by SB 1047, the family's priority for enrollment must be based on the income declared on the application of the government program.

In keeping with the legislative intent of AB 321 (Ch. 903, Statutes of 2022), to prioritize access to childcare and development services for children who reside in homes in which the primary language is not English, Welfare and Institutions Code 10271, as amended by AB 321, provides

that within the second priority category, children from such families be enrolled first when there are two or more families with the same income ranking.

Second priority for enrollment shall be given to families, regardless of the number of parents in the home, who are income eligible, as defined in Welfare and Institutions Code 10271.5. Families with the lowest gross monthly income in relation to family size shall be admitted first. If two or more families are in the same priority in relation to income, the family that has a child with disabilities shall be admitted first or, if there is no child with disabilities, the family in which the primary home language is a language other than English shall be admitted first. If there is no family of the same priority in which the primary home language is a language other than English, the family of the same priority that has been on the waiting list for the longest time shall be admitted first. (Welfare and Institutions Code 10271 and 10271.5)

The district shall allow eligible children 11-12 years of age to combine enrollment in a before-school or after-school program with subsidized child care services during the time that the before-school or after-school program does not operate. Children 11-12 years of age, except for children with disabilities, shall be eligible for subsidized child care services only for the portion of care needed that is not available in a before-school or after-school program. (Welfare and Institutions Code 10273)

CSBA NOTE: The following optional paragraph may be revised to reflect additional enrollment priorities or criteria established by the district, such as priority for district students, children of district students, or children of district employees; see the accompanying Board policy.

After all children eligible for subsidized services have been enrolled, the district may enroll other children in accordance with the priorities established [in the accompanying Board policy](#) by the Governing Board.

CSBA NOTE: ~~5 CCR 18094 and 18118 require the district to provide written notification to the parent/guardian as to whether the application for subsidized services has been approved or denied. For this purpose, the district should use the state's Notice of Action form.~~

The district's decision to approve or deny services shall be communicated to the parent/guardian through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18118)

CSBA NOTE: Pursuant to Welfare and Institutions Code 10271, as amended by ~~SB 1047~~, upon ~~establishing initial eligibility or ongoing eligibility for child care and development services~~, [AB 1808 \(Ch. 356, Statutes of 2024\)](#), a family [who receives CalWORKs Stage 1, 2, or 3](#) is considered to meet eligibility and need requirements for services for not less than 24 months, and is eligible to receive services for at least 24 months before having the family's [family's](#) eligibility or need recertified, unless an exception exists, as specified below.

Upon establishing eligibility for services, a family shall be eligible for and shall receive services for not less than 24 months before having the family's eligibility or need recertified and shall not be required to report changes to income or other changes for at least 24 months. If such eligibility ends before the end of the child care and services program year, eligibility shall be extended until the end

of the program year as long as applicable age-eligibility requirements specified in Welfare and Institutions Code 10213.5 are met. (Welfare and Institutions Code 10271)

However, a family establishing eligibility on the basis of income shall report any increases in income that exceed the threshold for ongoing income eligibility specified in Welfare and Institutions Code 10271.5, and the family's ongoing eligibility shall be recertified at that time. At any time, a family may voluntarily report income or other changes which shall be used, as applicable, to reduce the family's fees, increase the family's services, or extend the period of eligibility before recertification. (Welfare and Institutions Code 10271)

~~Additionally, a family establishing eligibility for services on the basis of receiving services under a CalWORKs Stage 1, 2, or 3 program shall be eligible for and shall receive services for not less than 12 months before having the family's eligibility or need recertified and shall not be required to report changes to income or other changes for at least 12 months. (Welfare and Institutions Code 10271)~~

The Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination made during recertification or the update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that the service is no longer wanted
4. The death of a parent/guardian or child
5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

The Superintendent or designee shall establish and maintain a basic data file for each family receiving child care and development services including, but not limited to, the completed and signed application for services, documentation used to determine the child's eligibility and need, and copies of all Notices of Action. (5 CCR 18081, 18095)

Fees and Charges

CSBA NOTE: Welfare and Institutions Code 10290 requires CDSS, in consultation with CDE, to establish a fee schedule for families using child care services, including families who are eligible for subsidized child care services based on the criteria specified in Item #1 in the section "Eligibility and Enrollment" above.

Welfare and Institutions Code 10290, as amended by AB 116 (Ch. 41, Statutes of 2023), prohibits districts from charging or assessing family fees for families whose adjusted monthly family income falls below 75 percent of the State Median Income, and caps family fees at one percent of a family's monthly income for all other families. Additionally, Welfare and Institutions Code 10271.6, as added by AB 116, allows families that experience income fluctuation to provide up to the 12 preceding months of income information for the purpose of determining income eligibility or calculating family fees.

Welfare and Institutions Code 10260 and 5 CCR 18110 prohibit districts from assessing fees for a child's enrollment in a program because of a need for child protective services, or because the child is in a CSPP, in the severely disabled program, or in the federally based migrant program, or because the family has an income level in relation to family size that is less than the first entry in the fee schedule. Districts may revise the following paragraph to reflect any such program(s) offered by the district. Districts that offer only programs prohibited from charging fees may delete the following section.

Except when offering a program that is prohibited by law from charging any fees, the Superintendent or designee may charge fees for services according to the state fee schedule, the actual cost of services, or the maximum daily/hourly rate specified in the contract, whichever is least. (Welfare and Institutions Code 10260, 10271, 10290, 10291, 10436; 5 CCR 18078, 18108-18110)

No fee shall be charged to a family that is receiving CalWORKS cash aid, an income-eligible family whose child is enrolled in a part-day California State Preschool Program, or a family whose income level, in relation to family size, is less than the first entry in the fee schedule. (Welfare and Institutions Code 10291; 5 CCR 18110)

In addition, any family receiving child care on the basis of having neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency, may be exempt from these fees for up to 12 months. (Welfare and Institutions Code 10271 and 10291)

CSBA NOTE: Pursuant to Welfare and Institutions Code 10290, family fees must be assessed at initial enrollment and reassessed at recertification.

Pursuant to 5 CCR 18114, districts contracting to offer child care services are mandated to adopt a policy for the collection of fees in advance of providing services, as provided below. 5 CCR 18114 contains an alternative definition of delinquency for alternative payment programs offered pursuant to Welfare and Institutions Code 10225-10234.

Fees shall be assessed at initial enrollment and reassessed when a family is recertified or experiences a change in status. Fees shall be considered delinquent after seven days from the date that fees are due. Parents/guardians shall be notified in the event that fees are delinquent. If a reasonable plan for payment of the delinquent fees has not been provided by the parents/guardians, services shall be terminated if all delinquent fees are not paid within two weeks of such notification. Parents/guardians shall receive a copy of the district's regulations regarding fee

collection at the time of initial enrollment into the program. (Welfare and Institutions Code 10290; 5 CCR 18082, 18114, 18115)

CSBA NOTE: The following paragraph is for use by districts that contract to offer child care services and wish to require parents/guardians to provide diapers and/or to pay the costs of field trips (unless the program is exempt from fees), and may be modified to delete diapers as appropriate for the age of the children served. Welfare and Institutions Code 10292 **mandates** that such districts have a written policy which includes parents/guardians in the decision-making process. Pursuant to Welfare and Institutions Code 10292, the fees cannot exceed \$25 per child in the contract year.

The Superintendent or designee shall establish a process that involves parents/guardians in determining whether to require parents/guardians to provide diapers. This process shall also be used to determine whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Welfare and Institutions Code 10292)

CSBA NOTE: Pursuant to Welfare and Institutions Code 10228, licensed child care centers are required to post their rates, and discounts or scholarship policies if any, as specified below.

District child care centers shall post in a prominent location adjacent to the license at the child care facility the rates, and discounts or scholarship policies if any. (Welfare and Institutions Code 10288)

Expulsion/Unenrollment and Suspension Based on Behavior

CSBA NOTE: Welfare and Institutions Code 10491 and 10491.1, as added by AB 2806 (Ch. 915, Statutes of 2022), establishes requirements for expulsion, unenrollment, or suspension of a child from a child care and development program, as specified below.

The district's child care and development program shall not expel or unenroll a child or persuade or encourage a child's parents/guardians to voluntarily unenroll from the program based on the child's behavior, unless the district first takes the following actions to address the child's behavior: (Welfare and Institutions Code 10491)

1. In writing, inform the parents/guardians of the child's persistent and serious challenging behaviors and consult with the parents/guardians and teacher, and if available engage an early childhood mental health consultant, in an effort to maintain the child's safe participation in the program
2. If the child has an individualized family service plan (IFSP) or individualized education program (IEP), contact, with written parent/guardian consent, the agency or district employee responsible for such plan or program to seek consultation in regard to serving the child
3. If appropriate, consider completing a comprehensive screening to identify the needs of the child, including, but not limited to, screening the child's social and emotional development, referring the parents/guardians to community resources, and implementing behavior supports within the program

If the district has taken the actions specified in Items #1-3 above and the child's continued enrollment would present a serious safety threat to the child or other enrolled children, the district shall refer the parents/guardians to other potentially appropriate placements, the local child care resource and referral agency, or any other referral service available in the local community. The district shall, to the greatest extent possible, support direct transition to a more appropriate placement. The district may then unenroll the child. The district shall have up to 180 days to complete the actions described above. (Welfare and Institutions Code 10491.1)

CSBA NOTE: Pursuant to Education Code 10491.1, as added by AB 2806, a child enrolled in a child care and development program may only be suspended as a last resort in extraordinary circumstances where there is a serious safety threat that cannot be eliminated or reduced without removal of the child. To suspend a child, the district must comply with specified requirements, including, collaborating with the child's parents/guardians before determining that suspension is necessary and using appropriate community resources to determine that no other reasonable option is appropriate.

A child shall not be suspended from the district's child care and development program, nor shall a child's parent/guardian be encouraged or persuaded to prematurely pick up a child before the program day ends, except as a last resort in extraordinary circumstances, when a safety threat exists that cannot be eliminated or reduced without the removal of the child. (Welfare and Institutions Code 10491.1)

Before determining that a suspension is necessary, the district shall collaborate with the child's parents/guardians and, as needed, shall use appropriate community resources to determine that no other reasonable option is appropriate. (Welfare and Institutions Code 10491.1)

When suspension is deemed necessary, the district shall help the child return to full participation in the program as soon as possible while ensuring safety, by doing all of the following: (Welfare and Institutions Code 10491.1)

1. Continuing to engage with the child's parents/guardians and continuing to use appropriate community resources
2. Developing a written plan to document the action and supports needed
3. Providing referrals to appropriate community resources
4. If the child has an IFSP or IEP, contacting, with written parent/guardian consent, the agency responsible for the child's IFSP or IEP, to seek consultation on servicing the child

Upon enrollment, the parents/guardians of each child shall be notified, in writing, of the limitations on expulsion, suspension, or any form of disenrollment and how the parents/guardians may file an appeal to CDSS in the event of expulsion or suspension. If the district suspends or expels a child from the child care and development program, the district shall, at least 24 hours before the effective date of the suspension or expulsion, issue the child's parents/guardians a written "Notice of Action, Recipient of Services," as described in 5 CCR 18095, informing the parents/guardians of

the right to file an appeal of the action directly with CDSS no later than 14 calendar days after receiving the notice. (Welfare and Institutions Code 10491.1)

CSBA NOTE: A joint statement by the U.S. Department of Education and U.S. Department of Health and Human Services, "Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings," provides that if a child in an early childhood program is suspected of having a developmental delay, disability, or mental health issue, the child's parent/guardian be referred, if appropriate, to the mental health system, the state's early intervention program, or the district for information regarding evaluation for services under the Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482), to ensure that children with disabilities are not suspended or expelled because of disability-related behaviors.

If a child is suspected of having a developmental delay, disability, or mental health issue, the child's parent/guardian shall be referred, if appropriate, to the mental health system, the state's early intervention program, or the district's special education program regarding evaluation for services under the Individuals with Disabilities Education Act (IDEA). Children identified as having exceptional needs with disabilities may only be suspended or expelled in conformance with the procedures and limitations of the IDEA.

Disenrollment

CSBA NOTE: Welfare and Institutions Code 10272 specifies the order by which families must be disenrolled from child care and development services when funding levels are reduced. Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122, but only on the grounds that the factors used to determine the family's disenrollment are incorrect. See section "Rights of Parents/Guardians" below.

When **As** necessary due to a reduction in state reimbursements, families shall be disenrolled from subsidized child care and development services in the following order: (Welfare and Institutions Code 10272.5)

1. Families with the highest income in relation to family size shall be disenrolled first.
2. If two or more families have the same income ranking, children who have been enrolled in child care services the longest shall be disenrolled first.
3. If two or more families have the same income, children without disabilities shall be disenrolled first.
4. Families whose children are receiving child protective services or are at risk of neglect or abuse, regardless of family income, shall be disenrolled last.

Health Examination and Immunizations

CSBA NOTE: Welfare and Institutions Code 10271 requires children enrolling in a child care center to obtain a physical examination and evaluation, including immunizations, unless a parent/guardian submits a letter stating that such examination is contrary to the parent/guardian's religious beliefs. However, with respect to immunization requirements, Health and Safety Code 120335 eliminated the personal beliefs exemption unless the parent/guardian filed a letter or affidavit prior to January

1, 2016. Since an exemption granted for personal beliefs was only effective until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12), and any student who received a personal belief exemption prior to January 1, 2016 would be in the next grade span, this exemption no longer exists. See BP/AR 5141.31 - Immunizations.

CDPH has developed a tool, the School and Child Care Lookup (SCRL), available on its ~~web site~~ [website](#), which looks at information from the California Immunization Registry (CAIR2) and can be used by child care centers to determine whether a student meets all immunization requirements to enroll in child care services.

Prior to or within six weeks of enrollment, a child enrolling in a child care center shall obtain a physical examination and evaluation and receive age-appropriate immunizations. (Welfare and Institutions Code 10271)

A child may be exempted from the immunization requirements only if a licensed physician indicates that immunization should not be given and specifies how long this exemption is expected to be needed. (22 CCR 101220.1)

CSBA NOTE: Pursuant to Health and Safety Code 120372, a child care center may only accept a medical exemption request that is made by a licensed physician or surgeon on an electronic, standardized, statewide medical exemption certification form developed by CDPH and transmitted using CAIR2. However, Health and Safety Code 120370 requires that a child who has a medical exemption issued prior to January 1, 2020 be allowed to continue enrollment until the next grade span, unless the exemption was issued by a physician or surgeon that has been subject to disciplinary action by the Medical Board of California or the Osteopathic Medical Board of California.

A medical exemption shall be submitted using the standardized medical exemption certification form developed by California Department of Public Health (CDPH) and transmitted using the California Immunization Registry. The request shall include, but not be 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, including the date upon which a temporary medical exemption will expire. All medical exemptions shall not extend beyond the current grade span of the student, and a temporary exemption shall not exceed one year. (Health and Safety Code 120372)

If there is good cause to believe that a child is suffering from a recognized contagious or infectious disease, the child shall be temporarily excluded from the child care and development program until it is determined that the child is not suffering from that contagious or infectious disease. (Welfare and Institutions Code 10271)

CSBA NOTE: Pursuant to Health and Safety Code 120440, as amended by ~~AB 1797~~ **(Ch. 582, Statutes of 2022)**, child care centers are required to disclose specified immunization information to local health departments operating countywide or regional immunization information and reminder systems and CDPH, and to maintain the confidentiality of such information in the same manner as other student records. See BP/AR 5125 - Student Records.

District child care centers shall disclose immunization information to the local health department and CDPH in accordance with Health and Safety Code 120440, and maintain the confidentiality of such information in the same manner as other students records in accordance with law and as specified in Administrative Regulation 5125 - Student Records. (Health and Safety Code 120440)

Attendance

Sign-in and sign-out sheets shall be used daily for all children for attendance accounting purposes. Attendance records shall include verification of excused absences, including the child's name, date(s) of absence, specific reason for absence, and signature of parent/guardian or the district's authorized representative if verification is made by telephone. (5 CCR 18065, 18066)

Absences shall be excused for the following reasons:

1. Illness or quarantine of the child or of the parent/guardian (Welfare and Institutions Code 10213.5)
2. Family emergency (Welfare and Institutions Code 10213.5)

CSBA NOTE: Pursuant to 5 CCR 18066, districts contracting to offer child care services are mandated to adopt policies delineating circumstances constituting an excused absence for a family emergency. The following paragraph may be revised to reflect district practice.

A family emergency shall be considered to exist when unforeseen circumstances cause the need for immediate action, such as may occur in the event of a natural disaster or when a member of the child's immediate family dies, has an accident, or is required to appear in court.

3. Time spent with a parent/guardian or other relative as required by a court of law (Welfare and Institutions Code 10213.5)
4. Time spent with a parent/guardian or other relative which is clearly in the best interest of the child (Welfare and Institutions Code 10213.5)

CSBA NOTE: 5 CCR 18066 mandates a policy that delineates circumstances constituting an excused absence "in the best interest of the child." The following paragraph may be revised to reflect district practice.

An absence shall be considered to be in the best interest of the child when the time is spent with the child's parent/guardian or other relative for reasons deemed justifiable by the program coordinator or site supervisor.

Except for children who are recipients of child protective services or are at risk of abuse or neglect, excused absences in the best interest of the child shall be limited to 10 days during the contract period. (5 CCR 18066)

CSBA NOTE: 5 CCR 18066.5 establishes procedures to follow when a child has been absent and the family has not been in communication with the district's child care and development services program coordinator or site supervisor for seven consecutive calendar days.

When a child has been absent and the family has not been in communication with the program coordinator or site supervisor for seven consecutive calendar days, the district shall attempt to contact the parent/guardian through a variety of communication methods, including one attempt in writing which may be through electronic means, informing the parent/guardian that failure to communicate with the district may result in termination of child care services. The district shall keep documentation of all such communication attempts in the family's data file, and, if there has been no communication for a total of 30 consecutive calendar days, issue a Notice of Action to disenroll the family on the basis of abandonment of care. (5 CCR 18066.5)

Parents/guardians shall be notified of the policies and procedures related to excused absences for child care and development services. (5 CCR 18066)

Rights of Parents/Guardians

CSBA NOTE: The following two paragraphs are for use by districts that operate one or more licensed child care centers, but may be used by license-exempt providers.

At the time a child is accepted into a licensed child care and development center, the child's parent/guardian or authorized representative shall be notified of the rights specified in 22 CCR 101218.1, including, but not limited to, the right to enter and inspect the child care facility and the right to be informed, upon request, of the name and type of association to the center of any adult who has been granted a criminal record exemption. (Health and Safety Code 1596.857; 22 CCR 101218.1)

The written notice of parent/guardian rights also shall be permanently posted within the facility in a location accessible to parents/guardians. Notwithstanding these rights, access to the facility may be denied to an adult whose behavior presents a risk to children present in the facility or to noncustodial parents/guardians when so requested by the responsible parent/guardian. (Health and Safety Code 1596.857)

CSBA NOTE: The remainder of this section is for use by all districts and applies to licensed and unlicensed license-exempt child care programs.

In addition, if a parent/guardian disagrees with any district action to deny a child's eligibility for subsidized child care services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise change the level of services, the parent/guardian may file a request for a hearing with the Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5 CCR 18120)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, the parent/guardian may, within 14 calendar days, appeal the decision to the Child

Coordinating Transitions

CSBA NOTE: Welfare and Institutions Code 10315 requires a preschool or infant and toddler program, when a child will be transferring to a local public school, to provide the child's parent/guardian with information from the previous year which is beneficial to the student and the teacher, as specified below.

When a child in the district's child care and development program transfers to a local public school, the district's child care and development program administrator shall provide the child's parent/guardian with information from the previous year which is beneficial to the student and the student's teacher, including, but not limited to, developmental issues, social interaction abilities, health background, and diagnostic assessments, if any. The program administrator shall transfer this information to the student's elementary school, with permission of the student's parent/guardian. (Welfare and Institutions Code 10315)

CSBA NOTE: Pursuant to Government Code 95008, as amended by SB 188 (Ch. 49, Statutes of 2022), districts are required to designate a main point of contact for coordinating and completing, with other agencies and persons, the transition of a child and family from Part C of IDEA, infant/toddler programs, to Part B of IDEA, preschool, including establishing practices to educate and support families during the transition.

To facilitate the transition of a child with a disability, the district designates the individual listed below as the main point of contact for coordinating and completing, with other agencies and persons, the transition of a child and family from infant/toddler programs to preschool (Part C to Part B of IDEA), including establishing practices to educate and support families during the transition: (Government Code 95008)

(title or position)

(address)

(telephone number)

(email)

Records

CSBA NOTE: State contracts require the district to submit data on both subsidized and nonsubsidized families served by child care centers. In addition, the district is required to provide monthly reports regarding any families receiving subsidized services during that month.

Welfare and Institutions Code 10315 requires a preschool or infant and toddler program to, when a child in a state-funded preschool or infant and toddler program will be transferring to a local public school, provide the parent/guardian with information from the previous year deemed beneficial to

the student and the public school teacher, including, but not limited to, development issues, social interaction abilities, health background, and diagnostic assessments, if any. The preschool or infant and toddler program may, with the permission of the parent/guardian, transfer this information to the student's elementary school.

The Superintendent or designee shall maintain records, in accordance with Board Policy/Administrative Regulation 3580 - District Records and Board Policy/Administrative Regulation 5125 - Student Records, of enrollment, attendance, types of families served, income received from all families participating in the district's child care and development program, and any other records required under the state contract.

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

| State | Description |
|---|--|
| 22 CCR 101151-101191 | Licensing and application procedures |
| 22 CCR 101151-101239.2 | General requirements; licensed child care centers |
| 22 CCR 101212-101231 | Continuing requirements |
| 22 CCR 101237-101239.2 | Facilities and equipment |
| 5 CCR 18000-18308 | Early Learning and Care Programs |
| 5 CCR 18012-18122 | General requirements |
| 5 CCR 18180-18192 | Federal and state migrant programs |
| 5 CCR 18210-18213 | Severely handicapped program |
| 5 CCR 18220-18231 | Alternative payment program |
| 5 CCR 18240-18249 | Resource and referral program |
| 5 CCR 18270-18281 | Program quality; accountability |
| 5 CCR 18290-18292 | Staffing ratios |
| 5 CCR 18295 | Waiver of qualifications for site supervisor |
| 5 CCR 18300-18308 | Appeals and dispute resolution |
| 5 CCR 4680 <u>4600</u> -4687 | Williams uniform <u>Uniform</u> complaint procedures <u>and</u> <u>Williams complaints</u> |
| 5 CCR 80067-80067.23 | Early Childhood Education Specialist Credential |

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|-------------------------------------|--|
| 5 CCR 80105-80125 | Commission on Teacher Credentialing; child care and development permits |
| Ed. Code 46120 | Expanded Learning Opportunities Program |
| Ed. Code 48000 | Transitional kindergarten |
| Ed. Code 49540-49546 | Child care food program |
| Ed. Code 49570 | National School Lunch program |
| Ed. Code 56244 | Staff development funding |
| Ed. Code 8200-8340 | California State Preschool Program |
| Ed. Code 8207 | California State Preschool Program administration |
| Ed. Code 8337 | Early Education Expansion Program |
| Ed. Code 8482-8484.65 | After School Education and Safety Program |
| Ed. Code 8484.7-8484.9 | 21st Century Community Learning Centers |
| H&S Code 120325-120380 | Immunization against communicable diseases |
| H&S Code 120440 | Disclosure of immunization information to local and state health departments |
| H&S Code 1596.70-1596.895 | California Child Day Care Act |
| H&S Code 1596.90-1597.21 | Day care centers |
| W&I Code 10200-10206 | Early Childhood Development Act of 2020 |
| W&I Code 10207-10215 | <u>General provisions</u> |
| W&I Code 10207-10492.2 | Child Care and Development Services Act |
| W&I Code 10217-10224.5 | Resource and referral programs |
| W&I Code 10225-10234 | Alternative payment programs |
| W&I Code 10235-10238 | Migrant child care and development programs |
| W&I Code 10240-10243 | General child care and development programs |
| W&I Code 10250-10252 | Family child care home education networks |
| W&I Code 10260-10263 | Child care and development services for children with special needs |
| W&I Code 10271 | Eligibility, enrollment and priority of services; physical examinations; rules and regulations |
| W&I Code 10271.5 | Income eligibility |

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|------------------------|--|
| W&I Code 10271.7 | Family member certified as eligible to receive benefits; definition |
| W&I Code 10272.5 | Order of disenrollment |
| W&I Code 10273 | Preferred placement for otherwise eligible children ages 11 or 12 |
| W&I Code 10276 | Child Care and Development Fund notice to providers |
| W&I Code 10290 | Fee schedule for families using preschool and child care and development services |
| W&I Code 10291 | Families exempt from family fees |
| W&I Code 10315 | Transfer of information to public schools |
| W&I Code 10332 | Children residing in another district; use of facilities and personnel |
| W&I Code 10491-10491.1 | Expulsion and suspension procedures in childcare and development services programs |

Federal

20 USC 1232g

20 USC 1400-1482

34 CFR 303.1-303.734

42 USC 1751-1769j

42 USC 9831-9852c

42 USC 9857-9858r

45 CFR 98.1-98.93

7 CFR 210.1-210.33

Management Resources

CA Commission on Teacher Credentialing Publication

Description

Family Educational Rights and Privacy Act (FERPA) of 1974

Individuals with Disabilities Education Act

Early Intervention Program for Infants and Toddlers with Disabilities

School Lunch Program

Head Start programs

Child Care and Development Block Grant

Child Care and Development Fund

National School Lunch Program

Description

[Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to the PK-3 Childhood Education Specialist Credential, Coded Correspondence 23-02, February 10, 2023](#)
[Approval of Regulations Authorizing the New PK-3 Early Childhood Education Specialist Instruction Credential, Coded Correspondence 24-03, March 2024 \(https://www.ctc.ca.gov/docs/default-source/commission/coded/2024/coded-24-03.pdf\)](#)

[CA Dept of Social Services Publication](#)

[AB 116 Implementation: Family Fee Changes, Child Care Bulletin No. 23-22, August 2023](#)

https://www.cdss.ca.gov/Portals/9/Additional-Resources/Letters-and-Notices/CCBs/2023/CCB_23-22.pdf?ver=2023-09-06-093957-867

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| CA Dept of Social Services Publication | Child Care Transition: The Early Childhood Development Act of 2020 (https://www.cdss.ca.gov/inforesources/child-care-and-development/child-care-and-development-transition) |
| CA Dept of Social Services Publication | American Rescue Plan Act Child Care & Development Division FAQ (https://www.cdss.ca.gov/inforesources/child-care-and-development/arpa-frequently-asked-questions) |
| CA Dept California Department of Social Services Education Publication | COVID-19 Licensed Child Care Facilities and Providers (FAQs) Implementation of the Classroom Assessment Scoring System (CLASS) and CLASS Environment and Removal of the Environment Rating Scale for the California State Preschool Program (CSPP), Early Education Division Management Bulletin 23-10, December 2023 (https://www.cde.ca.gov/sp/cd/ci/mb2310.asp) |
| Court Decision | CBS Inc. v. The Superior Court of Los Angeles County, State Department of Social Services (2001) 91 Cal.App.4th 892 |
| U.S. Department of Education Publication | Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, 2016 |
| Bipartisan Policy Center | From the Ground Up: Improving Child Care and Early Learning Facilities, 2023 (https://bipartisanpolicy.org/download/?file=/wp-content/uploads/2023/08/BPC_Facilities-Report_2023_R02.pdf) |
| Website | Osteopathic Medical Board of California |
| Website | Medical Board of California |
| Website | California Department of Social Services, Child Care Licensing |
| Website | EveryChild California, an Association of Leaders Advancing Early Learning |
| Website | Office of Administrative Law |
| Website | Universal Prekindergarten, California's Great Start |
| Website | CSBA District and County Office of Education Legal Services |
| Website | California Commission on Teacher Credentialing |
| Website | California Association for the Education of Young Children |
| Website | California Department of Education, Early Education Division |

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| Website | California Department of Education, Early Education Management Bulletins |
| Website | California Head Start Association |
| Website | California School-Age Consortium |
| Website | National Association for the Education of Young Children |
| Website | U.S. Department of Health and Human Services |
| Website | Commission on Teacher Credentialing |
| Website | CSBA |
| Website | U.S. Department of Education |
| Website | California Department of Public Health |

Cross References

| Code | Description |
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| 0000 | Vision |
| 0100 | Philosophy |
| 0200 | Goals For The School District |
| 0410 | Nondiscrimination In District Programs And Activities |
| 0500 | Accountability |
| 1240 | Volunteer Assistance |
| 1240 | Volunteer Assistance |
| 1312.3 | Uniform Complaint Procedures |
| 1312.3 | Uniform Complaint Procedures |
| 1312.3-E(1) | Uniform Complaint Procedures |
| 1312.3-E(2) | Uniform Complaint Procedures |
| 1330 | Use Of School Facilities |
| 1330 | Use Of School Facilities |
| 1330.1 | Joint Use Agreements |
| 1400 | Relations Between Other Governmental Agencies And The Schools |
| 1700 | Relations Between Private Industry And The Schools |

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| 3280 | Sale Or Lease Of District-Owned Real Property |
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| 3553 | Free And Reduced Price Meals |
| 3580 | District Records |
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| 4112.2 | Certification |
| 4112.4 | Health Examinations |
| 4112.5 | Criminal Record Check |
| 4112.5-E(1) | Criminal Record Check |
| 4112.6 | Personnel Files |
| 4131 | Staff Development |
| 4161.2 | Personal Leaves |
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| 4212.5 | Criminal Record Check |
| 4212.5-E(1) | Criminal Record Check |
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| 4231 | Staff Development |
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| 5148.3 | Preschool/Early Childhood Education |
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6184

Continuation Education

7110

Facilities Master Plan

Policy 5148.2: Before/After School Programs

Status: ADOPTED

Original Adopted Date: 11/01/2006 | Last Revised Date: 12/01/2022²⁰²⁴ | Last Reviewed Date: 12/01/2022²⁰²⁴

CSBA NOTE: The following optional policy is for use by districts providing expanded learning opportunities beyond the regular school day, including before-school, after-school, summer, vacation, and/or intersessional programs, and should be revised to reflect the program(s) offered by the district. For eligible programs in grades TK-~~Transitional Kindergarten~~ (TK)-9, the district may apply for funding from the state's After School Education and Safety Program (ASES) (Education Code 8482-8484.65) and/or the federal 21st Century Community Learning Centers Program (21st CCLC) (Education Code 8484.7-8484.9; 20 USC 7171-7176). The federal 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs) (Education Code 8420-8428; 20 USC 7171-7176) provides funding for eligible programs in grades 9-12. These programs are optional and have different requirements. See the accompanying administrative regulation for major requirements of each program, including mandated policy language regarding late arrival and early dismissal for students participating in ASES.

Education Code 46120, as amended by AB 181 (Ch. 52, Statutes of 2022) and AB 185 (Ch. 571, Statutes of 2022), provides for the Expanded Learning Opportunities (ELO) Program (ELO) and allocates funding to districts under a formula based on a district's average daily attendance and percentage of unduplicated students, defined as any student who is eligible for free or reduced-price meals, who is an English learner, or who is a foster youth. ~~For the 2022-23 school year, districts receiving funds are required to offer access to ELO programs to all unduplicated students in grades TK-6 and to provide access to such programs to at least 50 percent of enrolled unduplicated students. Commencing with the 2023-24 school year, districts~~ Districts with a prior fiscal year local control funding formula (LCFF) unduplicated pupil percentage (UPP) of at least ~~less than~~ 75 percent are required to offer access to ELO programs to all unduplicated students in classroom-based students instructional programs in grades TK-6, inclusive, and to ensure that access is provided to any unduplicated student whose parent/guardian requests placement in an ELO program. ~~Commencing with the 2023-24 school year, districts with a prior fiscal year LCFF UPP of less than 75 percent are required to offer access to ELO programs to all unduplicated students in grades TK-6, inclusive, and ensure that access is provided to any unduplicated student whose parent/guardian requests placement in an ELO program.~~ ELO. Pursuant to Education Code 46120, on school days, ELO programs must include in-person before or after school programs and, on non-school days, intersessional programs of specified lengths of time as described below and in the accompanying administrative regulation. Student participation in an ELO program is optional; however, districts may not opt out of the providing ELO Program.

See the accompanying administrative regulation for major.

Pursuant to Education Code 46120, as amended by SB 114 (Ch. 48, Statutes of 2023), a district may contract with a third-party to provide ELOs, and that third-party is required to comply with applicable child care facility license requirements of each program, including when serving children who do not participate in ASES, 21st CCLC, or ELO. Pursuant to Education Code 46120, as amended by AB 176 (Ch. 998, Statutes of 2024), an ELO operated by a third-party that holds a child daycare facility license or special permit, as of June 1, 2023, is required to maintain that license or permit capacity as a requirement of contracting for ELOs until June 30, 2025.

The California Department of Education (CDE) monitors, through its Federal Program Monitoring (FPM) process, Expanded Learning Division grants including before-school, after-school, summer/supplemental, equitable access, ASES transportation, and ELO.

The following policy is applicable to all ~~four programs~~ ASES, 21st CCLC, ASSETS and ELO, unless otherwise noted, and may be adapted by districts that offer other programs through district funding or alternative sources. If the district does not offer any programs beyond the regular school day, it may modify the following policy as appropriate.

The Governing Board desires to provide learning opportunities for students beyond the regular school day that support the regular education program in a supervised environment. ~~In order to increase academic achievement of participating students, the~~ The content of such programs shall be coordinated with the district's vision and goals for student learning, local control and accountability plan, curriculum, and academic standards.

CSBA NOTE: The following paragraph reflects requirements related to collaborative planning for the programs offered by the district. ~~The ASES program (Education Code 8482.5), ASSETS program (Education Code 8422), 21st CCLC program (Education Code 8484.75), and ELO program (Education Code 46120) have different collaboration requirements; see the accompanying administrative regulation.~~

Each program offered by the district shall be planned through a collaborative process as required by law. (Education Code 8422, 8482.5, 8484.75, 46120)

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. ~~Pursuant to Education Code 46120, districts are required to prioritize ELO programs at school sites in the lowest income communities, as determined by prior year percentages of students eligible for free and reduced-price meals, while maximizing the number of schools and neighborhoods with ELO programs across their attendance area. In addition, pursuant~~ Pursuant to Education Code 8482.5, in awarding funding for ASES programs, the state gives priority to schools with at least 50 percent of students eligible for free or reduced-price meals. Pursuant to 20 USC 7174, funding for the 21st CCLC and ASSETS programs is restricted to schools receiving federal Title I funding. ~~In addition~~ Additionally, 20 USC 7174 and Education Code 8422 and 8484.8 give competitive priority for these federal programs to applications jointly submitted by school districts and community organizations for programs that (1) are located in schools that are implementing comprehensive or targeted support and improvement activities pursuant to 20 USC 6311 or other schools determined by the district to be in need of intervention and support to improve student academic achievement and other outcomes; (2) serve students at risk for academic failure, dropping out of

school, involvement in criminal or delinquent activities, or lacking strong positive role models; (3) provide activities not otherwise accessible to participating students or expand accessibility to high-quality services that may be available in the community; (4) continue or expand existing grants; and (5) for 21st CCLC programs, provide year-round expanded learning programming. For a further description of competitive priority for funding, see the California Department of Education's (CDE) "21st CCLC and ASSETs FAQs" and "Request for Applications for 21st CCLC & ASSETs." CDE's, "After School Education and Safety, 21st Century Community Learning Centers, 21st Century High School After School Safety Enrichment for Teens Grant Programs Frequently Asked Questions," and, "Expanded Learning Funding Opportunities," available on its website.

The district shall prioritize offering Expanded Learning Opportunities Programs (ELO) at school sites in the lowest income communities, as determined by prior year percentages of students eligible for free and reduced-price meals, while maximizing the number of schools and neighborhoods with ELOs across their attendance area. (Education Code 46120)

To the extent feasible, the district shall give priority to establishing expanded learning opportunities beyond the regular school day in low-performing schools and/or programs that serve low-income and other at-risk students.

CSBA NOTE: Pursuant to Education Code 46120, as amended by SB 153 (Ch. 38, Statutes of 2024), districts are required, beginning with the 2025-26 fiscal year, to annually declare to CDE their operational intent to run an ELO in accordance with instructions and forms that will be furnished by the Superintendent of Public Instruction.

Any expanded learning opportunities, including but not limited to After School Education and Safety Program (ASES), 21st Century Community Learning Center Program (21st CCLC), 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs), Expanded Learning Opportunities Program (ELO), or any other program to be established pursuant to Education Code 8421, 8482.3, 8484.75, or 46120, shall be approved by the Board. Additionally, the Board shall declare its operational intent to run an ELO to the Superintendent of Public Instruction as specified in Education Code 46120.

CSBA NOTE: The following optional paragraph is applicable to all programs. Pursuant to Education Code 8483.4 (applicable to ASES, 21st CCLC, and ELO programs), the program administrator is required to establish qualifications for each staff position that, at a minimum, ensure that all staff members who directly supervise students meet the minimum qualifications for an instructional aide pursuant to district policies; see the accompanying administrative regulation. A district offering an ASSETs program must establish its expectations for staff qualifications.

The Superintendent or designee shall ensure that all staff who directly supervise students in the district's any expanded learning opportunity programs opportunities possess appropriate knowledge and experience. As needed, staff and volunteers shall receive ongoing training related to their job responsibilities.

CSBA NOTE: Pursuant to Education Code 46120, as amended by SB 153, ELO funds may also be used to support attendance recovery programs when attendance recovery is operated by the district in conjunction with, and on the same school site as, its ELO. For more information on attendance

recovery programs, see BP/AR 5113.1 - Chronic Absence and Truancy and BP 5147 - Dropout Prevention.

Each before-school, after-school, summer, vacation or intersessional expanded learning opportunity program shall include academic and enrichment elements in accordance with law and administrative regulation. ~~In addition,~~ and may be used in conjunction with attendance recovery programs. Additionally, each program may include support services that reinforce the educational component and promote student health and well-being.

CSBA NOTE: Education Code 8482.6 (applicable to ASES, 21st CCLC, and ELO programs) and Education Code 8422 (applicable to ASSETs programs) authorize the district to charge fees to participating families, with certain exceptions as described below.

Option 1 below is for use by districts that choose not to charge family fees. Option 2 is for use by districts that will charge a permissible family fee to cover unfunded costs of the program.

OPTION 1: (For districts that do not charge family fees)

No fee shall be charged for participation in the program.

OPTION 1 ENDS HERE

OPTION 2: (For districts that charge permissible family fees)

A family fee may be charged to participating families based on the actual cost of services.

CSBA NOTE: The following paragraph is for use by districts selecting Option 2 that offer an ASSETS program, and may be modified to reflect any program(s) offered by the district. Pursuant to Education Code 8422, ASSETs programs that charge fees to participating families are required to waive or reduce the fees for families with students who are eligible for free or reduced-price meals.

However, for the ASSETs program, a family fee shall be waived or reduced for families with students who are eligible for free or reduced-price meals. (Education Code 8422)

CSBA NOTE: The following paragraph is for use by districts selecting Option 2 that offer an ASES, 21st CCLC program, and/or ELO program, and may be modified to reflect any program(s) offered by the district. Pursuant to Education Code 8482.6, family fees may not be charged for these programs for a student who is eligible for free or reduced-price meals or if the district knows the participating student is a homeless youth experiencing homelessness or in foster care. ~~In addition~~ Additionally, a program that charges such fees is required to schedule fees on a sliding scale that considers family income and ability to pay. CDE, through its FPM process, will review whether the district has policy(ies) in place to waive or reduce the income collected for youth eligible for free and reduced-price meals and that the program is not charging youth who are identified as experiencing homelessness or foster youth.

For ASES, 21st CCLC, and/or ELO programs, no fee shall be charged for a student who is eligible for free or reduced-price meals, or a student who the district knows is a homeless

youth experiencing homelessness, or in foster care. In addition, family fees shall be calculated on a sliding scale that considers family income and ability to pay. (Education Code 8482.6, 46120)

OPTION 2 ENDS HERE

CSBA NOTE: The remainder of this policy is for use by districts that selected either Option 1 or 2 above.

The following optional paragraph is for use by districts with programs serving students ages 11-12 years. Welfare and Institutions Code 10273, provides that the preferred placement for students ages 11-12 years is in a before-school or after-school program rather than in subsidized child care and development services. When subsidized child care services are also available, students ages 11-12 years will be eligible for subsidized child care services only for the portion of care that is not available in a before-school or after-school program. See AR 5148 - Child Care and Development.

Eligible students who are 11 or 12 years of age shall be placed in a before-school or after-school program, if and when available, rather than subsidized child-care and development services. During the time that the before-school or after-school program does not operate, such students may be provided the option of enrolling in child-care and development services in accordance with the enrollment priorities established in AR Administrative Regulation 5148 - Child Care and Development. (Welfare and Institutions Code 10273)

CSBA NOTE: The following optional paragraph may be revised to reflect district practice.

To assist in evaluations of program effectiveness, the district may refer to the CDE's, "Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Continuous Quality." In addition, CDE's, "A Crosswalk Between the Improvement (CQI)," and "Guidance for a Quality Standards for Expanded Learning and Program Quality Assessment Tools" describes Improvement Process," which describe available assessment tools that are closely aligned with the program standards.

To the extent consistent with state and federal privacy laws, Education Code 8484.1 authorizes the district to share specified student data (i.e., school day attendance data, statewide assessment scores, English language development test placement or reclassification scores, California Healthy Kids Survey results in aggregate form, student engagement and behavioral data, and other academic measures, including grades and course completion) with the operator of an after-school program with which the district has a contract that includes a confidentiality agreement. The district should ~~it is recommended that districts~~ consult with CSBA CSBA's District and County Office of Education Legal Services or district legal counsel if it has any ~~with~~ questions regarding ~~about~~ the sharing of student data.

In addition ~~Additionally~~, Education Code 8427 and 8484 require the after-school program to submit data on school and program attendance and program quality to the CDE; see the section "Reports" in the accompanying administrative regulation.

The Board and the Superintendent or designee shall monitor student participation rates and shall identify multiple measures that shall be used to evaluate program effectiveness. Such measures may

include, but are not limited to, student outcome data; program self-assessments; feedback from staff, participating students, and parents/guardians; and observations of program activities.

CSBA NOTE: The following paragraph is for use by districts that offer an ASES, 21st CCLC, and/or ELO program, and may be adapted by districts that offer ASSETs or other programs. Pursuant to Education Code 8482.3 and 46120, a district that offers an ASES, 21st CCLC, and/or ELO program is required to review program goals, program content, and outcome measures, selected from among those listed in Education Code 8484, every three years and to retain documentation for five years. [CDE, through its FPM process, will review whether the program plan has been approved by the Governing Board in a public meeting and posted on the district's website.](#)

Every three years, the Superintendent or designee shall review the after-school program plan, including, but not limited to, program goals, program content, and outcome measures.

Documentation of the program plan shall be maintained for a minimum of five years: [in accordance with law and as specified in Board Policy/Administrative Record 3580 – District Records and Board Policy/Administrative Record 5125 – Student Records. \(Education Code 8482.3, 46120\)](#)

Policy Reference UPDATE Service

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Policy Reference Disclaimer:

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

| State | Description |
|----------------------------------|--|
| Ed. Code 17260-17268 | Plans and specifications for school facilities |
| Ed. Code 17264 | New construction; accommodation of before- and after-school programs |
| Ed. Code 35021.3 | After-school physical recreation instructors |
| Ed. Code 41422 | Emergency conditions |
| Ed. Code 45125 | Criminal record check |
| Ed. Code 45330 | Paraprofessionals; instructional aides |
| Ed. Code 45340-45349 | Paraprofessionals; instructional aides |
| Ed. Code 46120 | Expanded learning opportunities |
| Ed. Code 48850 | Intersession program; priority access to student experiencing homelessness |
| Ed. Code 48853.5 | Intersession program; priority access to foster youth |
| Ed. Code 49024 | Activity Supervisor Clearance Certificate |
| Ed. Code 49430-49434 | Nutrition standards |

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| Ed. Code 49540-49546 | Child care food program |
| Ed. Code 49553 | Free or reduced-price meals |
| Ed. Code 69430-69460 | Cal Grant program |
| Ed. Code 8263 | Eligibility and priorities for subsidized child development services |
| Ed. Code 8273.1 | Family fees; exemptions |
| Ed. Code 8281.5 | California Prekindergarten Planning and Implementation Grant Program |
| Ed. Code 8295-8305 | Child development program; personnel qualifications |
| Ed. Code 8350-8359.1 | Programs for CalWORKS recipients |
| Ed. Code 8360-8370 | Personnel qualifications |
| Ed. Code 8420-8428 | 21st Century High School After School Safety and Enrichment Program for Teens |
| Ed. Code 8482-8484.65 | After School Education and Safety Program |
| Ed. Code 8484.7-8484.9 | 21st Century Community Learning Centers |
| Ed. Code 8490-8490.7 | Distinguished After School Health Recognition Program |
| W&I Code 10207-10492.2 | Child Care and Development Services Act |
| W&I Code 10273 | Preferred placement for otherwise eligible children ages 11 or 12 |

Federal

20 USC 6311
 20 USC 6314
 20 USC 7171-7176
 42 USC 11434a
 42 USC 1766-1766a
 7 CFR 226.17

Management Resources

[California Department of Education Publication](#)
 California Department of Education Publication
 California Department of Education Publication

Description

State plan
 Title I schoolwide program
 21st Century Community Learning Centers
 Education for homeless children and youths
 Child and Adult Care Food Program
 Child care center nutrition standards

Description

[Expanded Learning Programs Federal Program Monitoring Instrument \(https://www.cde.ca.gov/ta/cr/\)](#)
 Early Release and Late Arrival Guidance, [rev. December 2021 \(https://www.cde.ca.gov/ls/ex/earlyreleguidance.asp\)](#)
 Quality Program Improvement Plan Instructions: Instructions for Completing a Quality Program Improvement Plan for

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| | Expanded Learning Programs in California, January 2022 (https://www.cde.ca.gov/ls/ex/qualityimprovinstruct.asp) |
| California Department of Education Publication | 21st CCLC and ASSETs FAQs, October 2022 |
| California Department of Education Publication | Request for Applications: 21st Century Community Learning Centers and After School Safety and Enrichment for Teens, September 2022 After School Education and Safety, 21st Century Community Learning Centers, 21st Century High School After School Safety Enrichment for Teens Grant Programs, Frequently Asked Questions, November 2022 (https://www.google.com/url?client=internal-element-cse&cx=007899273231353282595:rooi8qfkgOk&q=https://www.cde.ca.gov/ls/ex/documents/asesttwentyfirstassests.docx&sa=U&ved=2ahUKEwiwwr7J6uGIAxUuGEQIHewAHRwQFnoECAAQAQ&usg=AOvVaw3eyKDsiM-aEz9_E2sQ8TO) |
| California Department of Education Publication | Expanded Learning Funding Opportunities (https://www.cde.ca.gov/ls/ex/fundingop.asp#centurycommunitylearningcenters21st) |
| California Department of Education Publication | Expanded Learning Opportunities Program FAQs, July 2022 May 2024 (https://www.cde.ca.gov/ls/ex/elofaq.asp) |
| California Department of Education Publication | Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, 2014 CQI, December 2023 (https://www.cde.ca.gov/ls/ex/qualstandcqi.asp) |
| California Department of Education Publication | A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools, 2014 Guidance for a Quality Improvement Process, March 2024 (https://www.cde.ca.gov/ls/ex/cqiguidance.asp) |
| California Department of Education Publication | California After School Physical Activity Guidelines, 2009 (https://www.cde.ca.gov/ls/ex/documents/paguidelines.pdf) |
| U.S. Department of Education Publication | Nita M. Lowey 21st Century Community Learning Centers Program, Title IV, Part B of the Elementary and Secondary Act of 1965, Nonregulatory Guidance, February 2003 September 2024 (https://www.ed.gov/sites/ed/files/2024-09/OESE%2021st%20CCLC%20Non-Regulatory%20Guidance%202024.pdf) |
| Website | California Afterschool Network |

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| Website | California Child and Adult Care Food Program |
| Website | CSBA District and County Office of Education Legal Services |
| Website | California Department of Education, Expanded Learning |
| Website | U.S. Department of Agriculture |
| Website | California School-Age Consortium |
| Website | Partnership for Children and Youth |
| Website | California Healthy Kids Survey |
| Website | Commission on Teacher Credentialing |
| Website | CSBA |
| Website | U.S. Department of Education |

Cross References

| Code | Description |
|-------------|---|
| 0000 | Vision |
| 0200 | Goals For The School District |
| 0410 | Nondiscrimination In District Programs And Activities |
| 0450 | Comprehensive Safety Plan |
| 0450 | Comprehensive Safety Plan |
| 0460 | Local Control And Accountability Plan |
| 0460 | Local Control And Accountability Plan |
| 0500 | Accountability |
| 1240 | Volunteer Assistance |
| 1240 | Volunteer Assistance |
| 1312.3 | Uniform Complaint Procedures |
| 1312.3 | Uniform Complaint Procedures |
| 1312.3-E(1) | Uniform Complaint Procedures |
| 1312.3-E(2) | Uniform Complaint Procedures |
| 1330 | Use Of School Facilities |
| 1330 | Use Of School Facilities |
| 1330.1 | Joint Use Agreements |

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| 1400 | Relations Between Other Governmental Agencies And The Schools |
| 1700 | Relations Between Private Industry And The Schools |
| 3260 | Fees And Charges |
| 3260 | Fees And Charges |
| 3280 | Sale Or Lease Of District-Owned Real Property |
| 3280 | Sale Or Lease Of District-Owned Real Property |
| <u>3516.5</u> | <u>Emergency Schedules</u> |
| 3540 | Transportation |
| 3550 | Food Service/Child Nutrition Program |
| 3550 | Food Service/Child Nutrition Program |
| 3552 | Summer Meal Program |
| 3552 | Summer Meal Program |
| 3553 | Free And Reduced Price Meals |
| 3553 | Free And Reduced Price Meals |
| 3554 | Other Food Sales |
| 3554 | Other Food Sales |
| 3580 | District Records |
| 3580 | District Records |
| 4112.4 | Health Examinations |
| 4112.5 | Criminal Record Check |
| 4112.5-E(1) | Criminal Record Check |
| 4131 | Staff Development |
| 4212.4 | Health Examinations |
| 4212.5 | Criminal Record Check |
| 4212.5-E(1) | Criminal Record Check |
| 4222 | Teacher Aides/Paraprofessionals |
| 4222 | Teacher Aides/Paraprofessionals |
| 4231 | Staff Development |

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| 4312.4 | Health Examinations |
| 4312.5 | Criminal Record Check |
| 4312.5-E(1) | Criminal Record Check |
| 4331 | Staff Development |
| 5030 | Student Wellness |
| <u>5113.1</u> | <u>Chronic Absence and Truancy</u> |
| <u>5125</u> | <u>Student Records</u> |
| 5131.6 | Alcohol And Other Drugs |
| 5131.6 | Alcohol And Other Drugs |
| 5131.62 | Tobacco |
| 5131.62 | Tobacco |
| 5137 | Positive School Climate |
| 5141.21 | Administering Medication And Monitoring Health Conditions |
| 5141.21 | Administering Medication And Monitoring Health Conditions |
| 5141.23 | Asthma Management |
| 5141.23 | Asthma Management |
| 5141.27 | Food Allergies/Special Dietary Needs |
| 5141.27 | Food Allergies/Special Dietary Needs |
| 5141.52 | Suicide Prevention |
| 5141.52 | Suicide Prevention |
| 5144 | Discipline |
| 5144 | Discipline |
| 5145.6 | Parent/Guardian Notifications |
| 5145.6-E(1) | Parent/Guardian Notifications |
| 5145.9 | Hate-Motivated Behavior |
| 5147 | Dropout Prevention |
| 5148 | Child Care And Development |
| 5148 | Child Care And Development |
| 6011 | Academic Standards |

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|-------------|---|
| 6020 | Parent Involvement |
| 6020 | Parent Involvement |
| 6142.4 | Service Learning/Community Service Classes |
| 6142.6 | Visual And Performing Arts Education |
| 6142.7 | Physical Education And Activity |
| 6142.7 | Physical Education And Activity |
| 6142.91 | Reading/Language Arts Instruction |
| 6142.92 | Mathematics Instruction |
| 6142.93 | Science Instruction |
| 6145 | Extracurricular And Cocurricular Activities |
| 6145 | Extracurricular And Cocurricular Activities |
| 6154 | Homework/Makeup Work |
| 6159 | Individualized Education Program |
| 6159 | Individualized Education Program |
| 6163.4 | Student Use Of Technology |
| 6163.4-E(1) | Student Use Of Technology |
| 6170.1 | Transitional Kindergarten |
| 6171 | Title I Programs |
| 6171 | Title I Programs |
| 6173 | Education For Homeless Children |
| 6173 | Education For Homeless Children |
| 6173-E(1) | Education For Homeless Children |
| 6173-E(2) | Education For Homeless Children |
| 6173.1 | Education For Foster Youth |
| 6173.1 | Education For Foster Youth |
| 6173.4 | Education For American Indian Students |
| 6175 | Migrant Education Program |
| 6175 | Migrant Education Program |
| 6176 | Weekend/Saturday Classes |

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| 6177 | Summer Learning Programs |
| 6178 | Career Technical Education |
| 6178 | Career Technical Education |
| 6179 | Supplemental Instruction |

Regulation 5148.2: Before/After School Programs

Status: ADOPTED

Original Adopted Date: 07/01/2015 | **Last Revised Date:** 12/01/2022 ^{1/2024} | **Last Reviewed Date:** 12/01/2022 ²⁰²⁴

CSBA NOTE: CSBA NOTE: The following administrative regulation is mandated for use by districts providing expanded learning opportunities beyond the regular school day, including before-school, after-school, summer, vacation, and/or intersessional programs, and should be revised to reflect the program(s) offered by the district. The district should revise the following administrative regulation to reflect the expanded learning opportunity programs, including before and/or after school program(s), it offers and the grade levels at which the programs are offered. In addition to the program requirements described below, before-school and after-school programs may be subject to other district policies such as BP/AR 5148 - Child Care and Development, AR 3514.2 - Integrated Pest Management, and BP/AR 3550 - Food Service/Child Nutrition Program. The **It is recommended that the** district should consult ~~CSBA~~CSBA's District and County Office of Education Legal Services or district legal counsel if it has **with** questions regarding the applicability of other laws to the district's programs.

The California Department of Education (CDE) monitors, through its Federal Program Monitoring process, Expanded Learning Division grants including before-school, after-school, summer/supplemental, equitable access, After School Education and Safety Program (ASES) transportation, and Expanded Learning Opportunities Program (ELO), the requirements of which are reflected throughout this administrative regulation.

Definitions

Expanded learning opportunities means before school, after school, summer, vacation, and/or intersessional intersession learning programs that focus on developing the academic, social, emotional, and physical needs and interests of students through hands-on, engaging learning experiences. Expanded learning opportunities does not mean an extension of instructional time, but rather, opportunities to engage students in enrichment, play, nutrition, and other developmentally appropriate activities. (Education Code 8482.1, 46120)

Intersession program means an expanded learning program offered by a district on non-school days, including, but not limited to, summer school. (Education Code 48853.5)

Offer access, with regard to an Expanded Learning Opportunities Program (ELO) program, means to recruit, advertise, publicize, or solicit through culturally and linguistically effective and appropriate communication channels. (Education Code 46120)

Provide access, with regard to an ELO program, means to register or enroll a student in an ELO program. If a parent/guardian has signed an ELO registration form and that form is on file, the

student shall be considered enrolled in the ELO. (Education Code 46120)

Unduplicated student means a student enrolled in a district who is either classified as an English learner, eligible for a free or reduced-price meal, or is a foster youth. (Education Code 42238.02, 46120)

Grades ~~TK~~Transitional Kindergarten-9

CSBA NOTE: The following section is for use by districts providing before-school and/or after-school programs funded by the state After School Education and Safety Program (ASES)ASES (Education Code 8482-8484.65), the federal 21st Century Community Learning Center Program (21st CCLC) (Education Code 8484.7-8484.9; 20 USC 7171-7176), or the Expanded Learning Opportunities Program (state ELO) (Education Code 46120).

ASES and 21st CCLC programs serve students who are in grades ~~K~~kindergarten-9 in an elementary, middle, or junior high school. ELOs serve students who are in grades Transitional Kindergarten (TK)-6. CDE's webpage, "Expanded Learning Opportunities Program FAQs," states that once the minimum requirements providing an ELO are met, districts may provide access to additional grade spans in elementary, middle, and secondary students, and/or provide expanded hours of programming.

The district's After School Education and Safety Program (ASES) ~~program~~ or 21st Century Community Learning Center Program (21st CCLC) ~~program~~ shall serve students in any of grades Transitional Kindergarten (TK)-9 as the district may determine based on local needs. (Education Code 8482.3, 8484.7, 8484.75, 8484.8)

The district's 21st CCLC program shall primarily serve students in Title I schoolwide programs. (Education Code 8484.8; 20 USC 7173)

The district's ELO ~~program~~ shall serve students in grades TK-6. (Education Code 46120)

CSBA NOTE: The following paragraphs reflect the extent to which a before/after school programs, including ASES, 21st CCLC and ELO ~~programs~~, require collaborative planning. Districts may revise the following paragraphs to reflect programs offered by the district.

The district's programs shall be planned through a collaborative process that includes parents/guardians, students, ~~and~~ representatives of participating schools, governmental agencies, including city and county parks and recreation departments, local law enforcement, community organizations, and the private sector. As appropriate, the Superintendent or designee may include other stakeholders in such collaborative process. (Education Code 8422, 8482.5, 8483.3, 8484.75, 46120)

CSBA NOTE: Education Code 46120, as amended by AB 181 (Ch. 52, Statutes of 2022) and AB 185 (Ch. 571, Statutes of 2022), provides for the ELO ~~program~~ and allocates funding to districts under a formula based on a district's percentage of unduplicated students and average daily attendance. ~~For the 2022-23 school year, districts receiving funds are required to offer access to~~

ELO programs to all unduplicated students in grades TK-6 and to provide access to such programs to at least 50 percent of enrolled unduplicated students. Commencing with the 2023-24 school year, districts with a prior fiscal year local control funding formula (LCFF) unduplicated pupil percentage (UPP) of at least 75 percent are required to offer access to ELO programs to all classroom-based students in grades TK-6, and to ensure that access is provided to any student whose parent/guardian requests placement in an ELO program. Commencing with the 2023-24 school year, districts with a prior fiscal year LCFF UPP of less than 75 percent are required to offer access to ELO programs less than 75 percent are required to offer access to an ELO to all unduplicated students in grades TK-6 and ensure that access is provided to any unduplicated student whose parent/guardian requests placement in an ELO program. Districts are required to prioritize services at school sites in the lowest income communities, as determined by prior year percentages of students eligible for free and reduced-price meals, while maximizing the number of schools and neighborhoods with ELO programs ELOs across their attendance area.

The following paragraph is for districts that receive ELO funds and should be deleted by districts that do not receive such funds. However, the California Department of Education's (CDE) CDE's webpage, "Expanded Learning Opportunities Program FAQs," clarifies that districts that receive funds for serve classroom-based instructional programs that serve in grades TK-6, not including a charter school established pursuant to Education Code 47605.5, are eligible for ELO funding, and that districts cannot opt-out of the ELO program funding.

For the 2022-23 school year, ~~the~~The district shall offer access to ELO programs to all unduplicated students in grades TK-6 and provide access to such programs program to at least 50 percent of enrolled unduplicated students. (Education Code 46120)

CSBA NOTE: Beginning with the 2023-24 school year, Option 1 below is for use by districts with a prior fiscal year LCFF UPP of at least 75 percent. Option 2 is for districts with a prior fiscal year LCFF UPP of less than 75 percent.

OPTION 1: (For districts with a prior fiscal year local control funding formula unduplicated pupil percentage of at least 75 percent)

Commencing with the 2023-24 school year, ~~the~~The district shall offer access to the ELO program to all classroom-based students in grades TK-6. The district shall provide access to any student whose parent/guardian requests placement in an ELO program.

OPTION 1 ENDS HERE

OPTION 2: (For districts with a prior fiscal year local control funding formula unduplicated pupil percentage of less than 75 percent)

The district shall offer access to the ELO program to all classroom-based unduplicated students in grades TK-6. The district shall provide access to any unduplicated student whose parent/guardian requests placement in an ELO program.

OPTION 2 ENDS HERE

CSBA NOTE: Pursuant to Education Code 46120, a district is required to provide transportation to any student who attends a school that is not operating an ELO to attend at a location that is providing an ELO, and to return to the original location or another location that is established by the district. CDE's, "Expanded Learning Opportunities Program FAQs," further states that transportation should not be a barrier to ELO participation and that the ELO should be created as universally available and accessible to students.

The district shall provide transportation to any student who attends a school that is not operating an ELO so that the student may attend at a location that is providing an ELO and return to the original location or another location that is established by the district. (Education Code 46120)

CSBA NOTE: The California Prekindergarten Planning and Implementation Grant Program, established pursuant to Education Code 8322, provides for a state early learning initiative with the goal of expanding access to classroom-based prekindergarten programs. See BP 6170.1 - Transitional Kindergarten.

The Superintendent or designee shall ensure that the plan to provide access to full-day learning programs the year before kindergarten addresses the needs of children and their families as specified in **BP Board Policy 6170.1 - Transitional Kindergarten. (Education Code 8322)**

CSBA NOTE: Pursuant to Education Code 8484.75, programs funded through the 21st CCLC program are generally subject to the same program requirements applicable to ASES programs, with the exception of specified provisions primarily related to allocation of funds, collaboration, and data collection. In contrast, ELO programs ELOs are explicitly subject to some, but not all, of the ASES program requirements pursuant to Education Code 46120. However, the California Department of Education's (CDE), [CDE's webpage](#), "Expanded Learning Opportunities FAQs," emphasizes that districts are expected to uniformly apply the stricter ASES requirements to all programs since ASES, 21st CCLC, and ELO programs should be considered a single, comprehensive program. As such, the following section reflects the expectation that ELO programs ELOs will comply with all the requirements for ASES and 21st CCLC programs.

The following section applies to ASES, 21st CCLC, and ELO programs, except where otherwise noted, and should be revised to reflect the program(s) offered by the district.

The district's ASES, 21st CCLC, and ELO program(s) shall be operated in accordance with the following:

1. Program Elements

- a. The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (Education Code 8482.3, 8484.75, 46120)

CSBA NOTE: Education Code 8482.3 requires that the program include an educational enrichment component, which may include physical fitness. Pursuant to Education Code 8483.55 and 8484.8,

CDE has developed voluntary “California After School Physical Activity Guidelines” which are available on its web site~~website~~.

- b. The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (Education Code 8482.3, 8484.75, 46120)

CSBA NOTE: Pursuant to Education Code ~~8483~~8482.3, ~~expanded learning opportunity programs~~districts are required to offer a nutritional snack, meal, or both. Education Code 8482.3 requires that ~~such snacks or meals~~ conform to applicable state or federal nutrition standards. Reimbursement for providing snacks is available through the National School Lunch Program and the Child and Adult Care Food Program (CACFP) for participating districts. Pursuant to the Healthy, Hunger-Free Kids Act of 2010 (42 USC 1766-1766a), after-school programs participating in the at-risk after-school care component of the CACFP may be reimbursed for serving full meals. Further information is available on the web sites of CDE~~CDE's~~ and the U.S. Department of Agriculture~~Agriculture's~~ websites.

2. Nutrition

- a. Snacks or meals made available in the program shall conform to nutrition standards specified in Education Code 49430-49434 or 42 USC 1766 as applicable. (Education Code 8482.3, 8484.75, 46120; 42 USC 1766-1766a; 7 CFR 226.17)
- b. The district's before-school program shall offer a breakfast meal as described in Education Code 49553 for all program participants. (Education Code 8483.1, 8484.75)

CSBA NOTE: Education Code 8482.3 provides that a program may be offered at one or multiple school sites. Program applications and U.S. Department of Education~~Education's~~ (USDOE) September 2024 nonregulatory guidance, "Nita M. Lowey 21st Century Community Learning Centers Program," state that programs may be located off campus as long as the facility is as available and accessible to students as if it were located at a school. Regardless of whether the program takes place in a school building or other facility, an applicant must (1) assure that it will provide a safe and easily accessible facility and (2) describe how it will address the transportation needs of participating students, including the needs of highly mobile students such as students experiencing homelessness, migratory students, or foster youth.

3. Location of Program

- a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. (Education Code 8482.3, 8484.75)

b. When there is a significant barrier to student participation in either the before-school or after-school component of a program at the school of attendance, the Superintendent or designee may, with the approval of the Superintendent of Public Instruction, provide services at another school site:

_____ Such transfer of services shall occur only if the school to which the program will be transferred agrees to receive students from the transferring school and has an existing grant of the same type as the transferring school, or does not have a 10-percent lower percentage of students eligible for free or reduced-price meals than the transferring school. A significant barrier includes any of the following: (Education Code 8482.8, 8484.75)

- i. Fewer than 20 students participating in the program component
- ii. Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation
- iii. A reduction in the program grant of an existing school due to its merging into a new school opened by the district or the splitting of its students with a new school

In such cases, the district shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the before-school or after-school program, and parents/guardians; and ensure alignment of the educational and literacy elements with the regular school program of participating students. (Education Code 8482.8, 8484.75)

4. Staffing

- a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (Education Code 8483.4, 8484.75, 45330, 45344, 45344.5)

CSBA NOTE: Pursuant to Education Code 8483.4, program staff and volunteers are required to meet health screening and fingerprint clearance requirements.

Education Code 49024 provides that the requirement to obtain an Activity Supervisor Clearance Certificate prior to beginning a paid or volunteer position is satisfied by clearing a Department of Justice and Federal Bureau of Investigation criminal background check.

- b. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in law and Board policy. (Education Code 8483.4,

8484.75)

- c. The student-to-staff ratio shall be no more than 20 to 1, except that programs serving ~~transitional kindergarten~~TK or kindergarten students shall maintain a student-to-staff member ratio of no more than 10 to 1 (Education Code 8483.4, 8484.75, 46120)

5. Hours of Operation

CSBA NOTE: Pursuant to Education Code 46120, ~~ELO programs~~ELOs must provide in-person before or after school expanded learning opportunities offered on school days that, when added to daily instructional minutes, recess, and meals, meet certain hourly requirements, as specified. Item #5(a) and 5(b) below do not apply to ~~ELO programs~~ELOs offered pursuant to Education Code 46120.

- a. A before-school program shall not operate for less than one and one-half hours per regular school day: (Education Code 8483.1, 8484.75)

CSBA NOTE: Pursuant to Education Code 8483, as amended by AB 2622 (Ch. 265, Statutes of 2018), ASES programs that operate at a school site located in an area that has a population density of less than 11 persons per square mile may end operating hours not earlier than 5 p.m. The following paragraph can be revised to reflect district programs.

- b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day: (Education Code 8483, 8484.75)
- c. An ELO ~~program~~ shall provide in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, recess, and meals, shall not be less than nine hours of combined instructional time, recess, meals, and expanded learning opportunities per instructional day: (Education Code 46120)

6. Admissions

- a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity: (Education Code 8482.6, 8484.75)
- b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:

CSBA NOTE: A district that operates an intersession program is required to grant priority access to a foster youth pursuant to Education Code 48853.5, as amended

by AB 723 (Ch. 812, Statutes of 2023), and to a student experiencing homelessness, pursuant to Education Code 48850, as amended by AB 373 (Ch. 327, Statutes of 2023). If any such student will be moving during an intersession period, the student's educational rights holder, or in the case of an American Indian student, Indian custodian, is authorized to determine which school the student attends for the intersession period.

- i. First priority for enrollment shall be given to students who are identified as homeless youth, as defined by the McKinney-Vento Homeless Assistance Act (42 USC 11434a), at the time they apply for enrollment or at any time during the school year, to students who are identified by the program as being in foster care, and to students who are eligible for free or reduced-price meals. (Education Code 8483, 8483.1, 8484.75)

The district is not required to disenroll a current student in order to secure the enrollment of a student who has priority for enrollment. (Education Code 8483, 8483.1)

The district shall inform the parent/guardian of a homeless student experiencing homelessness or foster youth, or student eligible for free or reduced price meals, of the right of the child to receive priority enrollment and how to request priority enrollment. (Education Code 8483, 8484.75)

If a student experiencing homelessness or a foster youth will be moving during an intersession period, the student's educational rights holder, or in the case of an American Indian Student, Indian custodian, may determine which school the student attends for the intersession period. (Education Code 48850, 48853.5)

CSBA NOTE: Item ~~#{2}~~ below is for use by districts that maintain middle or junior high schools.

- ii. Second priority for enrollment of middle or junior high school students shall be given to students who attend daily. (Education Code 8483, 8483.1, 8484.75)

CSBA NOTE: Items ~~#{3}~~-~~{5}~~ are optional and may be revised or expanded to include enrollment priorities established by the district.

- iii. Third priority for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulation.
- iv. Any remaining capacity shall be filled by students selected at random.
- v. A waiting list shall be established to accommodate additional students if space becomes available.

7. Attendance/Early Release

CSBA NOTE: Education Code 8483 and 8483.1 express legislative intent that elementary students attend the full program day of either the before-school or after-school program every day in which they participate, and districts are **mandated** to establish a policy regarding reasonable early daily release of students from the after-school program and reasonable late arrival to a before-school program. Education Code 8483 and 8483.1 allow districts to implement a flexible attendance schedule for students in middle or junior high school. Education Code 8483.1 specifies that, for before-school programs, students who attend less than one-half of the daily program hours may not be counted for attendance purposes.

CDE's, "Early Release and Late Arrival Guidance," recommends that late arrival and early release policies be implemented by establishing codes for various reasons of early release or late arrival and includes sample codes.

In contrast, CDE's, "Expanded Learning Opportunities Program FAQ," explains that **ELO Programs** **ELOs** offered pursuant to Education Code 46120 do not have an attendance requirement, but rather districts are encouraged to track student attendance for safety and continuous quality improvement purposes.

The following items should be revised to reflect district practice.

- a. Each student admitted into a district program shall be expected to attend the full number of hours that the program is in operation every day that the student participates:

_____ An ELO program offered pursuant to Education Code 46120 does not have an attendance requirement, but the district may track student attendance for safety and continuous quality improvement purposes.

- b. When necessary, a student's parent/guardian may request, in writing, that the Superintendent or designee approve the reasonable late daily arrival for the before-school program or the reasonable early daily release from the after-school program:

_____ The Superintendent or designee shall not approve such a request if the student would be attending less than one-half of the daily program hours.

CSBA NOTE: Item #8 below is for use by districts that offer a program during summer, intersession, or vacation periods. Pursuant to Education Code 8483.76, a school that establishes a before-school or after-school program is eligible to receive a supplemental grant to operate the program in excess of 180 regular school days or during any combination of summer, weekends, intersession, or vacation periods for a maximum of 30 percent of the total grant amount awarded, per school year, to the school.

Pursuant to Education Code 46120, **ELO programs** **ELOs** are required to offer no less than nine

hours of in-person expanded learning opportunities per day for at least 30 non-school days during intersession, extended school year or intersession periods.

8. Summer/Intersession/Vacation Programs

ELO programs a. ELOs shall offer no less than nine hours of in-person expanded learning opportunities per day for at least 30 non-school days, during intersession, extended school year or intersession periods. (Education Code 46120)

b. A before-school program operating during summer, intersession, and/or vacation days shall be offered for a minimum of two hours per day:

_____ An after-school program offered during summer, intersession, and/or vacation days may be operated for either three hours or six hours per day in accordance with Education Code 8483.76. When both before-school and after-school programs are offered for the same students on such days, they shall be operated for a minimum of four and one-half hours per day. (Education Code 8483, 8483.1, 8483.2, 8483.76)

c. A program offered during summer, intersession, and/or vacation periods may open eligibility to every student attending a school in the district, with priority for enrollment given to students enrolled in the school that received the grant. (Education Code 8483.76)

CSBA NOTE: Pursuant to Education Code 46120, as amended by SB 141 (Ch. 194, Statutes of 2023), a district that is temporarily prevented from operating its ELO because of a school site closure due to emergency conditions specified in Education Code 8482.8 or 41422, will not be subject to penalties as a result of the emergency if the Governing Board adopts a resolution and provides documentation substantiating the need for closure. For information regarding schedule changes due to emergencies, see BP 3516.5 – Emergency Schedules.

d. To address the needs of students and school closures, the program may be conducted at an off-site location or an alternate school site. The program shall notify the California Department of Education (CDE)

When a district is temporarily prevented from operating an ELO because of a school or program site closure due to emergency conditions specified in Education Code 8482.8 or 41422, the Superintendent or designee shall complete and submit to the California Department of Education (CDE) any necessary forms or records substantiating the need for closure, including a resolution adopted by the Governing Board. (Education Code 46120)

_____ The program shall notify CDE of the change of location and shall include a plan to provide safe transportation pursuant to Education Code 8484.6. (Education

Code 8483.76)

- e. Any program operating for six hours per day shall provide at least one nutritionally adequate free or reduced-price meal to each eligible student during each program day. (Education Code 8483.76)

CSBA NOTE: Education Code 8483.76 mandates that a district operating a six-hour program adopt an attendance and early release policy for the program that is consistent with the district's early release policy for the regular school day; see ~~item~~ item #7 above. This policy must be included in the program plan submitted to CDE.

- f. For any program operating six hours per day, district procedures pertaining to student attendance and early release as specified in ~~item~~ item #7 above shall apply. (Education Code 8483.76)

Grades 9-12

CSBA NOTE: The following section is for use by districts providing before-school and/or after-school programs funded through 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs) ~~program~~ (Education Code 8420-8428; 20 USC 7171-7176).

Pursuant to Education Code 46120, districts may, but are not required to, serve students in grades 7-12 in ELO ~~programs~~ ELOs.

The district's 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs) ~~program~~ shall serve students in any of grades 9-12 as the district may determine based on local needs. (Education Code 8421)

CSBA NOTE: The following paragraph reflects the collaborative planning requirements for the ASSETs program.

The district's ASSETs program shall be planned through a collaborative process that includes parents/guardians, students, and representatives of participating schools, governmental agencies including city and county parks and recreation departments, local law enforcement, community organizations, and, if appropriate, the private sector. (Education Code 8422)

The program shall be operated in accordance with the following guidelines:

1. Program Elements

- a. The program shall include an academic assistance element that is coordinated with the regular academic program and includes, but is not limited to, at least one of the following: (Education Code 8421)

Cuyama Joint Unified School District

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

Student Field Trip Request

Requestor(s): CANNON Today's Date: 1/8/24
Purpose: FFA Regional officer screening/CATA Mtg

Field Trip Location/Destination: Atascadero/Templeton, CA
Departure Date: 2/23/25 Departure Time: 8am Return Date: 2/24/25 Return Time: 6pm
Grade Level(s): 10-11 Site Location: CVHS Number of Students: 4-6

Will Sack Lunches be Needed? YES NO **If yes, please fill out Sack Lunch Request form**

Method of transportation: AG VAN

Ensure you have filled out a Vehicle Request form if needed.

ESTIMATE OF EXPENDITURES:

Substitute Needed: YES NO Number of Days: 1 (Cannon, Diaz + Lebsack)
Lodging Needed: YES NO Where? Atascadero
Meals Needed: YES NO Total Estimate of Expenses: _____
Source of Funding for This Field Trip: CTE/AG

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

ADMINISTRATION APPROVAL

SITE ADMINISTRATOR SIGNATURE: _____ DATE: _____

SUPERINTENDENT SIGNATURE: _____ DATE: _____

REQUEST APPROVED: YES ___ NO ___

BOARD APPROVAL

APPROVED BY THE BOARD: YES: ___ NO: ___

APPLICANT NOTIFIED: YES: ___ NO: ___

FINANCE NOTIFIED: YES: ___ NO: ___

Student Field Trip Request

Form 3B

Rev. 06.24.2019

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CONFERENCE ATTENDANCE AND REIMBURSEMENT REQUEST

Part I - To be completed 10 days prior to conference attendance, three (3) weeks if requesting an advance.

Part II - to be completed and returned to the District Office within thirty (30) days after the conference, along with required receipts. If no reimbursement is claimed, enter 0 as the amount due.

PART I - CONFERENCE ATTENDANCE REQUEST

Cannon/Diaz/Lebsack Ag/CTE
 NAME OF PARTICIPANT SCHOOL/DEPARTMENT VENDOR #
CATA Regional Mtg 2/23, 2/24/25 Atascadero, CA CTELG
 CONFERENCE TITLE DATE(S) LOCATION OF CONFERENCE BUDGET CODE

The following documents, when applicable, must accompany the conference attendance request:

| | | | PO# | ESTIMATED EXPENSES |
|---------------------------------|-------------------------------------|---|---------|------------------------------------|
| Registration | <input type="checkbox"/> | Purchase Order for Conference Registration | # _____ | \$ _____ |
| | <input checked="" type="checkbox"/> | Registration Application Form | | \$ <u>150 (online)</u> |
| Lodging | <input checked="" type="checkbox"/> | Purchase Order for Hotel/Lodging | # _____ | \$ _____ |
| | <input type="checkbox"/> | Hotel/Lodging Application Form | | \$ _____ |
| Transportation | <input checked="" type="checkbox"/> | Application for use of District Vehicle | | \$ <u>Ag Travel Van</u> |
| | <input type="checkbox"/> | Check here for use of Own Vehicle | | APPROVED: _____ |
| | <input type="checkbox"/> | Purchase Order for Public Transportation | # _____ | \$ _____ |
| Meals | <input type="checkbox"/> | Meals Allotment is \$30 per day (Breakfast \$5, Lunch \$10, Dinner \$15) _____ Days | | \$ _____ |
| Substitute | <input checked="" type="checkbox"/> | Check here if a Substitute is needed | | <u>Cannon, Diaz & Lebsack</u> |
| TOTAL ESTIMATED EXPENSES | | | | \$ _____ |

Advance Requested in the amount of \$ _____ Amount Encumbered \$ _____

Applicant Signature _____

Date _____

Superintendent/Principal Signature _____

Date _____

PART II - REQUEST FOR REIMBURSEMENT

| Date | Breakfast | Lunch | Dinner | Mileage | Lodging | Registration | Other | Total |
|------|-----------|-------|--------|---------|---------|--------------|-------|-------|
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

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Cuyama Joint Unified School District

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

VEHICLE REQUEST FORM

PLEASE READ:

- Busses must be reserved (2) weeks in advance.
- Cars and vans must be reserved (1) week in advance.
- All drivers must provide a copy of their insurance and driver's license to the district office.
- Failure to complete this document in full may result in denial of your request.

Requestor's Name and Title: Cannon Date: 1/8/25

Type of Vehicle(s) requesting:

Bus: _____ Ford Taurus: _____ Toyota Camry (Manual) _____

Chevy Van (8 Passenger): _____ Dodge Van (7 Passenger) _____ Ag Van

Vehicle Pick Up Date Requesting: 2/23/25 Time: 8 AM

Vehicle Return Date Requesting: 2/24/25 Time: 6 PM

Destination: Atascadero/Templeton Accompanying Field Trip request? YES NO

Drivers Attending:

Name: _____ CA DL#: _____ Cell Phone #: _____
Cannon/Diaz ON file

-----Office Use Only-----

Expense Acct Charged: _____

Approval: _____

Vehicle Request Form

Form 2B

Rev. 06 24 2019

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Cuyama Joint Unified School District

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

Student Field Trip Request

Requestor(s): Cannon Today's Date: 1/8/25
Purpose: FFA Regional mtg.

Field Trip Location/Destination: King City
Departure Date: 3/5/25 Departure Time: 3pm Return Date: 3/6/25 Return Time: 6 PM
Grade Level(s): 10-11 Site Location: CVHS Number of Students: 2-6
Will Sack Lunches be Needed? YES NO If yes, please fill out Sack Lunch Request form
Method of transportation: Ag Van
Ensure you have filled out a Vehicle Request form if needed.

ESTIMATE OF EXPENDITURES:

Substitute Needed: YES NO Number of Days: 1
Lodging Needed: YES NO Where? Paso Robles
Meals Needed: YES NO Total Estimate of Expenses: _____
Source of Funding for This Field Trip: CTE/ATG

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

ADMINISTRATION APPROVAL

SITE ADMINISTRATOR SIGNATURE: _____ DATE: _____
SUPERINTENDENT SIGNATURE: _____ DATE: _____

REQUEST APPROVED: YES ___ NO ___

BOARD APPROVAL

APPROVED BY THE BOARD: YES: ___ NO: ___
APPLICANT NOTIFIED: YES: ___ NO: ___
FINANCE NOTIFIED: YES: ___ NO: ___

CONFERENCE ATTENDANCE AND REIMBURSEMENT REQUEST

Part I - To be completed 10 days prior to conference attendance, three (3) weeks if requesting an advance.

Part II - to be completed and returned to the District Office within thirty (30) days after the conference, along with required receipts. If no reimbursement is claimed, enter 0 as the amount due.

PART I - CONFERENCE ATTENDANCE REQUEST

CANNON
 NAME OF PARTICIPANT
FFA
 SCHOOL/DEPARTMENT
FFA Reg. Mtg.
 CONFERENCE TITLE
3/5-3/6/25
 DATE(S)
King City
 LOCATION OF CONFERENCE
CTEIG/AIG
 BUDGET CODE

The following documents, when applicable, must accompany the conference attendance request:

| | | | PO# | ESTIMATED EXPENSES |
|---------------------------------|-------------------------------------|---|---------|--------------------|
| Registration | <input type="checkbox"/> | Purchase Order for Conference Registration | # _____ | \$ _____ |
| | <input type="checkbox"/> | Registration Application Form | | \$ _____ |
| Lodging | <input checked="" type="checkbox"/> | Purchase Order for Hotel/Lodging | # _____ | \$ <u>600</u> |
| | <input type="checkbox"/> | Hotel/Lodging Application Form | | \$ _____ |
| Transportation | <input checked="" type="checkbox"/> | Application for use of District Vehicle | | \$ <u>Ag Van</u> |
| | <input type="checkbox"/> | Check here for use of Own Vehicle | | APPROVED: _____ |
| | <input type="checkbox"/> | Purchase Order for Public Transportation | # _____ | \$ _____ |
| Meals | <input checked="" type="checkbox"/> | Meals Allotment is \$30 per day (Breakfast \$5, Lunch \$10, Dinner \$15) _____ Days | | \$ <u>100</u> |
| Substitute | <input checked="" type="checkbox"/> | Check here if a Substitute is needed <u>Cannon/LOV DIAZ</u> | | |
| TOTAL ESTIMATED EXPENSES | | | | \$ _____ |

Advance Requested in the amount of \$ _____ Amount Encumbered \$ _____

Applicant Signature _____ Date _____ Superintendent/Principal Signature _____ Date _____

PART II - REQUEST FOR REIMBURSEMENT

| Date | Breakfast | Lunch | Dinner | Mileage | Lodging | Registration | Other | Total |
|------|-----------|-------|--------|---------|---------|--------------|-------|-------|
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

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Cuyama Joint Unified School District

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

VEHICLE REQUEST FORM

PLEASE READ:

- Busses must be reserved (2) weeks in advance.
- Cars and vans must be reserved (1) week in advance.
- All drivers must provide a copy of their insurance and driver's license to the district office.
- Failure to complete this document in full may result in denial of your request.

Requestor's Name and Title: Cannon Date: _____

Type of Vehicle(s) requesting:

Bus: _____ Ford Taurus: _____ Toyota Camry (Manual) _____

Chevy Van (8 Passenger): _____ Dodge Van (7 Passenger) _____

Ag Van

Vehicle Pick Up Date Requesting: 3/5/25 Time: 12 pm

Vehicle Return Date Requesting: 3/6/25 Time: 6 pm

Destination: King City Accompanying Field Trip request? YES NO

Drivers Attending:

Name: _____ CA DL#: _____ Cell Phone #: _____
Cannon/Diaz on file

-----Office Use Only-----

Expense Acct Charged: _____

Approval: _____

Cuyama Joint Unified School District

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

Student Field Trip Request

Requestor(s): Cannon Today's Date: 1/8/25
Purpose: FFA State Convention

Field Trip Location/Destination: Sacramento, CA
Departure Date: 4/3/25 Departure Time: 6am Return Date: 4/6/25 Return Time: 6pm
Grade Level(s): 9-12 Site Location: CVHS Number of Students: 20
Will Sack Lunches be Needed? YES NO **If yes, please fill out Sack Lunch Request form**
Method of transportation: Ag Van, Truck + 2 Dist. Vans
Ensure you have filled out a Vehicle Request form if needed.

ESTIMATE OF EXPENDITURES:

Substitute Needed: YES NO Number of Days: 2 (Cannon + Diaz)
Lodging Needed: YES NO Where? Sacramento, CA
Meals Needed: YES NO Total Estimate of Expenses: _____
Source of Funding for This Field Trip: AIG/CTEIG

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

ADMINISTRATION APPROVAL

SITE ADMINISTRATOR SIGNATURE: _____ DATE: _____
SUPERINTENDENT SIGNATURE: _____ DATE: _____

REQUEST APPROVED: YES ___ NO ___

BOARD APPROVAL

APPROVED BY THE BOARD: YES: ___ NO: ___
APPLICANT NOTIFIED: YES: ___ NO: ___
FINANCE NOTIFIED: YES: ___ NO: ___

CONFERENCE ATTENDANCE AND REIMBURSEMENT REQUEST

Part I - To be completed 10 days prior to conference attendance, three (3) weeks if requesting an advance.

Part II - to be completed and returned to the District Office within thirty (30) days after the conference, along with required receipts. If no reimbursement is claimed, enter 0 as the amount due.

PART I - CONFERENCE ATTENDANCE REQUEST

Cannon/Diaz
 NAME OF PARTICIPANT
FFA
 SCHOOL/DEPARTMENT
FFA State Conv.
 CONFERENCE TITLE
4/3-4/6/25
 DATE(S)
SACRAMENTO, CA
 LOCATION OF CONFERENCE
CTE16/AIG
 BUDGET CODE

The following documents, when applicable, must accompany the conference attendance request:

| | | | PO# | ESTIMATED EXPENSES |
|--------------------------|-------------------------------------|---|-----|--|
| Registration | <input checked="" type="checkbox"/> | Purchase Order for Conference Registration | # | (20) \$ \$175/student (4) \$190/advisor/chap. \$ 4,260 total |
| | <input type="checkbox"/> | Registration Application Form | | |
| Lodging | <input checked="" type="checkbox"/> | Purchase Order for Hotel/Lodging | # | \$ 6,000 |
| | <input type="checkbox"/> | Hotel/Lodging Application Form | | \$ |
| Transportation | <input checked="" type="checkbox"/> | Application for use of District Vehicle | | \$ |
| | <input type="checkbox"/> | Check here for use of Own Vehicle | | APPROVED: _____ |
| | <input type="checkbox"/> | Purchase Order for Public Transportation | # | \$ |
| Meals | <input checked="" type="checkbox"/> | Meals Allotment is \$30 per day (Breakfast \$5, Lunch \$10, Dinner \$15) ___ Days | | \$ 2000 |
| Substitute | <input checked="" type="checkbox"/> | Check here if a Substitute is needed | | \$ |
| TOTAL ESTIMATED EXPENSES | | | | Cannon Diaz 4/3-4/4 \$ 12,000-13,000 |

Advance Requested in the amount of \$ _____ Amount Encumbered \$ _____

Applicant Signature _____

Date _____

Superintendent/Principal Signature _____

Date _____

PART II - REQUEST FOR REIMBURSEMENT

| Date | Breakfast | Lunch | Dinner | Mileage | Lodging | Registration | Other | Total |
|------|-----------|-------|--------|---------|---------|--------------|-------|-------|
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

661

Cuyama Joint Unified School District

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

VEHICLE REQUEST FORM

PLEASE READ:

- Busses must be reserved (2) weeks in advance.
- Cars and vans must be reserved (1) week in advance.
- All drivers must provide a copy of their insurance and driver's license to the district office.
- Failure to complete this document in full may result in denial of your request.

Requestor's Name and Title: CANNON Date: 1/8/25

Type of Vehicle(s) requesting:

Bus: _____ Ford Taurus: _____ Toyota Camry (Manual) _____

Chevy Van (8 Passenger): _____ Dodge Van (7 Passenger) _____

Vehicle Pick Up Date Requesting: 4/3/25 Time: 6AM

Vehicle Return Date Requesting: 4/6/25 Time: 10PM

Ag VAN
Ag TRUCK
2 DIST VANS

Destination: SACRAMENTO, CA Accompanying Field Trip request? YES NO

Drivers Attending:

Name: CANNON CA DL#: _____ Cell Phone #: _____
DIAZ ON FILE
DE LOS SANTOS
TBA

-----Office Use Only-----

Expense Acct Charged: _____

Approval: _____

Cuyama Joint Unified School District

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

Student Field Trip Request

Requestor(s): CANNON Today's Date: 1/8/25

Purpose: FFA SACRAMENTO LEADERSHIP EXPERIENCE

Field Trip Location/Destination: _____

Departure Date: 2/24/25 Departure Time: 12 pm Return Date: 2/28/25 Return Time: 10 pm

Grade Level(s): 12 Site Location: CVHS Number of Students: 1 - Kendall Price

Will Sack Lunches be Needed? YES NO **If yes, please fill out Sack Lunch Request form**

Method of transportation: _____

Ensure you have filled out a Vehicle Request form if needed.

ESTIMATE OF EXPENDITURES:

Substitute Needed: YES NO Number of Days: 2 (2/24-2/25/25)

Lodging Needed: YES NO Where? SACRAMENTO

Meals Needed: YES NO Total Estimate of Expenses: _____

Source of Funding for This Field Trip: CTEIG/AIG

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

ADMINISTRATION APPROVAL

SITE ADMINISTRATOR SIGNATURE: _____ DATE: _____

SUPERINTENDENT SIGNATURE: _____ DATE: _____

REQUEST APPROVED: YES ___ NO ___

BOARD APPROVAL

APPROVED BY THE BOARD: YES: ___ NO: ___

APPLICANT NOTIFIED: YES: ___ NO: ___

FINANCE NOTIFIED: YES: ___ NO: ___

CONFERENCE ATTENDANCE AND REIMBURSEMENT REQUEST

Part I - To be completed 10 days prior to conference attendance, three (3) weeks if requesting an advance.

Part II - to be completed and returned to the District Office within thirty (30) days after the conference, along with required receipts. If no reimbursement is claimed, enter 0 as the amount due.

PART I - CONFERENCE ATTENDANCE REQUEST

Cannon NAME OF PARTICIPANT
FFA SCHOOL/DEPARTMENT
FFA Sac Leadership Exp CONFERENCE TITLE
2/25-2/28/25 DATE(S)
sacramento, CA LOCATION OF CONFERENCE
CTE16/16 BUDGET CODE
 VENDOR #

The following documents, when applicable, must accompany the conference attendance request:

| | | PO# | ESTIMATED EXPENSES |
|---------------------------------|---|---------|--------------------------------------|
| Registration | <input checked="" type="checkbox"/> Purchase Order for Conference Registration | # _____ | \$ <u>350</u> |
| | <input type="checkbox"/> Registration Application Form | | \$ _____ |
| Lodging | <input checked="" type="checkbox"/> Purchase Order for Hotel/Lodging | # _____ | \$ <u>200</u> 1st night before conf. |
| | <input type="checkbox"/> Hotel/Lodging Application Form | | \$ _____ |
| Transportation | <input type="checkbox"/> Application for use of District Vehicle | | \$ <u>Ag Truck</u> |
| | <input type="checkbox"/> Check here for use of Own Vehicle | | APPROVED: _____ |
| | <input type="checkbox"/> Purchase Order for Public Transportation | # _____ | \$ _____ |
| Meals | <input checked="" type="checkbox"/> Meals Allotment is \$30 per day (Breakfast \$5, Lunch \$10, Dinner \$15) _____ Days | | \$ <u>100</u> |
| Substitute | <input type="checkbox"/> Check here if a Substitute is needed | | \$ _____ |
| TOTAL ESTIMATED EXPENSES | | | \$ _____ |

Advance Requested in the amount of \$ _____ Amount Encumbered \$ _____

Applicant Signature _____

Date _____

Superintendent/Principal Signature _____

Date _____

PART II - REQUEST FOR REIMBURSEMENT

| Date | Breakfast | Lunch | Dinner | Mileage | Lodging | Registration | Other | Total |
|------|-----------|-------|--------|---------|---------|--------------|-------|-------|
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

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Cuyama Joint Unified School District

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

VEHICLE REQUEST FORM

PLEASE READ:

- Busses must be reserved (2) weeks in advance.
- Cars and vans must be reserved (1) week in advance.
- All drivers must provide a copy of their insurance and driver's license to the district office.
- Failure to complete this document in full may result in denial of your request.

Requestor's Name and Title: Cannon Date: 1/8/25

Type of Vehicle(s) requesting:

Bus: _____ Ford Taurus: _____ Toyota Camry (Manual) _____

Chevy Van (8 Passenger): _____ Dodge Van (7 Passenger) _____

Vehicle Pick Up Date Requesting: 2/24/25 Time: 12 pm

Vehicle Return Date Requesting: 2/25/25 Time: 6 pm

Ag Truck

Destination: Sacramento Accompanying Field Trip request? YES NO

Drivers Attending:

| Name: | CA DL#: | Cell Phone #: |
|---------------|----------------|---------------|
| <u>Cannon</u> | <u>on file</u> | |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

-----Office Use Only-----

Expense Acct Charged: _____

Approval: _____

Vehicle Request Form

Form 2B

Rev. 06 24 2019

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Cuyama Joint Unified School District

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

FUNDRAISING REQUEST FORM

Name of Person Completing Request Form: Cannon

Individual/Organization Seeking Fundraising Approval: FFA

Date of Request: 1/8/25 Date(s) of Fundraiser: February

Description of Proposed Fundraising Activity: Cash calendar - sell \$ numbered calendars with printed \$ amounts on each day; FFA member will draw numbers daily/weekly & corresponding calendar wins that cash prize

Method(s) of Solicitation: in person

Purpose of Fundraiser: FFA contests, trips, events, travel

Cannon 1/8/24
Signature of Applicant Date

Signature of Site Administrator Date

Signature of Superintendent Date

This item will go before the Governing Board on _____ fundraising will not be approved until that date or otherwise approved by the Board. Any fundraising activity done without acceptable permission by the Governing Board will be subject to disciplinary action.

.....
Comments: _____

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