MINUTES
AMADOR COUNTY UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
Wednesday, August 25th, 2021
CLOSED SESSION IMMEDIATELY
FOLLOWING SELPA MEETING

MASKS REQUIRED FOR UNVACCINATED INDIVIDUALS WHILE INDOORS

Meeting Location: Amador County Building, 810 Court Street, Jackson, CA

NOTE: A copy of the Board agenda and backup materials is available for inspection and review on the Amador County Unified School District Website at www.amadorcoe.org. An audio recording of the Board Meeting is made. If you are in need of a hard copy of the agenda, please email the Communication Specialist at adam.cranfill@acusd.org.

Board of Trustees meetings are meetings of the Board in public, as per the Brown Act open meeting law. All five Board Members may not have discussion outside an open meeting. This meeting is their opportunity to have discussion in order to conduct their business. Board Meetings are not meetings for the public to interact informally with the Board. Members of the public may speak formally to the Board by completing a speaker card and giving it to the Board Clerk or Communication Specialist.

If a person or group of persons disrupt the orderly conduct of a meeting, the legislative body has a right to order those persons removed from the meeting. If order still cannot be restored after removal of the individuals disrupting the meeting, members of the legislative body can order the room cleared and continue with the meeting. (Government Code §54957.9; Penal Code §8403; Elections Code §18340; Acosta v. City of Costa Mesa (9th Cir. 2013) 718 F.3d 800; White v. City of Norwalk (9th Cir. 1990) 900F.2d 1421, 1425.)

OUR UNITY OF PURPOSE: We work as a cohesive Governance Team through discussions, actions and decisions that are thoughtful, respectful, and sensitive. We support one another in and away from the Board Room through active listening, vulnerability and honesty. We make policy decisions that ensure equitable support to increase student achievement and foster social, emotional, and physical well-being for all students.

OUR MISSION: Enriched by the diversity and deep traditions of our unique community, Amador County Public Schools will prepare, support, and inspire each student to achieve career and college success in a rapidly evolving world through highly engaging teaching, rigorous learning and innovative pathways supported by strong partnerships in a safe, caring and collaborative environment.

1.0 CALL TO ORDER

2.0 BOARD MEMBERS
[X] Kandi Thompson, Board President
[X] Deborah Pulskamp, Board Clerk
[X] James Marzano
[X] Julia Burns
[X] James Whitaker

3.0 ROLL TAKEN BY THE SECRETARY TO THE GOVERNING BOARD

4.0 PUBLIC COMMENTS ON CLOSED SESSION
5.0 **CLOSED SESSION**

5.1 No items at this time, will convene if needed.

6.0 **RECONVENE TO OPEN SESSION/REPORT ON CLOSED SESSION**

7.0 **ADDITIONS/DELETIONS OR CORRECTIONS TO THE AGENDA**

8.0 **PRESENTATION AND RECOGNITION**

9.0 **PLEDGE OF ALLEGIANCE**

10.0 **EMPLOYEE ORGANIZATIONS**

10.1 Amador County Teachers Association (ACTA) (Mr. Hunkins)

10.2 California School Employees Association (CSEA) (Ms. Cramer)

11.0 **PUBLIC COMMENTS ON AGENDA ITEMS** (20 minutes maximum)

A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits. Individual speakers shall be allowed three minutes to address the Board on agenda items. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the Board president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add. **NOTE:** If you wish to address the Board please complete a speaker card and give it to the Board Clerk or Communications Specialist.

12.0 **CONSENT AGENDA**

The Board of Trustees received these items under separate cover as an addendum. Public copy available during regular Board meeting and on the district website.

- **Minutes**
  - 12.1a Board Meeting 8/11/21

- **Personnel** (Mr. Vicari)
  - 12.2a Personnel Recommendations

- **Business** (Mr. Crichfield)
  - 12.3a Warrants issued between: 8/6/21 – 8/13/21

- **Educational Services** (Mr. Snider)
  - 12.4a CTE Out of State Conference

- **Surplus**
  - N/A

**Motioned by:** Marzano
**Seconded by:** Burns
**Unanimously Approved**

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13.0  DISCUSSION/ACTION ITEMS

13.1  CDPH Updates Related to COVID-19- Discussion/Action (As Needed) (Dr. Gibson)
This will be a standing agenda item throughout the year as we will need to update the Board of Trustees on CDPH mandates and guidance.

13.2  Updates to the ACUSD Health and Safety Plan During COVID-19 for a Safe Return to School for the 2021-2022 School Year- Discussion/Action (As Needed) (Dr. Gibson)
This will be a standing agenda item throughout the year as we will need to update the Board of Trustees on CDPH mandates and guidance that could require modifications to our health and safety plan.

  Motioned by: Whitaker
  Seconded by: Marzano
  Unanimously Approved

13.3  Facilities Maintenance Plan– Discussion/Action (Mr. Critchfield)
The 2021-2022 Facilities Maintenance Plan provides an overview of the maintenance of all buildings, grounds, equipment, for fourteen (14) sites and identifies objectives of the maintenance program for Amador County Unified School District (ACUSD) and Amador County Office of Education (ACOE). In addition, it represents the Routine Restricted Maintenance Account and Deferred Maintenance Accounts.

  Motioned by: Whitaker
  Seconded by: Burns
  Unanimously Approved

13.4  National Suicide Prevention Week– Discussion/Action Resolution: 21/22-005 (Mr. Snider)
Suicide Prevention Week: September 5 - 11, 2021. National Suicide Prevention Week is an annual week-long campaign in the United States to inform and engage the general public about suicide prevention and the warning signs of suicide. September 10, 2021 is also World Suicide Prevention Day.

  Motioned by: Marzano
  Seconded by: Pulskamp
  Unanimously Approved

14.0  REPORTS

14.1  Enrollment Update (Mr. Critchfield)

14.2  Report from Superintendent (Dr. Gibson)
Thank you to staff in the District for handling things we did not participate. Contacted all staff to gather those willing to work extra hours for COVID-19 contact tracing. The time that staff is currently working is going above and beyond. Not every day has been great but transportation has done a wonderful job and thank you bus drivers.

14.3  Reports and Remarks from Board Members
Whitaker: The community has pulled together in this time as they have done for years. Thank you to Torie and the cabinet for working these tough past couple weeks during the Caldor fire. They have been
constantly informing the public with evacuation warnings. Ag teachers have gone to the fairgrounds to help kids with animals. Glad to see the community and hopefully the fires get put out soon.

Burns: Thank you to Dr. Gibson for being willing and able to communicate with parents, they appreciate that. Thank you for being proactive and responsive to concerns of staff. We can’t move quick to help them but they feel heard and seen. Thank you Sean Snider for expanding testing sites. It is a good step in the right direction to support the community and keep things open as much as possible. I am concerned about transportation and expecting them to provide services during their staffing situation. Let’s consider creative new solutions to get transportation more employees and relieve stress. No one wants that working environment, prioritize transportation.

Marzano: You all have done a fabulous job and touched on everything.

Pulskamp: Thank you to the District for getting substitute teachers and thank you subs for willing to come to work in this crazy environment. Many districts don’t have subs and there are admins and yard duties in the classrooms where no teaching is getting done. We are bound to have glitches but there’s much less here than in other districts.

Thompson: Grateful that the evacuation warning has not gone to mandatory from its current warning. Firefighter efforts have kept the fire boundary strong. Appreciate Dr. Gibson for jumping in front of that situation. Dr. Gibson has connections from her previous district and is aware of this area and we will have answers for everyone if evacuation orders come. It has been an interesting start to the school year. Thank you to staff, cabinet, parents and students. This is like no other time, this is all so crazy, more so than last year’s school start. I wish it could all go away and I am happy to hear parents doing their part. I am grateful giving the job back to Public Health so we can focus on students, hopefully we can get through this quickly. I am grateful school has started and hoping this can go smoothly.

15.0 NEXT MEETING
ACUSD Regular Meeting: Wednesday, September 8, 2021, tentatively scheduled to be held at the Jackson City Hall, 33 Broadway, Jackson, CA. Open Session will start at 6:30 PM.

16.0 ADJOURNMENT
* The Amador County Unified School District complies with the Americans with Disabilities Act. Should you require special accommodations, or more information about accessibility, please contact the Superintendent’s Office by calling (209) 257-5353. All efforts will be made for reasonable accommodations.

* Any writings or documents that are provided to the governing board in open session will be made available for public inspection at the meeting or at the Amador County Public Schools District Office located at 217 Rex Avenue, Jackson, CA during normal business hours. Please note that business hours have changed due to COVID-19. If you are need of a hard copy of the agenda, please email the Communication Specialist at adam.cranfill@acusd.org
DATE: September 8, 2021

AGENDA ITEM #: 12.2a Motion: ________________
Second: ________________
Vote: ________________

SUBJECT:
Human Resources Consent Agenda for September 8, 2021

CURRENT PERSONNEL RECOMMENDATIONS

Certificated~ New Hire
Jennifer Garrett, Intervention Teacher, 1 FTE, Jackson Junior High, effective September 9, 2021

Certificated~ Increase in FTE
Megan Gascon, Mild Moderate Teacher, .5 FTE, North Star Independent Study to Mild Moderate Teacher, .6 FTE, North Star Independent Study, effective September 9, 2021

Classified ~ New Hire
Danielle Brown, Instructional Assistant Intervention, 3.75 hours/11 months, Pine Grove Elementary, effective September 9, 2021
Brandi Machi, Instructional Aide Intervention, 3.75 hours/11 months, Ione Elementary, effective August 27, 2021
Angel Shiner, TK/K aide, 3.5 hours/11 months, Ione Elementary, effective August 30, 2021
Denise Freitas, Instructional Assistant Intervention, 3.75 hours/11 months, Pioneer Elementary, effective September 9, 2021
Kristina Sas, Recess/Lunch Duty, 2 hours/11 months, Ione Elementary, effective August 9, 2021

Classified ~ Resignation
Sandra Plasse, Administrative Assistant III/Dispatcher, 8 hours/12 months, Transportation, effective August 25, 2021
Brandie Machi, Recess/Lunch Duty, 2 hours/11 months, Ione Elementary, effective August 27, 2021
Bobbi Jo Clinkenbeard, Recess/Lunch Duty, 2 hours/11 months, Pine Grove Elementary, August 30, 2021

Classified ~ Voluntary Transfer
Melissa Fillmore, Instructional Aide SPED, 6 hours/11 months, from Jackson Junior High to Pine Grove Elementary, effective August 11, 2021
Robin Yelinek, from Instructional Aide SPED, 6 hours/11 months Jackson Junior High to Instructional Aide SPED, 6 hours/11 months, Argonaut High School, effective August 10, 2021

RECOMMENDATION:
Approve Human Resources Consent Agenda

PRESENTED BY:  David Vicari, Assistant Superintendent, Human Resources & Labor Relations
AGENDA ITEM #: 12.3a

SUBJECT:
Warrants issued between: 8/20/21 - 9/1/21

BACKGROUND INFORMATION:
N/A

FISCAL IMPLICATIONS:
See Warrants.

RECOMMENDATION:
Superintendent Gibson recommends approving this.

PRESENTED BY:
Jared Critchfield, Assistant Superintendent of Business Services
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If there are any questions regarding any of the payments, please contact Jared Critchfield @ 257-5375 or Nancy Kohlman @ 257-5333
September 8, 2021

AGENDA ITEM #: 12.5a

SUBJECT:
Surplus Requests

BACKGROUND INFORMATION:
Amador Library is requesting surplus for outdated textbooks. Jackson Junior High is requesting surplus for broken Chromebooks.

FISCAL IMPLICATIONS:
N/A

RECOMMENDATION:
Superintendent Gibson recommends approving these Surplus Requests.

PRESENTED BY:
Dr. Torie Gibson, Superintendent
### Request to Surplus

**School Site/Department:** Amador Library  
**Name of Person Completing Form:** Leann Glavenich  
**Date:** 8/11/2021

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**Administrator's Signature:**  
**Date:** 8/20/2021

**DISTRICT USE**  
**Received by Superintendent's Office:**  
**Date:** 8/23/21

**Superintendent's recommendation for value and disposal method:**

**Board Approval sent to site:**  
**Date:**

**Final Method of Disposal:**

**Responsible Employee’s Signature:**  
**Date:**  
8/2015
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Administrator’s Signature: ___________________________ Date: 6/16/21

DISTRICTUSE

Received by Superintendent’s Office: ___________________________ Date: ___________________________

Superintendent’s recommendation for value and disposal method: ___________________________

Board Approval sent to site: ___________________________ Date: ___________________________

Final Method of Disposal: ___________________________

Responsible Employee’s Signature: ___________________________ Date: ___________________________
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Administrator's Signature: [Signature]  
Date: 6/16/21

DISTRICT USE

Received by Superintendent's Office:  
Date:  

Superintendent's recommendation for value and disposal method:  

Board Approval sent to site:  
Date:  

Final Method of Disposal:  

Responsible Employee's Signature:  
Date:  
AGENDA ITEM #: 12.6a

SUBJECT:
Sutter Creek Elementary School Overnight Field Trip Request

BACKGROUND INFORMATION:

FISCAL IMPLICATIONS:
N/A

RECOMMENDATION:
Superintendent Gibson recommends approving this Overnight Field Trip Request.

PRESENTED BY:
Dr. Torie Gibson, Superintendent
OVERNIGHT FIELD TRIP REQUEST
BOARD APPROVAL

August 4, 2021

Mrs. Price, Mrs. Henry, and Mr. Outland’s (6th grade only) classes are planning an overnight field trip to YMCA Point Bonita Outdoor & Conference Center, 981 Fort Barry GGNRA, Sausalito, Ca. 94965 (Marin Headlands)

The field trip concerns Science – Outdoor Education Camp.

The field trip will be conducted in accordance with the State Education Code with full safety precautions. Students will be transported by ACUSD buses.

Departure Date: Tuesday, October 26, 2021 Time: 7:00 a.m.
Return Date: Friday, October 29, 2021 Time: 3:30 p.m.

Tia Peters, Principal
AMADOR COUNTY PUBLIC SCHOOLS

Overnight Fieldtrip Request Form

For the Board Meeting Dated: 9/8/21

Site: Amador HS          Date of Request: 9/2/21
Departure Date: 10/26/21         Return Date: 10/31/21
Departure Time: TBD             Return Time: TBD
Destination of Trip (Location & City): Indianapolis, IN

Purpose of Trip: National FFA Convention
Sponsoring Organization: FFA
Source(s) of Funds for Trip: Student/AIG
Name of Fieldtrip Director/Instructor: FFA

Number of Students: 12          Grade Level: 10-12
Number of Chaperones: 2
Name(s) of Chaperone(s): Carly Benner and Ryan Mendosa

Mode of Travel (circle one): school bus charter bus van plane train
Private vehicle (insurance on file: yes no )
Name and Address of Overnight Accommodations: Marriott Indianapolis
10 South West Street, Indianapolis, IN

Instructor/Director Signature: Carly Benner Date: 9/2/21
Site Administrator Signature: Date: 9/2/21

*NOTE: This form needs to be submitted to the Superintendent’s Office 1 week prior to the scheduled Board meeting before the planned trip. All overnight fieldtrip requests must be Board approved before occurring.

DISTRICT OFFICE USE ONLY
Received by Superintendent’s Office: Date:
For the Board Meeting Dated: ____________________________
Site: Amador High School Date of Request: 9/1/21
Departure Date: 9/29/21 Return Date: 10/2/21
Departure Time: 10:00 AM Return Time: 5:00 P.M.
Destination of Trip (Location & City): Mountain Meadows Camp, Shingletown, CA
Purpose of Trip: California Forestry Challenge
Sponsoring Organization: USDA Forest Service & Forestry Educators Incorporated
Source(s) of Funds for Trip: Participants/self
Name of Fieldtrip Director/Instruction: Diane Deoley Neill/Jeremiah Cloud

Number of Students: 4 Grade Level: 9th and 12th
Number of Chaperones: 2
Name(s) of Chaperone(s): Jeremiah Cloud and Helen Loffland

Mode of Travel (circle one): school bus charter bus van plane train
Private vehicle (insurance on file: yes no)
Name and Address of Overnight Accommodations: Mountain Meadows Camp, 7100 Arrowhead Rd., Shingletown, CA 96088

Instructor/Director Signature: ____________________________ Date: 9/1/21
Site Administrator Signature: ____________________________ Date: 9/1/21

*NOTE: This form needs to be submitted to the Superintendent’s Office 1 week prior to the scheduled Board meeting before the planned trip. All overnight fieldtrip requests must be Board approved before occurring.

DISTRICT OFFICE USE ONLY
Received by Superintendent’s Office: ____________________________ Date: ____________________________
For the Board Meeting Dated: 9/8/21
Site: Lone Junior High Date of Request: 9/3/21
Departure Date: 9/28/21 Return Date: 9/30/21
Departure Time: 7:00 AM Return Time: 6:00 PM
Destination of Trip (Location & City): Alliance Redwood Campgrounds, Occidental, CA

Purpose of Trip: Science Camp
Sponsoring Organization: ACUSD
Source(s) of Funds for Trip: Self-Funded
Name of Fieldtrip Director/Instructor: Tara Hannah

Number of Students: 80 Grade Level: 6
Number of Chaperones: 12
Name(s) of Chaperone(s): Kara Edwards, Derek Boveee, Parent List Attached

Mode of Travel (circle one): school bus charter bus van plane train
Private vehicle (insurance on file: yes no)
Name and Address of Overnight Accommodations: 6250 Bohemian Highway, Occidental, California 95465

Instructor/Director Signature: Date:
Site Administrator Signature: Date: 9/3/21

*NOTE: This form needs to be submitted to the Superintendent's Office 1 week prior to the scheduled Board meeting before the planned trip. All overnight fieldtrip requests must be Board approved before occurring.

DISTRICT OFFICE USE ONLY
Received by Superintendent's Office: Date:
September 8, 2021

AGENDA ITEM #: 13.1

SUBJECT:
CDPH Updates Related to COVID-19- Discussion/Action (As Needed)

BACKGROUND INFORMATION:
This will be a standing agenda item throughout the year as we will need to update the Board of Trustees on CDPH Mandates and guidance. Updated copy of CDPH updates will be provided in open session as needed related to COVID-19.

FISCAL IMPLICATIONS:
N/A

RECOMMENDATION:
Superintendent Gibson recommends approving this.

PRESENTED BY:
Dr. Torie Gibson, Superintendent
September 1, 2021

TO: All Californians

SUBJECT: COVID-19 Public Health Guidance for K-12 Schools in California, 2021-22 School Year


Updates as of September 1, 2021:

- Provided recommendations and requirements for school-based extracurricular activities.
- Further clarified modified quarantine recommendations

On July 9, 2021, the Centers for Disease Control and Prevention (CDC) published its updated recommendations for K-12 schools. The following guidance applies CDC's recommendations to the California context, in order to help K-12 schools formulate and implement plans for safe, successful, and full in-person instruction in the 2021-22 school year. This guidance is effective immediately and will be reviewed regularly by the California Department of Public Health (CDPH).

The foundational principle of this guidance is that all students must have access to safe and full in-person instruction and to as much instructional time as possible. In California, the surest path to safe and full in-person instruction at the outset of the school year, as well as minimizing missed school days in an ongoing basis, is a strong emphasis on the following: vaccination for all eligible individuals to get COVID-19 rates down throughout the community; universal masking in schools, which enables no minimum physical distancing, allowing all students access to full in-person learning, and more targeted quarantine practices, keeping students in school; and access to a robust COVID-19 testing program as an available additional safety layer. Recent evidence indicates that in-person instruction can occur safely without minimum physical distancing requirements when other mitigation strategies (e.g., masking) are fully implemented. This is consistent with CDC K-12 School Guidance.

Masks are one of the most effective and simplest safety mitigation layers to prevent in-school transmission of COVID-19 infections and to support full time in-person instruction in K-12 schools. SARS-CoV-2, the virus that causes COVID-19, is transmitted primarily by aerosols (airborne transmission), and less frequently by droplets. Physical distancing is generally used to reduce only droplet transmission, whereas masks are one of the most effective measures for source control of both aerosols and droplets. Therefore, masks best promote both safety
and in-person learning by reducing the need for physical distancing. Additionally, under the new guidance from the CDC, universal masking also permits modified quarantine practices under certain conditions in K-12 settings, further promoting more instructional time for students. Universal masking indoors in K-12 schools is recommended by the American Academy of Pediatrics and by the CDC in their Guidance for COVID-19 Prevention in K-12 schools (updated July 27, 2021).

Finally, this approach takes into account a number of key considerations: current unknowns associated with variants and in particular the Delta Variant, which is more transmissible; operational barriers of tracking vaccination status in order to monitor and enforce mask wearing; and potential detrimental effects on students of differential mask policies. Detrimental effects of differential mask policies include: potential stigma, bullying, isolation of vaccinated OR unvaccinated students, depending on the culture and attitudes in the school or surrounding community.

**CDPH will continue to assess conditions on an ongoing basis, and will determine no later than November 1, 2021, whether to update mask requirements or recommendations.** Indicators, conditions, and science review will include vaccination coverage status, in consideration of whether vaccines are available for children under 12, community case and hospitalization rates, outbreaks, and ongoing vaccine effectiveness against circulating variants of SARS-CoV-2, the virus that causes COVID-19 in alignment with the CDC-recommended indicators to guide K-12 school operations.

This guidance is designed to enable all schools to offer and provide full in-person instruction to all students safely, consistent with the current scientific evidence about COVID-19, even if pandemic dynamics shift throughout the school year, affected by vaccination rates and the potential emergence of viral variants.

This guidance includes mandatory requirements, in addition to recommendations and resources to inform decision-making. Implementation requires training and support for staff and adequate consideration of student and family needs. Stricter guidance may be issued by local public health officials or other authorities.

**COVID-19 vaccination is strongly recommended for all eligible people in California, including teachers, staff, students, and adults sharing homes with these members of our K-12 communities.** See CDC recommendations about how to promote vaccine access and uptake for schools. Additional California-specific vaccine access information is available on the Safe Schools Hub and Vaccinate All 58 – Let’s Get to Immunity.

In workplaces, employers are subject to the Cal/OSHA COVID-19 Emergency Temporary Standards (ETS) or in some workplaces the CalOSHA Aerosol Transmissible Diseases Standard, and should consult those regulations for additional applicable requirements.

**General Considerations:**

Consideration should be given to both the direct school population as well as the surrounding community. The primary factors to consider include: 1) level of community transmission of COVID-19; 2) COVID-19 vaccination coverage in the community and among students, faculty, and staff; and 3) any local COVID-19 outbreaks or increasing trends. Discussion of these factors should occur in collaboration with local or state public health partners.

As the CDC explained in its July 9, 2021 Guidance:
"Schools will have a mixed population of both people who are fully vaccinated and people who are not fully vaccinated. . . . These variations require K-12 administrators to make decisions about the use of COVID-19 prevention strategies in their schools to protect people who are not fully vaccinated. . . . Together with local public health officials, school administrators should consider multiple factors when they make decisions about implementing layered prevention strategies against COVID-19."

In an effort to streamline and tailor this decision-making process for the California context, guidance regarding each of the measures that can be used in a layered prevention strategy is provided below.

**Safety Measures for K-12 Schools**

1. Masks
   a. Masks are optional outdoors for all in K-12 school settings.
   b. K-12 students are required to mask indoors, with exemptions per CDPH face mask guidance. Adults in K-12 school settings are required to mask when sharing indoor spaces with students.
   c. Persons exempted from wearing a face covering due to a medical condition, must wear a non-restrictive alternative, such as a face shield with a drape on the bottom edge, as long as their condition permits it.
   d. Schools must develop and implement local protocols to provide a face covering to students who inadvertently fail to bring a face covering to school to prevent unnecessary exclusions.
   e. Consistent with guidance from the 2020-21 school year, schools must develop and implement local protocols to enforce the mask requirements. Additionally, schools should offer alternative educational opportunities for students who are excluded from campus because they will not wear a face covering. Note: Public schools should be aware of the requirements in AB 130 to offer independent study programs for the 2021-22 school year.
   f. In limited situations where a face covering cannot be used for pedagogical or developmental reasons, (e.g., communicating or assisting young children or those with special needs) a face shield with a drape (per CDPH guidelines) can be used instead of a face covering while in the classroom as long as the wearer maintains physical distance from others. Staff must return to wearing a face covering outside of the classroom.

2. Physical distancing
   a. Recent evidence indicates that in-person instruction can occur safely without minimum physical distancing requirements when other mitigation strategies (e.g., masking) are implemented. This is consistent with CDC K-12 School Guidance.
3. Ventilation recommendations:
   a. For indoor spaces, ventilation should be optimized, which can be done by following CDPH Guidance on Ventilation of Indoor Environments and Ventilation and Filtration to Reduce Long-Range Airborne Transmission of COVID-19 and Other Respiratory Infections: Considerations for Reopened Schools.

4. Recommendations for staying home when sick and getting tested:
   a. Follow the strategy for Staying Home when Sick and Getting Tested from the CDC.
   b. Getting tested for COVID-19 when symptoms are consistent with COVID-19 will help with rapid contact tracing and prevent possible spread at schools.
   c. Advise staff members and students with symptoms of COVID-19 infection not to return for in-person instruction until they have met CDPH criteria to return to school for those with symptoms:
      i. At least 24 hours have passed since resolution of fever without the use of fever-reducing medications; and
      ii. Other symptoms have improved; and
      iii. They have a negative test for SARS-CoV-2, OR a healthcare provider has provided documentation that the symptoms are typical of their underlying chronic condition (e.g., allergies or asthma) OR a healthcare provider has confirmed an alternative named diagnosis (e.g., Streptococcal pharyngitis, Coxsackie virus), OR at least 10 days have passed since symptom onset.

5. Screening testing recommendations:
   a. CDPH has a robust State- and Federally-funded school testing program and subject matter experts available to support school decision making, including free testing resources to support screening testing programs (software, test kits, shipping, testing, etc.).
      i. Resources for schools interested in testing include: California’s Testing Task Force K-12 Schools Testing Program, K-12 school-based COVID-19 testing strategies and Updated Testing Guidance; The Safe Schools for All state technical assistance (TA) portal; and the CDC K-12 School Guidance screening testing considerations (in Section 1.4 and Appendix 2) that are specific to the school setting.

6. Case reporting, contact tracing and investigation
a. Per AB 86 (2021) and California Code Title 17, section 2500, schools are required to report COVID-19 cases to the local public health department.

b. Schools or LEAs should have a COVID-19 liaison to assist the local health department with contact tracing and investigation.

7. Quarantine recommendations for vaccinated close contacts
   a. For those who are vaccinated, follow the CDPH Fully Vaccinated People Guidance regarding quarantine.

8. Quarantine recommendations for unvaccinated students for exposures when both parties were wearing a mask, as required in K-12 indoor settings. These are adapted from the CDC K-12 guidance and CDC definition of a close contact.
   a. When both parties were wearing a mask in any school setting in which students are supervised by school staff (including indoor or outdoor school settings and school buses, including on buses operated by public and private school systems), unvaccinated students who are close contacts (more than 15 minutes over a 24-hour period within 0-6 feet) may undergo a modified quarantine as follows. They may continue to attend school for in-person instruction if they:
      i. Are asymptomatic;
      ii. Continue to appropriately mask, as required;
      iii. Undergo at least twice weekly testing during quarantine; and
      iv. Continue to quarantine for all extracurricular activities at school, including sports, and activities within the community setting.

9. Quarantine duration recommendations for unvaccinated close contacts in:
   • Standard quarantine (i.e., students who were not wearing masks or for whom the infected individual was not wearing a mask during the exposure); OR
   • Modified quarantine (i.e., students as described in #8 above).
   a. These contacts, if they remain asymptomatic (meaning they have NOT had any symptoms), may discontinue self-quarantine under the following conditions:
      i. Quarantine can end after Day 10 from the date of last exposure without testing; OR
      ii. Quarantine can end after Day 7 if a diagnostic specimen is collected after Day 5 from the date of last exposure and tests negative.
   b. To discontinue quarantine before 14 days following last known exposure, asymptomatic close contacts must:
i. Continue daily self-monitoring for symptoms through Day 14 from last known exposure; AND

ii. Follow all recommended non-pharmaceutical interventions (e.g., wearing a mask when around others, hand washing, avoiding crowds) through Day 14 from last known exposure.

c. If any symptoms develop during this 14-day period, the exposed person must immediately isolate, get tested and contact their healthcare provider with any questions regarding their care.

10. Isolation recommendations

a. For both vaccinated and unvaccinated persons, follow the CDPH Isolation Guidance for those diagnosed with COVID-19.

11. Hand hygiene recommendations

a. Teach and reinforce washing hands, avoiding contact with one’s eyes, nose, and mouth, and covering coughs and sneezes among students and staff.

b. Promote hand washing throughout the day, especially before and after eating, after using the toilet, and after handling garbage, or removing gloves.

c. Ensure adequate supplies to support healthy hygiene behaviors, including soap, tissues, no-touch trashcans, face coverings, and hand sanitizers with at least 60 percent ethyl alcohol for staff and children who can safely use hand sanitizer.

12. Cleaning recommendations

a. In general, cleaning once a day is usually enough to sufficiently remove potential virus that may be on surfaces. Disinfecting (using disinfectants on the U.S. Environmental Protection Agency COVID-19 list) removes any remaining germs on surfaces, which further reduces any risk of spreading infection.

b. For more information on cleaning a facility regularly, when to clean more frequently or disinfect, cleaning a facility when someone is sick, safe storage of cleaning and disinfecting products, and considerations for protecting workers who clean facilities, see Cleaning and Disinfecting Your Facility.

c. If a facility has had a sick person with COVID-19 within the last 24 hours, clean AND disinfect the spaces occupied by that person during that time.

13. Food service recommendations
a. Maximize physical distance as much as possible while eating (especially indoors). Using additional spaces outside of the cafeteria for mealtime seating such as classrooms or the gymnasium can help facilitate distancing. Arrange for eating outdoors as much as feasible.

b. Clean frequently touched surfaces. Surfaces that come in contact with food should be washed, rinsed, and sanitized before and after meals.

c. Given very low risk of transmission from surfaces and shared objects, there is no need to limit food service approaches to single use items and packaged meals.

14. Vaccination verification considerations

a. To inform implementation of prevention strategies that vary by vaccination status (testing, contact tracing efforts, and quarantine and isolation practices), refer to the CDPH vaccine verification recommendations.

15. COVID-19 Safety Planning Transparency Recommendations

a. In order to build trust in the school community and support successful return to school, it is a best practice to provide transparency to the school community regarding the school's safety plans. It is recommended that at a minimum all local educational agencies (LEAs) post a safety plan, communicating the safety measures in place for 2021-22, on the LEA's website and at schools, and disseminate to families in advance of the start of the school year.

Note: With the approval of the federal American Rescue Plan, each local educational agency receiving Elementary and Secondary School Emergency Relief (ARP ESSER) funds is required to adopt a Safe Return to In-Person Instruction and Continuity of Services Plan and review it at least every six months for possible revisions. The plan must describe how the local educational agency will maintain the health and safety of students, educators and other staff. Reference the Elementary and Secondary School Relief Fund (ESSER III) Safe Return to In-Person Instruction Local Educational Agency Plan Template.

16. School-Based Extracurricular Activities

The requirements and recommendations in this guidance also apply to all extracurricular activities that are operated or supervised by schools, and all activities that occur on a school site, whether or not they occur during school hours, including, but not limited to, sports, band, chorus, and clubs. Masks are required for all persons while playing all indoor sports, unless wearing a mask during play has been determined to pose a choking hazard by a well-recognized health authority, such as the American Academy of Pediatrics.[1]

For (1) the playing of musical instruments that cannot be done with a face covering (e.g., wind instruments); or (2) when wearing a mask during play poses a choking hazard, at least one of the following options is required:
a. Conduct these activities outdoors;

b. Use modified face coverings and bell coverings when playing wind and brass instruments, and maintain 6 feet of physical distancing;

c. Perform at least weekly screening testing with either PCR testing (1:1 or pooled PCR) or antigen testing of all individuals, including those who are fully vaccinated.

Schools must be in compliance with the required weekly testing no later than September 27, 2021.

**CDPH will continue to assess conditions on an ongoing basis, and will determine no later than November 1, 2021, whether to update mask requirements or recommendations.**

**Additional considerations or other populations**

1. Disabilities or other health care needs recommendations

   a. When implementing this guidance, schools should carefully consider how to address the legal requirements related to provision of a free appropriate public education and requirements to reasonably accommodate disabilities, which continue to apply.

   b. Refer to the CDC K-12 guidance section on "Disabilities or other health care needs" for additional recommendations.

2. Visitor recommendations

   a. Schools should review their rules for visitors and family engagement activities.

   b. Schools should limit nonessential visitors, volunteers, and activities involving external groups or organizations with people who are not fully vaccinated, particularly in areas where there is moderate-to-high COVID-19 community transmission.

   c. Schools should not limit access for direct service providers, but can ensure compliance with school visitor polices.

   d. Schools should continue to emphasize the importance of staying home when sick. Anyone, including visitors, who have symptoms of infectious illness, such as flu or COVID-19, should stay home and seek testing and care.

3. Boarding schools may operate residential components under the following guidance:
a. **COVID-19 vaccination is strongly recommended for all eligible people in California, including teachers, staff, students, and adults sharing homes with these members of our K-12 communities.** See CDC recommendations about how to promote vaccine access and uptake for schools. Additional California-specific vaccine access information is available on the Safe Schools Hub.

b. Strongly recommend policies and practices to ensure that all eligible students, faculty and staff have ample opportunity to become fully vaccinated.

c. Strongly recommend that unvaccinated students and staff be offered regular COVID-19 screening testing.

d. Consider students living in multi-student rooms as a "household cohort." Household cohort members, regardless of vaccination status, do not need to wear masks or physically distance when they are together without non-household cohort members nearby. If different "household cohorts" are using shared indoor when together during the day or night, continue to monitor and enforce mask use, and healthy hygiene behaviors for everyone.

The non-residential components of boarding schools (e.g., in-person instruction for day students) are governed by the guidelines as other K-12 schools, as noted in this document.

Childcare settings and providers remain subject to separate guidance.


California Department of Public Health
PO Box, 997377, MS 0500, Sacramento, CA 95899-7377
Department Website (cdph.ca.gov)
AGENDA ITEM #: 13.2

SUBJECT:
Updates to the ACUSD Health and Safety Plan During COVID-19 for a Safe Return to School for the 2021-2022 School Year- Discussion/Action (As Needed)

BACKGROUND INFORMATION:
This will be a standing agenda item throughout the year as we will need to update the Board of Trustees on CDPH mandates and guidance that could require modifications to our health and safety plan. Updated copy provided during open session as needed.

FISCAL IMPLICATIONS:
N/A

RECOMMENDATION:
Superintendent Gibson recommends approving this.

PRESENTED BY:
Dr. Torie Gibson, Superintendent
SEPTEMBER 8, 2021

AGENDA ITEM #: 13.3

SUBJECT: Capital Adult Education Regional Consortium (CAERC) MOU

BACKGROUND INFORMATION:
The 2013-14 state budget, under Assembly Bill 86, appropriated $500 million to the California Community College Chancellor’s Office to provide funding for adult education. AB 86 supported the development of 71 regional adult education consortium plans that focus on expanding and improving opportunities for education and workforce services for adults. CAERC is comprised of 14 members including 11 K-12 school districts, 2 county offices of education, the Los Rios Community College District (4 colleges)—and 24 partner agencies.

CAERC assists with the distribution of funds, reporting requirements for California Adult Education Program (CAEP), and carrying out the requirements for receiving the CAEP funding. CAERC also supports in areas such as professional development activities, creating programs for adults related to earning a high school diploma, training related to entry or re-entry into the workforce, programs for adults to develop knowledge to assist school-aged children to succeed academically in school, programs for adults with disabilities, programs with pre-apprenticeship training, and programs for immigrants eligible for English as a second language and workforce preparation.

This MOU formalizes the ACUSD relationship with CAERC for Fund F (2021-2022 school year) and articulates the roles and responsibilities of each party.

FISCAL IMPLICATIONS:
$688,607 in adult education funding

RECOMMENDATION:
The Superintendent recommends approval of the MOU between CAERC and ACUSD.

PRESENTED BY:
Sean Snider, Assistant Superintendent, Educational Services
Memorandum of Understanding (MOU) # 21-G-AC
Between
Sacramento County Office of Education (SCOE)
and
Amador County Unified School District

Term of Agreement – July 1, 2021 through June 30, 2024

I. Purpose and Parties
The purpose of this MOU is to document the relationship and articulate roles and responsibilities between the Capital Adult Education Regional Consortium (CAERC) fiscal agent and program manager (SCOE) and each of the CAERC members. This Memorandum of Understanding is entered into between Sacramento County Office of Education (SCOE) and Amador County Unified School District. Amador County Unified School District and SCOE hereby agree to the following terms of this MOU. Amador County Unified School District is a member of CAERC. Amador County Unified School District hereinafter is referred to as “CAERC Member.”

II. Background

AB 86 Planning Grant
The 2013-14 State Budget, under the auspices of Assembly Bill 86, appropriated $25 million to the California Community College Chancellor’s Office (CCCCO) to provide funding for two-year adult education planning and implementation grants. AB 86 supported the development of regional adult education consortium plans that focus on expanding and improving opportunities for education and workforce services for adults. From July 1, 2013 to December 31, 2015, AB 86 consortia, consisting of K-12 school districts, community college districts, and other partners developed regional education and workforce service plans for adults.

AB 104 Adult Education Block Grant
On June 24, 2015 Governor Jerry Brown signed AB 104 into law. The 2015-16 year represented the transition period from the planning that took place with AB 86 to the actualization of the Adult Education Block Grant (AEBG). The 2015-16, 2016-17 and 2017-18 State Budgets included $500 million in new funding for seven authorized adult education program areas. On February 22, 2018, the CCCCO and CDE notified all consortia of their intent to award AEBG funding for fiscal years 2018-19 and 2019-20. AEBG Office issued preliminary allocation schedule, which included a proposed increase in funding at $20.5 million. The January 2018 Governor’s Proposed Budget language categorized AEBG as the “ongoing proposition 98 General Fund”.

California Adult Education Program
On July 1, 2019, the name change came into effect from Adult Education Block Grant to California Adult Education Program (CAEP) as defined in California Education Code, Title 3, Division 7, Part 50, Chapter 5, Article 9 [84900 – 84920].
Program and Fiscal Year 2020-21
For fiscal year 2020-21, the California Adult Education Program Office allocated a total of $11,986,773 to the Capital Adult Education Regional Consortium. This allocation was locally designated as Fund F.

Program and Fiscal Year 2021-22
For fiscal year 2021-22, the California Adult Education Program Office allocated a total of $12,166,565 to the Capital Adult Education Regional Consortium. This allocation is locally designated as Fund G.

Education Code 84914 guides the allocation process for all members as follows.

84914.
(a) As a condition of receipt of an apportionment from the program, a consortium shall approve a distribution schedule that includes both of the following:
   (1) The amount of funds to be distributed to each member of the consortium for that fiscal year.
   (2) A narrative justifying how the planned allocations are consistent with the adult education plan.

(b)
   (1) For any fiscal year for which the chancellor and the Superintendent allocate an amount of funds to the consortium greater than the amount allocated in the prior fiscal year, the amount of funds to be distributed to a member of that consortium shall be equal to or greater than the amount distributed in the prior fiscal year, unless the consortium makes at least one of the following findings related to the member for which the distribution would be reduced:
      (A) The member no longer wishes to provide services consistent with the adult education plan.
      (B) The member cannot provide services that address the needs identified in the adult education plan.
      (C) The member has been consistently ineffective in providing services that address the needs identified in the adult education plan and reasonable interventions have not resulted in improvements.
   (2) For any year for which the chancellor and the Superintendent allocate an amount of funds to the consortium less than the amount allocated in the prior year, the amount of funds to be distributed to a member of that consortium shall not be reduced by a percentage greater than the percentage by which the total amount of funds allocated to the consortium decreased, unless the consortium makes at least one of the following findings related to the member for which the distribution would be reduced further:
      (A) The member no longer wishes to provide services consistent with the adult education plan.
      (B) The member cannot provide services that address the needs identified in the adult education plan.
The member has been ineffective in providing services that address the needs identified in the adult education plan and reasonable interventions have not resulted in improvements.

A distribution schedule shall also include preliminary projections of the amount of funds that would be distributed to each member of the consortium in each of the subsequent two fiscal years. The preliminary projections shall not constitute a binding commitment of funds.

**Role and Function of CAERC**

The Capital Adult Education Regional Consortium is comprised of 14 members: 11 K-12 school districts, 2 county offices of education, and the Los Rios Community College District representing 4 colleges. Members opt in to receiving funds through a base allocation to provide instruction in any of the seven authorized program areas, in accordance with the regional plan. Members collaborate with multiple regional partners to provide support services to the adult learners. SCOE acts as a fiscal agent and a program manager for the consortium.

Funds are allocated at the consortium-level for activities to strengthen the region and to coordinate the financial aspects of the consortium. Regional strategies in the Annual Plan for 2021-22 will also include plans to address the re-opening and growing of programs after the COVID-19 pandemic. SCOE-CAERC Program/Fiscal PY 2021-22 budget consists of staff salaries and other associated expenses, for the following services:

- Facilitating and carrying out consortium business and working meetings
- Facilitating and carrying out the work defined by regional strategies
- Facilitating annual and strategic planning processes
- Leveraging regional resources and activities for the benefit of the adult learners
- Carrying out administrative work in support of the overall activities
- CAERC fiscal at 1% of the overall allocation to maintain the following services:
  - Processing member allocations and, if applicable, re-allocations of member funds
  - Hosting quarterly fiscal meetings with district fiscal staff and member representatives
  - Disseminating state updates pertaining to CAEP funds
  - Reviewing quarterly budget and expenditure reports
  - Compiling and storing fiscal data files from members
  - Providing technical assistance with budget, expenses and other reports as required by the State.

**III. Role of SCOE and CAERC Member**

**Role of SCOE**

As the fiscal agent, SCOE will distribute consortium funds in accordance to the CAERC Governance and Shared Fiscal and Budget Agreement Policy (amended February 3, 2021), AB 104, and California Education Code section 84913. SCOE will be responsible for collecting, compiling, and reporting consortium-level fiscal and program information.
Role of CAERC Member
CAERC Member will adhere to the agreements outlined in the CAERC Shared Fiscal and Budget Agreement Policy (amended February 3, 2021). CAERC Member will be responsible for participating in the consortium decision-making process and reporting member fiscal and program information to the consortium, and learner performance data to the CAEP Office as specified in AB 104, Education Code and any associated CAEP guidelines.

Role of Both Parties
Both parties will work together to comply with CAEP reporting requirements. CAEP requires that each consortium report allocations by participating members, budgets by object code, by program area and objective, and file expenditure and progress reports. Allocations by members should match expenditures, follow CAERC’s Annual Plan, and adhere to the expenditure guidelines outlined in the CAEP Adult Education Program Fiscal Management Guide, Allowable Uses of Adult Education Program Funds

IV. SCOE Responsibilities
As the CAERC fiscal agent, SCOE will process expenses and expenditure contracts, as agreed upon by the members, and work with the members to implement fiscal decisions per CAERC’s 2021-22 Annual Plan and Three-Year Consortium Plan for 2019-2022.

As the designated fiscal and program information-reporting agency, SCOE will:

1. Upon SCOE’s receipt of CAEP funds from the California Department of Education and California Community College Chancellor’s Office, in accordance to Education Code 84912, SCOE will distribute monthly payments to CAERC members.

2. Starting in 2017, the CAEP Office has been developing - in multiple phases - a new online fiscal reporting system, NOVA, through which CAERC members submit budget and expenditure information directly to the CAEP Office. SCOE will continue to provide member training and support with the reporting system. SCOE will provide the Consortium lead and fiscal staff who will certify member work plans and budgets for the fiscal year.

3. SCOE will facilitate members’ reporting of program-area expenditures for their respective allocations within the consortium.

4. SCOE will compile and report to CAEP any additional qualitative and quantitative consortium-level data, as needed.

5. SCOE will carry out the consortium-level activities as approved by the members in the annual plan for the current program year.
V. CAERC Member Responsibilities

To enable SCOE’s reporting to the CAEP Office, CAERC Member will be responsible for monitoring their own activities and reporting to SCOE all CAERC related fiscal and program activities. This includes any necessary student participation data, expenditure documentation, and any AB104/CAEP information necessary for the successful completion of AB104/CAEP mandated reports, performance measures, and program outcomes. Expenditures must follow CAERC’s Annual Plan, adhere to the expenditure guidelines outlined in the AB 104/CAEP CAEP Adult Education Program Fiscal Management Guide, Allowable Uses of Adult Education Program Funds, and follow other guidelines established by the CAEP Office. In addition, all CAERC Members will adhere to CAERC-approved policies related to fiscal, program and governance procedures.

CAERC Member will designate a person/persoons with proper authority to certify all information submitted to SCOE and NOVA. CAERC Member acknowledges and accepts all responsibility for program related expenditures and certifies that expenditures are in compliance with the approved objectives, rules and regulations that govern the CAEP program. Furthermore, CAERC Member accepts all liability for any disallowed costs, should they arise.

Subject to 84914.b.2, in exchange for a minimum of $688,607 CAERC Member will:

1. Submit expenditure information.
   a. Report member expenditures into NOVA as per dates set by the CAEP Office.
   b. Report final member expenditures to SCOE within 15 days after the close of the fiscal cycle as outlined in Exhibit A, Shared Fiscal and Budget Agreement Policy, attached and incorporated herein.
   c. Member has until December 31, 2022 to spend the funds.
   d. Provide to CAERC Project staff an expenditure summary narrative, progress update narrative and/or other data for the reports as required by the CAEP Office.
   e. Use the lesser of the California Department of Education approved indirect cost rate for Program Year 2021-22 or the maximum set forth by the CAEP Office.

2. Submit required quarterly and end-of-year student level information via the CASAS TOPSpro Enterprise data reporting systems and as specified by the CAEP Office.

3. Conduct professional development activities.
   a. A minimum of $5,000 per year is included in the CAERC Member total allocation for Fund G to cover professional development activities.
      i. This additional funding is specifically allocated to address the following CAERC regional strategy: Offer Professional Development to Support the Regional Strategies
   b. Members may be asked to be responsible for the logistics and cost of hosting consortium meetings and professional development events at their locations.
4. Develop regional partnerships and the CAERC Network of Transition Navigators.
   a. A minimum of $35,000 per year is included in the CAERC Member total allocation for Fund G to cover Transition Navigator network activities and funding.
      i. This additional funding is specifically allocated to address the following CAERC regional strategy: Increase K-12 Adult Education Transition to Workforce and Postsecondary.

5. Submit other data as required by AB 104/CAEP guidelines.

6. Submit reports and questions to the CAERC Office by email: caercsubmit@scoe.net

7. Follow Annual Plan General Assurances:
   b. Spend funds within the CAEP program areas.
   c. Participate in public meetings and decision-making.
   d. Report student data in CASAS TOPSpro Enterprise.
   e. Share information on other resources being used to serve adults.
   f. Share financial expenditure and progress reports with the regional consortium.
   g. Provide services that address the needs identified in the adult education plan.

VI. Term

This MOU Agreement shall be effective July 1, 2021 and ending on June 30, 2024. Either party may terminate this MOU with at least a sixty- (60) day written notice of intention to terminate this agreement. This agreement may also be terminated by CAERC officially designated members if it is determined a member is not compliant with the CAEP Adult Education Program Fiscal Management Guide, Allowable Uses of Adult Education Program Funds or for non-performance with fiscal and/or program reporting or as specified on the CAERC Governance Plan.

VII. Privacy

SCOE and all CAERC members will comply with all state and federal education privacy policies. SCOE and CAERC members will not disclose any personally identifiable information except upon written consent of the participating adult learners or as otherwise permitted by law.

VIII. Indemnity

CAERC Member agrees to defend, indemnify, and hold harmless SCOE (including its directors, agents, officers and employees), from any claim, action, or proceeding arising from any actual or alleged acts or omissions of CAERC Member, its director, agents, officers, or employees relating to CAERC Member’s duties and obligations described in this agreement or imposed by law.
SCOE agrees to defend, indemnify, and hold harmless CAERC Member (including its directors, agents, officers and employees), from any claim, action, or proceeding arising from any actual or alleged acts or omissions of SCOE, its director, agents, officers, or employees relating to SCOE’s duties and obligations described in this agreement or imposed by law.

It is the intention of the parties that this section imposes on each party responsibility to the other for the acts and omissions of their respective officials, employees, representatives, agents, subcontractors and volunteers, and that the provisions of comparative fault shall apply.

IX. Modification
Any changes to this MOU must be agreed to in writing by both parties. Should changes in legislation, the State budget or health and safety guidelines related to infectious disease outbreak occur that necessitate revision of this MOU, the CAERC Member and SCOE shall meet to revise accordingly.

X. Independent Agents
This MOU is by and between two independent agents, SCOE and CAERC Member, and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture and/or association between the two independent agents. The parties shall be expected to independently comply with all relevant laws, including those regarding worker’s compensation.

XI. Nondiscrimination
Any service provided by either party pursuant to this MOU shall be without discrimination based on the actual or perceived race, religious creed, color, national origin, nationality, immigration status, ethnicity, ethnic group identification, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, gender, gender identity, gender expression, sex, or sexual orientation, in accordance with all applicable Federal and State laws and regulations.

XII. Insurance
Both parties shall maintain in full force Commercial Liability Insurance with limits of no less than $1,000,000 per occurrence. Such requirement may be satisfied by coverage through a joint powers authority. Evidence of insurance coverage shall be furnished upon request by CAERC Member or by SCOE.

XIII. Execution of Agreement
This MOU may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Photographic copies of such signed counterparts may be used in lieu of the originals for any purpose.
SHARED FISCAL AND BUDGET AGREEMENT
POLICY FOR CAPITAL ADULT EDUCATION
REGIONAL CONSORIUM

(Adopted July 13, 2016, Amended January 10, 2018, Amended FEBRUARY 3, 2021)

This document guides the fiscal and budget responsibility of the members that opt into receiving funding, and thus running authorized education programs, under the California Adult Education Program, CAEP, [Education Code, Sections 84900-84920] within the Capital Adult Education Regional Consortium.

Shared Fiscal Agreement


b) Fund B: Members will spend funds by December 2017.

c) Fund C and subsequent annual apportionments: Members will spend funds within 18 months of the start of the fiscal cycle of the year it was first allocated.

Shared Budget Agreement

a) CAERC Budget Workgroup meetings are mandatory for members. (Minimum one representative; Fiscal representatives are recommended to attend with program leads.)

b) From 2017 to 2019 the CAEP Office developed - in multiple phases - a new online fiscal reporting system, NOVA, through which CAERC members submit budget and expenditure information directly to the CAEP Office. SCOE will continue to provide member training and support with the reporting system. SCOE will provide the Consortium lead and fiscal staff who will certify member work plans and budgets for the fiscal year.

c) For each CAEP fund, members will submit a budget and spending plan, as well as expenditure reports, approved/signed/certified by an officially-designated member, and the Chief Financial Officer or designee. Member will submit budget and spending plan for the fiscal year. Member will submit expenditure reports quarterly as mandated by the CAEP Office.

d) Consortium will review and monitor member expenditure progress based on submitted CAEP expenditures and progress reports, supported by budget ledgers. Updates will be provided at the CAERC Budget Workgroup meetings.
CAERC Budget Allocation Process

1. For each CAEP Fund annual allocation from the state, CAERC first determines the cost for services as a Program Manager and Fiscal Agent. This consortium-level annual budget consists of staff salaries and other associated expenses, for the following services:
   1.1. Facilitating and carrying out consortium business and working meetings
   1.2. Facilitating and carrying out the work defined by members under annual regional strategies
   1.3. Facilitating annual and strategic planning processes
   1.4. Leveraging regional resources and activities for the benefit of the adult learners
   1.5. Carrying out administrative work in support of the overall activities
   1.6. SCOE/CAERC fiscal at 1% of the overall allocation to maintain the following services:
      1.6.1. Processing member allocations and, if applicable, reallocations of member funds
      1.6.2. Hosting quarterly fiscal meetings with district fiscal staff and member representatives
      1.6.3. Disseminating state policy and process updates pertaining to CAEP funds
      1.6.4. Reviewing quarterly budget and expenditure reports
      1.6.5. Compiling and storing fiscal data files from members
      1.6.6. Providing technical assistance with budget, expenses and other reports as required by the state.

2. For each CAEP Fund annual allocation from the state, the members receive the base allocation from the previous year. Education Code 84914 guides the allocation process for all members as follows.

   (a) As a condition of receipt of an apportionment from the program, a consortium shall approve a distribution schedule that includes both of the following:
      (1) The amount of funds to be distributed to each member of the consortium for that fiscal year.
      (2) A narrative justifying how the planned allocations are consistent with the adult education plan.
   (b) (1) For any fiscal year for which the chancellor and the Superintendent allocate an amount of funds to the consortium greater than the amount allocated in the prior fiscal year, the amount of funds to be distributed to a member of that consortium shall be equal to or greater than the amount distributed in the prior fiscal year, unless the consortium makes at least one of the following findings related to the member for which the distribution would be reduced:
      (A) The member no longer wishes to provide services consistent with the adult education plan.
      (B) The member cannot provide services that address the needs identified in the adult education plan.
      (C) The member has been consistently ineffective in providing services that address the needs identified in the adult education plan and reasonable interventions have not resulted in improvements
      (2) For any year for which the chancellor and the Superintendent allocate an amount of funds to the consortium less than the amount allocated in the prior year, the amount of funds to be distributed to a member of that consortium shall not be reduced by a percentage greater than the percentage by which the total amount of funds allocated to the consortium decreased.
3. For each CAEP Fund annual allocation from the state, the members may opt in or opt out of receiving one-time additional allocations and reallocations of funds as described in the section titled “Reallocation of Unspent Funds Policy”

Reallocation of Unspent Funds Policy

The Capital Adult Education Regional Consortium (CAERC) will take a dual-tiered approach to reallocate unspent funds:

**Tier 1: Consortium-Level Unspent Funds**

1. Identify funded strategies that can benefit from an increased allocation and reallocate unspent funds.
2. Identify unfunded strategies that can be funded and reallocate unspent funds.
3. Reallocated funds must be spent as stated in Memorandum of Understanding (MOU).

**Tier 2: Remaining Consortium-Level Unspent Funds and Member-Level Unspent Funds**

1. Members who have spent down 100% of their consortium allocation will be eligible for the reallocation funds.
2. Eligible members may opt in or opt out of accepting reallocation funds.
3. Distribution will be based on CAERC’s 2015-16 allocation funding formula in proportionate to percentage received with the number of members who opt in.
4. Opt in members can elect to accept funds in full amount or partial amount based on CAERC’s 2015-16 allocation funding formula.
5. Reallocated funds must be spent as stated in the original Memorandum of Understanding (MOU).
6. Members must return unspent funds within 30 days of notice.
7. The consortium will not distribute reallocation funds until all unspent funds are returned.
8. Members who have not returned unspent funds will have all future allocations withheld by the consortium, until funds are received.
Progressive Permanent Reallocation

1. Progressive reallocation will not apply in years with extenuating circumstances – as agreed by all members.

2. **First time:** If a member is at-risk or unable to spend the allocation within the designated timeline, the Consortium will provide assistance and will notify the member and its Superintendent that it is at-risk:
   2.1. Unspent funds will return back to the consortium to be reallocated and member will be held harmless.

3. **Second time (consecutive):** If a member is at-risk or unable to spend the allocation within the designated timeline, the Consortium will provide assistance and will notify the member and its Superintendent that it is at-risk:
   3.1. Unspent funds will return back to the consortium to be reallocated.
   3.2. The member’s future consortium allocation will be reduced by 10% permanently.
      3.2.1. Members must be in “good standing” to be eligible for additional new CAEP funds (e.g., unspent funds from other CAERC members, or if it becomes available - unspent funds from other CAEP consortia to be reallocated to consortia that have spent down).
      3.2.2. All Members will be eligible for Cost of Living Adjustment - COLA.

4. **Third time (consecutive):** If a member is at-risk or unable to spend the allocation within the designated timeline, the Consortium will provide assistance and will notify the member and its Superintendent that it is at-risk:
   4.1. Unspent funds will return back to the consortium to be reallocated.
   4.2. The member’s future consortium allocation will be progressively reduced by an additional 10% permanently.

5. **Subsequent times:**
   5.1. Unspent funds will be reallocated.
   5.2. The member’s consortium allocation will be progressively reduced by an additional 10% permanently.

6. If additional new funds are available, member can petition to be reinstated after being in “good standing – spent consortium allocation within designated year” minimum of 2 consecutive years.
CAERC Budget Voting Requirements Policy
A recommendation from the Budget Workgroup followed by a vote from the officially-designated members is required under the following conditions:

- CAERC consortium-level expenditures exceeding 10% of the approved budget for Regional Strategies over $100,000.
- CAERC consortium-level expenditures over $10,000 with a minimum of $5,000 for Regional Strategies less than $100,000.
- A Request for Bids (RFB) is required for consortium-level expenditures exceeding $100,000.
Consortium Regional Staff Policy
(Adopted May 4, 2016, Amended FEBRUARY 3, 2021)

Staff Positions
The Consortium Regional Staff is inclusive of the following positions to support the consortium regional work: Director (1)

- Coordinator (1)
- Administrative Assistant (1)
- Fiscal Agent
- Other positions first approved by the fiscal agent as the hiring entity, and based on recommendations by the officially-designated members

Hiring
Representation of the consortium membership is essential during the hiring of the consortium staff. To ensure this, the interview panel for the hiring of the consortium Director position will consist of:

- Minimum of one Leadership Oversight Panel member;
- CAERC Co-chairs (one representing Los Rios Community College District and one representing K-12 districts/county office of education); and
- Minimum of one officially-designated member. The member participating in the hiring process will be chosen through a nomination process and confirmed by majority of officially-designated members.

The interview panel for the hiring of other consortium staff positions will consist of:

- Minimum of one CAERC Co-chair (1 representing Los Rios Community College District or 1 representing K-12 districts/county office of education);
- Consortium Director; and
- Minimum of one officially-designated member. The member participating in the hiring process will be chosen through a nomination process and confirmed by majority of officially-designated members.
AGENDA ITEM #: 13.4

SUBJECT: GPV- Agreement for Legal Services

BACKGROUND INFORMATION: The Lozano Smith law firm serves as primary legal services for ACUSD for all aspects of our organization. The special education attorney, Aimee Perry, who has worked with ACUSD over the years, recently left the firm to go out on her own with two other attorneys. Due to her history with the district, we wish to keep her for our special education needs. GPV will have all files transferred to their offices in order to support ACUSD going forward.

FISCAL IMPLICATIONS: See Contract.

RECOMMENDATION: Superintendent Gibson recommends approving this

PRESENTED BY: Dr. Torie Gibson, Superintendent
Aimee M. Perry  
Email: aimee@gpvlaw.com

August 26, 2021

Torie Gibson  
Superintendent  
Amador County Unified School District  
217 Rex Ave.  
Jackson, CA 95642

Re: Engagement Letter for Legal Services

Dear Ms. Gibson:

We thank you for selecting Gutierrez, Perry & Villarreal, LLP ("GPV") to represent the Amador County Unified School District and provide you with legal support and services. This letter confirms our understanding and agreement regarding GPV's representation of the Amador County Unified School District in connection with the type of legal matters described in the enclosed Agreement for Legal Services.

After reviewing the Agreement for Legal Services, if the terms are acceptable to you, please sign where indicated and return to us. Once accepted, the Agreement for Legal Services constitutes the contract between GPV and the Amador County Unified School District. We look forward to continuing our relationship with you. If you have any questions, please do not hesitate to call or email.

Sincerely,

/s/ Aimee M. Perry  
Aimee M. Perry, Founding Partner  
Gutierrez, Perry & Villarreal, LLP

Enclosures
AGREEMENT FOR LEGAL SERVICES

This Agreement for Legal Services ("Agreement") is entered into between Gutierrez, Perry & Villarreal, LLP ("GPV Law") and Amador County Unified District ("Client") as of the date of execution.

This Agreement for Legal Services ("Agreement") is intended to explain GPV Law billing policies and procedures. By signing and returning the Agreement for Legal Services, Client indicates its acceptance of the terms set forth in this Agreement.

1. SCOPE OF AGREEMENT

Client retains GPV Law to provide legal representation and advice in special education, general student, and other matters as assigned by Client.

2. DUTIES OF GPV LAW AND CLIENT

GPV Law shall provide those legal services reasonably required to represent Client and shall take reasonable steps to keep Client informed of significant developments and to respond to Client's inquiries. If necessary to effectively represent Client, GPV Law may delegate work to other attorneys, paralegals, law clerks, consultants and office personnel associated with GPV Law as an employee or independent contractor.

Client shall keep GPV Law reasonably informed of developments, perform the obligations Client has agreed to perform under this Agreement, and pay statements from GPV Law in a timely manner.

3. BILLING RATES

Client agrees to pay for legal services at the rates as set forth in the attached rate sheet. These rates are subject to adjustment on an annual basis. GPV Law shall provide Client with written notice of rate adjustments at least thirty (30) days prior to the date of any rate changes, and the new rates shall be instituted only in consultation with Client.

4. COSTS AND EXPENSES

Client shall directly pay for major costs and expenses by either advancing such costs or expenses to GPV Law, or by paying third parties directly. In all other cases, Client shall reimburse GPV Law for all costs and expenses incurred by GPV Law including, but not limited to, the following: costs of serving pleadings, filing fees and other charges assessed by courts and other public agencies, witness fees, long distance telephone calls, messenger and other delivery fees, postage, photocopying, parking, mileage, travel expenses (including air fare at coach rates, lodging, meals, and ground transportation), research, investigation expenses, consultant fees, expert witness fees, and other costs deemed necessary by GPV Law. GPV Law shall itemize all costs incurred on each periodic statement.
5. STATEMENTS

GPV Law shall send Client a statement for fees and costs incurred every month. However, when the fees and costs for a particular month are minimal, they may be carried over to the next month's statement. Client shall pay statements from GPV Law within thirty (30) days of the date such statement is received by Client.

6. DISCHARGE AND WITHDRAWAL

Either party may terminate this Agreement upon written notice to the other party. GPV Law and Client each agree to sign any documents reasonably necessary to complete GPV Law's discharge or withdrawal. Upon the completion of GPV Law's services, all unpaid charges for services rendered and costs incurred or advanced through the completion date shall be due and payable within thirty (30) days of the date of the statement is received by Client.

7. DISPUTE RESOLUTION

If there is a dispute or disagreement between GPV Law and Client, the parties shall consult with one another in good faith to attempt to resolve such dispute. If such consultation does not resolve the dispute, either party may request that such dispute be resolved by mediation. Upon such request, the parties will work to identify a mutually agreeable mediator.

8. CLIENT FILES

At Client's request, upon termination of the services under this Agreement, GPV Law shall promptly release all of Client's files to Client.

9. INSURANCE COVERAGE

Client is hereby informed that GPV maintains errors and omissions insurance coverage.

10. MODIFICATION BY SUBSEQUENT AGREEMENT

This Agreement may be modified only by a written instrument signed by both parties.

By signatures below, the parties understand and accept the foregoing terms.

DATE: 8-27-2021  
Torie Gibson, Superintendent  
AMADOR COUNTY UNIFIED SCHOOL DISTRICT

DATE: 8-27-21  
Marcy Gutierrez, Founding Partner  
Gutierrez, Perry & Villareal, LLP
DATE: 8-27-21

Aimee Perry, Founding Partner
Gutierrez, Perry & Villarreal, LLP

DATE: 8-27-21

Colleen Villarreal, Founding Partner
Gutierrez, Perry & Villarreal, LLP
RATE SHEET

1. Hourly Rates for Legal Support
   Partners                      $285 per hour
   Associate                    $260 per hour

2. Billing Practice
   Gutierrez, Perry & Villarreal will provide a monthly invoice with itemized descriptions of the services provided. Time will be billed in increments of .10.

3. Costs
   Copying                      $0.25 per page
   Postage                      Actual Cost
   Mileage                      IRS Standard Rate

Other costs as necessary may be charged at actual rates.
Amador County Public Schools

SEPTEMBER 8, 2021

AGENDA ITEM #: __13.5a-e___________

SUBJECT:
Board Policy Updates – Discussion/Action

BACKGROUND INFORMATION:
Multiple board policy updates are done each year. The description summarizes the changes made to the policy.

a. Board Policy 1313 – Civility
New policy addresses the importance of civility to the effective operation of the district, including its role in creating a positive school climate and enabling a focus on student well-being, learning, and achievement. Policy includes First Amendment free speech considerations, behavior that constitutes civil behavior, practices that promote civil behavior, and authorization to educate or provide information to students, staff, parents/guardians, and community members to assist in the recognition, development, and demonstration of civil behavior. Policy also includes material regarding behavior that is disruptive, hinders the orderly conduct of district operations or programs, or creates an unsafe learning or working environment, as well as the prohibition of, and consequences for, behavior which is discriminatory, harassing, or intimidating, including sexual harassment, bullying, and/or hate violence.

b. Board Policy 5141.4 - Child Abuse Prevention and Reporting
Policy updated to clarify that districts are not required, but are authorized, to include age-appropriate and culturally sensitive child abuse prevention curriculum in the instructional program, add material regarding displaying posters on campus notifying students of the appropriate telephone number to call to report child abuse or neglect, include the requirement for student identifications cards for students in grades 7-12 to include the National Domestic Hotline telephone number, and clarify that the training regarding duties of mandated reporters be according to law and administrative regulation.

c. Board Policy 5145.12 - Search and Seizure
Policy updated to reflect court decision upholding a school policy that called for limited searches without individualized suspicion if students left campus and returned in the middle of the day. Policy also updated to reflect law which places restrictions on searches of electronic devices such as cellular phones, court decision regarding searches of lockers without individualized suspicion, and court decision upholding policy of random weapons screening with a handheld metal detector.

d. Board Policy 5148 - Child Care and Development
Policy updated to reflect NEW LAW (SB 98, 2020) which transfers responsibility for state administration of child care and development programs from CDE to the California Department of Social Services (CDSS) effective July 1, 2021. Information about the Child Care Facilities Revolving Fund deleted as the fund is no longer operative. Policy also reflects NEW STATE REGULATIONS (Register 2020, No. 21) which retain the requirement to refer health and safety complaints regarding
licensed child care and development programs to CDSS but eliminate the requirement that complaints regarding a license-exempt facility be referred to a Child Development regional administrator.

e. Board Policy 6142.5 - Environmental Education
Policy updated to reflect law which required that the state-adopted environmental principles and concepts be integrated into content standards, curriculum frameworks, and textbook criteria. Policy also reflects legislative intent that governing boards undertake specified actions to promote instruction in environmental literacy, including by embedding environmental literacy in the local priorities addressed in the district's local control and accountability plan, collaborating with other agencies to enhance the environmental curriculum, providing professional development in environmental literacy, and ensuring equity in the provision of environment-based learning opportunities.

**FISCAL IMPLICATIONS:**
None

**RECOMMENDATION:**
The Superintendent recommends that the Board approve the Board Policy updates.

**PRESENTED BY:**
Torie Gibson, Superintendent
Sean Snider, Assistant Superintendent, Educational Services
The Governing Board recognizes the impact that civility has on the effective operation of the district, including its role in creating a safe and positive school climate and enabling a focus on student well-being, learning, and achievement. The Board believes that each person should be treated with dignity and respect in their interactions within the school community.

The Board understands that the First Amendment provides strong protection for speech. However, the Board expects that all speech and expression will comport with norms of civil behavior on district grounds, in district facilities, during district activities or events, and in the use of district electronic/digital systems and platforms.

Civil behavior is polite, courteous, and reasonable behavior which is respectful to others and includes integrity, honesty, acceptance, timeliness, dependability, observance of laws and rules, and effective communication.

The Board and district staff shall model civil behavior as an example of behavior that is expected throughout the district. Practices that promote civil behavior include actively listening, giving full attention to the speaker, and refraining from interruptions; welcoming and encouraging participation, input, and feedback through stakeholder engagement; promptly responding to concerns; and embracing varying and diverse viewpoints. Such practices may be incorporated into governance standards adopted by the Board or Superintendent and/or professional standards or codes of conduct for employees as specified in district policies and regulations.

Students, staff, parents/guardians, and community members should be educated in the recognition, development, and demonstration of civil behavior. The Superintendent or designee may incorporate related concepts in the curriculum, provide staff development activities, and/or communicate this policy to the school community.

Students, staff, parents/guardians, and community members shall not communicate or behave in a manner that causes disruption; hinders the orderly conduct of district operations, the educational program, or any other district program or activity; or creates an unsafe learning or working environment. The Superintendent or designee may respond to disruptive, violent, or threatening behavior in accordance with law and as specified in BP/AR 3515.2 - Disruptions.

Behavior by students or staff that is discriminatory, harassing, or intimidating, including sexual harassment, bullying, and/or hate violence, or behavior that is in any other way unlawful, is prohibited and is subject to discipline in accordance with law and as specified in district policy and regulations.
CSBA Sample
Board Policy

Students BP 5141.4(a)

CHILD ABUSE PREVENTION AND REPORTING

The Governing Board is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5141.5 - Mental Health)
(cf. 5141.6 - School Health Services)
(cf. 6164.2 - Guidance/Counseling Services)

Child Abuse Prevention

The district's instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall teach students' right to live free of abuse, include instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, informs students of available support resources, and teaches students how to obtain help and disclose incidents of abuse.

(cf. 6142.8 - Comprehensive Health Education) (cf. 6143 - Courses of Study)

The district's program also may include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction. (Education Code 51900.6)
CHILD ABUSE PREVENTION AND REPORTING (continued)

The Superintendent or designee may display posters, in areas on campus where students frequently congregate, notifying students of the appropriate telephone number to call to report child abuse or neglect. (Education Code 33133.5)

In addition, student identification cards for students in grades 7-12 shall include the National Domestic Violence Hotline telephone number. (Education Code 215.5)

The Superintendent or designee shall, to the extent feasible, seek to incorporate community resources into the district's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

Child Abuse Reporting

The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

Procedures for reporting child abuse shall be included in the district and/or school comprehensive safety plan. (Education Code 32282)
CHILD ABUSE PREVENTION AND REPORTING (continued)

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

The Superintendent or designee shall provide training regarding the duties of mandated reporters as required by law and as specified in the accompanying administrative regulation. (Education Code 44691; Penal Code 1165.7)

Legal Reference:
EDUCATION CODE
215.5 Student identification cards with National Domestic Violence Hotline telephone number
32280-32289.5 Comprehensive school safety plans
33133.5 Posters of telephone number for students to report child abuse or neglect
33195 Heritage schools, mandated reporters
33308.1 Guidelines on procedure for filing child abuse complaints 44252
Teacher credentialing
44691 Staff development in the detection of child abuse and neglect 44807 Duty concerning conduct of students
48906 Notification when student released to peace officer 48987
Dissemination of reporting guidelines to parents 49001 Prohibition of corporal punishment
51220.5 Parenting skills education
51900.6 Sexual abuse and sexual assault awareness and prevention instruction
CODE OF CIVIL PROCEDURE
340.1 Damages suffered as a result of childhood sexual abuse
Penal Code
152.3 Duty to report murder, rape, or lewd or lascivious act 273a
Willfully or causing unjustifiable pain or mental suffering punishment;
endangering life or health

283 Crime of sodomy
287 Crime of oral copulation
288 Definition of lewd or lascivious act requiring reporting
289 Crime of sexual penetration
11164-11174.3 Child Abuse and Neglect Reporting Act
WELFARE AND INSTITUTIONS CODE
15630-15637 Dependent adult abuse reporting CODE OF REGULATIONS, TITLE 5
4650 Filing con3200-3205 special education students UNITED STATES CODE, TITLE 42
11434a McKinney-Vento Homeless Assistance Act; definitions COURT DECISIONS
Camreta v. Greene (2011) 131 S.Ct. 2020

Management Resources: (see next page)
CHILD ABUSE PREVENTION AND REPORTING (continued)

Management Resources:
CSBA PUBLICATIONS
Why Schools Hold the Promise for Adolescent Mental Health, Governance Brief, May 2019
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve
Health Framework for California Public Schools, Kindergarten Through Grade Twelve
WEB SITES
California Attorney General's Office, Suspected Child Abuse Report Form:
http://www.cde.ca.gov/ls/ss/ap
https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss_8572.pdf
California Department of Education, Child Abuse Prevention Training and Resources
http://www.cde.ca.gov/ls/ss/ap
California Department of Social Services, Services Division Information Resources Guide
http://www.childsworld.ca.gov:
U.S. Department of Health and Human Services, Child Welfare Information Gateway:
https://www.childwelfare.gov/can
https://www.childwelfare.gov

(11/04 12/14) 6/21
SEARCH AND SEIZURE

The Governing Board is fully committed to promoting a safe learning environment and, to the extent possible, eliminating the possession and use of weapons, illegal drugs, and other controlled substances by students on school premises and at school activities. As necessary to protect the health and welfare of students and staff, and only as authorized by law, Board policy, and administrative regulation, school officials may search students, their property, and/or district property under their control and may seize illegal, unsafe, or otherwise prohibited items.

The Board urges that employees exercise discretion and use good judgment when conducting searches.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 3515 - Campus Security)
(cf. 3515.3 - District Police/Security Department)
(cf. 5131 - Conduct)
(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5145.3 - Nondiscrimination/Harassment)

The Board urges that employees exercise discretion and good judgment when conducting searches. School officials shall act in accordance with law, Board policy, and administrative regulation.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 5145.3 - Nondiscrimination/Harassment)
The Superintendent or designee shall ensure that staff who conduct student searches receive training regarding the requirements of the district's policy and administrative regulation and other legal issues, as appropriate.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

**Individual Searches Based on Individualized Suspicion**

School officials may search any individual student, his/her the student's property, or district property under his/her the student's control when there is a reasonable suspicion that the search will uncover evidence that he/she the student is violating the law, Board policy,
administrative regulation, or other rules of the district or the school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation.

The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, student vehicles parked on district property, cellular phones, or other electronic communication devices.

Any search of a student, property, or district property under his/her the student's control shall be limited in scope and designed to produce evidence related to the alleged violation. Factors to be considered by school officials when determining the scope of the search shall include the danger to the health or safety of students or staff, such as the possession of weapons, drugs, or other dangerous instruments, and whether the item(s) to be searched by school officials are reasonably related to the contraband to be found. In addition, school officials shall consider the intrusiveness of the search in light of the student's age, gender, and the nature of the alleged violation.

The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, and student vehicles parked on district property, cellular phones, or other electronic communication devices.

A student's personal electronic device may be searched only if a school official, in good faith, believes that an emergency involving danger of death or serious physical injury to the student or others requires access to the electronic device information.

(cf. 6163.4 - Student Use of Technology)

Employees shall not conduct strip searches or body cavity searches of any student. (Education Code 49050)

Searches of individual students shall be conducted in the presence of at least two district employees.
SEARCH AND SEIZURE  (continued)

The principal or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search.

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

Searches of Multiple Student Lockers/ and Desks
All student lockers and desks are the property of the district. The principal or designee may conduct a general inspection of school properties that are within the control of students, such as lockers and desks, on a regular, announced basis, with students standing by their assigned lockers or desks. Any items contained in a locker or desk shall be considered to be the property of the student to whom the locker or desk was assigned.

Use of Metal Detectors

The Board believes that the presence of weapons in the schools threatens the district's ability to provide the safe and orderly learning environment to which district students and staff are entitled. The Board also believes that metal detector searches offer a reasonable means to keep weapons out of the schools and mitigate the fears of students and staff.

The Superintendent or designee shall use metal detectors at district schools as necessary to keep weapons out of schools and help provide a safe learning environment. He/she shall establish a plan to ensure that metal detector searches are conducted in a uniform and consistent manner.

Use of Contraband Detection Dogs

In an effort to keep the schools free of dangerous contraband, the district may use specially trained, nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or Board policy. The dogs may sniff the air around lockers, desks, or vehicles on district property or at district-sponsored events. Dogs shall not sniff within the close proximity of students or other persons and may not sniff any personal items on those persons without individualized suspicion. Without their consent.

Legal Reference:

EDUCATION CODE
32280-32289 School safety plans
35160 Authority of governing boards
35160.1 Broad authority of school districts 48900-48927 Suspension and expulsion 49050-49051
Searches by school employees 49330-49334 Injurious objects

PENAL CODE
626.9 Firearms
626.10 Dirks, daggers, knives or razor
1546-1546.1 Production of or access to electronic communication information

CALIFORNIA CONSTITUTION
SEARCH AND SEIZURE  (continued)

Article I, Section 28(c) Right to Safe Schools  COURT DECISIONS
In G.C. v. Owensboro Public Schools (6th Cir. 2013) 711 F.3d 623
B.C. v. Plumas, (9th Cir. 1999) 192 F.3d 1260.
B.C. v. Plumas, (9th Cir. 1999) 192 F.3d 1260
In re William G (1985) 40 Cal. 3d 550
Horton v. Goose Creek Independent School District, (5th Cir. 1982) 690 F.2d 470
Zamora v. Pomeroy, (10th Cir. 1981) 639 F.2d 662
ATTORNEY GENERAL OPINIONS

Management Resources:
NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS
The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies, 1999
WEB SITES
CSBA: http://www.csba.org
California Attorney General's Office: http://caag.state.ca.us

(3/01 11/08) 6/21

Policy Reference UPDATE Service
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CHILD CARE AND DEVELOPMENT

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. (cf. 5148.2 - Before/After School Programs) (cf. 5148.3 - Preschool/Early Childhood Education) (cf. 6164.4 - Identification and Evaluation of Individuals for Special Education) (cf. 6175 - Migrant Education Program)

The Board shall enter into a contract with the California Department of Education (CDE) and Social Services (CDSS) for the provision of child care and development services by the district. (cf. 3312 - Contracts)

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. (cf. 1020 - Youth Services) (cf. 1400 - Relations Between Other Governmental Agencies and the Schools) (cf. 1700 - Relations Between Private Industry and the Schools)

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)

Eligibility and Enrollment

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
CHILD CARE AND DEVELOPMENT (continued)

CR 18105; 22 CCR 101218)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3540 - Transportation)
(cf. 3550 - Food Service/Child Nutrition Program) (cf.
5141.22 - Infectious Diseases)
(cf. 5141.3 - Health Examinations) (cf.
5141.31 - Immunizations)

The Superintendent or designee shall ensure that subsidized child care is provided to eligible
families to the extent that state and/or federal funding is available and shall establish enrollment
priorities in accordance with Education Code 8263 and 5 CCR 18106.

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.

(cf. 5111.1 - District Residency)
(cf. 5146 - Married/Pregnant/Parenting Students)

Staffing

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

(cf. 1240 - Volunteer Assistance)
(cf. 4112.2 - Certification)
(cf. 4112.4/4212.4/4312.4 - Health Examinations) (cf.
4112.5/4212.5/4312.5 - Criminal Record Check) (cf.
4131 - Staff Development)
(cf. 4231 - Staff Development) (cf.
4331 - Staff Development)

Facilities

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.

(cf. 1330.1 - Joint Use Agreements) (cf. 7110 - Facilities Master Plan)

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

For a licensed child care center, any complaint alleging health and safety violations shall be referred to CDSS the California Department of Social Services. For a license-exempt facility, such complaints shall be referred to the appropriate Child Development regional administrator. (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 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Program Evaluation

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)

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE
8200-8499.10 Child Care and Development Services Act, especially: 8200-8209
General provisions for child care and development services 8210-8216  Resource
CHILD CARE AND DEVELOPMENT (continued)

and referral program
8220-8226 Alternative payment program
8230-8233 Migrant child care and development program 8235-8239
California state preschool program
8240-8244 General child care programs
8250-8252 Programs for children with special needs
8263 Eligibility and priorities for subsidized child development services
Disenrollment of families due to reduced funding levels
Enrollment of students ages 11-12 years 8273-8273.3 Fees
8278.3 Child Care Facilities Revolving Fund 8360-8370
Personnel qualifications
8400-8409 Contracts
8482-8484.65 After-school education and safety program 8484.7-
8484.8 21st Century community learning centers 8493-8498
Facilities
8499-8499.7 Local planning councils 49540-49546
Child care food program 49570 National School
Lunch program
56244 Staff development funding  HEALTH AND
SAFETY CODE
1596.70-1596.895 California Child Day Care Act 1596.90-
1597.21 Day care centers
120325-120380 Immunization requirements
WELFARE AND INSTITUTIONS CODE
10200-10206 Early Childhood Development Act of 2020
CODE OF REGULATIONS, TITLE 5
4610-4687 Uniform complaint procedures
18000-18434 Child care and development programs, especially: 18012-
18122 General requirements
18180-18192 Federal and state migrant programs 18210-
18213 Severely handicapped program
18220-18231 Alternative payment program 18240-18248
Resource and referral program 18270-18281 Program
quality, accountability 18290-18292 Staffing ratios
18295 Waiver of qualifications for site supervisor 18300-
18308 Appeals and dispute resolution
80105-80125 Commission on Teacher Credentialing, child care and development permits CODE OF
REGULATIONS, TITLE 22
101151-101239.2 General requirements, licensed child care centers, especially: 101151-
101163 Licensing and application procedures
101212-101231 Continuing requirements
101237-101239.2 Facilities and equipment Legal

UNITED STATES CODE, TITLE 42
1751-1769 National School Lunch Programs 9831-9852
Head Start programs
9858-9858q Child care and development block grant CODE OF
FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch program CODE OF
FEDERAL REGULATIONS, TITLE 45
98.2-98.93 Child care and development fund COURT

CHILD CARE AND DEVELOPMENT (continued)
ENVIRONMENTAL EDUCATION

The Governing Board recognizes that schools play a crucial role in educating students about the importance of the environment and in preparing them to be stewards of natural resources. The Board believes that students should value the environment, respect all life forms, understand the basic ecological principles which support the planet, and live an ecologically responsible life-style. relationship between humans and the natural world and in preparing them to have the skills, knowledge, and principles needed to solve environmental problems. The Board believes that all students should understand ecological systems and the impact of human action on such systems, including, but not limited to, climate change. The district's environmental education program shall promote environmental literacy and shall prepare students to be stewards of natural resources and live an environmentally sustainable lifestyle.

(cf. 6000 - Concepts and Roles)
(cf. 6142.3 - Civic Education)

The district's local control and accountability plan may include local goals and priorities for environmental literacy.

(cf. 0460 - Local Control and Accountability Plan)
The Superintendent or designee shall develop an environmental education program that is aligned with state academic standards and curriculum frameworks. The Superintendent or designee shall determine how the district's environmental education program will be integrated into the district's science curriculum and other subjects and courses in which the concepts may be explicitly and systematically taught.

(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6142.93 - Science Instruction)
(cf. 6143 - Courses of Study)

The goal of the district's environmental education program shall be to provide students with an understanding of the interactions and interdependence of human societies and natural systems, people's dependence and influence on natural systems, the ways that natural systems change and how people can benefit and influence that change, the fact that there are no boundaries to prevent matter from flowing between systems, and the fact that decisions affecting resources and natural systems are complex and involve many factors.

(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6142.93 - Science Instruction)

The Superintendent or designee shall ensure that students have access to high-quality instructional materials and opportunities for hands-on, real-world learning experiences in environmental education both inside and outside the classroom. The district's program shall also provide for an emphasis on coordination of instructional resources with active student participation.
ENVIRONMENTAL EDUCATION (continued)

participation in onsite resource conservation and management programs and the promotion of service learning partnerships. The Superintendent or designee may collaborate with other local educational agencies and/or community-based organizations to enhance the curriculum and learning experiences provided to students.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 3511 - Energy and Water Management)
(cf. 3511.1 - Integrated Waste Management) (cf. 3514 - Environmental Safety)
(cf. 5030 - Student Wellness)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6153 - School-Sponsored Trips)

The Superintendent or designee shall ensure that environment-based learning experiences are made available on an equitable basis and that the environmental literacy curriculum reflects the linguistic, ethnic, and socioeconomic diversity of California.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0415 - Equity)

As appropriate, the Superintendent or designee shall provide professional development for teachers in the development and effective implementation of curriculum and activities inside and outside of the classroom that promote environmental literacy.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 3511 - Energy and Water Management)
(cf. 3511.1 - Integrated Waste Management)
(cf. 3514 - Environmental Safety)
(cf. 5030 - Student Wellness)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6153 - School-Sponsored Trips)

Legal References: (see next page)
ENVIRONMENTAL EDUCATION (continued)

Legal Reference:

EDUCATION CODE
8700-8707 Environmental education
8720-8723 Conservation education service
8760-8773 Outdoor science, conservation, and forestry
33541 Science requirements
37222 John Muir; recognition of his contributions
51210 Areas of study, grades 1-6
51220 Areas of study, grades 7-12
51227.3 Environmental principles and concepts
51795-51797 School instructional gardens
60041 Ecological systems and their protection
PUBLIC RESOURCES CODE
71300-71305 Statewide environmental education

Management Resources:

WEBSITES
California Environmental Protection Agency, Education and the Environment Initiative: http://www.calepa.ca.gov/education/eei
California Education and the Environment Initiative: https://www.californiaeei.org
California Regional Environmental Education Community: http://www.creec.org
Green Schoolyards America: https://www.greenschoolyards.org
Green Schoolyards America, National COVID-19 Outdoor Learning Initiative: https://www.greenschoolyards.org/covid-learn-outside
North American Association for Environmental Education:

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