

# COLUSA UNIFIED SCHOOL DISTRICT

745 Tenth Street

Colusa, CA 95932

(530) 458-7791 FAX (530) 458-4030

## **AGENDA**

### **Board of Trustees Regular Meeting DISTRICT OFFICE CONFERENCE ROOM**

**December 13, 2016**

**6:00 p.m. Open Session with Closed Session to Follow**

**PUBLIC COPY OF BOARD PACKET IS AVAILABLE FOR INSPECTION  
AT THE CUSD DISTRICT OFFICE LOCATED AT 745 TENTH ST., COLUSA**

*All meetings of the Governing Board are open to the general public, with the exception of the Closed Sessions, which are held to consider those items specifically exempt under the Ralph M. Brown Act. Anyone planning to attend a meeting who has a disability and needs special assistance should call the Superintendent's Office, 458-7791, at least 3 days in advance to make special arrangements.*

*Spanish translation is available at Regular Session Board Meetings. To arrange for translation services, please call the Superintendent's Office, 458-7791, at least 3 days in advance. [Se ofrece traducción en Español para la junta regular de la mesa directiva. Para solicitar servicios de traducción al español, por favor llame a la Oficina del Superintendente, al 458-7791, con 3 días de anticipación por lo menos.]*

### **6:00 P.M. OPEN SESSION**

- A. Call to Order/Establish Quorum
- B. Pledge of Allegiance
- C. Administration of Oath of Office to New Board Members
- D. Action Items – Board Reorganization
  - 1. Election of New Governing Board President
  - 2. Election of New Governing Board Clerk
  - 3. Board Committee Assignments
    - a. CRAF
    - b. Friends of Music
    - c. Friends of Ag
    - d. Special Education Local Plan Area
    - e. District Language Acquisition Committee

### **E. Hearing of Public for items on the Agenda**

*The Board encourages public comment concerning any item of importance and will recognize requests to speak before the item is discussed or voted upon. To assure your right to address any action item, please notify the Superintendent's Office of your desire to speak by noon of the day prior to the Board Meeting. Those requesting to address the Board in advance will be granted up to five minutes to speak. Others will be limited to a total of three minutes.*

### **F. Hearing of Public for items not on the Agenda**

*The Board encourages public comment concerning any item of importance and will recognize requests to speak on items not appearing on the Agenda. Speakers should be aware that the board may not be prepared to comment on the issues they raise, but may request those items to be properly agendaized for inclusion in the discussions at a future meeting. Those requesting to address the Board in advance will be granted up to five minutes to speak. Others will be limited to a total of three minutes.*

### **G. Reports:**

- 1. Recognitions & Celebrations
- 2. Student Report – Grace Boeger
- 3. Principal's Report – CHS, Darren Brown

#### 4. President's Report

a. Board of Trustee Time - *this is the time for individual Trustees to report on their Committee's activities and to specify any items they would like to see on the agenda for the next meeting*

1. CRAF
2. Friends of Music
3. Friends of Ag
4. SELPA
5. Grounds

#### 5. Superintendent's Report

a. Improving Achievement *(Standing Item)*

1. 2017-2018 LCAP Improvement Discussion

b. Management *(Standing Item)*

1. Safety Discussion/Agreement with Colusa County Fairgrounds to Serve as Parent-Student Reunification Site
2. Report on Claim Settlement
3. Confirmation of CSBA Registration for Board Member Training
4. Report on Safe Routes to School Walk Audit
5. Report on Administration Training of New Regulations Regarding Discipline

c. Budget *(Standing Item)*

1. Budget Update

H. CSEA (California School Employee Assn.) Representative's Report

I. CEA (California Educators Association) Representative's Report

J. Information/Discussion/Possible Action Items

1. Consider Approval of Board Meeting Time Change
2. Consider Approval of FFA Out of State Travel
3. Consider Approval of Warrants: Batch # 19 – 22
4. Consider Approval of Resolution #2016-17.07 - E9270 Conflict of Interest
5. Discussion of Bond Projects Progress
6. Consider Approval of Additional Bond Funded Projects
  - a. Abatement of 500 Wing at CHS
  - b. Flooring Agreement for 500 Wing at CHS
  - c. Contractor to Build & Install ADA Safety Rail at EMS – Not to Exceed \$3,400
  - d. Consider Approval of Installation of HVAC Units in CHS Locker-Rooms - Not to Exceed \$4,000 (Work Self Performed)
  - e. Consider Approval of Agreement with Precision Concrete for Sidewalk Trip Hazards – Not to Exceed \$7,500
  - f. Consider Approval of Concrete Agreement with ABS Builders, Inc. for EMS Portable & CHS Band Room
  - g. Consider Approval of Cabinet Installation in New Portables at BPS & EMS – Not to Exceed \$21,000
7. Consider Approval of Concrete Agreement with ABS Builders, Inc. for CHS Ag Barn
8. Consider Approval of Tennis Court Painting at CHS - Paid for by CRAF
9. Consider Approval of Schmidt Construction, Inc. Agreement for CHS Ag Barn Awning
10. Consider Approval of Retention Payment for BPS ADA Upgrades to Lamon Construction, Inc.
11. Consider Approval of Notice of Completion for BPS ADA Upgrades with Lamon Construction, Inc.

12. Consider Approval of Retention Payment for EMS ADA Upgrades to Lamon Construction, Inc.
13. Consider Approval of Notice of Completion for EMS ADA Upgrades with Lamon Construction, Inc.
14. Consider Approval of Prop 39 Progress Payment to Air Systems, Inc.
15. Consider Approval of Board Policies & Administrative Regulations:
  - a. Third Reading & Possible Adoption of BP 1230 & AR 1230 – School Connected Organizations
  - b. First Reading of BP 0410 – Nondiscrimination in District Programs & Activities
  - c. First Reading of BP 0420.41 – Charter School Oversight
  - d. First Reading of BP 4151, 4251, 4351 – Employee Compensation
  - e. First Reading of AR 4157.1, 4257.1, 4357.1 – Work- Related Injuries
  - f. First Reading of AR 5125.3 – Challenging Student Records
  - g. First Reading of BP 6142.4 – Service Learning/Community Service Classes
  - h. First Reading of BP 6142.94 – History – Social Science Instruction
  - i. First Reading of AR 6143 – Course Study
  - j. First Reading of BP 6173, AR 6173 & E(1)(2) 6173 – Education for Homeless Children
  - k. First Reading of E 9323.2 – Action by the Board
  - l. First Reading of BP 3311 & AR 3111 – Bids
  - m. First Reading of BP 6145.0 – Eligibility Requirements

K. Motion to Approve Items on the Consent Action Agenda:

1. November 8, 2016 Regular Board Meeting Minutes
2. Personnel Assignment Order 2016-2017 #5
3. November Payroll
4. 2016-2017 Annual Credentialing Report
5. General Fund 01 Budget Revision

L. Hearing of the Public for Matters on Closed Session Agenda

M. Adjourn to Closed Session to consider and/or take action upon any of the following items:

1. Student Matters:

- a. Inter District Transfers *(Standing item-information)*

2. Personnel Matters:

- a. Public Employment
- b. Public Employee Discipline/Dismissal/Release/Resignation

3. Negotiations:

**Instruction to District Negotiators** *(Executive Session of School Board and its designated representatives for the purpose of discussing its position regarding matters within the scope of representation and instructing its designated representatives)*

N. Reconvene Open Session

O. Adjournment of the Meeting

## Multi-Year Projection Summary - December 13, 2016

INCOME	14/15 ACTUALS	15/16 ACTUALS	16/17 BUDGET	17/18 BUDGET	18/19 BUDGET
8011-8089 TOTAL LCFF	10,874,660	12,397,758	13,077,903	13,605,277	13,818,263
TOTAL FEDERAL REVENUE	514,766	554,244	393,984	393,984	393,984
TOTAL STATE REVENUE	1,015,848	2,109,700	1,711,627	1,226,627	984,325
TOTAL LOCAL REVENUES	387,830	388,312	321,796	137,592	79,076
<b>TOTAL REVENUES</b>	<b>12,793,104</b>	<b>15,450,014</b>	<b>15,505,310</b>	<b>15,363,480</b>	<b>15,275,648</b>
<b>EXPENDITURES</b>					
TOTAL CERTIFICATED	5,939,658	6,468,062	6,271,344	6,395,991	6,435,991
TOTAL CLASSIFIED	1,847,681	2,047,601	2,171,313	2,203,929	2,228,929
TOTAL BENEFITS	<u>2,620,009</u>	<u>2,952,259</u>	<u>3,288,597</u>	<u>3,364,127</u>	<u>3,544,127</u>
SUBTOTAL SALARIES/BENEFITS	10,407,348	11,467,922	11,731,254	11,964,047	12,209,047
TOTAL BOOKS AND SUPPLIES	770,436	1,104,360	1,003,004	694,891	759,268
TOTAL TRAVEL, REPAIRS, UTILITIES, INS, OTHER	1,102,341	1,223,294	1,439,053	1,282,962	1,192,411
TOTAL CAPITAL OUTLAY	56,177	402,140	881,580	242,302	
TOTAL SELPA, COMMUNITY SCH, DEBT PYMT	603,624	765,140	970,420	998,301	987,522
<b>TOTAL EXPENDITURES</b>	<b>12,939,926</b>	<b>14,962,856</b>	<b>16,025,311</b>	<b>15,182,503</b>	<b>15,148,248</b>
<b>TOTAL REVENUES LESS EXPENDITURES</b>	<b>-146,822</b>	<b>487,158</b>	<b>-520,001</b>	<b>180,977</b>	<b>127,400</b>
		\$441,014 will carryover to be spent 16-17	\$441,014 was prior year income		
<b>GENERAL FUND BEGINNING BALANCE</b>	<b>1,347,994</b>	<b>1,201,172</b>	<b>1,688,330</b>	<b>1,168,329</b>	<b>1,349,306</b>
LESS AMOUNT ABOVE REVENUES LESS EXP	-146,822	487,158	-520,001	180,977	127,400
Less Reserve for Revolving Cash		-30,350	-30,350	-30,350	-30,350
less Reserves for Van/Bus, Tech, Textbooks		-125,000	-200,000	-275,000	-325,000
<b>UNDISTRIBUTED GENERAL FUND RESERVE</b>	<b>1,201,172</b>	<b>1,532,980</b>	<b>937,979</b>	<b>1,043,956</b>	<b>1,121,356</b>
<b>% UNDISTRIBUTED RESERVE</b>	<b>9.28%</b>	<b>10.25%</b>	<b>5.85%</b>	<b>6.88%</b>	<b>7.40%</b>
<b>AMOUNT ABOVE (-BELOW) 5%</b>	<b>554,176</b>	<b>784,837</b>	<b>136,713</b>	<b>284,831</b>	<b>363,944</b>
<b>TOTAL ADA</b>	<b>1386.33</b>	<b>1404.81</b>	<b>1402.72</b>	<b>1402.72</b>	<b>1402.72</b>
multiply x Average Amount per ADA	\$ 7,844	\$ 8,825	\$ 9,323	\$ 9,699	\$ 9,851
<b>Total LCFF Funding Budgeted</b>	<b>\$ 10,874,660</b>	<b>\$ 12,397,756</b>	<b>\$ 13,077,903</b>	<b>\$ 13,605,277</b>	<b>\$ 13,818,263</b>
% Increase over Prior Year	10.77%	14.01%	5.49%	4.03%	1.57%
<b>CUSD P-2 ADA</b>	<b>1381.29</b>	<b>1399.72</b>	<b>1399.72</b>	<b>1399.72</b>	<b>1399.72</b>
Adult Transition Class Reported by CCOE	5.04	4.02	3	3	3
Community School ADA Reported by CCOE	0	1.07	0	0	0
<b>TOTAL ADA CUSD LCFF</b>	<b>1386.33</b>	<b>1404.81</b>	<b>1402.72</b>	<b>1402.72</b>	<b>1402.72</b>
<b>ASSUMPTIONS:</b>					
Same ADA Same ADA					
No New Staff No New Staff					
1 Retirement Te					
Infinite Campus+30K					
8.88% STRS	10.73% STRS	12.58% STRS	14.43% STRS	16.28% STRS	
11.7% PERS	11.847% PERS	13.888 PERS	16.6% PERS	18.2% PERS	
Impact of Minimum Wage Increase for Classified is not budgeted as it is unknown-must be negotiated					





## Colusa High School Agriculture Department & FFA

901 Colus Ave.

Colusa, CA 95932

530-458-2156

11/14/16

Dear Colusa Board of Trustees,

The Tulelake Ag Department and FFA put on a field day on Saturday, January 21, 2017. After discussion with several ag teachers throughout our area, they highly recommend this contest for building a winning team. I would like to take the Colusa FFA Veg Crop and Best Informed Greenhand teams. I will need board approval for this trip because we will need to travel Friday since the contests are at 8am on Saturday and I feel it would be unsafe for me to drive that early in the morning to get there, then turn around and drive home that afternoon. Unfortunately the nearest hotel rooms are in Klamath Falls, Oregon, which would make this an out of state trip.

We are asking for your approval to allow us to make this trip to Klamath Falls, Oregon then on to Tulelake for competition. I would like to take 9 FFA members, and will be using ASB-FFA and Ag Incentive Grant funds to pay for the trip and competition.

Thank you for your consideration.

Heather Thomas  
Colusa FFA Advisor

COLUSA UNIFIED SCHOOL DISTRICT		WARRANTS TO BE NOVEMBER 10, 2016			BATCH 19
BILL#	PAYEE	AMOUNT	FUND	LOC	DESCRIPTION
445	JENNIFER ALANIZ	\$ 310.66	95	EMS	REIMBURSE FOR SUPPLIES PURCHASED
420	CHRISTINA BAILEY	\$ 78.67	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
431	CA DEPT OF JUSTICE	\$ 196.00	01	DO	FINGERPRINT FEES
415	CITY OF COLUSA	\$ 11,293.03	01	ALL	WATER,SEWER BILLING
426	COLUSA COUNTY FARM SUPPLY	\$ 96.62	01	MOT	GROUPS SUPPLIES
419	CCOE	\$ 145.00	01	EMS	WORKSHOP REGISTRATION
418	CUSD CAFETERIA FUND	\$ 90.00	01	CHS	FOM FUNDRAISER
RC23	CUSD EMER FD US BANK CALCARD VISA	\$ 2,759.90	ALL	ALL	SEE ATTACHED
414	CUSD GENERAL FUND	\$ 1,107.30	95	CHS	VAN AND SUBS FOR OREGON SHAKESPEARE TRIP
422	CRYSTAL DAIRY	\$ 3,908.58	13	CAFET	FOOD
RC24	CUSD EMER FD-LAS PLUMAS HS	\$ (150.05)	01	DO	VOID CHECK STALE DATED
RC24	CUSD EMER FD-CCOE	\$ 145.00	01	EMS	WORKSHOP REGISTRATION
RC24	CUSD EMER FD-CMEA	\$ 145.00	01	EMS	MUSIC REGISTRATION
RC24	CUSD EMER FD-MARY COLLIGAN	\$ 250.00	01	EMS	REIMBURSE FOR SUPPLIES PURCHASED
RC24	CUSD EMER FD-CONNIE ADAN	\$ 175.00	01	BPS	FUNDRAISER
RC24	CUSD EMER FD-ASHLEY HUFF	\$ 59.59	95	CHS	REIMBURSE FOR SUPPLIES PURCHASED
RC24	CUSD EMER FD-TATUM CARRERE	\$ 75.00	95	CHS	REFUND
RC24	CUSD EMER FD-JOSEPH HAMILTON	\$ 75.00	95	CHS	REFUND
RC24	CUSD EMER FD-ELLA KESSLER	\$ 75.00	95	CHS	REFUND
RC24	CUSD EMER FD-GRACE MYERS	\$ 75.00	95	CHS	REFUND
RC24	CUSD EMER FD-CHP	\$ 57.00	01	MOT	BUS DRIVER LICENSE FEE
434	DAVIES OIL	\$ 1,322.34	01	MOT	FUEL FOR DISTRICT VEHICLES
439	FRONTIER	\$ 12,621.50	01	ALL	PHONE/DATA LINE BILLING
423	GENERAL PRODUCE	\$ 4,342.15	13	CAFET	FOOD
416	GOLD STAR FOODS	\$ 5,929.55	13	CAFET	FOOD
436	GRIFF'S FEED AND SEED	\$ 198.70	01	MOT	GROUPS SUPPLIES
440	HOMETOWN CONSTRUCTION	\$ 23,184.75	21	BOND	PROGRESS PYMNT HS HVAC/RESTROOMS
432	HYPERX	\$ 2,417.68	95	EMS	SHIRTS
421	JIM IMHOFF	\$ 90.81	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
413	JAMES MARTA & CO	\$ 2,155.00	01	DO	AUDIT PROGRESS FEE
433	MERIDIAN DIESEL	\$ 4,750.73	01	MOT	BUS REPAIR
442	JEREMY MILLER	\$ 294.00	01	DO	REIMBURSE MILEAGE/PARKING
438	MITEL LEASING	\$ 2,119.88	01	ALL	PHONE SYSTEM LEASE
425	MJB WELDING	\$ 36.00	01	CHS	AG SHOP SUPPLIES
428	JUANITA MORGAN	\$ 140.00	01	EMS	REIMBURSE FOR SUPPLIES PURCHASED
424	O'CONNELL RANCH	\$ 419.00	13	CAFET	FOOD
427	RECOLOGY	\$ 2,801.53	01	ALL	GARBAGE SERVICE
435	SELOVER'S	\$ 510.88	01	MOT	VEHICLE REPAIR
430	SORENSEN PEST CONTROL	\$ 258.00	01	ALL	PEST CONTROL SERVICE
417	STEWART SIGNS	\$ 271.87	01	BPS	SUPPLIES
444	SWEET BEANS BAKERY	\$ 37.50	01	CHS	SUPPLIES
437	SYSO	\$ 5,931.10	13	CAFET	FOOD
441	TIFFANI THOMAS	\$ 60.89	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
RC25	US BANK CALCARD VISA	\$ 19,620.31	ALL	ALL	SEE ATTACHED
429	YUBA SAFE AND LOCK	\$ 31.18	01	MOT	KEYS
<b>TOTAL ALL FUNDS</b>		<b>\$ 110,512.65</b>			

## CUSD EMER FD-US BANK CALCARD-VISA -CK5368

Leasa Hill

FD DESCRIPTION

19-Oct	WM SUPERCENTER #2053	\$188.15	13	CAFETERIA SUPPLIES
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Rosemary Hicks

24-Oct	DEMCO INC	\$169.92	01	BPS LIBRARY SUPPLIES
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18-Oct	BUREAU OF EDUCATION AND R	\$245.00	01	BPS WORKSHOP REGISTRATION
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Sheryl Parker

17-Oct	FLORA FRESH	\$90.46	01	CHS FLORAL DESIGN SUPPLIES
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Jody Johnston

17-Oct	LOWES #01933*	\$1,061.03	01	EMS STORAGE SHED
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Darren Brown

24-Oct	REGISTER.COM*13210A47J	\$38.00	01	CHS WORKSHOP REGISTRATION
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21-Oct	COLUMBIA HOTEL	\$967.34	95	CHS ASHLAND TRIP HOTEL
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\$2,759.90

## US BANK CALCARD VISA

LeasaHill			FD	DESCRIPTION
1-Nov	C&C SMART FOOD51705721	\$615.42	13	CAFET FOOD
Jeremy Miller				
3-Nov	APL*APPLE ONLINE STORE	\$410.43	01	CHS TECH SUPPLIES
2-Nov	WWW.NEWEGG.COM	\$321.43	01	TECH SUPPLIES
2-Nov	CDW GOVERNMENT	\$822.39	01	BPS TECH SUPPLIES
2-Nov	CDW GOVERNMENT	\$579.43	01	TECH SUPPLIES
28-Oct	APL*APPLE ONLINE STORE	\$52.68	01	CHS TECH SUPPLIES
27-Oct	APL*APPLE ONLINE STORE	\$75.20	01	CHS TECH SUPPLIES
Rosemary Hicks				
3-Nov	NAT*GEO EXPL MAGAZINE	\$712.80	01	BPS CLASSROOM SUPPLIES
31-Oct	LAKESHORE LEARNING MATER	\$47.04	01	BPS CLASSROOM SUPPLIES
28-Oct	SSI*SCHOOL SPECIALTY	\$194.66	01	BPS CLASSROOM SUPPLIES
28-Oct	SCHOLASTIC BOOK CLUB	\$100.00	01	BPS CLASSROOM SUPPLIES
25-Oct	USPS PO 0517280932	\$141.00	01	BPS POSTAGE
Terry Biladeau				
26-Oct	STAPLES 00102863	\$210.68	01	MOT SUPPLIES
Clair Toth				
3-Nov	KRISPY KREME #1282	\$7.96	01	BPS SUPPLIES
2-Nov	BEL AIR #521	\$158.21	01	BPS SUPPLIES
27-Oct	AMAZON MKTPLACE PMTS	\$113.48	01	BPS SUPPLIES
Sheryl Parker				
2-Nov	AMAZON.COM AMZN.COM/BILL	\$17.19	01	DO SUPPLIES
1-Nov	IN *CLIMATE CONTROL, INC.	\$6,644.15	01	MOT HVAC REPAIR
26-Oct	USPS.COM CLICKNSHIP	\$22.95	01	DO POSTAGE
25-Oct	NASN	\$105.00	01	NURSING MEMBERSHIP
Nick Schantz				
28-Oct	LOWES #01933*	\$310.79	01	AG BARN WORK CAREER PATHWAYS GRANT
Jody Johnston				
3-Nov	ROUND TABLE PIZZA - COLU	\$65.54	01	EMS SUPPLIES
3-Nov	RIVERBANK PIZZA CO	\$63.13	01	EMS SUPPLIES
2-Nov	SQ *INDIGENOUS WARRIOR EN	\$416.00	01	EMS SUPPLIES
2-Nov	SCHOLASTIC BOOK FAIRS R13	\$2,827.46	01	EMS BOOK FAIR
1-Nov	NATIONAL SCIENCE TEACHER	\$69.90	01	EMS SUPPLIES
31-Oct	GBC*ECOMMERCE	\$1,005.34	01	EMS HEAVY DUTY SHREDDER
25-Oct	OLD FASHION CANDY	\$368.33	95	EMS ASB FUNDRAISER
Darren Brown				
4-Nov	WWW.NEWEGG.COM	\$3.75	01	CHS SUPPLIES
4-Nov	WWW.NEWEGG.COM	\$284.63	01	CHS SUPPLIES
3-Nov	VERNIER SOFTWARE & TEC	\$43.37	01	CHS SUPPLIES
31-Oct	NATIONAL FFA ORGANIZATION	\$86.00	95	FFA SUPPLIES
28-Oct	OTC BRANDS, INC.	\$18.98	95	CHS ASB SUPPLIES
28-Oct	STARBUCKS STORE 14071	\$47.85	01	CHS SUPPLIES
28-Oct	SAMSLUB #6405	\$503.66	95	CHS ASB CONCESSION SUPPLIES
28-Oct	POSPAPER.COM	\$113.80	95	CHS ASB SUPPLIES
26-Oct	QUILL CORPORATION	\$322.39	01	CHS SUPPLIES
Ron Rogers				
26-Oct	AMAZON MKTPLACE PMTS	\$9.90	01	MOT SUPPLIES
Bo Salazar				
4-Nov	LOWES #01933*	\$308.26	01	AG BARN WORK CAREER PATHWAYS GRANT
31-Oct	LOWES #01933*	\$552.71	01	AG BARN WORK CAREER PATHWAYS GRANT
27-Oct	LOWES #01933*	\$626.39	01	AG BARN WORK CAREER PATHWAYS GRANT
ZEBA Hone				
3-Nov	OFFICE DEPOT 1135	\$33.84	01	DO SUPPLIES
31-Oct	CROWN AWARDS INC	\$186.19	01	DO SUPPLIES

19620.31

COLUSA UNIFIED SCHOOL DISTRICT		WARRANTS TO BE NOVEMBER 18, 2016			BATCH 20
BILL#	PAYEE	AMOUNT	FUND	LOC	DESCRIPTION
460	AMERICAN MODULAR	\$ 9,110.55	25	DEVFEE	FINAL PYMT ON PORTABLES
455	ARCHITECTURAL NEXUS	\$ 7,400.05	21	BOND	ARCHITECTS FEES
458	BEELE TRACTOR	\$ 109.84	01	MOT	MOWER MAINT. SUPPLIES
457	CCOE	\$ 16,167.00	01	DO	DECEMBER WC
448	CUSD CAFETERIA FUND	\$ 281.76	01	CHS	FOM SPAGHETTI DINNER
447	CUSD GENERAL FUND	\$ 209.63	95	CHS	YEARBOOK REIMB GENERAL FUND BUDGET
456	BRAIN COPPIN	\$ 218.34	01	DO	REIMBURSE MILEAGE/PARKING
454	DANIELSEN	\$ 7,127.08	13	CAFET	FOOD
465	FLORAFRESH	\$ 145.18	01	CHS	FLORAL DESIGN SUPPLIES
449	FRANZ BAKERIES	\$ 792.65	13	CAFET	FOOD
453	GENERAL BINDING	\$ 318.57	01	BPS	SUPPLIES
452	HAMILTON HIGH	\$ 450.00	01	SPORTS	BASKETBALL ENTRY FEE
459	HAWKINS FENCE	\$ 4,265.00	25	DEVFEE	FENCE FOR AG BARN
446	HOMETOWN CONSTRUCTION	\$ 36,759.95	21	BOND	CHS HVAC FINAL PAYMENT
451	PIERCE HIGH	\$ 650.00	01	SPORTS	BASKETBALL ENTRY FEE
466	RIDEOUT	\$ 160.00	01	DO	HEP B SHOTS
463	RSD	\$ 300.61	01	MOT	MAINTENANCE SUPPLIES
461	SANDERS HEAVY TOWING	\$ 540.00	01	MOT	TOWING
462	CLAIR TOTH	\$ 64.26	01	BPS	REIMBURSE MILEAGE
464	US BANK EQUIPMENT FINANCE	\$ 5,000.00	01	ALL	COPIER LEASE PAYMENTS
RC26	US BANK CALCARD VISA	\$ 10,927.19	ALL	ALL	SEE ATTACHED
TOTAL ALL FUNDS		\$ 100,997.66			

# US BANK CALCARD VISA

Rosemary Hicks

FD DESCRIPTION

11-Nov	TMS*TNT SCHOOL SUPPLIE	\$82.32	01	BPS SUPPLIES
10-Nov	PESI INC	\$199.99	01	BPS SUPPLIES
9-Nov	PESI INC	\$799.96	01	BPS SUPPLIES
7-Nov	SAV-MOR FOODS#31	\$9.45	01	BPS SUPPLIES
3-Nov	WALMART.COM 8009666546	\$261.05	01	BPS SUPPLIES

Clair Toth

7-Nov	AMAZON MKTPLACE PMTS	\$60.18	01	BPS SUPPLIES
7-Nov	AMAZON MKTPLACE PMTS	\$60.18	01	BPS SUPPLIES
3-Nov	AMAZON MKTPLACE PMTS	\$49.97	01	BPS SUPPLIES
3-Nov	AMAZON MKTPLACE PMTS	\$29.91	01	BPS SUPPLIES
7-Nov	HOBBY-LOBBY #491	\$192.86	01	BPS SUPPLIES
7-Nov	ROCCOS BAR GRILL	\$17.03	01	BPS SUPPLIES

Sheryl Parker

10-Nov	CLOSE LUMBER	\$2,119.00	01	CHS PATHWAYS GRANT AG BARN
9-Nov	JW WOOD CO INC	\$1,198.91	01	MOT MAINTENANCE SUPPLIES
9-Nov	SCHOOL HEALTH CORP	\$279.85	01	NURSING SUPPLIES
9-Nov	MESSICK ACE HDWE	\$1,952.14	01	MOT MAINTENANCE SUPPLIES
25-Oct	ALL METALS SUPPLY	\$614.38	01	CHS AG DEPT SUPPLIES

Jody Johnston

8-Nov	ROUND TABLE PIZZA - COLU	\$69.84	01	EMS SUPPLIES
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Darren Brown

11-Nov	AWL*PEARSON EDUCATION	\$32.48	01	CHS SUPPLIES
11-Nov	ZAZZLE USD	\$177.26	95	CHS ASB SUPPLIES
11-Nov	QUILL CORPORATION	\$338.48	01	CHS SUPPLIES
11-Nov	QUILL CORPORATION	\$17.18	01	CHS SUPPLIES
9-Nov	CAROLINA BIOLOGIC SUPPLY	\$48.05	01	CHS SUPPLIES
8-Nov	FBLAPBL	\$88.00	95	FBLA DUES
8-Nov	WWW.NEWEGG.COM	(\$284.63)	01	CHS CREDIT FOR RETURN
7-Nov	J W PEPPER AND SON INC	\$164.40	01	CHS SUPPLIES
7-Nov	J W PEPPER AND SON INC	\$119.88	01	CHS SUPPLIES
7-Nov	AMAZON MKTPLACE PMTS	\$93.18	01	CHS SUPPLIES
7-Nov	QUILL CORPORATION	\$531.03	01	CHS SUPPLIES
4-Nov	USPS PO 0517280932	\$201.25	01	CHS POSTAGE
4-Nov	QUILL CORPORATION	\$168.38	01	CHS SUPPLIES
3-Nov	QUILL CORPORATION	\$117.88	01	CHS SUPPLIES
28-Oct	ROUND TABLE PIZZA - COLU	\$91.63	01	CHS SUPPLIES

Ron Rogers

10-Nov	HOBLIT MOTORS	\$194.58	01	MOT VEHICLE MAINT SUPPLIES
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Bo Salazar

9-Nov	LOWES #01933*	\$286.97	01	CHS PATHWAYS GRANT AG BARN
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Zeba Hone

10-Nov	USPS PO 0517280932	\$12.00	01	DO POSTAGE
10-Nov	APPEAL-DEMOCRAT	\$485.27	01	DO HELP WANTED AD
9-Nov	USPS PO 0517280932	\$7.15	01	DO POSTAGE
9-Nov	DAVISON DRUG 00150169	\$39.75	01	DO SUPPLIES

\$10,927.19

COLUSA UNIFIED SCHOOL DISTRICT		WARRANTS TO BE DECEMBER 2, 2016			BATCH 21
BILL#	PAYEE	AMOUNT	FUND	LOC	DESCRIPTION
478	ALHAMBRA WATER	\$ 171.78	01	DO/MOT	WATER
504	BAXTER AUTO	\$ 145.92	01	MOT	VEHICLE MAINTENANCE SUPPLIES
502	BELIEVE KIDS PRODUCTIONS	\$ 1,015.70	95	CHS	FBLA FUNDRAISER
480	CVT	\$ 117,552.95	01	DO	DECEMBER HEALTH INSURANCE PREMIUMS
490	REBECCA CHANGUS	\$ 158.76	01	CHS	REIMBURSE MILEAGE
487	CUSD BUILDING FUND	\$ 322,000.00	25	DEVFEE	MOVE FUNDS FROM FUND 25 TO FUND 21 BOND
469	CUSD CAFETERIA FUND	\$ 561.72	01	CHS/DO	CATERING FROM CAFETERIA
RC27	CUSD EMER FD-US BANK CALCARD VISA	\$ 12,485.71	ALL	ALL	SEE ATTACHED
473	DEVELOPMENTAL RESOURCES	\$ 372.00	01	EMS/CHS	WORKSHOP REGISTRATION
488	FAN CLOTH	\$ 1,309.00	95	CHS	FUNDRAISER
481	MATT GIFFIN	\$ 24.96	01	CHS	REIMBURSE FOR SUPPLIES PURCHASED
499	GRIDLEY HIGH	\$ 225.00	95	CHS	FFA AWARDS
470	MARIBEL HUGHES	\$ 30.08	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
467	ROBERTA JAMES	\$ 101.52	01	HMS	REIMBURSE MILEAGE
484	JEFF SAVAGE PLUMBING	\$ 1,733.37	01	MOT	PLUMBING REPAIRS
493	JOHN LAMBIRTH TRUCKING	\$ 838.50	01	MOT	DIRT
477	JOHNSON PRINTING	\$ 230.34	01	EMS/DO	PRINTING
503	SHANNON LAUX	\$ 77.54	01	DO	REIMBURSE MILEAGE
489	LCMS AWARDS	\$ 642.04	95	CHS	SPORTS AWARDS
495	ASHLEY MARTINEZ	\$ 25.20	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
471	MARYSVILLE HIGH SCHOOL	\$ 275.00	01	SPORTS	BASKETBALL ENTRY FEE
483	MERIDIAN DIESEL	\$ 392.00	01	MOT	BUS SERVICE
485	JEREMY MILLER	\$ 212.22	01	DO	REIMBURSE MILEAGE
491	NCBOA	\$ 3,098.24	01	SPORTS	BASKETBALL OFFICIALS
474	NORTH WOODWINDS	\$ 338.52	01	CHS	MUSIC INSTRUMENT REPAIR
479	PG&E	\$ 16,936.83	01	ALL	ELECTRIC BILLING
492	PIERCE JUSD	\$ 135.00	01	DO	WORKSHOP REGISTRATION
486	READING OIL	\$ 1,685.34	01	MOT	FUEL FOR VEHICLES
498	RIVERBANK PIZZA	\$ 307.45	95	CHS	FOOTBALL CONCESSION
494	SCHOOL SPECIALTY	\$ 353.35	01	BPS	SUPPLIES
475	ROBERT SCOTT	\$ 46.66	01	EMS	REIMBURSE FOR SUPPLIES PURCHASED
500	GAY SEAVER	\$ 57.78	01	CHS	REIMBURSE MILEAGE
468	SPURR	\$ 1,429.03	01	ALL	NATURAL GAS BILLING
501	STANDARD INSURANCE	\$ 1,696.65	01	DO	INCOME PROTECTION PREMIUMS
476	THREE B'S TOILET RENTALS	\$ 215.00	01	ALL	PORTABLE TOILET RENTAL
472	US AWARDS	\$ 200.70	01	CHS	STUDENT AWARDS
TOTAL ALL FUNDS		\$ 491,906.23			



**Colusa USD Emergency Fund - US BANK CALCARD VISA - Check 5393**

Leasa Hill			FD DESCRIPTION	
14-Nov	SAV-MOR FOODS#31	\$8.04	13	CAFET FOOD
Mike Phenicie				
14-Nov	WORLDSTRIDES	(\$190.00)	01	CHS FOM CREDIT FROM LAST YEAR
Terry Biladeau				
21-Nov	STAPLES 00102863	\$150.35	01	MOT OFFICE SUPPLIES
Nick Schantz				
21-Nov	AMAZON MKTPLACE PMTS	\$83.15	01	CHS AG BARN MATERIALS
18-Nov	AMAZON MKTPLACE PMTS	\$31.96	01	CHS AG BARN MATERIALS
18-Nov	LOWES #01933*	\$200.99	01	CHS AG BARN MATERIALS
16-Nov	LOWES #01933*	\$257.32	01	CHS AG BARN MATERIALS
Sheryl Parker				
17-Nov	VZWRLSS*MY VZ VB P	\$1,812.63	01	CELL PHONE SERVICE 2 MONTHS
Darren Brown				
22-Nov	OTC BRANDS, INC.	\$41.75	95	CHS ASB SUPPLIES
22-Nov	IN *SCHOOL APPTITUDE	\$996.00	01	CHS APP ANNUAL FEE
22-Nov	USPS PO 0517280932	\$101.15	01	CHS POSTAGE
21-Nov	SNOWONDER	\$103.31	95	CHS ASB SUPPLIES
21-Nov	BIGLOTS.COM	\$111.56	95	CHS ASB SUPPLIES
21-Nov	COCA-COLA REFRESHMENTS	\$169.78	01	CHS DRINK MACHINE SUPPLIES
21-Nov	AMAZON MKTPLACE PMTS	\$124.36	01	CHS SUPPLIES
16-Nov	UNIFORMS EXPRESS CHULA V	\$595.82	95	CHS ASB SUPPLIES
16-Nov	STARLINE EDUCATION	\$370.00	01	HMS BOOKS
15-Nov	AMAZON.COM	\$123.96	01	CHS SUPPLIES
11-Nov	AMAZON.COM AMZN.COM/BILL	\$47.46	01	CHS SUPPLIES
15-Nov	WWW.NEWEGG.COM	\$145.11	01	CHS SUPPLIES
9-Nov	CPG BULK SALES	\$81.43	01	CHS SUPPLIES
9-Nov	QUILL CORPORATION	\$175.23	01	CHS SUPPLIES
7-Nov	QUILL CORPORATION	\$20.41	01	CHS SUPPLIES
Jody Johnston				
18-Nov	RPSI ENTERPRISES INC	\$125.00	01	EMS RISO MAINT AGREEMENT
7-Nov	QUILL CORPORATION	\$223.59	01	EMS SUPPLIES
7-Nov	QUILL CORPORATION	\$408.48	01	EMS SUPPLIES
7-Nov	QUILL CORPORATION	\$356.88	01	EMS SUPPLIES
3-Nov	USPS PO 0517280932	\$20.55	01	EMS POSTAGE
Rosemary Hicks				
22-Nov	DONUT WHEEL	\$30.65	01	BPS SUPPLIES
18-Nov	SAV-MOR FOODS#31	\$38.42	01	BPS SUPPLIES
17-Nov	PROGRESS PUBLICATIONS	\$196.86	01	BPS SUPPLIES
14-Nov	SAV-MOR FOODS#31	\$15.97	01	BPS SUPPLIES
4-Nov	AMAZON MKTPLACE PMTS	\$711.63	01	BPS SUPPLIES
3-Nov	AMAZON MKTPLACE PMTS	\$119.24	01	BPS SUPPLIES
3-Nov	AMAZON MKTPLACE PMTS	\$48.50	01	BPS SUPPLIES
Jeremy Miller				
22-Nov	CDW GOVERNMENT	\$776.24	01	TECH SUPPLIES
22-Nov	CDW GOVERNMENT	\$597.23	01	TECH SUPPLIES
21-Nov	HP PRODUCT SVC&RPR	\$142.58	01	TECH SUPPLIES
21-Nov	HP PRODUCT SVC&RPR	\$142.58	01	TECH SUPPLIES
16-Nov	RLI*RENAISSANCE LEARN	\$107.50	01	TECH SUPPLIES
14-Nov	ACE PARKING 3109	\$22.00	01	TECH WORKSHOP PARKING FEE
11-Nov	ACE PARKING 3109	\$28.00	01	TECH WORKSHOP PARKING FEE
10-Nov	ACE PARKING 3109	\$30.00	01	TECH WORKSHOP PARKING FEE
Bo Salazar				
17-Nov	LOWES #01933*	\$755.83	01	CHS AG BARN MATERIALS
Zeba Hone				
16-Nov	USPS PO 0517280932	\$6.21	01	DO POSTAGE
22-Nov	CALIFORNIA SCHOOL BOARD	\$2,020.00	01	BOARD WORKSHOP REGISTRATION
21-Nov	AMAZON.COM	(\$27.53)	01	DO RETURN
15-Nov	AMAZON.COM	\$27.53	01	DO SUPPLIES
TOTAL		12485.71		

COLUSA UNIFIED SCHOOL DISTRICT		WARRANTS TO BE DECEMBER 9, 2016			BATCH 22
BILL#	PAYEE	AMOUNT	FUND	LOC	DESCRIPTION
517	ALL AMERICAN LAWN	\$ 14,014.72	21	BOND	IRRIGATION REPAIRS
510	AMERICAN FIDELITY	\$ 347.65	01	DO	DISABILITY INSURANCE
519	ARCHITECTURAL NEXUS	\$ 22,962.94	21	BOND	ARCHITECTS FEES
508	BUREAU OF LECTURES	\$ 1,400.00	01	BPS	ASSEMBLY PERFORMANCE
511	CHERRYDALE FARMS	\$ 3,130.38	01	BPS	FUNDRAISER
520	CITY OF COLUSA	\$ 9,772.64	01	ALL	WATER/SEWER BILLING
RC29	COLUSA USD EMER FD-US BANK CALCARD VISA	\$ 2,414.17	ALL	ALL	SEE ATTACHED
539	JILL CONROY	\$ 49.38	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
516	CRYSTAL CREAMERY	\$ 3,798.85	13	CAFÉ	FOOD
515	DANIELSEN CO	\$ 5,117.22	13	CAFÉ	FOOD
522	DAVIES OIL	\$ 611.01	01	MOT	FUEL FOR VEHICLES
533	EAGLE SOFTWARE	\$ 1,959.00	01	DO	WORKSHOP REGISTRATION
513	JOHN FORD	\$ 302.46	01	CHS	REIMBURSE FOR SUPPLIES PURCHASED
531	GRIFFS FEED AND SEED	\$ 165.37	01	MOT	GROUND SUPPLIES
528	HIGWAY 20 SIGNWORKS	\$ 13.44	01	BPS	SUPPLIES
523	LEASA HILL	\$ 275.92	13	CAFÉ	FOOD
512	JOHNSON PRINTING	\$ 439.67	01	BPS	PRINT FORMS
509	ERIC LAY	\$ 35.41	01	CHS	REIMBURSE FOR SUPPLIES PURCHASED
518	LIFETIME LEARNING	\$ 700.00	01	HMS	SOFTWARE
526	TINA LYONS	\$ 627.42	01	CHS	REIMBURSE FOR SUPPLIES PURCHASED
532	MITEL LEASING	\$ 1,796.58	01	ALL	PHONE SYSTEM LEASE
521	MJB WELDING	\$ 36.00	01	CHS	AG SHOP SUPPLIES
514	O'CONNELL RANCH	\$ 38.00	13	CAFÉ	FOOD
527	PIERCE JUSD	\$ 700.00	01	DO	TECH SUPPLIES
507	PLATT	\$ 137.45	01	MOT	MAINTENANCE SUPPLIES
505	READING OIL	\$ 74.57	01	MOT	SUPPLIES
506	RECOLOGY	\$ 2,748.85	01	ALL	GARBAGE SERVICE
524	SORENSEN PEST CONTROL	\$ 258.00	01	ALL	PEST CONTROL SERVICE
525	YUBA SAFE & LOCK	\$ 5,434.23	01	MOT	REPLACE DOOR HARDWARE AT DO
TOTAL ALL FUNDS		\$ 78,452.33			

**Colusa USD Emergency Fund - US BANK CALCARD VISA - Check 5393**

Darren Brown

FD

21-Nov	WORLDSTRIDES LAKELAND	434-982-8600, VA	\$500.00	01	FOM MUSIC REGISTRATION CARNEGIE
21-Nov	WORLDSTRIDES LAKELAND	434-982-8600, VA	\$500.00	01	FOM MUSIC REGISTRATION CARNEGIE
7-Nov	NCTM HOUSING	800-906-4213, TX	\$276.70	01	MATH CONFERENCE MOTEL
7-Nov	NCTM HOUSING	800-906-4213, TX	\$276.70	01	MATH CONFERENCE MOTEL
31-Oct	SIERRA FLOWERS	530-301-1054, CA	\$172.00	95	CHS ASB SUPPLIES
26-Oct	SIERRA FLOWERS	530-301-1054, CA	\$17.20	85	CHS ASB SUPPLIES

Jody Johnston

22-Nov	OTC BRANDS, INC.	800-2280475, NE	\$45.43	95	EMS ASB SUPPLIES
18-Nov	J W PEPPER AND SON INC	800-3456296, PA	\$366.41	01	EMS MUSIC SUPPLIES

Rosemary Hicks

21-Nov	DRAPHIX/TEACHER DIRECT	205-226-0830, AL	\$44.45	01	BPS SUPPLIES
11-Nov	PP*BOUNCYBANDS	402-935-2244, NC	\$215.28	01	BPS SUPPLIES

\$2,414.17

COLUSA UNIFIED SCHOOL DISTRICT  
745 Tenth Street  
Colusa, California 95932

**RESOLUTION ADOPTING A  
CONFLICT OF INTEREST CODE  
RESOLUTION #2016-17.07**

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Governing Board of the Colusa Unified School District has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the district's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Colusa Unified School District has recently reviewed its positions, and the duties of each position, and has determined that changes to the current conflict of interest code are necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Colusa Unified School District Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED THIS 13<sup>th</sup> day of December 2016, at a meeting, by the following vote:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

Attest:

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Secretary/President

# Appendix to Colusa Unified School District Resolution #2016-17.07

(7/84 9/89) 5/16

## Board Bylaws

BB 9270(a)

### CONFLICT OF INTEREST

The Governing Board desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. Accordingly, no Board member, district employee, or other person in a designated position shall participate in the making of any decision for the district when the decision will or may be affected by his/her financial, family, or other personal interest or consideration.

*(cf. 9005 - Governance Standards)*

Even if a prohibited conflict of interest does not exist, a Board member shall abstain from voting on personnel matters that uniquely affect his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her relative belongs. *Relative* means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

The Board shall adopt **for** the district **a** conflict of interest code that incorporates the provisions of 2 CCR 18730 by reference, specifies the district's designated positions, and provides the disclosure categories required for each position. The conflict of interest code shall be submitted to the district's code reviewing body for approval, in accordance with Government Code 87303 and within the deadline for submission established by the code reviewing body. (Government Code 87303)

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code and submit any changes to the code reviewing body or, if no change is required, the Board shall submit a written statement to that effect. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent. (Government Code 87306)

When reviewing and preparing the district's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

*(cf. 9320 - Meetings and Notices)*

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the district's conflict of interest code. A Board member who leaves office or a designated employee who leaves district employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date of leaving office or district employment. (Government Code 87302, 87302.6)

*(cf. 4117.2/4217.2/4317.2 - Resignation)*

*(cf. 9222 - Resignation)*

### **Conflict of Interest under the Political Reform Act**

A Board member, designated employee, or other person in a designated position shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A disqualifying conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect," which is distinguishable from the effect on the public generally, on the Board member, designated employee, or other person in a designated position, his/her immediate family, or any financial interest described in 2 CCR 18700 (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)

A Board member, designated employee, or other person in a designated position makes a governmental decision when he/she, acting within the authority of his/her office or position, authorizes or directs any action on a matter, votes or provides information or opinion on it, contacts or appears before a district official for the purpose of affecting the decision, or takes any other action specified in 2 CCR 18704.

However, a Board member shall participate in the making of a contract in which he/she has a financial interest if his/her participation is required by the rule of necessity or legally required participation pursuant to Government Code 87101 and 2 CCR 18705.

### **Additional Requirements for Boards that Manage Public Investments**

Any Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following: (Government Code 87105; 2 CCR 18707)

1. Publicly identify each financial interest that gives rise to the conflict or potential

conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.

2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. The Board member shall not be counted toward achieving a quorum while the item is discussed.

However, the Board member may speak on the issue during the time that the general public speaks on it and may leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion and deliberations of the matter with members of the public.

3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during consideration of the consent calendar.

4. If the Board's decision is made during closed session, disclose his/her interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. He/she shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recording or any other nonpublic information regarding the Board's decision.

*(cf. 3430 - Investing)*

*(cf. 9321 - Closed Session Purposes and Agendas)*

*(cf. 9321.1 - Closed Session Actions and Reports)*

### **Conflict of Interest under Government Code 1090 - Financial Interest in a Contract**

Board members, employees, or district consultants shall not be financially interested in any contract made by the Board on behalf of the district, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest in a contract made by the Board, the contract is void. (Government Code 1090)

A Board member shall not be considered to be financially interested in a contract in which he/she has only a "remote interest," as specified in Government Code 1091, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member **or district official** to enter into the contract. (Government Code 1091)

In addition, a Board member shall not be considered to be financially interested in a contract in which his/her interest is a "noninterest" as defined in Government Code 1091.5. Noninterest includes a Board member's interest in being reimbursed for his/her actual and necessary expenses incurred in the performance of his/her official duties, in the employment



of his/her spouse/registered domestic partner who has been a district employee for at least one year prior to the Board member's election or appointment, or in any other applicable circumstance specified in (Government Code 1091.5)

### **Common Law Doctrine Against Conflict of Interest**

A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

### **Incompatible Offices and Activities**

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the district. (Government Code 1099, 1126)

*(cf. 4136/4236/4336 - Nonschool Employment)*

### **Gifts**

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitation on gifts does not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

In addition, the limitation on gifts does not apply to informational materials such as books, reports, pamphlets, calendars, and periodicals. (Government Code 82028)

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation, except when: (Government Code 89506)

1. The travel is in connection with a speech given by a Board member or designated employee, provided the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the day immediately following the speech and the travel is within the United States.
2. The travel is provided by a person or agency specified in Government Code 89506, including a government, governmental agency or authority, bona fide public or private educational institution, as defined in Revenue and Taxation Code 203, or nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

Gifts of travel exempted from the gift limitation, as described in items #1 and 2 above, shall nevertheless be reportable on the recipient's Statement of Economic Interest/Form 700 as required by law.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

## **Honoraria**

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering. (Government Code 89501, 89502)

The term *honorarium* does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession, unless the sole or predominant activity of the business, trade, or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

### *Legal Reference:*

#### EDUCATION CODE

1006 *Qualifications for holding office*

35107 *School district employees*

35230-35240 *Corrupt practices, especially:*

35233 *Prohibitions applicable to members of governing boards*

41000-41003 *Moneys received by school districts*

41015 *Investments*

#### FAMILY CODE

297.5 *Rights, protections, and benefits of registered domestic partners*

#### GOVERNMENT CODE

1090-1099 *Prohibitions applicable to specified officers*

1125-1129 *Incompatible activities*

81000-91014 *Political Reform Act of 1974, especially:*

82011 *Code reviewing body*

82019 *Definition, designated employee*

82028 *Definition, gift*

82030 *Definition, income*

82033 *Definition, interest in real property*

82034 *Definition, investment*

87100-87103.6 *General prohibitions*

87200-87210 *Disclosure*

87300-87313 *Conflict of interest code*

87500 *Statements of economic interests*

89501-89503 *Honoraria and gifts*

89506 *Ethics; travel*

91000-91014 *Enforcement*

#### PENAL CODE

85-88 *Bribes*

#### REVENUE AND TAXATION CODE

203 *Taxable and exempt property - colleges*

#### CODE OF REGULATIONS, TITLE 2

18110-18997 *Regulations of the Fair Political Practices Commission, especially:*

18700-18707 *General prohibitions*

18722-18740 *Disclosure of interests*  
18750.1-18756 *Conflict of interest codes*

COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)  
Davis v. Fresno Unified School District (2015) 237 Cal.App.4th 261  
Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469  
Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th 655  
Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511

ATTORNEY GENERAL OPINIONS

92 Ops.Cal.Atty.Gen. 26 (2009)  
92 Ops.Cal.Atty.Gen. 19 (2009)  
89 Ops.Cal.Atty.Gen. 217 (2006)  
86 Ops.Cal.Atty.Gen. 138(2003)  
85 Ops.Cal.Atty.Gen. 60 (2002)  
82 Ops.Cal.Atty.Gen. 83 (1999)  
81 Ops.Cal.Atty.Gen. 327 (1998)  
80 Ops.Cal.Atty.Gen. 320 (1997)  
69 Ops.Cal.Atty.Gen. 255 (1986)  
68 Ops.Cal.Atty.Gen. 171 (1985)  
65 Ops.Cal.Atty.Gen. 606 (1982)  
63 Ops.Cal.Atty.Gen. 868 (1980)

*Management Resources:*

CSBA PUBLICATIONS

Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010

FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009

Understanding the Basics of Public Service Ethics: Transparency Laws, 2009

WEB SITES

CSBA: <http://www.csba.org>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute of Local Government: <http://www.ca-ilg.org>

(11/03 7/10) 5/16

**Board Bylaws**

E 9270(a)

**CONFLICT OF INTEREST**

**RESOLUTION ADOPTING A  
CONFLICT OF INTEREST CODE**

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Governing Board of the Colusa Unified School District has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the district's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Colusa Unified School District has recently reviewed its positions, and the duties of each position, and has determined that (~~changes/no changes~~) to the current conflict of interest code are necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Colusa Unified School District Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at a meeting, by the following vote:

AYES:\_\_\_\_\_ NOES:\_\_\_\_\_ ABSENT:\_\_\_\_\_

Attest:

\_\_\_\_\_  
Secretary/President

E 9270(c)

**CONFLICT OF INTEREST** (continued)

**Conflict of Interest Code of the  
Colusa Unified School District**

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

## **APPENDIX**

### **Disclosure Categories**

1. **Category 1:** A person designated Category 1 shall disclose:
  - a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
  - b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.
2. **Category 2:** A person designated Category 2 shall disclose:
  - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
  - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

### **Designated Positions**

<u>Designated Position</u>	<u>Disclosure Category</u>
Governing Board Members	1
Superintendent of Schools	1
Director	2
Principal	2
Assistant Principal	2
Maintenance and Operations Director	2
Program Coordinator	2

Project Specialist	2
Supervisor	2
Dean of Students	2

### **Disclosures for Consultants**

Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18700.3)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18704, subsections (a) and (b), or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR 18700.3)

(7/10) 5/16.

### DSA Bond Projects:

1. **We have 6 DSA bond projects.** Update as of 11-30-2016. The district has all the DSA 168 forms turned in to DSA for final billing. Project numbers 02-114561, 02-114558 and 02-114560, (the three fire alarm projects) have been completely closed with DSA, Certification of Compliance letters sent to us dated Oct 26, 2016 on file. The CHS HVAC/Rest Room (#02-114760) is completely closed with DSA, Certification of Compliance letter dated November 17th has been received.
2. BPS & EMS (02-114730, 02-114731) restroom corrections on the punch list are still being worked on by the contractor. Next steps at EMS & BPS are; finish the punch list, we will receive retention billing, NOC approval by the board, and we will OK retention payment release after the 35 day countdown. Retention payment for the three new portables was approved. Final payment from the District to DSA was made this month and Certification of Compliance letters on both projects are expected in December.
3. There are a few things related to DSA projects but not related to DSA closeout still floating; the architect has to provide as-built drawings for all 6 projects (part of their contract), and warrantee books still are due from Lamon & Gray Electric.

### DSA Bond Projects:

1. **DSA App# 02-114561. Burchfield Fire Alarm.** Job is completed, it has been completely closed with DSA, Certification of Compliance letters sent to us dated Oct 26, 2016 on file. NOC was filed with the County. Final payment has been made with only the retention payment left. **Closed**
2. **DSA App# 02-114560. Colusa High School Fire Alarm.** It has been completely closed with DSA, Certification of Compliance letters sent to us dated Oct 26, 2016 on file. NOC was filed with the County. Final payment has been made with only retention payment left. **Closed**
3. **DSA App# 02-114558. Egling Fire Alarm.** Job is completed, it has been completely closed with DSA, Certification of Compliance letters sent to us dated Oct 26, 2016 on file. NOC was filed with the County. Final payment has been made with only retention payment left. **Closed**
4. **DSA App# 02-114760. Colusa High School Gym HVAC and restroom ADA upgrades.** All construction work has been completed. Punch list corrections are all done. Final payment request has been approved. The retention payment request has been turned in to the District, NOC was approved by the Board 11-08-16 and sent to the county. Retention payment 35 day countdown clock has started. **Closed**
5. **DSA App# 02-114730. Egling Blacktop, Portables and Restroom ADA upgrades.** This job is completed and the two new portables are installed with exception of punch list corrections still in progress. Inspection of the corrections done and the punch list was updated 11-28. Remaining corrections are waiting on work to be completed and the district's approval. Final payment was made on the portables and the project itself. NOC has not been filed with the County, and we have not authorized the release of the retention payment (\$93,000.00 EMS & BPS).
6. **DSA App# 02-114731. Burchfield Blacktop, Portable and Restroom ADA upgrade.** This job is completed and the new portable installed with punch list corrections still in progress. Inspection of the corrections done and the punch list was updated 11-28. Remaining corrections are waiting on work to be completed and the district's approval. Final payment was made on the



portable and the project itself. NOC has not been filed with the County, and we have not authorized the release of the retention payment (\$93,000.00 EMS & BPS).

## **Non-DSA Bond Projects:**

1. **BPS Fencing North side.** 100% complete. Final payment made. **Closed**
2. **BPS fencing behind new portable (P-28).** 100% complete. Final Payment made. **Closed**
3. **EMS Music Room Windows.** 100% complete. Final payment made. **Closed**
4. **EMS Music Room Floor.** 100% complete. Final payment made. **Closed**
5. **EMS Street fencing behind new portable (P-4).** 100% complete. Final payment made. **Closed**
6. **EMS Fencing around new portable (P-11).** 100% complete. Final payment made. **Closed**
7. **EMS Music Room HVAC Replacement.** 100% complete. Final payment made. **Closed**
8. **EMS 200 Wing HVAC Replacement.** 100% complete. Final payment made. **Closed**
9. **EMS seal East asphalt.** Pulled from the scope to save cost. 100% complete. Final payment made. **Closed**
10. **EMS / District Auditorium Doors.** 100% complete. Final payment made. **Closed**
7. **CHS Ag Barn Building construction.** 100% complete. Final payment is made. NOC approved 11-8-16 by the board, NOC has been sent on to the County. Retention payment approved by board. Retention payment 35 day countdown clock has started. **Closed**
11. **CHS Fence around barn leaching pond.** 100% complete. Final payment made. **Closed**
12. **CHS Ag Barn utilities.** 100% complete. Final payment made. NOC sent to the County. Waiting on 35 day countdown so retention payment can be sent. We are waiting for billing from Gray Electric for the main panel in the barn.
13. **District Network Cable Replacement (Jeremy).** 95% complete. Progress payments made but final payment has not been approved. We have a meeting Sept 23 to go over Change Orders and walk the sites.
14. **District Intercom / Safety / Bell system (Jeremy).** 95% complete. Progress payments made but final payment has not been approved. We will do a punch list, meet with the contractor, check Change Orders and walk the sites prior to final payment.
15. **District Safety Window Tinting.** 100% complete. Final payment made. **Closed**
16. **District Hazmat Abatement.** 100% complete for all projects related to the Measure A bond. Payment has been made. **Closed**
17. **District Crosswalk Safety Signs & Lights.** 100% complete. \$1,000 safety grant was used to help offset the cost. Final payment was made. **Closed**
18. **Remove 2ea CHS boilers and replace with energy efficient water heaters.** 100% complete. Final payment made. **Closed**
19. **We have field restoration and irrigation** repairs related to construction CHS. Contractor has completed irrigation repairs at CHS, MOT is installing valve boxes and backfilling ditches to complete the project. Payment to contractor was approved 11-30-2016.
20. **(New Holiday Project)** Abate 2250sf asbestos flooring and replace with new VCT 500 wing CHS. (Awaiting approval)
21. **(New Holiday Project)** Pour walkways EMS Portable #1 and CHS band room. (Awaiting approval)

22. **(New Holiday Project)** We would like to bring in a company to cut out remaining trip hazards in our sidewalks (around \$2,500 a site). (Awaiting approval)
23. **(New Holiday Project)** Install heaters in Boy's and Girl's locker rooms CHS. (Awaiting approval)
24. **(New Holiday Project)** Install safety handrail at EMS ADA ramp north side of multipurpose room. (Awaiting approval)

**We are looking at how to best spend the remaining bond money some recommendations are:**

1. I have proposals for the asphalt pulled from the bond scope at BPS (\$14,182.00).
2. Install sinks and cabinets in the 3 new portables (No proposals in, my guess \$21K?)
3. Install new doors on Ag shop & Classroom 400 building CHS. (My guess 5 doors \$20K?)

**Prop 39 Lighting Project:**

1. The lighting is installed. Because switch wiring in classrooms has many different configurations some lighting controls were not installed. We will meet this month to insure lighting control and change order charges/credits are constant with the last progress payment. We expect the lighting portion of Prop 39 to finish by the end of the month. We built the final punch list and forwarded it to the contractor. We have submitted the rebate paperwork to PG&E for inside lighting. We also submitted the rebate paperwork to PG&E for T-LED and outside LED change-outs. Both PG&E rebate checks are expected before the end of December.

# CHS 500 WING

J.6.a.



**WIKERESTORATION**  
1282 Hassett Ave. #1  
Yuba City, CA 95991 US  
wikerestoration.com

Change Order 1017

**ADDRESS**

Colusa Unified School District  
745 Tenth St.  
Colusa, CA 95932 USA  
Attention: Terry Bilodeau

DATE  
01/28/2016

TOTAL  
\$5,512.50

**PROJECT NAME**

Colusa High School/500 wing

DESCRIPTION	QTY	RATE	AMOUNT	DATE
Removal of Asbestos containing floor tile and mastic. Floor tile and mastic will be treated as non-friable ACM. All work will be done in accordance with all Federal, State, and Local regulatory agencies. Included in the price is all prevailing wage rates, equipment, materials, disposal, etc. to complete the work as per specifications. All work will be done in accordance with all Federal, State, and Local regulatory Agencies.	2,250	2.45	5,512.50	01/28/2016

Lic: 947957 B, C-22, ASB, DOSH 1040

DIR: 1000013851

Thank you for your business!

TOTAL

\$5,512.50

THANK YOU.

Accepted By

Accepted Date

Phone # 530-674-2693

Fax # 530-674-2694

E-mail wikerestoration@gmail.com

# COLUSA FLOOR COVERING

711 Market Street - Colusa, CA 95932

Ph.: (530) 458-3790 - Fax: (530) 458-3791 - Email: [colusafloorcovering@yahoo.com](mailto:colusafloorcovering@yahoo.com)

Contractor License #364608

**CONTRACT #      0**

# SALES CONTRACT

CUSTOMER: <b>COLUSA UNIFIED SCHOOL DIST.</b>			JOB ADDRESS: <i>COLUSA HIGH - 500 WING</i>	
STREET: <b>745 TH STRETT</b>			DIRECTIONS:	
CITY, STATE, ZIP: <b>COLUSA, CA 95932</b>				
SALESPERSON: <b>VALENTE</b>	PHONE (H):	PHONE (W):	OTHER: <b>TERRY 788-2673</b>	DATE: <b>10/24/2016</b>

[illegible]

**AB 2398: CA Carpet Stewardship Assessment**

0 X \$.20/SQ YD. \$

**TERMS:**

CONTRACT PRICE	\$	7,795.00
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FLOOR: CUSHION:

DEPOSIT

**METALS:**

BALANCE

NOTICE TO OWNER

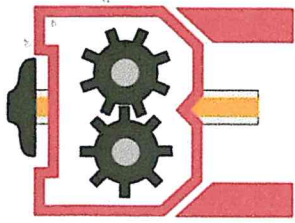
## PAYMENT

BALANCE

"Under the California Mechanics' Lien Law, any contractor, subcontractor, laborer, supplier, or other person or entity who helps to improve your property, but is not paid for his or her work or supplies, has a right to place a lien on your home, land, or property where the work was performed and to sue in court to obtain payment. This means that after a court hearing, your home, land, and property could be sold by a court officer and the proceeds of the sale used to satisfy what you owe. This can happen even if you paid your contractor in full if the contractor's, subcontractor, laborers, or supplies remain unpaid."

**SIGNED:**

DATE:



# Boggs Equipment & Engineering Inc.

CA State License #730793

J.6.c.

3341 River Road, P.O. Box 607

Colusa, CA 95932

Office: 530 458-8985

Fax: 530 458-5869

Email: [steve@boggsengineering.com](mailto:steve@boggsengineering.com)

A General Engineering Contractor, C-51 Structural Steel Contractor

October 26, 2016

Colusa Unified School District  
745 10th Street  
Colusa, CA 95932  
Re: Egling hand rail project

## Project Quote

Build galvanized pipe hand rails per measurements

- Materials	\$650.00
- Labor (2 men)	<u>\$2,750.00</u>
	<b>\$3,400.00</b>

\*Please allow 3 days for project completion

approved 11/29/16  
DKA

Thank you for the opportunity to quote this project.



# Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

## Authorization

Precision Concrete Cutting (PCC) removes only those trip hazards specifically requested by the owner or management, and therefore makes no guarantee or representation in any way that the property is free of trip hazards after the contract has been completed. Additionally, it is recognized that after completion of the contract, the concrete trip hazards may and probably will continue to move naturally over time due to roots, water, freezing, pipes, and other natural or man-made causes. Upon completion and payment of this contract, Precision Concrete Cutting ceases to be responsible for further movement or changes in the sidewalk and is not liable for any related claims, losses, damages or liabilities thereto pertaining.

By signing below, I attest that I have read the above statement, understand it completely, and agree not to hold PCC liable. By my signature and authorization, PCC is approved to schedule the work detailed in this proposal and complete it according to their schedule.

Note: Pricing is valid for 90-days and is based on the volume of work represented in the proposal. Should the property owner decide to reduce the volume of work by more than 20%, a 10% price increase may apply.

Date: \_\_\_\_\_ P.O. #: \_\_\_\_\_

Signature Authorized Agent: X \_\_\_\_\_

Please Print Name & Title: \_\_\_\_\_

OK to cut job on a Saturday? Yes \_\_\_\_\_ / No \_\_\_\_\_

### Reference No.

2016.1.29.D.HW

Date: Feb. 13, 2016

**Precision Concrete Cutting**

P.O. Box 25265

San Mateo, CA 94402

(916) 607-0447 - phone

(650)-240-3866 - Fax

[hwise@dontgrind.com](mailto:hwise@dontgrind.com)

CUSTOMER:

C/O:

CONTACT:

ADDRESS:

CITY / ZIP:

PHONE:

PROPERTY LOCATION:

Burchfield School-Colusa Unified

Colusa Unified School District

(530) 458-7791

745 Tenth St.

Colusa, Ca 95932

[tbiladeau@colusa.k12.ca.us](mailto:tbiladeau@colusa.k12.ca.us)

400 Fremont St., Colusa, CA 95932

CL #826745



Prepared By:

**SIDEWALK IMPROVEMENT PROPOSAL**

Total In. Ft.  
50.88

Total Cost  
\$2,035.00

# Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

## Authorization

### LEGEND:

WW =Walkway, SW =Sidewalk, CSW =City Sidewalks, DW =Driveway, R&R =Remove and Replace, LP =Lamp Post, BET = Between, X =Across, OG =Old Grind, OC =Old Cut, AP =Asphalt Patch, AC =Asphalt Cut, PKG =Parking/Parking Lot, NXT = Next To, @ = At, CC = Crosscut

*This bid is intended only for the use of the individual or entity to which it is addressed. The contents are proprietary and confidential and contains information that is both privileged and confidential under applicable California law. If you have received or are in possession of this document, you are hereby notified that any dissemination, use, distribution, or copying of this information is strictly prohibited and any violation will be strictly enforced and litigated under the laws of the State of California.*

No.	Avg Height	Height	Low (8t	Width	Specific Location	Inch Feet	Cost
1		3	0	10.5	Walkway left side of the main building by water hose	1.97	\$78.75
2		3	0	7	At main office door	1.31	\$52.50
3		3	2	8	At brown door next to office door	2.50	\$100.00
4		3	1	4.5	Walkway heading away from office by storm drain towards playground	1.13	\$45.00
5		3	0	4	Sidewalk past small building across from office before gray electric box	0.75	\$30.00
6		3	2	7.5	Sidewalk past small building across from office before gray electric box	2.34	\$93.75
7		5	0	10	Walkway behind office building going towards brick building left side of office	3.13	\$125.00
8		3	0	6.5	Xcut	1.22	\$48.75
9		3	0	9	Xcut	1.69	\$67.50
10		3	0	3	Ww at split going towards bike rack	0.56	\$22.50
11		3	0	4	Ww at split going towards bike rack	0.75	\$30.00
12		3	1	5	Ww at split going towards bike rack	1.25	\$50.00
13		3	0	5	walkway at asphalt by cut 11	0.94	\$37.50
14		9	0	4	walkway at asphalt by cut 13	2.25	\$90.00
15		3	0	4	By metal electric over and bike rack	0.75	\$30.00
16		6	0	12	Walkway at asphalt facing playground	4.50	\$180.00
17		6	1	7.5	Backpack rack room 11 old grind	3.28	\$131.25
18		13	2	10	Old growing by room 10	9.38	\$375.00
19		6	0	17	At blue dots by room two	6.38	\$255.00
20		7	0	11	Xcut	4.81	\$192.50



## Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

### Authorization

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By signing below, I attest that I have read the above statement, understand it completely, and agree not to hold PCC liable. By my signature and authorization, PCC is approved to schedule the work detailed in this proposal and complete it according to their schedule.

Note: Pricing is valid for 90-days and is based on the volume of work represented in the proposal. Should the property owner decide to reduce the volume of work by more than 20%, a 10% price increase may apply.

Date: \_\_\_\_\_ P.O. #: \_\_\_\_\_

Signature Authorized Agent: X \_\_\_\_\_

Please Print Name & Title: \_\_\_\_\_

OK to cut job on a Saturday? Yes \_\_\_\_\_ / No \_\_\_\_\_

CUSTOMER:

C/O:

CONTACT:

ADDRESS:

CITY / ZIP:

PHONE:

PROPERTY LOCATION:

Reference No.

2016.1.29.C.HW

Date: Feb. 13, 2016

Egling School-Colusa Unified

Colusa Unified School District

(530) 458-7791

745 Tenth St.

Colusa, Ca 95932

tbiladeau@colusa.k12.ca.us

813 Webster Street, Colusa, CA 95932

*Precision Concrete Cutting*

*P.O. Box 25265*

*San Mateo, CA 94402*

*(916) 607-0447 - phone*

*(650)-240-3866 - Fax*

[hwise@dontgrind.com](mailto:hwise@dontgrind.com)

CL #826745



Prepared By:

SIDEWALK IMPROVEMENT PROPOSAL

Total In. Ft.  
320.75

Total Cost  
\$12,830.00

# Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

## Authorization

### LEGEND:

WW =Walkway, SW =Sidewalk, CSW =City Sidewalks, DW =Driveway, R&R =Remove and Replace, LP =Lamp Post, BET = Between, X =Across, OG =Old Grind, OC =Old Cut, AP =Asphalt Patch, AC =Asphalt Cut, PKG =Parking/Parking Lot, NXT = Next To, @ = At, CC = Crosscut

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No.	Avg Height	Height	Low	Width	Specific Location	Inch Feet	Cost
1		5	3	5	Walkway at red line before Driveway next to bike racks	2.50	\$100.00
2		4	3	5.5	Walkway at red line before Driveway next to bike racks	2.41	\$96.25
3		3	2	5.5	Walkway crack at Driveway after bike racks	1.72	\$68.75
4		9	0	4.5	Walkway at end of Driveway at yellow curb	2.53	\$101.25
5		3	0	4	Walkway by end of Driveway at yellow curb	0.75	\$30.00
6		4	0	23.5	Walkway at yellow line by cafeteria Lcut	5.88	\$235.00
7		3	2	14.5	Walkway between pillars by cafeteria doors	4.53	\$181.25
8		3	2	5.5	Walkway by loading zone yellow curb	1.72	\$68.75
9		4	1	14.5	Walkway by loading zone at yellow line	4.53	\$181.25
10		3	0	3.5	Walkway by loading zone at yellow line	0.66	\$26.25
11		3	2	11.5	Walkway by at split before school sign Lcut	3.59	\$143.75
12		4	0	10.5	Walkway by after split before school sign Lcut	2.63	\$105.00
13		6	0	10	Walkway by after split by school sign Lcut	3.75	\$150.00
14		10	0	14	Red curb at end of walkway by school sign old grind crosscut	8.75	\$350.00
15		4	0	11	Backtrack to split walkway at split by building	2.75	\$110.00
16		4	1	6	Walkway at split by side of cafeteria door at garbage can	1.88	\$75.00
17		3	0	4	Walkway after split by side of cafeteria door after garbage can	0.75	\$30.00
18		6	3	5.5	Walkway after split by side of cafeteria door before sidewalk ramp	3.09	\$123.75
19		3	0	10.5	Walkway by 3rd side door to cafeteria	1.97	\$78.75
20		3	2	6	Walkway by side door to office at split	1.88	\$75.00
21		4	2	10	Walkway at fence after main office door	3.75	\$150.00
22		4	0	7	Walkway after main office door walkway to parking before flag pole	1.75	\$70.00

# Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

## Authorization

23		4	0	3.5	Walkway after main office door walkway to parking before flag pole crosscut	0.88	\$35.00
24		6	0	6.5	Walkway after main office door walkway to parking by flag pole	2.44	\$97.50
25		3	0	4	Walkway after main office door walkway to parking by flag pole crosscut	0.75	\$30.00
26		5	3	10.5	Walkway after main office door walkway to parking before handicap parking by handicap sign	5.25	\$210.00
27		7	1	10	Backtrack to split after main office door walkway at gate before split	5.00	\$200.00
28		4	0	5.5	Walkway split at gate before room 131 Lcut	1.38	\$55.00
29		3	0	9.5	Walkway after split before room 131	1.78	\$71.25
30		4	0	10	Walkway by room 131	2.50	\$100.00
31		3	0	23	Walkway by room 131 Ucut	4.31	\$172.50
32		3	0	10.5	Walkway after room 131 before split Lcut	1.97	\$78.75
33		3	0	8.5	Walkway after room 131 before split	1.59	\$63.75
34		3	2	8.5	Walkway after room 131 at split	2.66	\$106.25
35		4	0	8	Walkway before room 101	2.00	\$80.00
36		3	0	7	Walkway by room 103	1.31	\$52.50
37		6	0	3.5	Walkway after room 103	1.31	\$52.50
38		8	0	4.5	Walkway after room 103 old grind crosscut	2.25	\$90.00
39		5	0	8	Walkway after room 103 before split	2.50	\$100.00
40		4	0	3.5	Move to walkway by room 102 walkway at handicap parking sign	0.88	\$35.00
41		6	0	22	MOVE CAR Walkway by room 102 before gate	8.25	\$330.00
42		7	0	27.5	Walkway by room 102 at gate entrance Tcut	12.03	\$481.25
43		4	0	7.5	Walkway after gate by bike racks Lcut	1.88	\$75.00
44		6	0	2.5	End of walkway at city side walk	0.94	\$37.50
45		9	0	21	Backtrack to gate entrance by room 102 around drain at fence	11.81	\$472.50
46		4	0	2	Walkway by drain at asphalt	0.50	\$20.00
47		6	0	1.5	Walkway by drain at asphalt	0.56	\$22.50

# Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

## Authorization

48		6	0	4	Walkway crack b drain	1.50	\$60.00
49		9	0	3	Walkway at corner before room 104	1.69	\$67.50
50		3	2	3.5	Walkway side of room 118 at window	1.09	\$43.75
51		3	2	3.5	Walkway before room 118	1.09	\$43.75
52		3	0	3.5	Walkway by room 121	0.66	\$26.25
53		3	2	3.5	Walkway after room 121 at water fountain	1.09	\$43.75
54		4	2	5.5	Walkway at door after water fountain	2.06	\$82.50
55		7	0	5.5	Walkway at corner after door across from room 7	2.41	\$96.25
56		4	1	3.5	Walkway before room 129	1.09	\$43.75
57		5	0	1.5	Walkway by room 129	0.47	\$18.75
58		4	0	2	Walkway at split after room 129	0.50	\$20.00
59		0	0		Area should be inspected for proper repair holes need patches walkway before room 130	need patching	need patching
60		4	0	3.5	Walkway by line 59 before room 130	0.88	\$35.00
61		6	1	10.5	Walkway by line 59 before room 130	4.59	\$183.75
62		0	0		Area should be inspected for proper repair new asphalt patch walkway before room 203	repair	repair
63		8	0	5.5	Walkway by room 130	2.75	\$110.00
64		5	2	6	Walkway after room 130 by drain	2.63	\$105.00
65		4	0	4	Walkway after room 130 by gate	1.00	\$40.00
66		4	2	15.5	Walkway before room 203 at asphalt divider	5.81	\$232.50
67		4	0	31	Walkway before room 203 by gate Tcut	7.75	\$310.00
68		5	0	25	Walkway before room 203 Lcut	7.81	\$312.50
69		4	1	5	Walkway at split to side of room 203	1.56	\$62.50
70		4	0	2.5	Walkway at split at back of room 203 before room 204	0.63	\$25.00
71		4	0	3.5	Walkway after room 205 before room 210	0.88	\$35.00
72		5	1	3.5	Walkway at room 210	1.31	\$52.50

# Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

## Authorization

73		7	3	6.5	Walkway after room 210 Tcut	4.06	\$162.50
74		5	2	3.5	Walkway at room 214	1.53	\$61.25
75		4	2	3.5	Walkway by door before boys restroom	1.31	\$52.50
76		4	0	2	Walkway by girls restroom by benches	0.50	\$20.00
77		4	2	3.5	Walkway by room 222	1.31	\$52.50
78		6	0	26	Walkway at yellow line after room 222	9.75	\$390.00
79		6	3	5	Walkway by yellow line after room 222	2.81	\$112.50
80		6	0	10.5	Walkway by yellow line after room 222 Lcut	3.94	\$157.50
81		5	4	6	Walkway by boys locker room	3.38	\$135.00
82		4	3	9	Walkway at boys locker room Lcut	3.94	\$157.50
83		6	2	4.5	Walkway at boys locker room	2.25	\$90.00
84		0	0		Area should be inspected for proper repair gas cover hole needs patch or replacement by boys locker room	gas cover	gas cover
85		9	5	2	Walkway after boys locker room at garbage can	1.75	\$70.00
86		4	0	10.5	Backtrack to split before girls locker room walkway before girls locker room Lcut	2.63	\$105.00
87		3	0	13.5	Walkway before girls locker room	2.53	\$101.25
88		4	0	12.5	Walkway at girls locker room Lcut	3.13	\$125.00
89		9	5	16	Walkway around drain by girls locker room Squarecut	14.00	\$560.00
90		3	0	3.5	Walkway by water founts by girls locker room	0.66	\$26.25
91		6	0	9	Walkway by water founts by girls locker room	3.38	\$135.00
92		3	0	6	Walkway at split after water fountains	1.13	\$45.00
93		4	0	8	Walkway at womens restroom at split by gate Lcut	2.00	\$80.00
94		6	0	9	Walkway at mens restroom Lcut	3.38	\$135.00
95		5	0	13	Walkway before room 222	4.06	\$162.50
96		5	0	2.5	Walkway before room 222 at gate	0.78	\$31.25
97		5	0	5	Walkway by room 222 at gas cover Lcut	1.56	\$62.50

# Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

## Authorization

98		5	0	5	NEW AREA move to portables across playground from room 104 walkway by hydrant old grind	1.56	\$62.50
99		5	3	6	Walkway after hydrant next slab after cut 98	3.00	\$120.00
100		5	0	5	Walkway before ramp	1.56	\$62.50
101		3	0	5	Walkway next to ramp Lcut	0.94	\$37.50
102		9	0	8	Walkway after ramp Lcut	4.50	\$180.00
103		8	2	8.5	Walkway before ramp to room	5.31	\$212.50
104		6	0	5	Walkway at ramp to room	1.88	\$75.00
105		5	0	4.5	Walkway by air conditioning unit before gate Lcut	1.41	\$56.25
106		8	3	5	Walkway by air conditioning unit before gate	3.44	\$137.50
107		6	0	2.5	Backtrack to split by hydrant walkway behind benches before big tree	0.94	\$37.50
108		3	0	2.5	Backtrack to split by hydrant walkway behind benches before big tree crosscut	0.47	\$18.75
109		3	2	5	Backtrack to split by hydrant walkway behind benches before big tree	1.56	\$62.50
110		8	3	5	Backtrack to split by hydrant walkway behind benches before big tree old grind	3.44	\$137.50
111		9	2	5	Backtrack to split by hydrant walkway behind benches by big tree old grind	3.44	\$137.50
112		4	0	4.5	Backtrack to split by hydrant walkway behind benches after big tree by split	1.13	\$45.00
113		4	0	3.5	Walkway at split before portable room 3	0.88	\$35.00
114		4	0	3.5	Walkway after split before portable room 3	0.88	\$35.00
115		5	1	5	Walkway after split before portable room 3	1.88	\$75.00
116		7	0	5	Walkway by ramp to portable room 3	2.19	\$87.50
117		3	0	4.5	Walkway before ramp to portable room 2	0.84	\$33.75
118		4	0	5	Walkway by ramp to portable room 2	1.25	\$50.00
119		9	5	6	Walkway at ramp to portable room 2	5.25	\$210.00
120		6	0	5	Walkway after ramp to portable room 2	1.88	\$75.00
121		4	0	11	Walkway after ramp to portable room 1 at gate	2.75	\$110.00
122		10	0	1.5	MISSED CUT walkway at ramp to portable room 3	0.94	\$37.50

## Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

### Authorization

Precision Concrete Cutting (PCC) removes only those trip hazards specifically requested by the owner or management, and therefore makes no guarantee or representation in any way that the property is free of trip hazards after the contract has been completed. Additionally, it is recognized that after completion of the contract, the concrete trip hazards may and probably will continue to move naturally over time due to roots, water, freezing, pipes, and other natural or man-made causes. Upon completion and payment of this contract, Precision Concrete Cutting ceases to be responsible for further movement or changes in the sidewalk and is not liable for any related claims, losses, damages or liabilities thereto pertaining.

By signing below, I attest that I have read the above statement, understand it completely, and agree not to hold PCC liable. By my signature and authorization, PCC is approved to schedule the work detailed in this proposal and complete it according to their schedule.

Note: Pricing is valid for 90-days and is based on the volume of work represented in the proposal. Should the property owner decide to reduce the volume of work by more than 20%, a 10% price increase may apply.

Date: \_\_\_\_\_ P.O. #: \_\_\_\_\_

Signature Authorized Agent: X \_\_\_\_\_

Please Print Name & Title: \_\_\_\_\_

OK to cut job on a Saturday? Yes \_\_\_\_\_ / No \_\_\_\_\_

#### Reference No.

2016.1.29.E.HW

Date: Feb. 13, 2016

*Precision Concrete Cutting*

*P.O. Box 25265*

*San Mateo, CA 94402*

*(916) 607-0447 - phone*

*(650)-240-3866 - Fax*

[hwise@dontgrind.com](mailto:hwise@dontgrind.com)

CUSTOMER:

C/O:

CONTACT:

ADDRESS:

CITY / ZIP:

PHONE:

PROPERTY LOCATION:

Colusa High School-Colusa Unified

Colusa Unified School District

(530) 458-7791

745 Tenth St.

Colusa, Ca 95932

[tbiladeau@colusa.k12.ca.us](mailto:tbiladeau@colusa.k12.ca.us)

901 Colus Ave., Colusa, Ca 95932

CL #826745



Prepared By:

SIDEWALK IMPROVEMENT PROPOSAL

Total In. Ft.

290.04

Total Cost

\$11,601.50

# Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

## Authorization

### LEGEND:

WW =Walkway, SW =Sidewalk, CSW =City Sidewalks, DW =Driveway, R&R =Remove and Replace, LP =Lamp Post, BET = Between, X =Across, OG =Old Grind, OC =Old Cut, AP =Asphalt Patch, AC =Asphalt Cut, PKG =Parking/Parking Lot, NXT = Next To, @ = At, CC = Crosscut

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No.	Avg Height	Height	Low	Width	Specific Location	Inch Feet	Cost
1		8	7	5.5	SW at walkway towards tennis courts	5.16	\$206.25
2		4	3	5	Attention vehicles will need to be moved SW at tennis courts	2.19	\$87.50
3		4	2	5	Attention vehicles will need to be moved SW at tennis courts	1.88	\$75.00
4		3	1	5	Attention vehicles will need to be moved SW at tennis courts	1.25	\$50.00
5		8	7	5	Walkway at crack to tennis courts	4.69	\$187.50
6		7	5	5	Attention vehicles will need to be moved SW just passed walkway to the tennis court	3.75	\$150.00
7		6	2	5	Attention vehicles will need to be moved SW past tennis courts cross from tree	2.50	\$100.00
8		4	1	5	Attention vehicle will need to be moved SW just before fire hydrant	1.56	\$62.50
9		5	0	2.5	Attention vehicles will need to be SW crossed from fire hydrant	0.78	\$31.25
10		3	0	2.5	Xcut	0.47	\$18.75
11		4	0	3.5	Attention vehicles will need to be removed SW across from basketball court	0.88	\$35.00
12		3	2	5	Attention vehicles will need to be removed SW across from basketball court	1.56	\$62.50
13		4	2	5	Attention vehicles will need to be removed SW across from basketball court	1.88	\$75.00
14		7	5	5	Attention vehicles will need to be removed SW across from basketball court	3.75	\$150.00
15		4	3	5	Attention vehicles will need to be moved SW in bus loading zone before first driveway	2.19	\$87.50
16		4	2	5	Attention vehicles will need to be moved SW in bus loading zone before first driveway	1.88	\$75.00
17		3	3	5.5	Attention vehicles will need to be moved driveway at SW near bus loading zone	2.06	\$82.50
18		3	0	2.5	Tension vehicles will need to be in the other side of driveway at staff parking	0.47	\$18.75
19		3	0	2.5	Xcut	0.47	\$18.75
20		4	2	5	Attention vehicles will need to be moved SW at handicap parking before walkway	1.88	\$75.00
21		3	3	12.5	SW at walkway between handicap parking	4.69	\$187.50
22		3	1	11.5	Walkway to the school by handicap parking	2.88	\$115.00



# Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

## Authorization

23		4	1	11.5	Walkway before Colusa high school son	3.59	\$143.75
24		5	0	4	At crack next to gate by high school sign	1.25	\$50.00
25		5	2	5	Walkway old grind by gate	2.19	\$87.50
26		4	3	11.8	Walkway next to parking at corner of buildingp	5.16	\$206.50
27		5	1	33.5	Attn vehicles will need to be moved walkway at parking before doors	12.56	\$502.50
28		4	0	3.5	Attention vehicle need to be moved walkway at crack by double doors	0.88	\$35.00
29		4	1	9.5	Walkway at double doors	2.97	\$118.75
30		3	0	6.5	Walkway at double doors	1.22	\$48.75
31		4	0	5	Attention vehicles will need to be moved SW past handicap parking just passed Colusa high school sign	1.25	\$50.00
32		3	0	2.5	Attention vehicle need to be moved SW at crack before reserve parking sign	0.47	\$18.75
33		3	0	2.5	Xcut	0.47	\$18.75
34		4	3	5	Attention vehicles will need to be moved SW between reserve parking signs	2.19	\$87.50
35		3	1	5	Attention vehicles will need to be moved SW just passed principal parking	1.25	\$50.00
36		4	0	9	SW at walkway towards high school entrance	2.25	\$90.00
37		3	0	3	Xcut	0.56	\$22.50
38		3	0	4	Attention vehicles will need to be moved SW at enter only signed at parking lot	0.75	\$30.00
39		3	1	5	SW at corner next to enter only sign	1.25	\$50.00
40		3	3	5	Cross over to SW yellow curb before water pipes	1.88	\$75.00
41		4	3	5	SW and fire lane next to water valve pipes	2.19	\$87.50
42		3	3	5	SW and fire lane next to water valve pipes	1.88	\$75.00
43		3	2	5	SW at the fire lane before hydrant	1.56	\$62.50
44		3	1	5	End of sidewalk next to light pole	1.25	\$50.00
45		11	0	4	Walkway at curb by building 702	2.75	\$110.00
46		13	6	7.5	Walkway at split next to room 702 old grind L cut	8.91	\$356.25
47		3	3	5	Walkway at split by room 700	1.88	\$75.00

# Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

## Authorization

48		10	7	7.5	Crossover to asphalt at walkway by room 600	7.97	\$318.75
49		5	0	17	Walkway at ramp building 600	5.31	\$212.50
50		7	3	9.5	Cross over to sidewalk at the house asphalt ramp by room 403	5.94	\$237.50
51		3	1	9.5	SW between drainage pipes room 402 past trashcan	2.38	\$95.00
52		4	0	6.5	SW a double doors past room 400	1.63	\$65.00
53		6	3	9.5	Sw by double doors old grind	5.34	\$213.75
54		4	2	8.5	Side of building towards open field	3.19	\$127.50
55		6	0	8	Side of building towards open field next to bike rack	3.00	\$120.00
56		7	3	18.5	Side of building towards open field next to waterpipe	11.56	\$462.50
57		5	1	18.5	Side of building towards open field next to waterpipe	6.94	\$277.50
58		5	4	13	SW at bike rack going towards front of school	7.31	\$292.50
59		3	1	5	SW at split my walkway going towards main office	1.25	\$50.00
60		6	2	8	Walkway by split going towards main office	4.00	\$160.00
61		3	3	8	Ww towards main office	3.00	\$120.00
62		3	3	8	Ww towards main office	3.00	\$120.00
63		3	0	3.5	Ww towards main office	0.66	\$26.25
64		9	0	7	Walkway at split by double doors next to main office	3.94	\$157.50
65		6	2	12	Walkway at split by double doors next to main office	6.00	\$240.00
66		5	0	5	Walkway side of office old grind	1.56	\$62.50
67		3	3	12	Walkway side of office before flagpole	4.50	\$180.00
68		3	0	7.5	Trashcan by office doors	1.41	\$56.25
69		4	0	12.5	Other side of office doors	3.13	\$125.00
70		4	0	4.5	New area inside school walkway by fire alarm by office	1.13	\$45.00
71		3	2	18	Walkway between lunch tables by AC unit	5.63	\$225.00
72		3	0	7	Walkway between lunch tables by AC unit	1.31	\$52.50

## Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

### Authorization

73		5	0	16.5	Walkway by double doors past AC units	5.16	\$206.25
74		6	0	7	Walkway metal cover pass cafeteria going towards room 300	2.63	\$105.00
75		4	1	9	Walkway between tables past hallway 300 wing	2.81	\$112.50
76		3	3	14	Side of 300 wing old grind by double doors	5.25	\$210.00
77		9	0	5	Asphalt and walkway at water cover by wing 300 Ucut	2.81	\$112.50
78		4	1	12.5	Walkway through double doors side of 300 wing	3.91	\$156.25
79		4	0	5.5	Back corner by electrical cover 300 wing	1.38	\$55.00
80		4	0	6	Tension trailer will have to be moved walkway between room 300 and pond	1.50	\$60.00
81		3	0	4.5	At split next to gate of pond	0.84	\$33.75
82		4	3	6	Side of pond	2.63	\$105.00
83		3	0	6	At room 802	1.13	\$45.00
84		3	1	8	Behind the room 300 by water meter	2.00	\$80.00
85		6	0	11	At split backside of room 300	4.13	\$165.00
86		3	3	12	Toward room 213	4.50	\$180.00
87		3	0	5.5	Side of ramp room 213	1.03	\$41.25
88		0	0		Attention asphalt needs repaired at walkway next to room 213	Asphalt Repair	Asphalt Repair
89		8	0	12	Asphalt at walkway going toward 301	6.00	\$240.00
90		7	1	8	Walkway by double doors next to cafeteria before drinking fountains	4.00	\$160.00
91		7	1	29	Asphalt next to cut 90 by drinking fountain	14.50	\$580.00
92		5	0	7	walkway next to cut 91 and drinking fountains	2.19	\$87.50
93		3	0	5.5	Walkway by double doors next to water cover	1.03	\$41.25
94		0	0		Attention who needs patched Atwater cover behind cafeteria	cover	cover
95		6	5	5	Walkway a basketball court going towards baseball field	3.44	\$137.50
96		3	2	7	Walkway backside of 500 wing near bike rack by cut 58	2.19	\$87.50
97		4	2	7	Walkway backside of 500 wing near bike rack by cut 58	2.63	\$105.00

## Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

### Authorization

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By signing below, I attest that I have read the above statement, understand it completely, and agree not to hold PCC liable. By my signature and authorization, PCC is approved to schedule the work detailed in this proposal and complete it according to their schedule.

Note: Pricing is valid for 90-days and is based on the volume of work represented in the proposal. Should the property owner decide to reduce the volume of work by more than 20%, a 10% price increase may apply.

Date: \_\_\_\_\_ P.O. #: \_\_\_\_\_

Signature Authorized Agent: X \_\_\_\_\_

Please Print Name & Title: \_\_\_\_\_

OK to cut job on a Saturday? Yes \_\_\_\_\_ / No \_\_\_\_\_

CUSTOMER:

C/O:

CONTACT:

ADDRESS:

CITY / ZIP:

PHONE:

PROPERTY LOCATION:

Reference No.

2016.2.3.A.HW

Date: Feb. 13, 2016

Colusa District Office-Colusa Unified

Colusa Unified School District

(530) 458-7791

745 Tenth St.

Colusa, Ca 95932

tbiladeau@colusa.k12.ca.us

745 Tenth St, Colusa, CA 95932

*Precision Concrete Cutting*

*P.O. Box 25265*

*San Mateo, CA 94402*

*(916) 607-0447 - phone*

*(650)-240-3866 - Fax*

[hwise@dontgrind.com](mailto:hwise@dontgrind.com)

CL #826745



Prepared By:

SIDEWALK IMPROVEMENT PROPOSAL

Total In. Ft.  
86.69

Total Cost  
\$3,034.06

# Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

## Authorization

### LEGEND:

WW =Walkway, SW =Sidewalk, CSW =City Sidewalks, DW =Driveway, R&R =Remove and Replace, LP =Lamp Post, BET = Between, X =Across, OG =Old Grind, OC =Old Cut, AP =Asphalt Patch, AC =Asphalt Cut, PKG =Parking/Parking Lot, NXT = Next To, @ = At, CC = Crosscut

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No.	Avg Height	Height	Low (8t	Width	Specific Location	Inch Feet	Cost
1		4	4	11	Walkway at entrance	5.50	\$192.50
2		5	4	4	Walkway at entrance towards side of buildind	2.25	\$78.75
3		5	2	4	Walkway top of ramp at stairs	1.75	\$61.25
4		9	0	4	Walkway at stairs next to to ramp crosscut	2.25	\$78.75
5		4	0	1	Walkway at stairs next to to ramp crosscut	0.25	\$8.75
6		5	0	3	Next to stairs crack	0.94	\$32.81
7		10	7	27	Asphalt lifted next to walkway	28.69	\$1,004.06
8		4	0	3	Walkway next AC xcut	0.75	\$26.25
9		4	0	3	Walkway next AC xcut	0.75	\$26.25
10		9	0	34	Backtrack to front entrance asphalt lifted over walkway	19.13	\$669.38
11		4	0	4	Walkway corner of building crack	1.00	\$35.00
12		11	10	5	Walkway 1st side entrance next to flagpole	6.56	\$229.69
13		3	3	9	Walkway 1st side entrance next to flagpole	3.38	\$118.13
14		4	0	5	Walkway toward CSW crack	1.25	\$43.75
15		11	5	8.5	Walkway from CSW to community theater of the performing art	8.50	\$297.50
16		3	2	12	Backtrack past cut 7 side door entrance L cut	3.75	\$131.25



**ABS BUILDERS, INC.**  
**WOSB/EDWOSB/SBE**  
 P.O. Box 95  
 Maxwell, CA 95955  
 530-438-2235 office  
 530-438-2298 fax

### BID PROPOSAL NO. - 2016-17-1024

<b>SUBMITTED BY:</b>	Amy Gwinnup <a href="mailto:amy@absbuildersinc.com">amy@absbuildersinc.com</a> 530-312-9377 cell	Bill Schmidt <a href="mailto:bs@absbuildersinc.com">bs@absbuildersinc.com</a> 530-383-3891 cell
<b>CUSTOMER:</b>	Colusa Unified School District	<b>DATE:</b> 11/29/2016
<b>CONTACT:</b>	Terry Biladeau	<b>VALID THROUGH:</b> 12/29/2016
<b>PROJECT NAME &amp; LOCATION:</b>	2016-17 Holiday Cement Projects Colusa, CA	

#### PROJECT SCOPE:

We proposed to provide labor, materials, and equipment for the following jobs to be completed during the winter school break of Dec 23, 2016 – Jan 8, 2017:

#### Job #1 – Egling Middle School West of Portable #1:

Demo existing concrete and replace according to proposed plan, approx. 204sf of concrete. Concrete to be 4" thickness.

**\$4,600**

#### Job #2 – Colusa High School West of the Band Room:

Demo existing concrete, remove bench (salvage) and replace approx. 338sf of concrete sloped for proper drainage. Concrete to be 4" thickness.

**\$4,883**

#### Job #3 – Ag Barn

Form and pour approx. 280sf concrete pad with two steel posts (district provided). Concrete will be 4" thickness and sloped at ¼" per foot of fall to the south.

**\$4,715**

**Project Pricing if awarded Jobs 1, 2, & 3 concurrently: \$13,446**

#### Clarifications and Exclusion:

- *ABS Builders, Inc. reserves the right to change all pricing if any plans, Geotechnical reports, Engineering reports, and/or project specifications or disclosure of new information supersede information.*
- *Clear, firm, and level access of perimeter and inside of any proposed structures for equipment is required to honor this proposal pricing. Price is subject to change if conditions require special access or accommodations. Excludes cranes.*
- *Excludes permits, testing, inspections, certified welding, engineering, or special testing.*
- *Excludes any additional labor costs for off hours work or holidays, bonding and special insurance.*

**Sign to accept bid proposal and contract terms:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name & Title

\_\_\_\_\_  
Date



**CONTRACT TERMS**

**Article 1. Time of Completion.** Contractor shall commence work hereunder within the time frame specified after receipt of signed contract written notice to proceed and issuance of valid permit from Owner and shall complete the work within the project time frame. A working day is defined as any day except Saturdays, Sundays, and legal holidays and except days on which the Contractor is prevented by conditions beyond his control or by inclement weather (including extreme heat) or conditions resulting therefrom, adverse to current controlling operation(s), from proceeding with at least 90 percent of the normal labor and equipment force required for such operation(s). At the option of the Contractor, this agreement shall be void unless notice to proceed is received within ten (10) working days following execution of the agreement by Owner.

**Article 2. The Contract Price.** The owner shall pay the contractor, as full compensation for all the work performed under this proposal and construction contract the sum outlined in the **"Contract Proposal"** subject to additions and deductions pursuant to authorized change orders.

**Article 3. Progress Payments.** Contractor shall receive progress payments in proportion to the amount of work completed. Standard billing terms will be monthly progress billings unless otherwise determined upon execution of the contract.

**Article 4. General Provisions.**

Any alteration or deviation from the prescribed work, including but not limited to any such alteration or deviation involving additional material, equipment, and/or labor costs, will be executed only upon a written order for the same, signed by Owner and Contractor, and if there is any charge for such alteration or deviation, the additional charge will be added to the contract price of this contract. If payment is not made when due, Contractor may suspend work on the job until such time as all payments due have been made. A failure to make payment for a period in excess of thirty (30) days from the due date of the payment shall be deemed a material breach of this contract. In addition, the following general provisions apply:

1. All work shall be completed in a workmanship like manner and in compliance with all-applicable laws, ordinances, statutes, rules, and regulations of the Federal Government, State, County, Municipalities or their Agencies of Government and particularly those regulations relating to hours and working conditions.
2. Contractor shall have the right to subcontract any portion of the work hereunder, and all work performed by subcontractors shall be subject to all of the applicable terms and conditions of the contract documents.
3. Contractor shall furnish Owner appropriate releases or waivers of lien for all work performed or materials provided at the time next periodic payment shall be due.
4. Contractor is responsible for repairs or replacement from faulty materials and workmanship that appear within the period of one (1) year from the date of completion of work under this contract. Any owner adjustments or alterations to construction workmanship will void this warranty and contractor's responsibility. Warranty does not include any failures or operations defects caused by lack of manufacturer required maintenance or self-performed maintenance for components including moving doors such as Bifold or hydraulic doors.
5. Contractor shall indemnify and hold Owner harmless against all claims, damage suits, actions, recoveries and judgments arising from or out of any negligence of Contractor, its agents, employees or subcontractors, in performing the work under this Contract.
6. Contractor shall maintain such insurance as will protect it from claims under workmen's compensation acts and from claims for damages because of bodily injury, including death, or injury to property which may arise from and during the operation of this contract. A certificate of such insurance shall be filed with the owner if he so requests. Schmidt Construction carries a standard \$1 million each occurrence and \$2 million aggregate Commercial General Liability Policy, Workers Compensation coverage, Auto Insurance, with additional insured endorsements. Any cost increases from required insurance beyond our standard insurance will be borne by the customer.
7. In the event sub-surface or latent physical conditions differ materially from those indicated in this Contract, or in the event there exist unknown physical conditions at the site of an unusual nature differing materially from those ordinarily encountered in work of the character provided for in this

- Contract, Contractor shall advise Owner of the existence of such conditions and the parties shall equitably adjust the contract price to provide for any increase resulting from such condition.
8. Contractor shall not be held liable for any delay due to circumstances beyond its control, including, but not limited to, Acts of God, or of the public enemy, acts of any governmental agency, in either its sovereign or contractual capacity, fire, flood, epidemics, strikes, freight embargoes, inclement weather (including extreme heat), over optimum moisture content of ground or base course, unsuitable ground conditions or delays caused by Vendors or other Contractors.
  9. Should either party bring suit in court to enforce or interpret any of the terms hereof, or for a breach thereof, and/or to foreclose any mechanic's lien attributable to the work done hereunder, the prevailing party shall be entitled to costs and reasonable attorneys' fees, which may be set by the court in the same action or in separate action brought for the purpose, in addition to any other relief to which he may be entitled.
  10. Owner will obtain and pay for all permits, inspection fees, soils tests, engineering, staking, fees for utility connections, and/or other such similar items required for the performance of work hereunder, in the form of a change order once the contract has been signed.
  11. Any notice required or permitted hereunder may be served personally on the duly authorized representative of the owner at the job site, or may be served by certified mail directly to the address of the party shown on this contract.
  12. This agreement shall be binding upon and insure to the heirs, successors, and assigns of the parties hereto.
  13. Failure to enforce any rights hereunder shall not waive any rights in respect of other or future occurrences.
  14. This Proposal and Construction Contract shall be void if Owner is unable to demonstrate to the satisfaction of the Contractor prior to commencement of work his or her ability to make payments for the work to be performed hereunder in the manner and at the times set forth herein.
  15. If it becomes necessary for contractor to retain the services of any attorney to collect any monies pursuant to this Contract, Owner shall pay said fees in addition to any monies owed or any damages awarded.
  16. It is understood and agreed that each and every provision of this contract, including any alleged breach thereof, shall be interpreted in accordance with the laws of the State of California and this contract shall be deemed to have been entered into at State of California, County of Colusa.

**Article 6. Contract Documents.** The contract documents shall consist of this Construction Contract and the Contract Proposal.

California Law requires the following statement to be included in a written contract when the contractor performs work as a prime contractor within the State of California to which the written contract applies: **"Contractors are required by law to be licensed and regulated by the Contractors State License Board which has jurisdiction to investigate complaints against contractors if a complaint is filed within three years of the date of the alleged violation. Any questions concerning a contractor may be referred to the Registrar, Contractors State License Board, P. O. Box 2600, Sacramento, California 95826."**

Signed and submitted:

  
\_\_\_\_\_  
Amy Gwinnup, CEO  
ABS Builders, Inc.



# PROPOSAL # 1 PAGE 1 OF 2



ABS BUILDERS, INC.  
WOSB/EDWOSB/SBE  
P.O. Box 95  
Maxwell, CA 95955  
530-438-2235 office  
530-438-2298 fax

BID PROPOSAL NO. - 2016-1021			
<b>SUBMITTED BY:</b>	Amy Gwinnup <a href="mailto:amy@absbuildersinc.com">amy@absbuildersinc.com</a> 530-312-9377 cell	Bill Schmidt <a href="mailto:bs@absbuildersinc.com">bs@absbuildersinc.com</a> 530-383-3891 cell	
<b>CUSTOMER:</b>	Colusa Unified School District	<b>DATE:</b>	10/28/2016
<b>CONTACT:</b>	Terry Biladeau Heather Thomas	<b>VALID THROUGH:</b>	11/28/2016
<b>PROJECT NAME &amp; LOCATION:</b>	Colusa Ag Barn Lean To Colusa, CA		
<b>PROJECT SCOPE:</b> Provide and install one 18' X 100' Lean To to match existing structure. Lean To will abut to existing ag barn structure. Lean To diagram attached. Lean To will have red posts and 26 gauge PBR galvalume roof.			
<b>Total Project Pricing: \$39,572</b>			
<b>Clarifications and Exclusion:</b> <ul style="list-style-type: none"> <li>• ABS Builders, Inc. reserves the right to change all pricing if any plans, Geotechnical reports, Engineering reports, and/or project specifications or disclosure of new information supersede information.</li> <li>• Clear, firm, and level access of perimeter and inside of any proposed structures for equipment is required to honor this proposal pricing. Price is subject to change if conditions require special access or accommodations. Excludes cranes.</li> <li>• Excludes any and all utilities (capping, removing, or other), electrical work, permits, testing, inspections, certified welding, engineering, or special testing.</li> <li>• Excludes any additional labor costs for off hours work or holidays, bonding and special insurance.</li> <li>• Excludes all demo work.</li> </ul> Payment in full is required within 30 days of billing. We do not honor "pay when paid" contract provisions.			
<b>Sign to accept bid proposal and contract terms:</b>			
_____ Signature		_____ Printed Name & Title	
		_____ Date	

CONTRACT TERMS

J.10.

**APPLICATION AND CERTIFICATE FOR PAYMENT**

<b>TO OWNER:</b> Colusa Unified School District 745 Tenth Street Colusa, CA 95932 <b>FROM CONTRACTOR:</b> Lamson Construction Co., Inc. 871 Von Geldern Way Yuba City, Ca 95991	<b>PROJECT:</b> Burchfield PS Restroom Upgrades, Hardcourt Paving, & Relocatable Classr DSA #02-114731 Budget Code: 21-0000-0-6243-0000-8500-000-0008 <b>VIA ARCHITECT:</b> Architectural Nexus 1990 3rd Street, Suite 500 Sacramento, CA 95932	<b>APPLICATION #:</b> 6 <b>PERIOD FROM:</b> 11/01/16 <b>PERIOD TO:</b> 11/30/16 <b>PROJECT NO.:</b> 16-103 <b>CONTRACT DATE:</b> 04/19/16	<b>DISTRIBUTION TO:</b> <input type="checkbox"/> OWNER <input type="checkbox"/> CONST. MGR <input type="checkbox"/> ARCHITECT <input type="checkbox"/> CONTRACTOR
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**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown below, in connection with the contract.  
 Continuation Sheet is attached

<b>1. ORIGINAL CONTRACT SUM</b>	\$ 805,000.00
<b>2. Net Change by Change Orders</b>	\$ 70,605.00
<b>3. CONTRACT SUM TO DATE (Line 1+/- 2)</b>	\$ 875,605.00
<b>4. TOTAL COMPLETED AND STORED TO DATE</b> (Column G on Continuation Sheet)	\$ 875,605.00
<b>5. RETAINAGE:</b>	
a. 0.0 % of Completed Work (Column G on Continuation Sheet)	\$ -
c. Released Retention	\$ -
Total Retainage	\$ -
<b>6. TOTAL EARNED LESS RETAINAGE</b> (Line 4 less Line 5 Total)	\$ 875,605.00
<b>7. LESS PREVIOUS CERTIFICATES FOR PAYMENT</b> (Line 6 from prior Certificate)	\$ 831,824.75
<b>8. CURRENT PAYMENT DUE</b>	\$ 43,780.25
<b>9. BALANCE TO FINISH, INCLUDING RETAINAGE</b> (Line 3 less Line 6)	\$ -

CHANGE ORDER SUMMARY		ADDITIONS	DEDUCTIONS
CO #	Date Approved		
1	09/27/16		
		\$ -	\$ -
<b>NET CHANGES by Change Orders</b>			

The undersigned Contractor certifies that to the best of the Contractors knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

**CONTRACTOR:** Lamson Construction Co., Inc.

By: Steve Ihurburn



Date: December 6, 2016

**CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the undersigned certifies to the Owner that to the best of the undersigned's knowledge, information, and belief the Work has progressed as indicated, the quality of the Work in accordance with the Contract Documents, and the Contractor is entitled to payment in the AMOUNT CERTIFIED.

**INSPECTOR**

By: \_\_\_\_\_

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

**ARCHITECT:**

By: \_\_\_\_\_

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

This certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named here in. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

**AMOUNT CERTIFIED**

\$ 43,780.25

(Attach explanation if any amount certified differs from the amount applied for. Initial all figures on this application and on the Continuation Sheet that are changed to conform to the amount certified.)

## CONTINUATION SHEET

ATTACHMENT TO PAY APPLICATION

PROJECT: Burchfield PS Restroom Upgrades, Hardcourt Paving, &amp; Relocatable Classroom

APPLICATION NUMBER: 6

APPLICATION DATE: \_\_\_\_\_

PERIOD TO: \_\_\_\_\_

ARCHITECT'S PROJECT NO.: 16-103

A Item No.	B Description of Work	C Scheduled Value	D Work Completed		F Materials Presently Stored (Not in D or E)	G		H Balance to Finish	I Retention
			From Previous Application (D+E)	This Period		Total Completed and Stored to Date (D+E+F)	% (G/C)		
1	Supervision	\$ 22,000.00	\$ 22,000.00	\$ -		\$ 22,000.00	100%	\$ -	\$ 1,100.00
2	General Conditions	\$ 5,000.00	\$ 5,000.00	\$ -		\$ 5,000.00	100%	\$ -	\$ 250.00
3	Cleanup	\$ 600.00	\$ 600.00	\$ -		\$ 600.00	100%	\$ -	\$ 30.00
4	Layout	\$ 5,400.00	\$ 5,400.00	\$ -		\$ 5,400.00	100%	\$ -	\$ 270.00
5	Mobilization	\$ 9,000.00	\$ 9,000.00	\$ -		\$ 9,000.00	100%	\$ -	\$ 450.00
6	Demolition Site	\$ -		\$ -		\$ -	0%	\$ -	\$ -
7	Demolition Building Int	\$ 34,000.00	\$ 34,000.00	\$ -		\$ 34,000.00	100%	\$ -	\$ 1,700.00
8	Earthwork	\$ 128,500.00	\$ 128,500.00	\$ -		\$ 128,500.00	100%	\$ -	\$ 6,425.00
9	AB	\$ 123,000.00	\$ 123,000.00	\$ -		\$ 123,000.00	100%	\$ -	\$ 6,150.00
10	AC Paving	\$ 92,000.00	\$ 92,000.00	\$ -		\$ 92,000.00	100%	\$ -	\$ 4,600.00
11	Interior Concrete	\$ 5,400.00	\$ 5,400.00	\$ -		\$ 5,400.00	100%	\$ -	\$ 270.00
12	Seal Concrete Floors	\$ 2,400.00	\$ 2,400.00	\$ -		\$ 2,400.00	100%	\$ -	\$ 120.00
13	Site Concrete	\$ 65,000.00	\$ 65,000.00	\$ -		\$ 65,000.00	100%	\$ -	\$ 3,250.00
14	Stripe, Sign, Wheel Stops	\$ 12,000.00	\$ 12,000.00	\$ -		\$ 12,000.00	100%	\$ -	\$ 600.00
15	Storm Drain	\$ 38,000.00	\$ 38,000.00	\$ -		\$ 38,000.00	100%	\$ -	\$ 1,900.00
16	Plumbing	\$ 70,000.00	\$ 70,000.00	\$ -		\$ 70,000.00	100%	\$ -	\$ 3,500.00
17	Chlorinate & Test	\$ 1,200.00	\$ 1,200.00	\$ -		\$ 1,200.00	100%	\$ -	\$ 60.00
18	Carpentry	\$ 4,800.00	\$ 4,800.00	\$ -		\$ 4,800.00	100%	\$ -	\$ 240.00
19	Drywall	\$ 6,600.00	\$ 6,600.00	\$ -		\$ 6,600.00	100%	\$ -	\$ 330.00
20	Stucco	\$ 4,200.00	\$ 4,200.00	\$ -		\$ 4,200.00	100%	\$ -	\$ 210.00
21	Doors & Hardware	\$ 9,600.00	\$ 9,600.00	\$ -		\$ 9,600.00	100%	\$ -	\$ 480.00
22	Signage	\$ 1,800.00	\$ 1,800.00	\$ -		\$ 1,800.00	100%	\$ -	\$ 90.00
23	Toilet Partitions/Accessories	\$ 28,000.00	\$ 28,000.00	\$ -		\$ 28,000.00	100%	\$ -	\$ 1,400.00
24	Tile	\$ 22,000.00	\$ 22,000.00	\$ -		\$ 22,000.00	100%	\$ -	\$ 1,100.00
25	Paint	\$ 9,500.00	\$ 9,500.00	\$ -		\$ 9,500.00	100%	\$ -	\$ 475.00
26	Fence	\$ 12,000.00	\$ 12,000.00	\$ -		\$ 12,000.00	100%	\$ -	\$ 600.00
27	Play Equipment	\$ 2,000.00	\$ 2,000.00	\$ -		\$ 2,000.00	100%	\$ -	\$ 100.00
28	Bath Fans	\$ 12,000.00	\$ 12,000.00	\$ -		\$ 12,000.00	100%	\$ -	\$ 600.00
29	Electrical	\$ 47,000.00	\$ 47,000.00	\$ -		\$ 47,000.00	100%	\$ -	\$ 2,350.00
30	Landscape Repairs/Hydro seed	\$ -		\$ -		\$ -	0%	\$ -	\$ -
31	Bond & Insurance	\$ 22,000.00	\$ 22,000.00	\$ -		\$ 22,000.00	100%	\$ -	\$ 1,100.00
32	Site Allowance	\$ 10,000.00		\$ 10,000.00		\$ 10,000.00	0%	\$ -	\$ 500.00
33	Change Order 1	\$ 80,605.00	\$ 80,605.00	\$ -		\$ 80,605.00	0%	\$ -	\$ 4,030.25
34	Change Order 2	\$ (10,000.00)	\$ -	\$ (10,000.00)		\$ (10,000.00)	0%	\$ -	\$ (500.00)
	<b>Total</b>	<b>\$ 875,605.00</b>	<b>\$ 875,605.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 875,605.00</b>		<b>\$ -</b>	<b>\$ 43,780.25</b>

Recording Requested by:  
 Mr. Dwayne Newman  
 Superintendent  
 For the benefit of  
 Colusa Unified School District  
 No Fee – Government Code §§ 6103 and 27383

When recorded return to:  
 Dwayne Newman, Superintendent  
 Colusa Unified School District  
 745 10<sup>th</sup> Street  
 Colusa, CA 95932

December 14, 2016

## NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN:

- That the work of improvements on the real property hereinafter described, consisting of construction of the **Burchfield Primary School ADA Restroom Upgrades, Asphalt and Relocatable Classroom** was completed and accepted by the Governing Board of Colusa Unified School District, on the 8<sup>th</sup> of November 2016;
- That the name and address of the Owner of said property is as follows: Colusa Unified School District, 745 10<sup>th</sup> Street, Colusa, CA 95932. That the nature of its title to said property is a fee simple interest;
- That the name of the original contractor for the work of improvement as a whole is Lamon Construction Co, Inc.;
- That the property herein referred to, located in the County of Colusa, California, Burchfield Primary 400 Fremont St., Colusa, CA 95932, APN 001-195-003-000, is a portion of the Colusa Unified School District property.

### Verification

I, the undersigned, declare that I am the Superintendent of Colusa Unified School District, a public agency, and that I am authorized to make this Verification on the District's behalf. I have read the foregoing Notice and know its contents, and the same is true to the best of my knowledge and belief.

Executed on \_\_\_\_\_ of \_\_\_\_\_ in Colusa, CA.

\_\_\_\_\_  
 Dwayne Newman  
 Superintendent

### Colusa Unified School District

State of California

"I certify (or declare) under penalty of perjury that the foregoing is true and correct."

\_\_\_\_\_  
 Dwayne Newman  
 Superintendent

\_\_\_\_\_  
 Date

J.12.

**APPLICATION AND CERTIFICATE FOR PAYMENT**

<b>TO OWNER:</b> Colusa Unified School District 745 Tenth Street Colusa, CA 95932 <b>FROM CONTRACTOR:</b> Lamon Construction Co., Inc. 841 Von Geldern Way Yuba City, CA 95991	<b>PROJECT:</b> Egling MS Relocatable Classrooms & Hardcourt Paving DSA #02-114730 Budget Code: 21-0000-0-6243-0000-8500-000-0004 <b>VIA ARCHITECT:</b> Architectural Nexus 1990 3rd Street, Suite 500 Sacramento, CA 95932	<b>APPLICATION #:</b> 6 <b>PERIOD FROM:</b> 11/01/16 <b>PERIOD TO:</b> 11/30/16 <b>PROJECT NO.:</b> 16-104 <b>CONTRACT DATE:</b> 05/10/16	<b>DISTRIBUTION TO:</b> <input type="checkbox"/> OWNER <input type="checkbox"/> CONST. MGR <input type="checkbox"/> ARCHITECT <input type="checkbox"/> CONTRACTOR
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**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown below, in connection with the contract.  
 Continuation Sheet is attached

<b>1. ORIGINAL CONTRACT SUM</b>	\$ 919,800.00
<b>2. Net Change by Change Orders</b>	\$ 73,205.00
<b>3. CONTRACT SUM TO DATE (Line 1 +/- 2)</b>	\$ 993,005.00
<b>4. TOTAL COMPLETED AND STORED TO DATE</b> (Column G on Continuation Sheet)	\$ 993,005.00
<b>5. RETAINAGE:</b>	
a. 0.0 % of Completed Work (Column G on Continuation Sheet)	\$ -
c. Released Retention	\$ -
Total Retainage	\$ -
<b>6. TOTAL EARNED LESS RETAINAGE</b> (Line 4 less Line 5 Total)	\$ 993,005.00
<b>7. LESS PREVIOUS CERTIFICATES FOR PAYMENT</b> (Line 6 from prior Certificate)	\$ 943,354.75
<b>8. CURRENT PAYMENT DUE</b>	\$ 49,650.25
<b>9. BALANCE TO FINISH, INCLUDING RETAINAGE</b> (Line 3 less Line 6)	\$ -

CHANGE ORDER SUMMARY		ADDITIONS	DEDUCTIONS
CO #	Date Approved		
1	09/27/16	\$ 83,205.00	
		\$ 83,205.00	\$ -
<b>NET CHANGES by Change Orders</b>		\$ 83,205.00	

The undersigned Contractor certifies that to the best of the Contractors knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

**CONTRACTOR: Lamon Construction Co., Inc.**

By: Steve Ithurbum

Date: December 6, 2016

**CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the undersigned certifies to the Owner that to the best of the undersigned's knowledge, information, and belief the Work has progressed as indicated, the quality of the Work in accordance with the Contract Documents, and the Contractor is entitled to payment in the AMOUNT CERTIFIED.

**INSPECTOR**

By:

Date:

**ARCHITECT:**

By:

Date:

This certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named here in. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

**AMOUNT CERTIFIED**

\$ 49,650.25

(Attach explanation if any amount certified differs from the amount applied for. Initial all figures on this application and on the Continuation Sheet that are changed to conform to the amount certified.)

**CONTINUATION SHEET**

ATTACHMENT TO PAY APPLICATION

PROJECT: Egling MS Relocatable Classrooms &amp; Hardcourt Paving

APPLICATION NUMBER: 6APPLICATION DATE: 07/21/16

PERIOD TO: \_\_\_\_\_

ARCHITECT'S PROJECT NO.: 16-104

A Item No.	B Description of Work	C Scheduled Value	D Work Completed		F Materials Presently Stored (Not in D or E)	G		H Balance to Finish	I Retention
			From Previous Application (D+E)	This Period		Total Completed and Stored to Date (D+E+F)	% (G/C)		
1	Supervision	\$ 19,500.00	\$ 19,500.00	\$ -		\$ 19,500.00	100%	\$ -	\$ 975.00
2	General Conditions	\$ 10,700.00	\$ 10,700.00	\$ -		\$ 10,700.00	100%	\$ -	\$ 535.00
3	Layout	\$ 4,000.00	\$ 4,000.00	\$ -		\$ 4,000.00	100%	\$ -	\$ 200.00
4	Mobilization	\$ 9,900.00	\$ 9,900.00	\$ -		\$ 9,900.00	100%	\$ -	\$ 495.00
5	Demolition Site	\$ 125,000.00	\$ 125,000.00	\$ -		\$ 125,000.00	100%	\$ -	\$ 6,250.00
6	Demolition Building	\$ 7,900.00	\$ 7,900.00	\$ -		\$ 7,900.00	100%	\$ -	\$ 395.00
7	Earthwork	\$ 130,000.00	\$ 130,000.00	\$ -		\$ 130,000.00	100%	\$ -	\$ 6,500.00
8	AB at Concrete	\$ 7,500.00	\$ 7,500.00	\$ -		\$ 7,500.00	100%	\$ -	\$ 375.00
9	AC Paving w/Base	\$ 160,000.00	\$ 160,000.00	\$ -		\$ 160,000.00	100%	\$ -	\$ 8,000.00
10	Header Board	\$ 9,000.00	\$ 9,000.00	\$ -		\$ 9,000.00	100%	\$ -	\$ 450.00
11	Interior Concrete	\$ 1,700.00	\$ 1,700.00	\$ -		\$ 1,700.00	100%	\$ -	\$ 85.00
12	Site Concrete	\$ 25,000.00	\$ 25,000.00	\$ -		\$ 25,000.00	100%	\$ -	\$ 1,250.00
13	Stripe, Sign, Wheel Stops	\$ 15,000.00	\$ 15,000.00	\$ -		\$ 15,000.00	100%	\$ -	\$ 750.00
14	Storm Drain	\$ 16,000.00	\$ 16,000.00	\$ -		\$ 16,000.00	100%	\$ -	\$ 800.00
15	Plumbing	\$ 48,000.00	\$ 48,000.00	\$ -		\$ 48,000.00	100%	\$ -	\$ 2,400.00
16	Carpentry	\$ 7,500.00	\$ 7,500.00	\$ -		\$ 7,500.00	100%	\$ -	\$ 375.00
17	Doors & Hardware	\$ 4,600.00	\$ 4,600.00	\$ -		\$ 4,600.00	100%	\$ -	\$ 230.00
18	Signage	\$ 1,500.00	\$ 1,500.00	\$ -		\$ 1,500.00	100%	\$ -	\$ 75.00
19	Toilet Partitions/Accessories	\$ 13,000.00	\$ 13,000.00	\$ -		\$ 13,000.00	100%	\$ -	\$ 650.00
20	Tile	\$ 9,000.00	\$ 9,000.00	\$ -		\$ 9,000.00	100%	\$ -	\$ 450.00
21	Paint	\$ 5,000.00	\$ 5,000.00	\$ -		\$ 5,000.00	100%	\$ -	\$ 250.00
22	Fence	\$ 2,000.00	\$ 2,000.00	\$ -		\$ 2,000.00	100%	\$ -	\$ 100.00
23	Play Equipment	\$ 3,000.00	\$ 3,000.00	\$ -		\$ 3,000.00	100%	\$ -	\$ 150.00
24	Electrical	\$ 31,000.00	\$ 31,000.00	\$ -		\$ 31,000.00	100%	\$ -	\$ 1,550.00
25	Bond & Insurance	\$ 14,000.00	\$ 14,000.00	\$ -		\$ 14,000.00	100%	\$ -	\$ 700.00
26	Site Allowance	\$ 10,000.00		\$ 10,000.00		\$ 10,000.00	0%	\$ -	\$ 500.00
27	ALT 1	\$ 114,000.00	\$ 114,000.00	\$ -		\$ 114,000.00	100%	\$ -	\$ 5,700.00
28	ALT 2	\$ 116,000.00	\$ 116,000.00	\$ -		\$ 116,000.00	100%	\$ -	\$ 5,800.00
29	Change Order 1	\$ 83,205.00	\$ 83,205.00	\$ -		\$ 83,205.00	100%	\$ -	\$ 4,160.25
30	Change Order 2	\$ (10,000.00)		\$ (10,000.00)		\$ (10,000.00)	100%	\$ -	\$ (500.00)
	<b>Total</b>	<b>\$ 993,005.00</b>	<b>\$ 993,005.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 993,005.00</b>		<b>\$ -</b>	<b>\$ 49,650.25</b>



Recording Requested by:  
Mr. Dwayne Newman  
Superintendent  
For the benefit of  
Colusa Unified School District  
No Fee – Government Code §§ 6103 and 27383

When recorded return to:  
Dwayne Newman, Superintendent  
Colusa Unified School District  
745 10<sup>th</sup> Street  
Colusa, CA 95932

December 14, 2016

### NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN:

- That the work of improvements on the real property hereinafter described, consisting of construction of the **Egling Middle School ADA Restroom Upgrades, Asphalt and Relocatable Classrooms** was completed and accepted by the Governing Board of Colusa Unified School District, on the 8<sup>th</sup> of November 2016;
- That the name and address of the Owner of said property is as follows: Colusa Unified School District, 745 10<sup>th</sup> Street, Colusa, CA 95932. That the nature of its title to said property is a fee simple interest;
- That the name of the original contractor for the work of improvement as a whole is Lamon Construction Co, Inc.;
- That the property herein referred to, located in the County of Colusa, California, Egling Middle School 813 Webster St., Colusa, CA 95932, APN 001-185-001-000, is a portion of the Colusa Unified School District property.

#### Verification

I, the undersigned, declare that I am the Superintendent of Colusa Unified School District, a public agency, and that I am authorized to make this Verification on the District's behalf. I have read the foregoing Notice and know its contents, and the same is true to the best of my knowledge and belief.

Executed on \_\_\_\_\_ of \_\_\_\_\_ in Colusa, CA.

\_\_\_\_\_  
Dwayne Newman  
Superintendent

#### Colusa Unified School District

State of California

"I certify (or declare) under penalty of perjury that the foregoing is true and correct."

\_\_\_\_\_  
Dwayne Newman  
Superintendent

\_\_\_\_\_  
Date

# Application for Payment

**TO OWNER:** Colusa School District  
745 10th Street  
Attn: Dwayne Newman  
Colusa, CA 95932

**Project:** COLUSA -PROP 39 ENERGY

**Invoice No.:** 1620754-04  
**Period To:** 11/30/2016

**Distribution to:**

**FROM** AIR SYSTEMS INC.  
**CONTRACTOR** 940 REMILLARD CT  
SAN JOSE, CA 95122

**Via Architect:**

**Contract For:**  
**Contract Date:** 07/25/2016  
**Job No.:** 1620754  
**Architect's Project No.:**  
**Customer No.:** 036598  
**Purchase Order:** 16-108  
**Application No.:** Colusa- Prop 39 Energy

☐ OWNER  
☐ ARCHITECT  
☐ CONTRACTOR

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract. Schedule of Values, attached.

1. ORIGINAL CONTRACT SUM .....	\$	308,412.02
2. NET CHANGE BY CHANGE ORDERS.....	\$	0.00
3. CONTRACT SUM TO DATE (line 1 + 2) .....	\$	308,412.02
4. TOTAL COMPLETED AND STORED TO DATE .....	\$	308,412.02
(Column G on Schedule of Values)		
5. RETAINAGE :		
a. 5.00% of Completed Work .....	\$	15,420.60
(Column D + E on Schedule of Values)		
b. 0.00% of Stored Material .....	\$	0.00
(Column F on Schedule of Values)		
Total Retainage (Line 5a + 5b or		
Total in Column I of Schedule of Values) .....	\$	15,420.60
6. TOTAL EARNED LESS RETAINAGE .....	\$	292,991.42
(Line 4 less Line 5 Total)		
7. LESS PREVIOUS APPLICATIONS FOR PAYMENT .....	\$	231,397.95
(Line 6 from prior Application)		
8. CURRENT PAYMENT DUE .....	\$	61,593.47
9. BALANCE TO FINISH, INCLUDING RETAINAGE .....		15,420.60
(Line 3 less Line 6)		

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	0.00
Total approved this Month	0.00	0.00
TOTALS	0.00	0.00
NET CHANGES by Change Order	0.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: AIR SYSTEMS INC.

By: \_\_\_\_\_

Date: 12/3/16

State of: \_\_\_\_\_

County of: \_\_\_\_\_

Notary Public:

My Commission expires: \_\_\_\_\_

## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief, the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED .....

(Attach explanation if the amount certified differs from the amount applied for in Line 8. Initial all figures on this Application and on the Schedule of Values that are changed to conform to the amount certified.)

ARCHITECT: \_\_\_\_\_

By: \_\_\_\_\_

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

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.



# Continuation Sheet

Application for Payment, containing Contractor's signed certification is attached.

Application No.: 1620754-04

Application Date: 11/30/2016

Use Column I on Contracts where variable retainage for line items may apply.

Period To: 11/30/2016

Architect's Project No.:

(A) ITEM NO.	(B) DESCRIPTION OF WORK	(C) SCHEDULED VALUE	(D) -----WORK COMPLETED----- PREVIOUS APPLIC. (D+E)	(E) THIS PERIOD	(F) MATERIALS PRESENTLY STORED (NOT IN D OR E)	(G) TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	(H) BALANCE TO FINISH (C-G)	(I) RETENTION
5400	Bond for Complete Lighting Project	13,878.54	13,878.54	0.00	0.00	13,878.54	100.00	0.00	693.93
5401	Burchfield	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5402	Int Lighting, Controls, Ext Lighting Mob	4,358.05	4,358.05	0.00	0.00	4,358.05	100.00	0.00	217.91
5403	Interior Lighting and Controls	77,287.00	63,375.34	13,911.66	0.00	77,287.00	100.00	0.00	3,864.34
5404	Exterior Lighting	1,593.71	0.00	1,593.71	0.00	1,593.71	100.00	0.00	79.69
5405	Egling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5406	Int Lighting, Controls Ext Lighting Mo	6,740.75	6,740.75	0.00	0.00	6,740.75	100.00	0.00	337.04
5407	Interior Lighting and Controls	116,292.50	95,359.85	20,932.65	0.00	116,292.50	100.00	0.00	5,814.62
5408	Exterior Lighting	5,715.08	0.00	5,715.08	0.00	5,715.08	100.00	0.00	285.75
5409	Colusa High School	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5410	Int Lighting, Controls, Ext Lighting Mob	4,321.80	4,321.80	0.00	0.00	4,321.80	100.00	0.00	216.09
5411	Interior Lighting and Controls	67,734.73	55,542.47	12,192.26	0.00	67,734.73	100.00	0.00	3,386.74
5412	Exterior Lighting	10,489.86	0.00	10,489.86	0.00	10,489.86	100.00	0.00	524.49
<b>Job Totals:</b>		308,412.02	243,576.80	64,835.22	0.00	308,412.02	100.00	0.00	15,420.60



**CONDITIONAL WAIVER AND RELEASE  
ON PROGRESS PAYMENT  
California Civil Code Section 8132**

NOTICE: THIS DOCUMENT WAIVES THE CLAIMANT'S LIEN, STOP PAYMENT NOTICE, AND PAYMENT BOND RIGHTS EFFECTIVE ON RECEIPT OF PAYMENT. A PERSON SHOULD NOT RELY ON THIS DOCUMENT UNLESS SATISFIED THAT THE CLAIMANT HAS RECEIVED PAYMENT.

**Identifying Information:**

Name of Claimant: AIR SYSTEMS, INC.  
Name of Customer: COLUSA UNIFIED SCHOOL DISTRICT  
Job Location: COLUSA PROP 39-ENERGY, 400 FREMONT STREET, COLUSA, CA 95932  
Owner: COLUSA UNIFIED SCHOOL DISTRICT  
Through Date: 11/30/2016

**Conditional Waiver and Release:**

This document waives and releases lien, stop payment notice, and payment bond rights the claimant has for labor and service provided, and equipment and material delivered, to the customer on this job through the Through Date of this document. Rights based upon labor or service provided, or equipment or material delivered, pursuant to a written change order that has been fully executed by the parties prior to the date that this document is signed by the claimant, are waived and released by this document, unless listed as an Exception below. This document is effective only on the claimant's receipt of payment from the financial institution on which the following check is drawn:

Maker of Check: COLUSA UNIFIED SCHOOL DISTRICT  
Amount of Check: \$61,593.47  
Check Payable to: AIR SYSTEMS, INC.

**Exceptions**

This document does not affect any of the following:

- (1) Retentions
- (2) Extras for which the claimant has not received payment.
- (3) The following progress payments for which the claimant has previously given a conditional waiver and release but has not received payment:

Dates(s) of waiver and release: NA  
Amount(s) of unpaid progress payment(s): \$0.00

- (4) Contract rights, including (A) a right based on rescission, abandonment, or breach of contract, and (B) the right to recover compensation for work not compensated by the payment.

**Signature:**

Claimant's Signature:   
Claimant's Title: Nancy Olsson, AR Billing & Collection Specialist  
Date of Signature: 12/5/2016

## Community Relations

BP 1230(a)

**SCHOOL-CONNECTED ORGANIZATIONS**

The Governing Board recognizes that parents/guardians and community members may wish to organize parent organizations and/or booster clubs for the purpose of supporting **the district's educational** and extracurricular programs, ~~such as athletic teams, debate teams, or musical groups.~~ The Board appreciates the contributions made by such organizations ~~and encourages their interest and participation in supporting district activities and helping to achieve the district's~~ **toward the Board's vision for student learning and for providing all district students with high-quality educational opportunities.**

*(cf. 0200 - Goals for the School District)*

*(cf. 6020 - Parent Involvement)*

Persons proposing to establish a school-connected organization shall submit a request to the Board for authorization to operate **within the district or at the a district school.**

~~The Board recognizes that school-connected organizations are separate legal entities, independent of the district.~~ **A school-connected organization, including a booster club, parent-teacher association or organization, or other organization that does not include an associated student body or other student organization, shall be established and maintained as a separate entity from the school or district. Each school-connected organization shall be subject to its own bylaws and operational procedures or to the rules or bylaws of its affiliated state or national organization, as applicable.**

~~The Board encourages school-connected organizations to consider the impact of fund-raising activities on the overall school and district program.~~ **In addition,** activities by school-connected organizations shall ~~not conflict~~ **be conducted in accordance** with law, Board policies, administrative regulations, ~~or and~~ any rules of the sponsoring school.

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

*(cf. 3290 - Gifts, Grants and Bequests)*

*(cf. 3554 - Other Food Sales)*

*(cf. 5030 - Student Wellness)*

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

*(cf. 6145.2 - Athletic Competition)*

**In addition,** The Superintendent or designee shall establish appropriate **internal controls rules** for the relationship between school-connected organizations and the district.

~~However, in order to help the Board fulfill its legal and fiduciary responsibility to manage~~

~~district operations, any school-connected organization that desires to raise money to benefit any district students shall submit a request for authorization to the Board, in accordance with Board policy and administrative regulation.~~ **A school-connected organization shall obtain the written approval of the Superintendent or designee prior to soliciting funds upon the representation that the funds will be used wholly or in part for the benefit of a district school or the students at that school. (Education Code 51521)**

(cf. 1321 - Solicitation of Funds from and by Students)  
(cf. 1330 - Use of School Facilities)  
(cf. 3452 - Student Activity Funds)

A school-connected organization may consult with the principal to determine school needs and priorities.

**Any participation in fundraising activities by students and their parents/guardians and/or any donation of funds or property shall be voluntary. (Education Code 49011)**

**(cf. 3260 - Fees and Charges)**

*Legal Reference:*

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex  
35160 Authority of governing boards  
38130-38138 Civic Center Act, use of school property for public purposes  
48931 Authorization for sale of food by student organization  
48932 Authorization for fund-raising activities by student organization

**49011 Student fees**

~~49431 Sale of food to elementary students during the school day~~  
~~49431.2 Sale of food to middle, junior, or high school students~~  
~~49431.5 Sale of beverages at elementary, middle, or junior high schools~~

**49431-49431.7 Nutritional standards**

51520 Prohibited solicitation on school premises  
51521 Fund-raising project

BUSINESS AND PROFESSIONS CODE

17510-17510.95 Solicitations for charitable purposes  
25608 Alcohol on school property; use in connection with instruction

GOVERNMENT CODE

12580-12599.7 Fundraisers for Charitable Purposes Act

PENAL CODE

319-329 Lottery, raffle

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

15500 Food sales in elementary schools

15501 Food sales in high schools and junior high schools

**15575-15578 Requirements for foods and beverages outside the federal meals program**

CODE OF REGULATIONS, TITLE 11

300-312.1 Fundraising for charitable purposes

UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

**CODE OF FEDERAL REGULATIONS, TITLE 7**

**210.11 Competitive food services**

**220.12 Competitive food services**

COURT DECISIONS

Serrano v. Priest, (1976) 18 Cal. 3d 728

*Management Resources:*

**CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES**

**1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89**

**FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS**

**WEB SITES**

CSBA: <http://www.csba.org>

California Office of the Attorney General, charitable trust registry: <http://caag.state.ca.us/charities>

California State PTA: <http://www.capta.org>

**Fiscal Crisis and Management Assistance Team (FCMAT); <http://www.fcma.org>**

(12/90 7/07) 5/16

**Community Relations**

AR 1230(a)

**SCHOOL-CONNECTED ORGANIZATIONS**

~~Persons proposing to establish a school-connected organization shall submit a request to the Governing Board for authorization to operate at the school. The~~ **A school-connected organization's request for authorization to operate within the district or at a district school shall contain, as appropriate:**

1. The name and purpose of the organization
2. The date of application
3. Bylaws, rules, and procedures under which the organization will operate, including procedures for maintaining the organization's finances, membership qualifications, if any, and an agreement that the group will not engage in unlawful discrimination

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

4. The names, addresses, and phone numbers of all officers
5. A list of specific objectives
6. An agreement to grant the district the right to audit the group's financial records ~~at any time,~~ either by district personnel or a certified public accountant, **whenever any concern is raised regarding the use of the funds**
7. The name of the bank where the organization's account will be located and the names of those authorized to withdraw funds
8. The signature of the principal of the supporting school
9. Planned use for any money remaining at the end of the year if the organization is not continued or authorized to continue in the future
10. An agreement to provide evidence of liability **and/or directors and officers** insurance **as when and in the manner** required by law

*(cf. 1330 - Use of School Facilities)*



Requests for subsequent authorization shall be ~~presented~~ **annually submitted** to the Superintendent or designee ~~annually~~, along with a financial statement showing all income and expenditures from fundraisers. If the Superintendent or designee proposes to deny the request for reauthorization, he/she shall present his/~~her~~ recommendation to the **Governing** Board for approval.

**When deemed necessary by the Board or the Superintendent or designee, the authorization for a school-connected organization to conduct activities in the district may be revoked at any time.**

~~Upon consent of the Superintendent or designee, school-connected organizations may use the school's name, school team's name, or any logo attributable to the school or district.~~

**Each school-connected organization shall abide by the following rules:**

- 1. The organization shall not act as an agent of the district or school.**
- 2. The organization shall not use the district's tax-exempt status and identification number. It shall be responsible for its own tax status, accounting, internal controls, financial reporting, retention of records, and other operations.**
- 3. The organization shall use a separate name and logo. Any use of a name or logo affiliated with the district, a district school, or a school team shall require the prior consent of the Superintendent or designee.**
- 4. Funds of the school-connected organization shall not be co-mingled with district funds, including associated student body funds.**
- 5. ~~The school-connected organizations are prohibited from hiring~~ shall not hire or directly paying any district employees. ~~Organizations may make donations to the district to cover the costs of additional employees, but only if such positions are approved in advance by the Board.~~ If a school-connected organization wishes to pay for additional and/or extracurricular services, the person to provide the services shall be hired through the district's personnel department, provided the Board approves the position. At their discretion, employees may volunteer to perform activities for school-connected organizations during nonworking hours.**

*(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)*

## Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0410(a)

### NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

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

*(cf. 1240 - Volunteer Assistance)*

*(cf. 4030 - Nondiscrimination in Employment)*

*(cf. 4032 - Reasonable Accommodation)*

*(cf. 4033 - Lactation Accommodation)*

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

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

*(cf. 5131.2 - Bullying)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

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

***(cf. 6145 - Extracurricular and Cocurricular Activities)***

*(cf. 6145.2 - Athletic Competition)*

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

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

*(cf. 6178 - Career Technical Education)*

*(cf. 6200 - Adult Education)*

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

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

*(cf. 1330 - Use of Facilities)*

**All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.**

*(cf. 1312.3 - Uniform Complaint Procedures)*

Note: Many nondiscrimination laws and regulations contain a notification requirement. For example, pursuant to 34 CFR 104.8 and 106.9, a district that receives federal aid is required to take "continuing steps" to notify students, parents/guardians, employees, employee organizations, and applicants for admission and employment that it does not discriminate on the bases of disability and sex in its educational programs or activities. **In addition, Education Code 221.61, as added by SB 1375 (Ch. 655, Statutes of 2016), requires that, on or before July 1, 2017, districts must post specified information relating to Title IX on their web sites.** To ensure consistent implementation of the laws, the same notification requirement should be adopted for all the protected categories as provided in the following paragraph.

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in each announcement, bulletin, catalog, handbook, application form, or other materials distributed to these groups **and, as applicable, to the public. As appropriate, such notification shall be posted in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations and shall be posted on the district's web site and, when available, district-supported social media.**

*(cf. 1113 - District and School Web Sites)*

*(cf. 1114 - District-Sponsored Social Media)*

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

*(cf. 5145.6 - Parental Notifications)*

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

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

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

*(cf. 6163.2 - Animals at School)*

*(cf. 7110 - Facilities Master Plan)*

*(cf. 7111 - Evaluating Existing Buildings)*

**A U.S. Department of Justice technical assistance publication, Accessibility of State and Local Government Websites to People with Disabilities, affirms that the ADA applies to district-sponsored web sites. Examples of technical standards for web site accessibility are available from the World Wide Web Consortium, California Department of Education's standards for state web sites, and other sources; see BP 1113 - District and School Web Sites.**

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



devices, assistive technologies or other modifications to increase accessibility to district and school web sites, notetakers, written materials, taped text, and Braille or large print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the a school-sponsored function, program, or meeting.

(cf. 6020 - Parent Involvement)

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

**Note:** Pursuant to 28 CFR 35.107, a district that has 50 or more employees is required to designate at least one employee to coordinate the district's efforts to comply with the ADA. The designated employee could be the same individual or position responsible for the district's compliance with state and federal laws and regulations governing educational programs as identified in the district's uniform complaint procedures. The following paragraph, which identifies the person or position identified in the AR 1312.3 - Uniform Complaint Procedures as the responsible employee, may be modified if the district chooses to designate another person or position.

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

**Superintendent**

**(title or position)**

**745 Tenth Street, Colusa, CA 95932**

**(address)**

**530.458.7791**

**(telephone number)**

**dnewman@colusa.k12.ca.us**

**(email)**

*Legal Reference:*

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

51007 Legislative intent: state policy

GOVERNMENT CODE

11000 Definitions

11135 Nondiscrimination in programs or activities funded by state

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

1681-1688 Discrimination based on sex or blindness, Title IX  
2301-2415 Carl D. Perkins Vocational and Applied Technology Act  
6311 State plans  
6312 Local education agency plans  
UNITED STATES CODE, TITLE 29  
794 Section 504 of the Rehabilitation Act of 1973  
UNITED STATES CODE, TITLE 42  
2000d-2000d-7 Title VI, Civil Rights Act of 1964  
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended  
2000h-2000h-6 Title IX  
12101-12213 Americans with Disabilities Act  
CODE OF FEDERAL REGULATIONS, TITLE 28  
35.101-35.190 Americans with Disabilities Act  
36.303 Auxiliary aids and services  
CODE OF FEDERAL REGULATIONS, TITLE 34  
100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI  
104.1-104.39 Section 504 of the Rehabilitation Act of 1973  
106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:  
106.9 Dissemination of policy

Management Resources:

CSBA PUBLICATIONS

Interim Updated Legal Guidance: Regarding Protecting Transgender and Gender Nonconforming Students, Privacy, and Facilities Against Sex Discrimination, September 27, 2013 July 2016

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS  
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Management Resources: (continued)

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Transgender Students, May 2016

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Dear Colleague Letter: Electronic Book Readers, June 29, 2010

Notice of Non-Discrimination, January 1999

Protecting Students from Harassment and Hate Crime, January 1999

Nondiscrimination in Employment Practices in Education, August 1991

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2010 ADA Standards for Accessible Design, September 2010

Accessibility of State and Local Government Websites to People with Disabilities, June 2003

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines, December 2008

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Safe Schools Coalition: <http://www.casafeschools.org>

Pacific ADA Center: <http://www.adapacific.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act: <http://www.ada.gov>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

**Philosophy, Goals, Objectives, and Comprehensive Plans**

BP 0420.41(a)

**CHARTER SCHOOL OVERSIGHT**

The Governing Board recognizes its ongoing responsibility to **ensure oversee** that any charter school **the Board has** authorized ~~by the Board~~ is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

*(cf. 0420.4 - Charter School Authorization)*

*(cf. 0500 - Accountability)*

The Superintendent or designee shall identify at least one staff member to serve as a contact **person** for each charter school **authorized by the Board**. (Education Code 47604.32)

The Board and Superintendent or designee may inspect or observe any part of the charter school at any time. The Superintendent or designee shall visit each charter school at least annually. (Education Code 47604.32, 47607)

~~Whenever a charter school operates as or is operated by a nonprofit public benefit corporation as authorized by Education Code 47604, the Superintendent shall recommend and the Board shall appoint a district representative, who may be the district's charter school contact, on the corporation's board of directors. The Superintendent or designee shall attend meetings of the charter school board whenever possible and shall periodically meet with a representative of the charter school.~~

**Waivers**

If the charter school wishes to request a general waiver of any state law or regulation **applicable to it**, it shall request that the district submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall ~~apply for the~~ **submit such a** waiver **request to the SBE on behalf of the charter school**.

*(cf. 1431 - Waivers)*

**Provision of District Services**

The charter school may purchase administrative or other services from the district or any other source. (Education Code 47613)

Whenever the district agrees to provide administrative or support services, the district and charter school shall develop a memorandum of understanding which clarifies the financial and operational agreements between the district and charter school.

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The **district may charge the** charter school ~~may be~~

~~charged~~ for the actual costs of the reporting services, but shall not ~~be required~~ **the charter school** to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

### **Material Revisions to Charter**

Material revisions to a charter may **only** be made **only** with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

If an approved charter school proposes to **expand establish or move** operations to one or more additional sites ~~within the district's boundaries~~, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. The Board shall consider approval of the additional locations at an open meeting. (Education Code 47605)

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision **of the approved charter**.

### **Monitoring Charter School Performance**

The Superintendent or designee shall monitor the charter school to determine whether it complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32. Any violations of law shall be reported to the Board.

The Board shall monitor each charter school to determine whether it is achieving, both schoolwide and for all groups of students served by the school, the measurable student outcomes set forth in the charter. This determination shall be based on the measures specified in the approved charter **and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP)**. ~~and shall include, at a minimum, a consideration of whether the school is meeting its Academic Performance Index growth targets established pursuant to Education Code 52052 and is making "adequate yearly progress" pursuant to 20 USC 6311, as applicable.~~

The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, ~~an annual update, aligned to the template adopted by the SBE,~~ **of school goals, actions, and related expenditures of the school's LCAP**, first and second interim financial reports, ~~and final unaudited report for the full prior year.~~ (Education Code 47604.32, 47604.33, 47606.5)

The district may charge up to one percent of a charter school's revenue for the actual costs of supervisory oversight of the school. However, if the district is able to provide substantially rent-free facilities to the charter school, the district may charge **up to three percent of the charter school's revenue for** actual costs of supervisory oversight ~~up to three percent of the charter school's revenue~~ **or, if the facility is provided under Education Code 47614,**

**the pro-rata share facilities costs calculated pursuant to 5 CCR 11969.7. If the district charges the pro-rata share, it may also charge one percent of the charter school's revenue in oversight fees.** (Education Code 47613)

*(cf. 7160 - Charter School Facilities)*

### **Technical Assistance/Intervention**

If, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more student subgroups identified in Education Code 52052, or for all of the student subgroups if the school has fewer than three, in regard to one or more state or school priorities identified in the charter, the district: (Education Code 47607.3)

1. Shall provide technical assistance to the charter school using an evaluation rubric adopted by the SBE pursuant to Education Code 52064.5
2. May request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074

If a charter school receiving federal Title I funding **fails to make AYP, as defined pursuant to 20 USC 6311, for two or more consecutive years, the school shall be** identified for program improvement, **it and** shall implement improvement strategies in accordance with **20 USC 6316 its existing school improvement plan.**

*(cf. 0520.2 - Title I Program Improvement Schools)*

In accordance with law, the Board may deny a charter's **school's** renewal petition or may revoke a charter based on the charter school's poor performance, especially with regard to the academic achievement of all numerically significant subgroups of students served by the charter school.

*(cf. 0420.42 - Charter School Renewal)*

*(cf. 0420.43 - Charter School Revocation)*

### **Complaints**

Each charter school shall **establish and** maintain **processes policies and procedures** to enable any person to file a complaint, in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4687, alleging the school's noncompliance with Education Code 47606.5 or 47607.3. (Education Code 52075)

*(cf. 1312.3 - Uniform Complaint Procedures)*

A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

## School Closure

In the event that the Board revokes or denies renewal of a charter or the school **closes ceases operation** for any **other** reason, the Superintendent or designee shall, when applicable in accordance with the charter and/or a memorandum of understanding, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days **of the Board's action**, if **renewal of the charter is denied, the charter is revoked, or** the charter school will cease operation for any reason.

Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

### Legal Reference:

#### EDUCATION CODE

#### **215 Suicide prevention policy**

220 Nondiscrimination

221.9 Sex equity in competitive athletics

222 Lactation accommodations for students

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

35330 Field trips and excursions; student fees

38080-38086 School meals

#### **39831.3 Transportation safety plan**

#### **39843 Disciplinary action against bus driver; report to Department of Motor Vehicles**

42100 Annual statement of receipts and expenditures

44030.5 Reporting change in employment status due to alleged misconduct

44237 Criminal record summary

44691 Information on detection of child abuse

44830.1 Certified employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

#### **46201 Instructional minutes**

47600-47616.7 Charter Schools Act of 1992

47634.2 Nonclassroom-based instruction

47640-47647 Special education funding for charter schools

48000 Minimum age of admission for kindergarten; transitional kindergarten

48010-48011 Minimum age of admission (first grade)

48850-48859 Educational placement of foster youth and homeless students

48907 Students' exercise of free expression; rules and regulations

48950 Student speech and other communication

49011 Student fees

49061 Student records

49110 Authority of issue work permits

49414 Epinephrine auto-injectors

49475 Health and safety, concussions and head injuries

51224.7 Mathematics placement policy

#### **51225.6 Instruction in cardiopulmonary resuscitation**

51745-51749.3 Independent study

52051.5-52052 Academic performance index, applicability to charter schools

52060-52077 Local control and accountability plans

52075 Uniform complaint procedures

56026 Special education

56145-56146 Special education services in charter schools



60600-60649 *Assessment of academic achievement*  
60850-60859 *High school exit examination*  
69432.9 *Cal Grant program; notification of grade point average*  
CORPORATIONS CODE  
5110-6910 *Nonprofit public benefit corporations*

*Legal Reference: (continued)*

GOVERNMENT CODE

1090-1099 *Prohibitions applicable to specified officers*  
3540-3549.3 *Educational Employment Relations Act*  
81000-91014 *Political Reform Act of 1974*

HEALTH AND SAFETY CODE

**104420 Tobacco Use Prevention Education grant program**

**104559 Tobacco-free schools**

LABOR CODE

1198.5 *Personnel records related to performance and grievance*

PENAL CODE

667.5 *Definition of violent felony*  
1192.7 *Definition of serious felony*

CALIFORNIA CONSTITUTION

Article 9, Section 5 *Common school system*  
Article 16, Section 8.5 *Public finance; school accountability report card*

CODE OF REGULATIONS, TITLE 5

4600-4687 *Uniform complaint procedures*  
11700.1-11705 *Independent study*  
11960-11969 *Charter schools*  
15497.5 *Local control and accountability plan template*

CODE OF REGULATIONS, TITLE 24

101 *et seq.* *California Building Standards Code*

UNITED STATES CODE, TITLE 20

6311 ***Adequate yearly progress-State plan***

**6319 Qualifications of teachers and paraprofessionals**

**7223-7225 7221-7221j Charter schools**

UNITED STATES CODE, TITLE 42

11431-11435 *McKinney-Vento Homeless Assistance Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.78 *Accountability*  
**300.18 Highly qualified special education teachers**

COURT DECISIONS

*Ridgecrest Charter School v. Sierra Sands Unified School District*, (2005) 130 Cal.App.4th 986

ATTORNEY GENERAL OPINIONS

89 *Ops.Cal.Atty.Gen.* 166 (2006)  
80 *Ops.Cal.Atty.Gen.* 52 (1997)  
78 *Ops.Cal.Atty.Gen.* 297 (1995)

CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS

*Student v. Horizon Instructional Systems Charter School*, (2012) OAH Case No. 2011060763

*Management Resources:*

CSBA PUBLICATIONS

***The Role of the Charter School Authorizer, Online Course***

*Charter Schools: A Manual Guide for Governance Teams*, rev. **20092016**

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

***Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016***

*California School Accounting Manual*

*Sample Copy of a Memorandum of Understanding*

*Pupil Fees, Deposits, and Other Charges*, Fiscal Management Advisory 12-02, April 24, 2013

*Special Education and Charter Schools: Questions and Answers, September 10, 2002*

U.S. DEPARTMENT OF EDUCATION GUIDANCE

*Charter Schools Program: Title V, Part B of the ESEA, April 2011*

*The Impact of the New Title I Requirements on Charter Schools, July 2004*

WEB SITES

CSBA: <http://www.csba.org>

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.qualitycharters.org>

U.S. Department of Education: <http://www.ed.gov>

(3/12 10/13) 10/16

J.15.d.

## Board Policy

### All Personnel

BP 4151(a)

4251

### EMPLOYEE COMPENSATION

4351

In order to recruit and retain employees committed to the district's goals for student learning, the Governing Board recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

(cf. 3100 - Budget)

(cf. 3400 - Management of Districts Assets/Accounts)

(cf. 4000 - Concepts and Roles)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. These schedules shall comply with law and **negotiated collective bargaining** agreements and shall be printed and made available for review at the district office. (Education Code 45022, 45023, **45160, 45162**)

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

**Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for years of training and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)**

(cf. 4030 - Nondiscrimination in Employment)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.



(cf. 4140/4240/4340 - Bargaining Units)  
(cf. 4312.1 - ~~Contacts~~Contracts)

Note: Pursuant to Education Code 45038, certificated employees may be paid once every two weeks, twice a month, or once every four weeks. The Board may also choose to pay certificated employees, or one or more individual employees, in 10, 11, or 12 equal payments instead of by the school month. Education Code 45039 provides that, if the Board arranges to pay certificated employees in 12 equal payments for the year, it may pay each monthly installment at the end of each calendar month, whether or not the employees are engaged in teaching during the month. Education Code 45165 addresses salary payments for classified employees who are employed 9-11 months per year.

~~Education Code 45038 and 45039 authorize a district to pay employees in either 10, 11, or 12 equal installments. In 2007, the Internal Revenue Service (IRS) issued new rules, Pursuant to 26 CFR 1.409A-1, as amended by 72 Fed. Reg. 19234, regarding tax implications for the practice of paying employees who work 10 months per year but are paid over a 12-month period so that they receive a paycheck every month. This is a form of "deferred compensation." If the district allows employees to "elect" whether to receive their paychecks in such a manner, then according to the IRS, such employees must submit written election forms to the district in order to avoid any additional tax on the deferred compensation. If the district requires employees to receive their paychecks in such a manner without offering them an option, then the employees do not need to complete election forms, but the district must develop a written document describing how the employees will be paid, including the dates, schedule, and amounts of payment.~~

Education Code 45048 and 45165 ~~specifies when salary payments must be made~~ provide specific timelines for issuing salary payments depending on the frequency of payments. If payments are not made in a timely manner, the district is required to pay the employee interest on the unpaid amount.

The following paragraph may be revised to reflect the payroll schedule determined by the Board.

~~The Superintendent or designee shall ensure that the district's payroll system complies with all applicable laws and bargaining agreements, including, but not limited to, timelines regarding payment of compensation and deductions of dues for employee organizations.~~

The Board shall determine the frequency and schedule of salary payments, including whether payments for employees who work less than 12 months per year will be made over the course of the school year or in equal installments over the calendar year. (Education Code 45038, 45039, 45048, 45165)

Note: Pursuant to 29 CFR 516.4, districts are required to post a notice of the minimum wage provisions of the Fair Labor Standards Act (29 USC 201-219) in a conspicuous place at all work sites. The poster that must be used by state and local governments is available on the web site of the U.S. Department of Labor's Wage and Hour Division.

BP 4151(c)  
4251  
4351

## EMPLOYEE COMPENSATION (continued)

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

### Overtime Compensation

A district employee shall be paid an overtime rate of not less than one and one-half times his/her regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week. However, employees shall be exempt from overtime rules if they are employed as teachers or school administrators or if they qualify as being employed in an executive, administrative, or professional capacity and are paid a fixed salary at or above the salary level established by federal regulations. (Labor Code 510; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided he/she has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt district operations. (29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

(cf. 3580 - District Records)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

#### Legal Reference:

##### EDUCATION CODE

45022-45061.5 Salaries, especially:

45023 Availability of salary schedule

45028 Salary schedule for certificated employees

45160-45169 Salaries for classified employees

45268 Salary schedule for classified service in merit system districts

##### GOVERNMENT CODE

3540-3549 Meeting and negotiating, especially:

3543.2 Scope of representation

3543.7 Duty to meet and negotiate in good faith

##### LABOR CODE

226 Employee access to payroll records

232 Disclosure of wages

**510 Overtime compensation; length of work day and week; alternative schedules**

##### UNITED STATES CODE, TITLE 26

409A Deferred compensation plans

##### **UNITED STATES CODE, TITLE 29**

**201-219 Fair Labor Standards Act, especially:**

**203 Definitions**

**207 Overtime**

**213 Exemptions from minimum wage and overtime requirements**

##### CODE OF FEDERAL REGULATIONS, TITLE 26

1.409A-1 Definitions and covered plans

##### **CODE OF FEDERAL REGULATIONS, TITLE 29**

**516.4 Notice of minimum wage and overtime provisions**

**516.5-516.6 Records**

**541.0-541.710 Exemptions for executive, administrative, and professional employees**

**553.1-553.51 Fair Labor Standards Act; applicability to public agencies**

**COURT DECISIONS**

**Flores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421**

*Management Resources:*

**NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS**

**NEA and NSBA Joint Guidance on the Tax Consequences of Deferred Compensation – Section 409A of the Internal Revenue Code, January 2008**

**WEB SITES**

CSBA: <http://www.csba.org>

Internal Revenue Service: <http://www.irs.gov>

National School Boards Association: <http://www.nsba.org>

School Services of California, Inc.: <http://www.sscal.com>

U.S. Department of Labor, Wage and Hour Division: <https://www.dol.gov/whd>

(2/97 7/08) 10/16

**All Personnel**

AR 4157.1(a)

4257.1

**WORK-RELATED INJURIES**

J.15.e.

4357.1

~~The Governing Board desires to provide its~~ **In order to provide medical benefits, temporary or permanent disability benefits, wage replacement, retraining or skill enhancement, and/or death benefits in the event that an employee becomes injured or ill in the course of employment, the district shall provide all** employees with insurance and workers' compensation benefits in accordance with law. The Superintendent or designee shall develop an efficient claims handling process **that in order to** reduces costs and facilitates employee recovery.

(cf. 3320 - Claims and Actions Against the District)

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

~~Note: Pursuant to Labor Code 6409.1, the district must file a report concerning any work related injury within five days of learning of the injury and mail or fax the form to the district's insurer.~~

~~An employee shall report any work-related injury or illness to his/her supervisor as soon as practicable. Upon learning of an injury, a supervisor shall promptly report the incident to the Superintendent or designee and the insurance carrier as appropriate.~~ **[MOVED DOWN]**

~~Note: As amended by AB 749 (Ch. 6, Statutes of 2002), Labor Code 3550-3551 requires the district to give employees information about workers' compensation benefits at the time of hire and again once an injury occurs. AB 749 sets forth additional requirements, developed by the state Commission on Health and Safety on Workers' Compensation, to be included on the notice effective January 1, 2003. Most insurance carriers provide a brochure for this purpose or one can be obtained from the state Division of Workers' Compensation.~~

Pursuant to Labor Code 5401, the district must give or send by first class mail an employee claim form to an injured employee within one working day of finding out about the on the job injury. The insurance carrier will supply the district with forms for this purpose.

The Superintendent or designee shall ensure that notify every new employee, at the time of hire or by the end of the first pay period, is notified of his/her right to receive workers' compensation benefits if injured at work and that injured employees are given notice of rights in accordance with law. (Labor Code 3551; 8 CCR 15596)

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

The Superintendent or designee shall ensure that notifications regarding workers' compensation are posted in accordance with law. In addition, a notice regarding workers' compensation benefits shall be posted in a conspicuous location frequented by employees, where the notice may be easily read during the workday. (Labor Code 3550)

In the event that an employee is injured or becomes ill in the course of employment, he/she shall report the An employee shall report any work-related injury or illness to his/her supervisor the Superintendent or designee as soon as practicable.

Within one working day of receiving notice or knowledge of any injury to an employee in the course of employment, the Superintendent or designee shall provide a claim form and notice of potential eligibility for workers' compensation benefits to the employee or, in the case of the employee's death, to his/her dependents. The claim form and notice shall be provided personally or by first class mail. (Labor Code 5401)

The Superintendent or designee shall additionally ensure that any employee who is a victim of a crime that occurred at the place of employment is given written notice personally or by first class mail within one working day of the crime, or when the district reasonably should have known of the crime, that the employee is eligible for workers' compensation benefits for injuries, including psychiatric injuries, that may have resulted from the crime. (Labor Code 3553)

The Superintendent or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.

Upon learning of an a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, a supervisor the Superintendent or designee shall promptly report the incident to the Superintendent or designee and the district's insurance carrier within five days after obtaining knowledge of the injury or illness. as appropriate. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death must be filed with the insurance carrier within five days after being notified of or learning about the death. (Labor Code 6409.1)

In addition, in every case involving death or serious injury or illness, the Superintendent or designee shall immediately make a report by telephone or email to the Division of Occupational Safety and Health. (Labor Code 6409.1)

*Legal Reference:*

EDUCATION CODE

44984 Industrial accident and illness leaves, certificated employees

45192 Industrial accident and illness leaves, classified employees

LABOR CODE

3200-4855 Workers' compensation, especially:

3550-3553 Employee notice

3600-3605 Conditions of liability

3760 Report of injury to insurer

4600 Provision of medical and hospital treatment by employer

4906 Disclosures and statements

5400-5413 Notice of injury or death

6409.1 Reports

CODE OF REGULATIONS, TITLE 8

15596 Notice of employee rights

*Management Resources:*

**DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS**

***A Guidebook for Injured Workers, 2016***

***Notice to Employees -- Injuries Caused by Work***

***Time of Hire Pamphlet***

***Workers' Compensation Claim Form (DWC 1) & Notice of Potential Eligibility***

WEB SITES

***California Department of Industrial Relations, Division of Occupational Safety and Health:***

***<http://www.dir.ca.gov/dosh>***

***California Department of Industrial Relations, Division of Workers Compensation:***

***<http://www.dir.ca.gov/dwc>***

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**Students**

AR 5125.3(a)

**CHALLENGING STUDENT RECORDS**

At the beginning of each school year **or, for a student enrolled after the beginning of the school year, at the time of enrollment**, parents/guardians shall be notified of the availability of the **above following** procedures for challenging **the contents of** student records. **Any student who is 18 years of age or attends a postsecondary institution shall have the sole right to challenge the contents of his/her records.** (Education Code **49061**, 49063)

(cf. 5125 - Student Records)

(cf. 5145.6 - Parental Notifications)

**Procedures for Challenging Records**

The custodial parent/guardian of any student may submit to the Superintendent or designee a written request to correct or remove from his/her child's records any information concerning the child which he/she alleges to be any of the following: (Education Code 49070; **34 CFR 99.20**)

1. Inaccurate
2. An unsubstantiated personal conclusion or inference
3. A conclusion or inference outside of the observer's area of competence
4. Not based on the personal observation of a named person with the time and place of the observation noted
5. Misleading
6. In violation of the privacy or other rights of the student

Within 30 days of receiving a request to correct or remove **any** information from a record, the Superintendent or designee shall meet with the parent/guardian and **with the district employee (if still employed) who recorded the that information in question, if he/she is presently employed by the district.** ~~The Superintendent shall then sustain or deny the allegations.~~ (Education Code 49070)

~~If the parent/guardian's allegations are sustained, the Superintendent shall order the correction or removal and destruction of the information. (Education Code 49070)[MOVED TO SECTION "RESOLUTION OF CHALLENGE/APEALS"]~~

~~When a student grade is challenged,~~ **If the challenge involves a student's grade,** the teacher who gave the grade shall be given an opportunity to state, orally, **and/or** in writing, ~~or both,~~ the reasons for which the grade was given. Insofar as practicable, ~~he/she~~ **the teacher** shall be included in all discussions related to any grade change. In the absence of clerical or mechanical error, fraud, bad faith, or incompetency, ~~the a~~ student's grade as determined by the teacher shall be final. (Education Code 49066)

*(cf. 5121 - Grades/Evaluation of Student Achievement)*

### **Resolution of Challenge/Appeals**

**After considering all relevant information,** ~~The Superintendent~~ **or designee** shall ~~then~~ sustain or deny the **parent/guardian's** allegations. (Education Code 49070)

If the parent/guardian's allegations are sustained, the Superintendent **or designee** shall order the correction or removal and destruction of the information. (Education Code 49070)

If the Superintendent **or designee** denies the allegations, the parent/guardian may, **write** within 30 days, ~~to~~ appeal the decision **in writing** to the Governing Board. Within 30 days of receiving the written appeal, the Board shall meet in closed session with the parent/guardian and the **district employee (if still employed) who recorded the information in question, if he/she is presently employed by the district.** The Board shall then decide whether ~~or not~~ to sustain or deny the allegations. **The decision of the Board shall be final.** (Education Code 49070)

*(cf. 9321 - Closed Session Purposes and Agendas)*

*(cf. 9321.1 - Closed Session Actions and Reports)*

If ~~it~~ **the Board** sustains any or all of the allegations, the Superintendent **or designee** shall immediately **order the** correction **or removal** and ~~destroy~~ **destruction of** the **pertinent** information from the student's records **and shall inform the parent/guardian in writing that the information has been corrected or destroyed.** (Education Code 49070)

~~The decision of the Board shall be final. If the~~ **parent/guardian does not file an appeal, or if the appeal is denied by the Board,** ~~decision of the Superintendent or Board is unfavorable to the parent/guardian,~~ the parent/guardian shall **be informed of his/her** ~~have the~~ right to submit a written ~~statement of objections~~ **to the information.** ~~This statement shall become a part of the student's record~~ **Any statement submitted by the parent/guardian shall be maintained with the contested part of the record for as long as the record is maintained and shall be disclosed whenever the related part of the record is disclosed.** (Education Code 49070; **34 CFR 99.21**)

*Legal Reference:*

EDUCATION CODE

49061 Definitions

49063 Notification of parents of their rights

49066 Grades; change of grade; physical education grade

49070 Challenging content of records

49071 Hearing panel

UNITED STATES CODE, TITLE 20

1232g Family Educational and Privacy Rights Act

**1681-1688 Title IX of the Education Amendments of 1972**

**CODE OF FEDERAL REGULATIONS, TITLE 34**

**99.1-99.67 Family Educational Rights and Privacy, especially:**

**99.20-99.22 Procedures for amending educational records**

(2/95 2/96) 10/16

J.15.g.

**Instruction**

BP 6142.4(a)

**SERVICE LEARNING/COMMUNITY SERVICE CLASSES**

The Governing Board recognizes that ~~service learning can~~ **student involvement in community service** enhances academic outcomes, helps students develop the skills and knowledge necessary to become informed and responsible citizens, and aids in individual career development. ~~Service learning experiences may also motivate students by providing them the opportunity to apply their studies to school and community needs and showing them that they can make a contribution to their community through involved citizenship. The district shall offer separate community service classes and/or service learning opportunities that are integrated into other courses. Such classes and activities shall be designed to link academic content, practical skills, and meaningful service contributions to the community.~~

(cf. 1020 - Youth Services)

(cf. 6000 - Concepts and Roles)



(cf. 6011 - Academic Standards)  
(cf. 6142.3 - Civic Education)  
(cf. 6142.94 - History-Social Science Instruction)  
(cf. 6178.1 - Work-Based Learning)

## Service Learning

**The Superintendent or designee shall integrate service learning opportunities into one or more courses at appropriate grade levels.**

(cf. 6143 - Courses of Study)

~~The Board supports service learning instructional strategies as integral components of the district's curriculum. The Board encourages staff to~~ **The Superintendent or designee shall involve** administrators, students, teachers, parents/guardians, and community members in the development, implementation, and evaluation of the district's **plan service learning program.**, including a determination as to how projects will be evaluated as well as how supervision and transportation issues will be addressed. ~~He/she shall also~~ collaborate with local public **agencies** and nonprofit ~~agencies~~ **organizations** in order to **identify and** develop service learning **activities opportunities** that meet educational **and civic learning** objectives, align with state and local academic standards, and address ~~current community~~ **the** needs **of the community**.

(cf. 1600 - Relations Between Other Governmental Agencies and the Schools)  
(cf. 1700 - Relations Between Private Industry and the Schools)

**When service learning activities occur off campus, the Superintendent or designee shall arrange for transportation when necessary and shall ensure that students receive appropriate guidance and supervision.**

(cf. 3540 - Transportation)

~~The Superintendent or designee shall develop a service learning plan which:~~

- ~~1. Integrates service learning into one or more of the core academic areas of science, English, social science, or mathematics at each grade span (K-5, 6-8, and 9-12) and includes instructional formats planned by teachers and students~~
- ~~2. Ensures that the service learning opportunities offered by the district help meet identified community needs and include a balance of on-campus and off-campus activities~~
- ~~3. Involves administrators, students, teachers, parents/guardians, and community members in the development, implementation, and evaluation of the district's plan, including how projects will be evaluated as well as how supervision and transportation issues will be addressed~~

The Superintendent or designee shall provide the Board with regular reports on the ~~implementation of the plan and its effectiveness~~ **district's progress** in meeting ~~the district's~~ **its** goals for service learning.

(cf. 6190 - Evaluation of the Instructional Program)  
(cf. 9000 - Role of the Board)

## Community Service Classes

The district ~~shall~~ **may** offer community service classes **in any of grades 7-12 and/or through the district's adult education program.** ~~which.~~ **Such classes shall be designed to:**

- 1.** Acquaint students with the **historical basis for** volunteer service, **its importance and relevance,** and **its connection to** ~~with~~ a wide range of identified school and community needs.
- 2.** ~~Students shall be offered volunteer opportunities which~~ **Include volunteer opportunities that** ~~Support and strengthen their students' understanding of the academic instruction and help them recognize the relevance of what they are learning in school and~~ how it relates to their community
- 3.** **Contribute to the physical, mental, moral, economic, and/or civic development of students**
- 4.** **Provide students with an awareness of potential careers**

(cf. 6200 - Adult Education)

If off-campus activities are included, **the Superintendent or designee shall determine how students will be transported to the off-campus location and shall ensure adequate supervision of students during the activity.**

## SERVICE LEARNING/COMMUNITY SERVICE CLASSES (continued)

The district's community service course may be required for high school graduation. On a case-by-case basis, the Superintendent or designee may allow students to fulfill the community service graduation requirement by performing alternative academic tasks.

(cf. 6146.1 - High School Graduation Requirements)

The Superintendent or designee shall determine **how criteria and methods of assessing students and awarding credits for the class.** ~~shall be awarded and how students will be evaluated, supervised, and, if off campus activities are included, transported to the off campus location.~~

(cf. 5121 - Grades/Evaluation of Student Achievement)

## Notifications

Parents/guardians shall receive information about **the** service learning **or** **and any** community service opportunities offered by the district and **their** **the** benefits **for both of such activities**

to the community and the student. The district shall ask parents/guardians to acknowledge this information and provide consent before their child participates in any off-campus service activities.

(cf. 3530 - Risk Management/Insurance)

(cf. 5143 - Insurance)

*Legal Reference:*

EDUCATION CODE

233.5 Teaching of principles

35160 Authority of governing boards

35160.1 Broad authority of school districts

37220.6 Cesar Chavez Day of Service and Learning

51210 Areas of study, grades 1-6

51220 Areas of study, grades 7-12

51745 Independent study

**51810-51815 Community service classes**

UNITED STATES CODE, TITLE 42

12501-12682 National and Community Service Trust Act of 1993

COURT DECISIONS

Steirer et al v. Bethlehem School District, (1993) 987 F.2d 989

*Management Resources:*

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Service Learning: <http://www.cde.ca.gov>

**Corporation for National and Community Service: <http://www.nationalservice.gov>**

**Learn and Serve America: <http://www.learnandserve.org>**

**National Service Learning Clearinghouse: <http://www.servicelearning.org>**

**Youth Service California: <http://www.yscal.org>**

(2/95 3/07) 10/16

J.15.h.

**Instruction**

BP 6142.94(a)

**HISTORY-SOCIAL SCIENCE INSTRUCTION**

The Governing Board believes that the study of history and other social sciences is essential to prepare students to engage in responsible citizenship, comprehend complex global interrelationships, and understand the vital connections among the past, present, and future. The district's history-social science education program shall be designed to develop students' knowledge of historical events within a chronological and geographic context and shall include, at appropriate grade levels, instruction in American and world history, geography, economics, political science, anthropology, psychology, and sociology.

(cf. 6115 - Ceremonies and Observances)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

(cf. 6142.3 - Civic Education)  
(cf. 6142.4 - Service Learning/Community Service Classes)  
(cf. 6143 - Courses of Study)  
(cf. 6146.1 - High School Graduation Requirements)

The Board shall adopt academic standards for history-social science which meet or exceed state content standards and describe the knowledge and skills ~~that~~ students ~~shall be~~ **are** expected to **achieve-possess** at each grade level.

(cf. 6011 - Academic Standards)

**The Superintendent or designee shall develop and submit to the Board for approval a comprehensive, sequential curriculum aligned with the district standards and consistent with the state's curriculum framework for history-social science. The curriculum shall be designed to develop students' core knowledge in history and social science and their skills in chronological and spatial thinking, research, and historical interpretation. History-social science instruction shall also include an explicit focus on developing students' literacy in reading, writing, speaking, listening, and other language skills.**

(cf. 6142.91 - Reading/Language Arts Instruction)  
(cf. 9000 - Role of the Board)

Note: The SBE's History-Social Science Framework for California Public Schools, updated in 2005, reflects the state content standards and is organized into three broad categories of curricular goals, each with several "basic learnings" or curriculum strands, as provided in items #1-3 below.

~~The Superintendent or designee shall develop a comprehensive, sequential curriculum that is aligned with the district standards and is consistent with the state's curriculum framework. At each grade level, the curriculum shall integrate age appropriate instruction designed to develop student achievement in the following areas:~~

- ~~1. Knowledge and cultural understanding, including historical, ethical, cultural, geographic, economic, and sociopolitical literacy~~
- ~~2. Democratic understanding and civic values, including an understanding of national identity; constitutional heritage; and an individual's civic values, rights, and responsibilities~~
- ~~3. Skills attainment and social participation, including basic study skills, critical thinking skills, and participation skills that are essential for effective citizenship~~

~~The district's history-social science curriculum shall include a multicultural education component which is designed to teach students to respect and appreciate cultural diversity and different points of view while also developing their understanding of commonalities and collective experiences. The curriculum shall reflect the experiences of men and women and of various cultural, ethnic, racial, religious, and social groups and their contributions to the history, life, and culture of the local community, California, the United States, and other nations.~~

The Board shall adopt standards-aligned instructional materials for history-social science in accordance with applicable law, Board policy, and administrative regulation. In addition,

teachers are encouraged to supplement the curriculum ~~through the use of~~ **by using** biographies, original documents, diaries, letters, legends, speeches, other narrative artifacts, and literature from and about the period being studied.

(cf. 0400 - District Technology Plan)  
(cf. 1312.2 - Complaints Concerning Instructional Materials)  
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)  
(cf. 6161.11 - Supplementary Instructional Materials)  
(cf. 6162.6 - Use of Copyrighted Materials)  
(cf. 6163.1 - Library Media Centers)

The Superintendent or designee shall provide a standards-based professional development program designed to increase teachers' knowledge of adopted instructional materials and instructional strategies for teaching history-social science.

(cf. 4131 - Staff Development)

The Superintendent or designee shall regularly evaluate and report to the Board regarding the implementation and effectiveness of the history-social science curriculum at each grade level, including, but not limited to, the extent to which the program is aligned with state standards, any applicable student assessment results, and feedback from students, parents/guardians, and staff regarding the program.

(cf. 0500 - Accountability)  
(cf. 6162.51 - State Academic Achievement Tests)

*Legal Reference:*

EDUCATION CODE

33540 History-social science curriculum framework

**51008-51009 Instruction on farm labor movement**

51204 Course of study designed for student's needs

51204.5 History of California; contributions of men, women, and ethnic groups

51210 Course of study, grades 1-6

51220 Course of study, grades 7-12

51220.2 Instruction in legal system; teen or peer court programs

51221 Social science course of study, inclusion of instruction in use of natural resources

51221.3-51221.4 Instruction on World War II and Vietnam War; use of oral histories

51225.3 High school graduation requirements

**51226.3 Instruction on civil rights, genocide, slavery, Holocaust, and deportation to Mexico**

**51226.7 Ethnic studies**

60040-60051 Criteria for instructional materials

60119 Public hearing on the sufficiency of instructional materials

60200-60206 Instructional materials, grades K-8

60400-60411 Instructional materials, grades 9-12

60640-60649 California Assessment of Student Performance and Progress

99200-99206 Subject matter projects

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

History-Social Science Framework for California Public Schools, Kindergarten Through Grade Twelve, rev. 2005 2016

**Common Core State Standards for English Language Arts and Literacy in History-Social Studies, Science, and Technical Subjects, 2013**

**California English Language Development Standards, 2012**

Model Curriculum for Human Rights and Genocide, 2000

History-Social Science Content Standards for California Public Schools, Kindergarten Through Grade Twelve, October 1998

**NATIONAL COUNCIL FOR THE SOCIAL STUDIES PUBLICATIONS**

**College, Career, and Civic Life (C3) Framework for Social Studies State Standards: Guidance for Enhancing the Rigor of K-12 Civics, Economics, Geography, and History, 2013**

**WEB SITES**

CSBA: <http://www.csba.org>

**California Council for History Education: <http://www.csus.edu/al/cche>**

California Council for the Humanities: <http://www.calhum.org>

California Council for the Social Studies: <http://www.ccss.org>

California Department of Education: <http://www.cde.ca.gov>

California History-Social Science Course Models: <http://www.history.ctaponline.org>

California Subject Matter Project: <http://csmp.ucop.edu/chssp>

National Association for Multicultural Education: <http://www.nameorg.org>

National Council for History Education: <http://www.nche.net>

**National Council for the Social Studies: <http://www.socialstudies.org>**

(7/09 8/14) 10/16

**Instruction**

AR 6143(a)

**COURSES OF STUDY**

J.15.i.

**Grades 1-6**

Courses of study for grades 1-6 shall include the following:

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition (Education Code 51210)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Mathematics: concepts, operational skills, and problem solving (Education Code 51210)

(cf. 6142.92 - Mathematics Instruction)

3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, including instruction in: (Education Code 51210)
  - a. The history, resources, development, and government of California and the United States Instruction shall include the early history of California and a study of the role and contributions of **both** men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the

role of these groups in contemporary society. (Education Code 51204.5, 60040)

*(cf. 6141.2 - Recognition of Religious Beliefs and Customs)*

*(cf. 6142.3 - Civic Education)*

*(cf. 6142.94 - History-Social Science Instruction)*

- b. The development of the American economic system, including the role of the entrepreneur and labor
- c. The relations of persons to their human and natural environments
- d. Eastern and western cultures and civilizations
- e. Contemporary issues
- f. The wise use of natural resources

*(cf. 6142.5 - Environmental Education)*

- 4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems (Education Code 51210)

*(cf. 6142.93 - Science Instruction)*

- 5. Visual and performing arts: instruction in dance, music, theatre, and visual arts aimed at developing aesthetic appreciation and creative expression (Education Code 51210)

*(cf. 6142.6 - Visual and Performing Arts Education)*

- 6. Health: principles and practices of individual, family, and community health, including instruction at the appropriate grade levels and subject areas in: (Education Code 51202, 51210)

- a. Personal and public safety and accident prevention, including instruction in emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation when appropriate equipment is available

*(cf. 6142.8 - Comprehensive Health Education)*

- b. Fire prevention
- c. The protection and conservation of resources, including the necessity for the protection of the environment
- d. Venereal disease

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body



(cf. 5131.6 - Alcohol and Other Drugs)

7. Physical education, with emphasis on physical activities conducive to health and vigor of body and mind (Education Code 51210)

(cf. 6142.7 - Physical Education and Activity)

**8.9 Career awareness exploration**

(cf. 6178 - Career Technical Education)

**Grades 7-12**

Courses of study for grades 7-12 shall include the following:

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

1. English: knowledge and appreciation of literature, language, and composition, and the skills of reading, listening, and speaking (Education Code 51220)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, with instruction in: (Education Code 51220)

- a. The history, resources, development, and government of California and the United States, including instruction in:

- (1) The early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society (Education Code 51204.5)

- b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions

This course may include participation in a teen court or peer court program. (Education Code 51220.2)

(cf. 5138 - Conflict Resolution/Peer Mediation)

- c. The development of the American economic system, including the role of the entrepreneur and labor

- d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)

*(cf. 6142.5 - Environmental Education)*

- e. Eastern and western cultures and civilizations
- f. Human rights issues, with particular attention to the study of the inhumanity of genocide **(which may include, but is not limited to, the Armenian, Cambodian, Darfur, and Rwandan genocides)**, slavery, and the Holocaust
- g. Contemporary issues

*(cf. 6141.2 - Recognition of Religious Beliefs and Customs)*

*(cf. 6142.3 - Civic Education)*

*(cf. 6142.94 - History-Social Science Instruction)*

- 3. Foreign language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (Education Code 51220)

*(cf. 6142.2 - World/Foreign Language Instruction)*

- 4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)

*(cf. 6142.7 - Physical Education and Activity)*

- 5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)

*(cf. 6142.93 - Science Instruction)*

- 6. Mathematics: mathematical understandings, operational skills, and problem-solving procedures; algebra (Education Code 51220, 51224.5)

*(cf. 6142.92 - Mathematics Instruction)*

- 7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)

*(cf. 6142.6 - Visual and Performing Arts Education)*

- 8. Applied arts: consumer and homemaking education, industrial arts, general business education, or general agriculture (Education Code 51220)

9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)

*(cf. 6178 - Career Technical Education)*

10. **Comprehensive sexual health and** HIV/~~AIDS~~ prevention (Education Code **51225.36**, 51934)

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

11. Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)
  - a. Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation **(CPR)** when appropriate equipment is available
  - b. Fire prevention
  - c. The protection and conservation of resources, including the necessity for the protection of the environment
  - d. Venereal disease
  - e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body and upon prenatal development

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 6142.8 - Comprehensive Health Education)*

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

High schools shall offer automobile driver education that includes instruction in: (Education Code 51220, 51220.1, 51220.4)

1. Vehicle Code provisions and other relevant state laws
2. Proper acceptance of personal responsibility in traffic
3. Appreciation of the causes, seriousness, and consequences of traffic accidents
4. Knowledge and attitudes necessary for the safe operation of motor vehicles
5. The safe operation of motorcycles
6. The dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle

7. The rights and duties of a motorist pertaining to pedestrians and the rights and duties of pedestrians pertaining to traffic laws and traffic safety

### **Certification of College Preparatory Courses**

The Superintendent or designee shall identify courses in history-social science, English, mathematics, laboratory science, languages other than English, visual and performing arts, career technical education, and college preparatory electives that may qualify for designation as "a-g" college preparatory courses. He/she shall submit course information to the University of California (UC) including, but not necessarily limited to, the course title, subject area, grade level(s), unit value, a brief course description, prerequisites and co-requisites, texts and supplemental instructional materials used in the course, whether the school is seeking designation of the course as an honors course, and whether the course is classified as a career technical education or regional occupational program course. He/she also shall electronically submit updates to UC whenever course content changes or a course will not be offered in a particular year.

### **Notification to Students in Grades 9-12**

At the beginning of each school year, the Superintendent or designee shall provide written notice to parents/guardians of students in grades 9-12 that, to the extent possible, shall not exceed one page in length and that includes all of the following: (Education Code 51229)

1. A brief explanation of the course requirements for admission to UC and the California State University (CSU)
2. A list of the current UC and CSU web sites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU
3. A brief description of what career technical education is, as defined by the California Department of Education (CDE)
4. The Internet address for the portion of the CDE web site where students can learn more about career technical education
5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or enroll in career technical education courses

*(cf. 5145.6 - Parental Notifications)*

*(cf. 6164.2 - Guidance/Counseling Services)*

(11/04 11/11) 10/16

**Instruction**

BP 6173(a)

**EDUCATION FOR HOMELESS CHILDREN**

The Governing Board desires to ensure that homeless students have access to the same free and appropriate public education provided to other students within the district. The district shall provide homeless students with access to education and other services necessary for them to meet the same challenging academic standards as other students.

*(cf. 6011 - Academic Standards)*

**The Superintendent or designee shall identify and remove any barriers to the identification and enrollment of homeless students and to the retention of homeless students due to absences or outstanding fees or fines. (42 USC 11432)**

*(cf. 3250 - Transportation Fees)*

*(cf. 3260 - Fees and Charges)*

*(cf. 5113.1 - Chronic Absence and Truancy)*

When there are at least 15 homeless students in the district or a district school, the district's local control and accountability plan (LCAP) shall include goals and specific actions to improve student achievement and other outcomes of homeless students. (Education Code 52052, 52060)

*(cf. 0460 - Local Control and Accountability Plan)*

BP 6173(b)

**EDUCATION FOR HOMELESS CHILDREN (continued)**

**The Superintendent or designee shall designate an appropriate staff person to serve as a district liaison for homeless children and youths. The district liaison shall fulfill the duties specified in 42 USC 11432 to assist in identifying and supporting homeless students to succeed in school.**

**In order to identify district students who are homeless, the Superintendent or designee may give a housing questionnaire to all parents/guardians during school registration, make referral forms readily available, include the district liaison's contact information on the district and school web sites, provide materials in a language easily understood by families and students, provide school staff with professional development on the definition and signs of homelessness, and contact appropriate local agencies to coordinate referrals for homeless children and youth and unaccompanied youth.**

*(cf. 1113 - District and School Web Sites)*

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

**Information about a homeless student's living situation shall be considered part of a student's educational record, subject to the Family Educational Rights and Privacy Act**

and shall not be deemed to be directory information as defined in 20 USC 1232g. (42 USC 11432)

*(cf. 5125 - Student Records)*

*(cf. 5125.1 - Release of Directory Information)*

The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

Each homeless student shall be provided services that are comparable to services offered to other students in the school, including, but not limited to, transportation, educational programs for which the student meets the eligibility criteria (such as federal Title I services or similar state or local programs, programs for students with disabilities, and educational programs for English learners), career and technical education programs, programs for gifted and talented students, and school nutrition programs. (42 USC 11432)

*(cf. 3550 - Food Service/Child Nutrition Program)*

*(cf. 3553 - Free and Reduced Price Meals)*

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 5148.3 - Preschool/Early Childhood Education)*

*(cf. 6159 - Individualized Education Program)*

*(cf. 6164.2 - Guidance/Counseling Services)*

*(cf. 6171 - Title I Programs)*

*(cf. 6172 - Gifted and Talented Student Program)*

*(cf. 6174 - Education for English Language Learners)*

*(cf. 6177 - Summer Learning Programs)*

*(cf. 6178 - Career and Technical Education)*

*(cf. 6179 - Supplemental Instruction)*

Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way. **However, the Superintendent or designee may separate homeless students on school grounds as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs of homeless students.** (42 USC 11432, 11433)

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

*(cf. 3553 - Free and Reduced Price Meals)*

The Superintendent or designee shall coordinate with other agencies and entities to ensure that homeless children and youth are promptly identified, ensure that homeless students have access to and are in reasonable proximity to available education and related support services, and raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness. Toward these ends, the Superintendent or designee shall collaborate with local social services agencies, other agencies or entities providing services to homeless children and youth, and, if applicable, transitional housing facilities. In addition, the Superintendent or designee shall coordinate transportation, transfer of school records, and other interdistrict activities with other local educational agencies. As necessary, the Superintendent or designee shall coordinate, within the district and



with other involved local educational agencies, services for homeless students and services for students with disabilities. (42 USC 11432)

(cf. 1020 - Youth Services)

District liaisons and other appropriate staff shall participate in professional development and other technical assistance activities to assist them in identifying and meeting the needs of homeless students and to provide training on the definitions of terms related to homelessness. (42 USC 11432)

*Legal Reference:*

EDUCATION CODE

2558.2 Use of revenue limits to determine average daily attendance of homeless children

39807.5 Payment of transportation costs by parents

48850 Educational rights of homeless and foster youth; participation in extracurricular activities

48852.5 Notice of educational rights of homeless students

48852.7 Enrollment of homeless students

48915.5 Recommended expulsion, homeless student with disabilities

48918.1 Notice of recommended expulsion

51225.1-51225.3 Graduation requirements

52060-52077 Local control and accountability plan

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 20

1087vv Free Application for Federal Student Aid; definitions

1232g Family Educational Rights and Privacy Act

6311 Title I state plan; state and local educational agency report cards

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

12705 Cranston-Gonzalez National Affordable Housing Act; state and local strategies

*Management Resources:*

CALIFORNIA CHILD WELFARE COUNCIL

Partial Credit Model Policy and Practice Recommendations

CALIFORNIA DEPARTMENT OF EDUCATION

Homeless Education Dispute Resolution Process, January 30, 2007

NATIONAL CENTER FOR HOMELESS EDUCATION PUBLICATIONS

Homeless Liaison Toolkit, 2013

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Dear Colleague Letter, July 27, 2016

Education for Homeless Children and Youth's Program, Non-Regulatory Guidance, July 2004 2016

WEB SITES

California Child Welfare Council: <http://www.chhs.ca.gov/Pages/CACildWelfareCouncil.aspx>

California Department of Education, Homeless Children and Youth Education:

<http://www.cde.ca.gov/sp/hs/cy>

National Center for Homeless Education at SERVE: <http://www.serve.org/nche>

National Law Center on Homelessness and Poverty: <http://www.nlchp.org>

U.S. Department of Education: <http://www.ed.gov/programs/homeless/index.html>

**EDUCATION FOR HOMELESS CHILDREN****Definitions**

*Homeless students* means students who lack a fixed, regular, and adequate nighttime residence and includes: (Education Code 48852.7; 42 USC 11434a)

1. Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; **or** are abandoned in hospitals; **or are awaiting foster care placement**

(cf. 6173.1 - Education for Foster Youth)

2. Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings
3. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
4. Migratory children who qualify as homeless because they are living in conditions described in items #1-3 above

**5.**—*Unaccompanied youth* **includes youth** who are not in the physical custody of a parent or guardian. **(20 USC 11434a)**

*School of origin* means the school that the homeless student attended when permanently housed or the school in which he/she was last enrolled, **including a preschool**. If the school the homeless student attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that he/she attended within the preceding 15 months and with which he/she is connected, the district liaison shall determine, in consultation with and with the agreement of the homeless student and the person holding the right to make educational decisions for the student, and in the best interests of the homeless student, which school shall be deemed the school of origin. (Education Code 48852.7; **42 USC 11432**)

*Best interest* means that, in making educational and school placement decisions for a homeless student, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the student's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code 48850, 48853; 42 USC 11432)

**District Liaison**

The Superintendent designates the following staff person as the district liaison for homeless students: (42 USC 11432)

District Nurse  
(title or position)  
745 Tenth Street, Colusa, CA 95932  
(address)  
530.458.7791  
(phone number)

The district's liaison for homeless students shall: (Education Code 48852.5; 42 USC 11432)

1. Ensure that homeless students are identified by school personnel **and** through **outreach and coordinated coordination** activities with other entities and agencies

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 3553 - Free and Reduced-Price Meals)

~~(cf. 5141.6 - School Health Services)~~

2. Ensure that homeless students **are** enrolled **in**, and have a full and equal opportunity to succeed in, district schools

3. Ensure that homeless families and ~~students~~ **children and youth have access to and receive educational services for which they are eligible, including services through Head Start and Early Head Start programs, early intervention services under Part C of the federal Individuals with Disabilities Education Act, and other preschool programs administered by the district**

(cf. 5148.3 - Preschool/Early Childhood Education)

4. **Ensure that homeless families and students receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services**

(cf. 5141.6 - School Health Services)

- ~~4.~~ **5.** Inform parents/guardians of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children

(cf. 5145.6 - Parental Notifications)

- ~~5.~~ **6.** Disseminate notice of the educational rights of homeless students in ~~district schools that provide services to homeless children and at places where they receive services, such as~~ **locations frequented by parents/guardians of homeless children and youth and by unaccompanied youth, including** schools, family shelters, **public libraries,** and hunger relief agencies (soup kitchens). **The rights shall be presented in a manner and form understandable to the parents/guardians of homeless students and unaccompanied youth.**

**6.7.** Mediate enrollment disputes in accordance with law, ~~Board policy, and administrative regulation~~ and the section "Resolving Enrollment Disputes" below

**7.8.** Fully inform parents/guardians of homeless students and unaccompanied youth of all transportation services, including transportation to the school of origin, and assist them in accessing transportation to the school of choice

~~(cf. 3250 - Transportation Fees)~~

(cf. 3541 - Transportation Routes and Services)

**9.** Ensure that school personnel providing services to homeless students receive professional development and other support

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

**10.** Ensure that unaccompanied youth are enrolled in school, have opportunities to meet the same challenging state academic standards established for other students, and are informed of their status as independent students under 20 USC 1087vv and that they may receive assistance from the district liaison to receive verification of their independent student status for purposes of applying for federal student aid pursuant to 20 USC 1090

**11.** Coordinate and collaborate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless students, including the provision of comprehensive data to the state coordinator as required by law

**8-In addition,** when notified pursuant to Education Code 48918.1, **the district liaison shall** assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in his/her expulsion. **9.** When notified pursuant to Education Code 48915.5, **the district liaison shall** participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability.

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159 - Individualized Education Program)

~~10. Assist a homeless student to obtain records necessary for his/her enrollment into or transfer out of district schools, including immunization, medical, and academic records~~

The Superintendent or designee shall inform homeless children and youth, their parents/guardians, school personnel, service providers, and advocates working with homeless families of the duties of the district's liaison. He/she shall also provide the name and contact information of the district's liaison to the California Department of Education (CDE) for publishing on the CDE's web site. (42 USC 11432)

## Enrollment

The district shall make placement decisions for homeless students based on the student's best interest. (42 USC 11432)

**In determining the best interest of the student, the district shall consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety, giving priority to the request of the student's parent/guardian or, in the case of an unaccompanied youth, the youth. (42 USC 11432)**

~~When making a placement decision for a homeless student, the Superintendent or designee may consider~~ **Such factors may include, but are not limited to,** the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues, the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.

However, placement decisions shall not be based on whether a homeless student lives with his/her homeless parent/guardian or has been temporarily placed elsewhere. (42 USC 11432)

In the case of an unaccompanied youth, the liaison shall assist in placement or enrollment decisions, ~~consider~~ **give priority to** the views of the student, and provide notice to the student of his/her appeal rights. (42 USC 11432)

In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in his/her school of origin, unless ~~his/her~~ **the student's** parent/guardian **or the unaccompanied youth** requests otherwise. (Education Code 48852.7; 42 USC 11432)

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice. The student shall be enrolled even if he/she: (Education Code 48852.7; 42 USC 11432)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended

*(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)*

2. Does not have clothing normally required by the school, such as school uniforms

*(cf. 5132 - Dress and Grooming)*

3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and ~~medical records, including, but not limited to, records or other proof of immunization history~~ **records of immunization and other required health records**

*(cf. 5111 - Admission)*

*(cf. 5111.1 - District Residency)*

(cf. 5125 - Student Records)  
(cf. 5141.26 - Tuberculosis Testing)  
(cf. 5141.31 - Immunizations)  
(cf. 5141.32 - Health Screening for School Entry)

#### **4. Has missed application or enrollment deadlines during any period of homelessness**

The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other **medical required health** records, the principal or designee shall refer the parent/guardian to the district liaison for homeless students. The district liaison shall assist the parent/guardian, or the student if he/she is an unaccompanied youth, in obtaining the necessary immunizations, **screenings**, or records for the student. (42 USC 11432)

If the student is placed at a school other than his/her school of origin or the school requested by his/her parent/guardian **or an unaccompanied youth**, the Superintendent or designee shall provide the parent/guardian **or the unaccompanied youth** with a written explanation of the decision along with a statement regarding the **parent/guardian's** right to appeal the placement decision. (42 USC 11432)

The student may continue attending his/her school of origin for the duration of the homelessness. (Education Code 48852.7; 42 USC 11432)

To ensure that the homeless student has the benefit of matriculating with his/her peers in accordance with the established feeder patterns, the following shall apply: (Education Code 48852.7; **42 USC 11432**)

1. If the student is transitioning between grade levels, he/she shall be allowed to continue in the same attendance area.
2. If the student is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, he/she shall be allowed to continue to the school designated for matriculation in that district.

If the student's status changes before the end of the school year so that he/she is no longer homeless, he/she shall be allowed to stay in the school of origin: (Education Code 48852.7)

1. Through the duration of the school year if he/she is in grades K-8
2. Through graduation if he/she is in high school

#### **Resolving Enrollment Disputes**

If a dispute arises over **student eligibility**, school selection, or enrollment in a particular school, **the matter shall be referred to the district liaison, who shall carry out the dispute resolution process as expeditiously as possible.** (42 USC 11432)

The parent/guardian **or unaccompanied youth** shall be provided with a written explanation of **the placement decision any decisions related to eligibility, school selection, or**



**enrollment and of the right of the parent/guardian or unaccompanied youth to appeal such decisions. (42 USC 11432)**

The written explanation shall include:

AR 6173(i)

**EDUCATION FOR HOMELESS CHILDREN (continued)**

- ~~1. The district liaison's contact information~~
- ~~2. A description of the district's placement decision~~
- ~~3. Notice of the student's right to enroll in the school of choice pending resolution of the dispute, including the right to fully participate in all school activities~~
- ~~4. Notice of the parent/guardian's right to appeal the decision to the county office of education and, if the dispute remains unresolved, to the California Department of Education~~

- 1. A description of the action proposed or refused by the district**
- 2. An explanation of why the action is proposed or refused**
- 3. A description of any other options the district considered and the reasons that any other options were rejected**
- 4. A description of any other factors relevant to the district's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources**
- 5. Appropriate timelines to ensure any relevant deadlines are not missed**
- 6. Contact information for the district liaison and state coordinator, and a brief description of their roles**

The written explanation shall be complete, as brief as possible, simply stated, and provided in language that the parent/guardian or student can understand.

**The district liaison may use an informal process as an alternative to formal dispute resolution procedures, provided that the parents/guardians or unaccompanied youth have access to the more formal process if informal resolution is not successful in resolving the matter.**

In working with a student's parents/guardians **or unaccompanied youth** to resolve an enrollment dispute, the district liaison shall:

1. Inform them that they may provide written and/or oral documentation to support their position
2. Inform them that they may seek the assistance of social services, advocates, and/or service providers in having the dispute resolved
3. Provide them a simple form that they may use and turn in to the school to initiate the dispute resolution process
4. Provide them a copy of the dispute form they submit for their records
5. Provide them the outcome of the dispute for their records

If a parent/guardian **or unaccompanied youth** disagrees with the liaison's enrollment decision, he/she may appeal the decision to the Superintendent. The Superintendent shall make a determination within five working days.

If the parent/guardian chooses to appeal the district's placement decision, the district liaison shall forward all written documentation and related paperwork to the homeless liaison at the county office of education.

Pending **final** resolution of the dispute, **including all available appeals**, the student shall be immediately ~~admitted to~~ **enrolled in** the school in which enrollment is sought ~~pending resolution of the dispute.~~ **and shall be allowed to attend classes and participate fully in school activities.** (42 USC 11432, **11434a**)

## **Transportation**

The district shall provide transportation for a homeless student to and from his/her school of origin when the student is residing within the district and the parent/guardian, **or the district liaison in the case of an unaccompanied youth**, requests that such transportation be provided. If the student moves outside of district boundaries, but continues to attend his/her school of origin within this district, the Superintendent or designee shall consult with the superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation. (42 USC 11432)

*(cf. 3250 - Transportation Fees)*

*(cf. 3541 - Transportation Routes and Services)*

The district shall not be obligated to provide transportation to students who continue attending their school of origin after they cease to be homeless, unless the formerly homeless student has an individualized education program that includes transportation as a necessary related service for the student. (Education Code 48852.7)

## **Transfer of Coursework and Credits**

When a homeless student transfers into a district school, the district shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the student to retake the course. (Education Code 51225.2)

If the homeless student did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that he/she did not complete at his/her previous school. However, the district may require the student to retake the portion of the course completed if, in consultation with the holder of educational rights for the student, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a homeless student in any particular course, he/she shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Education Code 51225.2)

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.

In no event shall the district prevent a homeless student from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

*(cf. 6143 - Courses of Study)*

### **Applicability of Graduation Requirements**

To obtain a high school diploma, a homeless student shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements prescribed by the Governing Board.

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6162.52 - High School Exit Examination)*

However, when a homeless student who has completed his/her second year of high school transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the homeless student's transfer, the Superintendent or designee shall notify the student, the person holding the right to make educational decisions for him/her, and the district liaison for homeless students of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer homeless. (Education Code 51225.1)

To determine whether a homeless student is in his/her third or fourth year of high school, the district shall use either the number of credits he/she has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any homeless student who is granted an exemption and the person holding the right to make educational decisions for him/her how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a homeless student to transfer schools in order to qualify for an exemption and no request for a transfer solely to qualify for an exemption shall be made by a homeless student, the person holding the right to make educational decisions for the student, or the district liaison on behalf of the student. (Education Code 51225.1)

If a homeless student is exempted from local graduation requirements, the exemption shall continue to apply after the student is no longer homeless or if he/she transfers to another school or school district. (Education Code 51225.1)

If the Superintendent or designee determines that a homeless student is reasonably able to complete district graduation requirements within his/her fifth year of high school, he/she shall: (Education Code 51225.1)

1. Inform the student and, if under 18 years of age, the person holding the right to make educational decisions for him/her, of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution
2. Provide information to the homeless student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the homeless student or with the person holding the right to make educational decisions for him/her if he/she is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements

### **Eligibility for Extracurricular Activities**

A homeless student who enrolls in any district school shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code 48850)

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

*(cf. 6145.2 - Athletic Competition)*

### **Notification and Complaints**

Information regarding the educational rights of homeless students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint that the district has not complied with requirements regarding the education of homeless students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

(12/14 12/15) 10/16

**Instruction**

E(1) 6173(a)

**EDUCATION FOR HOMELESS CHILDREN**

**DISTRICT EXPLANATION OF ENROLLMENT DECISION  
RELATED TO ELIGIBILITY, SCHOOL SELECTION, OR ENROLLMENT**

Instructions: The following form ~~is to be used when the district has denied a parent/guardian's the enrollment request~~ **provides notice and explanation to a student's parent/guardian or an unaccompanied youth regarding the district's decision related to student eligibility, school selection, or enrollment.**

Date: \_\_\_\_\_ Name of person completing form: \_\_\_\_\_  
Title: \_\_\_\_\_ Phone number: \_\_\_\_\_

In accordance with **the** federal ~~law~~ **McKinney-Vento Homeless Assistance Act** (42 USC ~~11432 11431-11435~~), this notification is being provided to **either:**

Name \_\_\_\_\_ of \_\_\_\_\_ parent(s)/guardian(s):

Name of **unaccompanied** student(s): \_\_\_\_\_

~~Name of s~~ School requested: \_\_\_\_\_

District's placement decision (name of school): \_\_\_\_\_

**Action(s) proposed/refused by the district related to eligibility, school selection, or enrollment:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

~~After reviewing your request to enroll your child in the school listed above, your enrollment request has been denied.~~

**This The district's determination regarding eligibility, school selection, or enrollment was based upon the following evidence and for the following reasons:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E(1) 6173(b)

**EDUCATION FOR HOMELESS CHILDREN** (continued)

**Other options that the district considered, if any, included the following options which were rejected for the following reasons:**

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**Factors relevant to the district's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources, if any:**

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You have the right to appeal this decision to the district Superintendent. **To do so, contact the district's homeless liaison listed below within the next \_\_\_\_ (insert number of days) \_\_\_\_ days to request a Dispute Form. You may provide written or verbal documentation to support your position, and may also seek the assistance of social services, advocates, and/or service providers in the dispute process. The Superintendent or designee will review all the evidence and will notify you of his/her decision within \_\_\_\_ (insert number of days) \_\_\_\_ days.**

If you are not satisfied with the Superintendent's decision, you may appeal to the \_\_\_\_ (insert county name) \_\_\_\_ County Office of Education. If you are not satisfied with the county office's decision, you may then appeal to the California Department of Education. The district's homeless liaison can assist you with this appeal.

**CONTACT INFORMATION:**

**District Liaison: The district liaison is one of the primary contacts between homeless families and school or district staff. He/she is responsible for coordinating services to ensure that homeless students enroll in school and have the opportunity to succeed academically, and mediates enrollment disputes as needed.**

Name of district's homeless liaison: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone number: \_\_\_\_\_

**County Liaison: If you appeal the district's decision to the county office of education, the district liaison shall forward all written documentation and related paperwork to**

the homeless liaison at the county office. The county liaison will review the materials and determine the eligibility, school selection, or enrollment decision within five working days of receiving the materials. He/she will notify you of the decision.

Name of County Office of Education homeless liaison: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_

**State Coordinator:** If you appeal the county office's decision to the California Department of Education, the county homeless liaison shall forward all written documentation and related paperwork to the State Homeless Coordinator. The state coordinator will review the district, county office, and parent/guardian information and will notify you of the decision within ten working days of receiving the materials.

Name of state homeless coordinator: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_

## **RIGHTS:**

You also have the following rights:

Pending **the final** resolution of this dispute, **including the period of all appeals**, ~~your child~~ **the student** has the right to immediately enroll in the school ~~you~~ requested and to participate **fully** in school activities at that school.

- ~~You may provide written or verbal documentation to support your position. You may use the district's dispute resolution form. A copy of the dispute resolution form can be obtained from the district's liaison for homeless students.~~
- ~~You may seek the assistance of advocates or attorneys to help you with this appeal.~~

(7/05) 10/16

Instruction

E(2) 6173

**EDUCATION FOR HOMELESS CHILDREN**

**ENROLLMENT DISPUTE FORM**



Instructions: This form is to be completed by a parent/guardian or student when a dispute regarding enrollment has arisen. As an alternative to completing this form, the information on this form may be shared verbally with the district's liaison for homeless students.

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

Name of person completing form: \_\_\_\_\_

Student's name: \_\_\_\_\_

Name of person completing form: \_\_\_\_\_

Relation to student: \_\_\_\_\_

I may be contacted at the following:

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_

Name of school requested: \_\_\_\_\_

I wish to appeal the **eligibility, school selection, or** enrollment decision made by:

☐ District liaison      ☐ **District** Superintendent      ☐ County **office of education** liaison

Reason for the appeal: You may include an explanation to support your appeal in this space or provide your explanation verbally.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I have been provided with:

- ☐ A written explanation of the district's decision
- ☐ Contact information for the district's homeless liaison
- ☐ Contact information for the county office of education's homeless liaison
- ☐ **Contact information for the state homeless coordinator**

(7/05) 10/16

**Board Bylaws**

E(1) 9323.2(a)

**ACTIONS BY THE BOARD**

J.15.k.

### **ACTIONS REQUIRING A SUPER MAJORITY VOTE**

#### **Actions Requiring a Two-Thirds Vote of the Board:**

1. Resolution declaring intention to sell or lease real property (Education Code 17466)

(cf. 3280 - Sale or Lease of District-Owned Real Property)

2. Resolution declaring intent of Governing Board to convey or dedicate property to the state or any political subdivision for the purposes specified in Education Code 17556 (Education Code 17557)
3. Resolution authorizing and directing the Board president, or any other presiding officer, secretary, or member, to execute a deed of dedication or conveyance of property to the state or a political subdivision (Education Code 17559)
4. Lease, for up to three months, of school property which has a residence on it and which cannot be developed for district purposes because funds are unavailable (Education Code 17481)
5. Request for temporary borrowing pursuant to Government Code 53820-53833, to pay district obligations incurred before the receipt of district income for the fiscal year sufficient to meet the payment(s) (Government Code 53821)
6. Upon complying with Government Code 65352.2 and Public Resources Code 21151.2, action to render city or county zoning ordinances inapplicable to a proposed use of the property by the district (Government Code 53094)

*(cf. 7131 - Relations with Local Agencies)*

*(cf. 7150 - Site Selection and Development)*

*(cf. 7160 - Charter School Facilities)*

**7. When the district is organized to serve only grades K-8 and desires to establish a community day school for any of grades K-8 (Education Code 48660)**

**7.8.** When the district has an average daily attendance (ADA) of 2,500 or less and seeks to situate a community day school on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)

**8.9.** When the district is organized to serve only grades K-8 and seeks to situate a community day school on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)

**9.10.** When the district desires to operate a community day school to serve any of grades K-6 (and no higher grades) on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)

~~*(cf. 6185 - Community Day School)*~~

**10.11.** Resolution of intent to issue general obligation bonds with the approval of 55 percent of the voters of the district (Education Code 15266)

*(cf. 7214 - General Obligation Bonds)*

**11.12.** Resolution of intent to issue bonds within a school facilities improvement district with the approval of 55 percent of the voters of the school facilities improvement district (Education Code 15266)

*(cf. 7213 - School Facilities Improvement Districts)*

**12.13.** Resolution to place a parcel tax on the ballot (Government Code 53724)

**13.14.** Resolution of necessity to proceed with an eminent domain action and, if the Board subsequently desires to use the property for a different use than stated in the resolution of necessity, a subsequent resolution so authorizing the different use (Code of Civil Procedure 1245.240, 1245.245)

### **Actions Requiring a Two-Thirds Vote of the Board Members Present at the Meeting:**

1. Determination that there is a need to take immediate action and that the need for action came to the district's attention after the posting of the agenda. If less than two-thirds of the Board members are present at the meeting, a unanimous vote of all members present is required. (Government Code 54954.2)
2. Determination that a closed session is necessary during an emergency meeting. If less than two-thirds of the Board members are present, a unanimous vote of all members present is required. (Government Code 54956.5)

*(cf. 9320 - Meetings and Notices)*

*(cf. 9321 - Closed Session Purposes and Agendas)*

### **Actions Requiring a Four-Fifths Vote of the Board:**

1. Expenditure and transfer of necessary funds and use of district property or personnel to meet a national or local emergency created by war, military, naval, or air attack, or sabotage, or to provide for adequate national or local defense (Government Code 53790-53792)

*(cf. 3110 - Transfer of Funds)*

2. Resolution for district borrowing based on issuance of notes, tax anticipation warrants, or other evidences of indebtedness, in an amount up to 50 percent of the district's estimated income and revenue for the fiscal year or the portion not yet collected at the time of the borrowing (Government Code 53822, 53824)
3. Resolution for district borrowing, between July 15 and August 30 of any fiscal year, of up to 25 percent of the estimated income and revenue to be received by the district during that fiscal year from apportionments based on ADA for the preceding school year (Government Code 53823-53824)
4. Declaration of an emergency in order to authorize the district to include a particular brand name or product in a bid specification (Public Contract Code 3400)

*(cf. 3311 - Bids)*

5. Resolution to award a contract for a public works project at \$187,500 or less to the lowest responsible bidder, when the district is using the informal process authorized under the Uniform Public Construction Cost Accounting Act for projects of \$175,000 or less, all bids received are in excess of \$175,000, and the Board determines that the district's cost estimate was reasonable (Public Contract Code 22034)

**Actions Requiring a Unanimous Vote of the Board:**

1. Resolution authorizing and prescribing the terms of a community lease for extraction of gas (Education Code 17510-17511)
2. Waiver of the competitive bid process pursuant to Public Contract Code 20111 when the Board determines that an emergency exists and upon approval of the County Superintendent of Schools (Public Contract Code 20113)

**Action Requiring a Unanimous Vote of the Board Members Present at the Meeting:**

1. Private sale of surplus property without advertisement in order to establish that such property is not worth more than \$2,500. Disposal of surplus property in the local dump or donation to a charitable organization requires the unanimous vote of the Board members present to establish that the value of such property would not defray the cost of arranging its sale. (Education Code 17546)

*(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)*

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## Business and Noninstructional Operations

BP 3311(a)

### BIDS

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

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

*(cf. 3000 - Concepts and Roles)*

*(cf. 3300 - Expenditures and Purchases)*

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements of ~~Public Contract Code 20111-20118.4~~ **regarding contracting after competitive bidding.** (Public Contract Code 20116, **22033**)

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

~~The Superintendent or designee shall develop the procedures to be used for rating bidders~~ For award of contracts which, by law or Board policy, require prequalification, **the The** procedures shall identify a uniform system for rating bidders and shall address the issues covered by the standardized questionnaire and model guidelines developed by the Department of Industrial Relations pursuant to Public Contract Code 20101.

*(cf. 9270 - Conflict of Interest)*

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

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

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

For use in contracting for public works projects, the Board has, by resolution, adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act pursuant to Public Contract Code 22030-22045, including the required cost accounting procedures and the informal bidding procedures when allowed by law. The Board delegates to the Superintendent or designee the responsibilities to award any contract eligible for informal bidding procedures and to develop plans, specifications, and working details for all public projects requiring formal bidding procedures.

*Legal Reference:*

EDUCATION CODE

17070.10-17079.30 *Leroy F. Greene School Facilities Act*

**17250.10-17250.55 *Design-build contracts***

17406 *Lease-leaseback contract*

17595 *Purchase of supplies through Department of General Services*

17602 *Purchase of surplus property from federal agencies*

38083 *Purchase of perishable foodstuffs and seasonable commodities*

38110-38120 *Apparatus and supplies*

39802 *Transportation services*

CODE OF CIVIL PROCEDURE

446 *Verification of pleadings*

GOVERNMENT CODE

4217.10-4217.18 *Energy conservation contracts*

4330-4334 *Preference for California-made materials*

6252 *Definition of public record*

53060 *Special services and advice*

54201-54205 *Purchase of supplies and equipment by local agencies*

PUBLIC CONTRACT CODE

1102 *Emergencies*

2000-2002 *Responsive bidders*

3000-3010 *Roofing projects*

3400 *Bids, specifications by brand or trade name not permitted*

3410 *United States produce and processed foods*

6610 *Bid visits*

12200 *Definitions, recycled goods, materials and supplies*

20101-20103.7 *Public construction projects, requirements for bidding*

20103.8 *Award of contracts*

20107 *Bidder's security*

~~20111~~ **20110**-20118.4 *Contracting by school districts*

20189 *Bidder's security, earthquake relief*

22002 *Definition of public project*

22030-22045 *Alternative procedures for public projects (UPCCAA)*

22050 *Alternative emergency procedures*

22152 *Recycled product procurement*

COURT DECISIONS

**McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)**

Davis v. Fresno Unified School District, ~~F068477~~, (2015) **237 Cal.App.4th 261**

Los Angeles Unified School District v. Great American Insurance Co., (2010) 49 Cal.4th 739

Great West Contractors Inc. v. Irvine Unified School District, (2010) 187 Cal.App.4th 1425

Marshall v. Pasadena Unified School District, (2004) 119 Cal.App.4th 1241

Konica Business Machines v. Regents of the University of California, (1988) 206 Cal.App.3d 449

City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court, (1972) 7 Cal.3d 861

ATTORNEY GENERAL OPINIONS

89 Ops.Cal.Atty.Gen. 1 (2006)

*Management Resources:*

CALIFORNIA UNIFORM CONSTRUCTION COST ACCOUNTING COMMISSION PUBLICATIONS

Cost Accounting Policies and Procedures Manual

Frequently Asked Questions

WEB SITES

CSBA: [http:// www.csba.org](http://www.csba.org)

California Association of School Business Officials: <http://www.casbo.org>

**California Uniform Construction Cost Accounting Commission:**

[http://www.sco.ca.gov/ard\\_cuccac.html](http://www.sco.ca.gov/ard_cuccac.html)

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## **Business and Noninstructional Operations**

AR 3311(a)

### **BIDS**

#### **Advertised/Competitive Bids**

The district shall advertise for competitive bids when any public project contract involves an expenditure of \$15,000 or more. *Public project* means construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, and repair work involving a district owned, leased, or operated facility. (Public Contract Code 20111, 22002)

Note: For items #1-3 below, Public Contract Code 20111 requires the Superintendent of Public Instruction (SPI) to annually establish a bid limit that reflects U.S. Department of Commerce data. The following **optional** paragraph allows the amount to escalate automatically once the SPI has made the annual determination. For **2015 2016**, the bid limit is ~~\$86,000~~ **\$87,800**.

The district shall also advertise for competitive bids when a contract exceeds the amount specified in law, as annually adjusted by the Superintendent of Public Instruction, for any of the following: (Public Contract Code 20111)

1. The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district
2. Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters
3. Repairs that are not a public project, including maintenance

*Maintenance* means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. *Maintenance* includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. Maintenance does not include painting, repainting, or decorating other than touchup, or among other types of work,



janitorial or custodial services and protection provided by security forces. (Public Contract Code 20115)

AR 3311(b)

## **BIDS** (continued)

### **Instructions and Procedures for Advertised Bids**

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such newspaper exists, then in some newspaper of general circulation that is circulated in the county. The Superintendent or designee also may post the notice on the district's web site or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and web site where bids will be opened. The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20112)

*(cf. 1113 - District and School Web Sites)*

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting and details regarding when and where project documents, including the final plan and specifications, are available. Any such mandatory visit or meeting shall occur not less than five calendar days after the publication of the initial notice. (Public Contract Code 6610)

Bid instructions and specifications shall include the following requirements and information:

1. All bidders shall certify the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)

*(cf. 3510 - Green School Operations)*

2. All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security: (Public Contract Code 20107, 20111)
  - a. Cash
  - b. A cashier's check made payable to the district
  - c. A certified check made payable to the district
  - d. A bidder's bond executed by an admitted surety insurer and made payable to the district

The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111)

3. When a standardized proposal form is provided by the district, bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)
4. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)
5. When two or more identical lowest or highest bids are received, the Governing Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)
6. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #6a below shall be used. (Public Contract Code 20103.8)
  - a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.
  - b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
  - c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)

7. The district shall consider only responsive bids from responsible bidders in determining the lowest bid.
8. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.
9. After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for public review pursuant to law, Board policy, and administrative regulation.

(cf. 1340 - Access to District Records)

10. When a bid is disqualified as nonresponsive based on district investigation or other information not obtained from the submitted bid, the Superintendent or designee shall notify the bidder and give him/her an opportunity to respond to the information.

### **Prequalification Procedure**

When required by law or the Board, the Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. For this purpose, the Superintendent or designee shall furnish prospective bidders a standardized proposal form which, when completed, shall indicate a bidder's statement of financial ability and experience in performing public works. The bidder's information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Code of Civil Procedure 446; Public Contract Code 20111.5, 20111.6)

When any public project involves an expenditure of \$1,000,000 or more and is funded or reimbursed wholly or partly by the School Facilities Program funds or other future state school bond, the district shall prequalify prospective bidders either quarterly or annually. The prequalification shall be valid for one year and the following requirements shall apply: (Education Code 17406, 17407; Public Contract Code 20111.6)

1. Prospective bidders, including, but not limited to, prime, general engineering, and general building contractors and electrical, mechanical, and plumbing subcontractors, as defined in the Business and Professions Code 4113, 7056, or 7057, as applicable, shall submit a standardized questionnaire and financial statement 10 or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.
2. Prospective bidders shall be prequalified by the district five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

If the project includes electrical, mechanical, or plumbing components that will be performed by electrical, mechanical, or plumbing contractors, the Superintendent or designee shall make available to all bidders a list of prequalified general contractors and electrical, mechanical, and plumbing subcontractors five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

For all other contracts requiring competitive bidding, the district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. Prospective bidders for such contracts shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids and shall be prequalified by the district at least one day before the fixed bid-opening date. (Public Contract Code 20111.5)

### **Award of Contract**

The district shall award each contract to the lowest responsible bidder except in the following circumstances:

1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)
2. When the contract is for any transportation service which involves an expenditure of more than \$10,000 and which will be made with any person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of students who are to be transported, in which case the Board may contract with other than the lowest bidder (Education Code 39802)
3. When the contract is one for which the Board has established goals and requirements relating to participation of disabled veteran or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who submits a responsive bid and complies or makes a good faith effort to comply with the goals and requirements (Public Contract Code 2000-2002)
4. **When procuring a design-build contract for a public works project in excess of \$1,000,000 in accordance with the section "Design-Build Contracts" below, in which case the Board may award the contract to either the low bid or the best value to the district, taking into consideration, at a minimum, price, technical design and construction expertise, and life-cycle costs (Education Code 17250.20, 17250.25)**

(cf. 9270 - Conflict of Interest)

### **Protests by Bidders**

A bidder may protest a bid award if he/she believes that the award is not in compliance with law, Board policy, or the bid specification. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A bidder's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide notice to the bidder of the date and time for Board consideration of the protest at least three business days before the Board meeting. The Board's decision shall be final.

### **Alternative Bid Procedures for Technological Supplies and Equipment**

Rather than seek competitive bids, the Board may use competitive negotiation when it makes a finding that a district procurement is for computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus. Competitive negotiation shall not be used to contract for construction or for the procurement of any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)

The competitive negotiation process shall include, but not be limited to, the following requirements: (Public Contract Code 20118.2)

1. The Superintendent or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.
2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The Superintendent or designee shall make every effort to generate the maximum feasible number of proposals from qualified sources and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.
4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.
5. The Superintendent or designee shall provide reasonable procedures for the technical evaluation of the RFPs received, the identification of qualified sources, and the selection for the award of the contract.
6. The Board shall award the contract to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the district with price and all other factors considered.
7. If the Board does not award the contract to the bidder whose proposal contains the lowest price, then the Board shall make a finding setting forth the basis for the award to another bidder.
8. The Board, at its discretion, may reject all proposals and request new RFPs.
9. Provisions in any contract concerning utilization of small business enterprises that are in accordance with the RFP shall not be subject to negotiation with the successful proposer.

### **Design-Build Contracts**

**When it is in the best interest of the district, the Board may approve a contract with a single entity for both design and construction of any school facility in excess of \$1,000,000, awarding the contract to either the low bid or the best value as determined by evaluation of objective criteria. (Education Code 17250.20)**

The procurement process for design-build projects shall be as follows: (Education Code 17250.25)

1. The district shall prepare a set of documents setting forth the scope and estimated price of the project. The documents may include, but are not limited to, the size, type, and desired design character of the project; performance

2. Specifications covering the quality of materials, equipment, workmanship, preliminary plans, or building layouts; or any other information deemed necessary to describe adequately the district's needs. The documents may include operations during a training or transition period, but shall not include long-term operations for a project. The performance specifications and any plans shall be prepared by a design professional who is duly licensed and registered in California.

2. The district shall prepare and issue a request for qualifications in order to prequalify or develop a short list of the design-build entities whose proposals shall be evaluated for final selection. The request for qualifications shall include, but is not limited to, all of the following elements:

a. Identification of the basic scope and needs of the project or contract, the expected cost range, the methodology that will be used by the district to evaluate proposals, the procedure for final selection of the design-build entity, and any other information deemed necessary by the district to inform interested parties of the contracting opportunity

b. Significant factors that the district reasonably expects to consider in evaluating qualifications, including technical design and construction experience, acceptable safety record, and all other non-price-related factors

c. A standard template request for statements of qualifications prepared by the district, which shall contain all of the information required pursuant to Education Code 17250.25

The district also may identify specific types of subcontractors that must be included in the statement of qualification and proposal.

A design-build entity shall not be prequalified or short-listed unless the entity provides an enforceable commitment to the district that the entity and its subcontractors at every tier will use a skilled and trained workforce, as defined in Education Code 17250.25, to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. The entity may demonstrate such commitment through a project labor

agreement, by becoming a party to the district's project labor agreement, or through an agreement with the district to provide evidence of compliance on a monthly basis during the performance of the project or contract. (Education Code 17250.25)

3. The district shall prepare a request for proposals that invites prequalified or short-listed entities to submit competitive sealed proposals in a manner prescribed by the district. The request for proposals shall include the information identified in items #2a and 2b above and the relative importance or weight assigned to each of the factors. If the district uses a best value selection method, the district may reserve the right to request proposal revisions and hold discussions and negotiations with responsive proposers, in which case the district shall so specify in the request for proposals and shall publish separately or incorporate into the request for proposals applicable procedures to be observed by the district to ensure that any discussions or negotiations are conducted in good faith.
4. For those projects utilizing low bid as the final selection method, the bidding process shall result in lump-sum bids by the prequalified or short-listed design-build entities, and the contract shall be awarded to the lowest responsible bidder.
5. For those projects utilizing best value as a selection method, the following procedures shall be used:
  - a. Competitive proposals shall be evaluated using only the criteria and selection procedures specifically identified in the request for proposals. Criteria shall be weighted as deemed appropriate by the district and shall, at a minimum, include price, unless a stipulated sum is specified; technical design and construction experience; and life-cycle costs over 15 or more years.
  - b. Following any discussions or negotiations with responsive proposers and completion of the evaluation process, the responsive proposers shall be ranked on a determination of value provided, provided that no more than three proposers are required to be ranked.
  - c. The contract shall be awarded to the responsible entity whose proposal is determined by the district to have offered the best value to the public.
  - d. The district shall publicly announce the contract award, identifying the entity to which the award is made and the basis of the award. This statement and the contract file shall provide sufficient information to satisfy an external audit.



## **BIDS (continued)**

### **Sole Sourcing**

In any contract for the construction, alteration, or repair of school facilities, the Superintendent or designee shall ensure that the bid specification: (Public Contract Code 3400)

1. Does not directly or indirectly limit bidding to any one specific concern
2. Does not call for a designated material, product, thing, or service by a specific brand or trade name, unless the specification is followed by the words "or equal," so that bidders may furnish any equal material, product, thing, or service

In any such case, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting the designated material, product, thing, or service. If no such time period is specified, the contractor may submit the data within 35 days after the award of the contract.

### **Bids Not Required**

Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may authorize another public corporation or agency, by contract, lease, requisition, or purchase order, to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

*(cf. 3300 - Expenditures and Purchases)*

*(cf. 3512 - Equipment)*

Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the district. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the public at least two weeks in advance and shall be based on cost comparison findings specified in Government Code 4217.12. (Government Code 4217.12)

*(cf. 3511 - Energy and Water Management)*

*(cf. 9320 - Meetings and Notices)*

Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be

purchased in any amount without taking estimates or advertising for bids. (Public Contract Code 20118.3)

*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

*(cf. 6161.11 - Supplementary Instructional Materials)*

*(cf. 6163.1 - Library Media Centers)*

Perishable foodstuffs and seasonal commodities needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)

*(cf. 3551 - Food Service Operations/Cafeteria Fund)*

Bids shall not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 1102, 20113)

*(cf. 3517 - Facilities Inspection)*

The district may purchase any surplus property from the federal government or any of its agencies in any quantity needed for the operation of its schools without taking estimates or advertising for bids. (Education Code 17602)

### **Lease-Leaseback Contract**

~~In addition,~~ Upon a determination that it is in the best interest of the district and without advertising for bids, the Board may lease currently owned district property to any person, firm, or corporation for a minimum of \$1 per year, as long as the lease requires the person, firm, or corporation to construct a building or buildings on the property for the district's use during the lease and the property and building(s) will vest in the district at the expiration of the lease ("lease-leaseback"). Prior to entering into a lease-leaseback agreement, the Superintendent or designee shall have on file the contractor's enforceable commitment that the contractor and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (Education Code 17406, 17407.5)

*(cf. 3280 - Sale or Lease of District-Owned Real Property)*

Note: **Different California appellate courts have identified conflicting requirements for a valid lease-leaseback contract.** In Davis v. Fresno Unified School District, an appellate court ruled that, to be valid, a lease-leaseback agreement must contain a lease term and a financing component.~~as specified in the following paragraph.~~ Conversely, in McGee v. Balfour Beatty Construction LLC, another appellate court ruled that, to be valid, the plain language of Education Code 17406 only requires that (1) the real property involved belong to the district, (2) the lease is for construction purposes, and (3) the title to the property vest in the district at the end of the lease term. Until the resolution of this conflict, CSBA recommends that, as a precaution, any district considering the use of lease-leaseback include elements of the requirements stated in Davis and consult legal counsel accordingly.

Any lease-leaseback agreement shall be reviewed by the district's legal counsel to ensure that include all required terms, including a lease term that specifies provides for the district's occupancy of the building or improved property during the lease and an appropriate financing component, are included in the agreement-as may be determined on a case-by-case basis.

(cf. 9124 - Attorney)

Note: Pursuant to Education Code 17406, as amended by AB 1581 (Ch. 408, Statutes of 2014), the prequalification requirements for contracts that meet the criteria specified in Public Contract Code 20111.6 are also applicable to lease-leaseback contracts. As amended by AB 566 (Ch. 214, Statutes of 2015), Education Code 17406 requires prequalification for such projects irrespective of whether or not they are funded locally or through state sources and makes the provision applicable to all districts, not just those with ADA of 2,500 or more. See "Prequalification Procedure" section above.

Regardless of the funding source, when any lease-leaseback agreement is for a public project, involves an expenditure of \$1,000,000 or more, and meets other criteria in Public Contract Code 20111.6, the prequalification requirements specified in the "Prequalification Procedure" section above shall be followed. (Education Code 17406)

### **Uniform Public Construction Cost Accounting Act**

**Procedures for awarding contracts for public works projects shall be determined on the basis of the amount of the project, as follows:**

- 1. Public projects of \$45,000 or less may be performed by district employees by force account, negotiated contract, or purchase order. (Public Contract Code 22032)**
- 2. Contracts for public projects of \$175,000 or less may be awarded through the following informal procedures: (Public Contract Code 22032, 22034, 22038)**
  - a. The Superintendent or designee shall maintain a list of qualified contractors, identified according to categories of work.**
  - b. The Superintendent or designee shall prepare a notice inviting informal bids which describes the project in general terms, explains how to obtain more information about the project, and states the time and place for submission of bids. The notice shall be disseminated by mail, fax, or email to one or both of the following:**
    - (1) To all contractors on the district's list for the category of work being bid, unless the product or service is proprietary, at least 10 calendar days before bids are due**
    - (2) To all construction trade journals identified pursuant to Public Contract Code 22036**

c. The district shall review the informal bids and award the contract, except that:

- (1) If all bids received through the informal process are in excess of \$175,000, the contract may be awarded to the lowest responsible bidder, provided that the Board adopts a resolution with a four-fifths vote to award the contract at \$187,500 or less and the Board determines the district's cost estimate was reasonable.
- (2) If no bids are received through the informal bid procedure, the project may be performed by district employees by force account or negotiated contract.

3. Public projects of more than \$175,000 shall, except as otherwise provided by law, be subject to formal bidding procedures, as follows: (Public Contract Code 22032, 22037, 22038)

a. Notice inviting formal bids shall state the time and place for receiving and opening sealed bids and distinctly describe the project. The notice shall be disseminated in both of the following ways:

- (1) Through publication in a newspaper of general circulation in the district's jurisdiction or, if there is no such newspaper, then by posting the notice in at least three places designated by the district as places for posting its notices. Such notice shall be published at least 14 calendar days before the date that bids will be opened.
- (2) By mail and electronically, if available, by either fax or email, to all construction trade journals identified pursuant to Public Contract Code 22036. Such notice shall be sent at least 15 calendar days before the date that bids will be opened.

In addition to notice required above, the district may give such other notice as it deems proper.

b. The district shall award the contract as follows:

- (1) The contract shall be awarded to the lowest responsible bidder. If two or more bids are the same and the lowest, the district may accept the one it chooses.
- (2) At its discretion, the district may reject all bids presented and declare that the project can be more economically performed by district employees, provided that the district notifies an apparent low bidder, in writing, of the district's intention to reject the bid. Such notice shall be mailed at least two business days prior to the hearing at which the district intends to reject the bid.

- (3) If no bids are received through the formal bid procedure, the project may be performed by district employees by force account or negotiated contract.

In cases of emergency when repair or replacements are necessary, the Board may proceed at once to replace or repair a facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts, in accordance with the contracting procedures in Public Contract Code 22050. The work may be done by day labor under the direction of the Board and/or contractor. (Public Contract Code 22035)

(8/13 10/15) 5/16

**BP 6145.0***Eligibility Requirements*

*To be eligible to participate in extracurricular and co-curricular activities, students in grades 7-12 must demonstrate satisfactory educational progress in the previous grading period, including, but not limited to: (Education Code 35160.5)*

*1. To encourage and support academic excellence the Board requires students in grades 7 through 12 to earn a minimum 2.0 or "C" grade point average on a 4.0 scale in order to participate in extra/co-curricular activities. Students with two or more "F" grades do not meet eligibility requirements.*

*2. Maintenance of minimum progress toward meeting high school graduation requirements*

Needs to be changed to read:

**BP 6145.0***Eligibility Requirements*

*To be eligible to participate in extracurricular and co-curricular activities, students in grades 7-12 must demonstrate satisfactory educational progress in the previous grading period, including, but not limited to: (Education Code 35160.5)*

*1. To encourage and support academic excellence the Board requires students in grades 7 through 12 to earn a minimum 2.0 or "C" grade point average on a 4.0 scale in order to participate in extra/co-curricular activities. Students with any "F" grades do not meet eligibility requirements.*

*2. Maintenance of minimum progress toward meeting high school graduation requirements*

CALL TO ORDER	<p>The meeting was called to order at 4:15 p.m. in the District Office Board Room by Board President Kelli Griffith-Garcia, who established a quorum was present. Attending were Terry Bressler, Lincoln Forry, Charles Yerxa and Kathie Whitesell. Also in attendance was Superintendent Dwayne Newman and various CUSD staff members.</p>
HEARING OF THE PUBLIC FOR ITEMS ON THE AGENDA	<p>No information was presented.</p>
HEARING OF THE PUBLIC FOR ITEMS NOT ON THE AGENDA	<p>No information was presented</p>
RECOGNITIONS & CELEBRATIONS	<p>Darren Brown recognized Gay Seaver for working tirelessly on Career Day at CHS. Mr. Brown also recognized Lorie Myers and Gayle Bradbury for receiving 100% satisfaction on the parent surveys.</p> <p>Kelli Griffith-Garcia recognized Terry Bressler and Lincoln Forry for their years of service as board members.</p>
PRESIDENT’S REPORT	<p>CRAF – Mr. Yerxa reported that CRAF is purchasing a new scoreboard and timing system for the CHS Gymnasium.</p> <p>FOM – None.</p> <p>FOA – Mrs. Whitesell provided information on the FFA National Convention and the Farm to Fork Program at O’Connell Ranch. There are currently 184 members in the FFA Program.</p> <p>SELPA – None.</p> <p>Grounds – None.</p> <p>Discussion regarding Proposition 51 occurred. CUSD is on the list for consideration, but will not have further information until after the election.</p> <p>Discussion regarding Proposition 55 occurred.</p>
STUDENT REPORT	<p>Grace Boeger reported on various upcoming activities and events taking place at CHS.</p>
SUPERINTENDENT’S REPORT IMPROVING ACHIEVEMENT	<ul style="list-style-type: none"><li>• Team Planning Day – Mr. Newman asked the board to look at their calendars for January or February to schedule a team planning day. In January, CSBA is holding workshops for new and veteran board members and Mr. Newman is encouraging every board member to attend. He would like to coordinate the team planning day for a date after the CSBA workshops.</li></ul>
SUPERINTENDENT’S REPORT MANAGEMENT	<ul style="list-style-type: none"><li>• Bond Projects Update – Terry Biladeau provided a bond update regarding the various projects throughout CUSD. The punch-lists are being worked</li></ul>



on and steady progress is being made. Terry Bressler suggested that security cameras be installed in the CHS Ag Barn.

**SUPERINTENDENT'S REPORT  
BUDGET**

- Budget Update - Mr. Newman stated that no major changes have occurred to the budget since the last board meeting.
- CCOE Proposal to Bill for Payroll Services – Mr. Newman reported that CCOE has opted to withdraw their proposal of imposing fees for payroll services. Mr. West, CCOE Superintendent, indicated the proposal was meant to create discussion between the CBO's county wide. From the feedback received, they are working diligently to find a way to reduce payroll errors county wide.

**PRINCIPAL'S REPORT**

Jody Johnston presented information regarding the Gateway Science Museum's Summer Program. Many EMS 5th grade students attended over the summer and received hands on learning education. Emily Garcia, a student at EMS, also presented information regarding her experience with Gateway Science Museum. The Gateway Science Museum put together a video showcasing their program and many of our own EMS students. Erika Lemenager, Robert Scott, and Stephanie Archibald provided information on how Science is being taught at EMS.

**CSEA REPRESENTATIVE'S  
REPORT**

Gay Seaver stated that CSEA will be holding a meeting on December 10, 2016. Their membership has increased substantially and they are very excited about that.

**CEA REPRESENTATIVE'S  
REPORT**

Pam Giuliano reported that CEA will be holding their negotiations on December 22, 2016. She also stated that the recent professional development with Donna Whyte was excellent.

**INFORMATION / DISCUSSION /  
POSSIBLE ACTION ITEMS  
ACTION ITEM #161737**

Motion was made by Terry Bressler, seconded by Lincoln Forry to approve the FBLA Transportation Fees for Travel to Lassen on February 3<sup>rd</sup> & 4<sup>th</sup>. Mr. Newman was directed by the board to explore chartering a bus for the event due to the snowy road conditions.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

**NO ACTION TAKEN**

Agenda item H.2: Discussion regarding the Williams Settlement Visit by Mike West - Mr. West presented information regarding his recent site visits. He stated that the CUSD sites are very well maintained and operating according the law.

ACTION ITEM #161738

Motion was made by Charles Yerxa, seconded by Kathie Whitesell to approve the Notice of Completion for Hometown Construction for the CHS HVAC & Restroom ADA Upgrades.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161739

Motion was made by Charles Yerxa, seconded by Kathie Whitesell to approve the Notice of Completion for Schmidt Construction, Inc. for the CHS Ag Barn.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Nay  
Forry – Aye

Vote: (4 Ayes, 1 Nay)

ACTION ITEM #161740

Motion was made by Charles Yerxa, seconded by Terry Bressler to approve the Warrants: Batch #15-18.

Whitesell – Abstain  
Yerxa – Aye  
Griffith-Garcia – Abstain  
Bressler – Aye  
Forry – Aye

Vote: (3 Ayes, 2 Abstain)

ACTION ITEM #161741

Motion was made by Charles Yerxa, seconded by Kathie Whitesell to approve and adopt the second reading of E 0420.41 – Charter School Oversight

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

NO ACTION TAKEN

Agenda item H.6.b: BP 1230 & AR 1230 – School Connected Organizations. This policy was pulled from the agenda and will be brought back to the December meeting for a third reading.

ACTION ITEM #161742

Motion was made by Charles Yerxa, seconded by Kathie Whitesell to approve and adopt the second reading of BP 3541.2 – Transportation for Students with Disabilities.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161743

Motion was made by Charles Yerxa, seconded by Kathie Whitesell to approve and adopt the second reading of BP 3580 – District Records.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161744

Motion was made by Charles Yerxa, seconded by Kathie Whitesell to approve and adopt the second reading of E 5145.6 – Parental Notifications.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161745

Motion was made by Charles Yerxa, seconded by Kathie Whitesell to approve and adopt the second reading of BB 9922 – Resignation.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161746

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BB 9270 & E 9270 – Conflict of Interest.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161747

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 0450 – Comprehensive Safety Plan.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161748

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 0520.2 & AR 0520.2 – Title I Program Improvement Schools.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161749

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 0520.3 – Title I Program Improvement Districts.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161750

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 3513.3 & AR 3513.3 – Tobacco Free Schools

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161751

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of AR 3516.3 – Earthquake Emergency Procedure System.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161752

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 3553 & AR 3553 – Free & Reduced Price Meals.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161753

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 3555 – Nutrition Program Compliance.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161754      Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 4112.2 – Certification.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161755      Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of E 4112.9/4212.9/4312.9 – Employee Notifications.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161756      Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 4113 – Assignment. (Certificated).

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161757      Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of AR 4115 – Evaluation/Supervision.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161758      Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of AR 4222 – Teacher Aides/Paraprofessionals.

Whitesell – Aye

Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161759

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 5121 & AR 5121 – Grades/Evaluations of Student Achievement.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161760

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 5131.62 – Tobacco

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161761

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of AR 6158 – Independent Study.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161762

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of AR 6164.41 – Children with Disabilities Enrolled by their Parents in Private School.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye



Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161763

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 6179 – Supplemental Instruction.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161764

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 1312.3 & AR 1312.3 – Uniform Complaint Procedures.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161765

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 3230 & AR 3230 – Federal Grant Funds.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161766

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 3270 & AR 3270 – Sale & Disposal of Books, Equipment and Supplies.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye

Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161767

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of AR 3440 - Inventories.

Whitesell – Aye

Yerxa – Aye

Griffith-Garcia – Aye

Bressler – Aye

Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161768

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of AR 3460 – Financial Reports & Accountability.

Whitesell – Aye

Yerxa – Aye

Griffith-Garcia – Aye

Bressler – Aye

Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161769

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of AR 3512 – Equipment.

Whitesell – Aye

Yerxa – Aye

Griffith-Garcia – Aye

Bressler – Aye

Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161770

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 5145.3 & AR 5145.3 – Nondiscrimination/Harassment.

Whitesell – Aye

Yerxa – Aye

Griffith-Garcia – Aye

Bressler – Aye

Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161771

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt the second reading of BP 5145.7 & AR 5145.7 – Sexual Harassment.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161772

Motion was made by Kathie Whitesell, seconded by Charles Yerxa to approve the following consent agenda items:

1. October 11, 2016 Regular Board Meeting Minutes
2. Resolution #2016-17.05 – Lincoln Forry
3. Resolution #2016-17.06 – Terry Bressler
4. Personnel Assignment Order 2016-17 #3 & #4
5. October Payroll
6. Professional Development Agreement with Donna Whyte
7. General Fund 01 Budget Revision
8. 2016-17 1<sup>st</sup> Interim Report

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

HEARING OF THE PUBLIC FOR  
MATTER ON CLOSED SESSION  
AGENDA

None.

The Board adjourned to Closed Session at 5:35 PM to consider and/or take action upon any of the following items:

1. Student Matters:
  - a. Inter District Transfers
  - b. Out of School Suspensions
2. Personnel Matters:
  - a. Public Employment
    1. 2016-2017 New Hires
    2. Job Share Proposal
  - b. Public Employees Discipline/Dismissal/Release/Resignation

## 1. Resignations

### 3. Negotiations

**Instructions to District Negotiators** *(Executive Session of School Board and its designated representatives for the purpose of discussing its position regarding matters within the scope of representation and instructing its designated representatives).*

### 4. Possible/Pending Litigation

- a. The Board will meet in Closed Session, Pursuant to Government Code Section 54956.95 to consider a Torte Claim Against the District.

The Board reconvened from Closed Session at 5:37 PM. Board President, Kelli Griffith-Garcia reported out that the Board reviewed and/or discussed Inter District Transfers, Suspensions, New Hires, Resignations and Possible/Pending Litigation and matters related to personnel.

ACTION ITEM #161773

Motion was made by Kathie Whitesell, seconded by Lincoln Forry to reject the Tort Claim against the district.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ACTION ITEM #161774

Motion was made by Kelli Griffith-Garcia, seconded by Kathie Whitesell to approve the Job Share Proposal.

Whitesell – Aye  
Yerxa – Aye  
Griffith-Garcia – Aye  
Bressler – Aye  
Forry – Aye

Vote: (Unanimous)

ADJOURNMENT

The meeting adjourned at 6:40 PM

Respectfully submitted by Zeba Hone,  
Executive Administrative Assistant

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APPROVED BY:

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Colusa Unified School District  
Personnel Assignment Order  
2016-2017 #5

**EMPLOYMENT, RESIGNATIONS, AND OTHER**

**CERTIFICATED**

Employment / Appointments:

<u>Name</u>	<u>Position</u>	<u>Status</u>	<u>Salary</u>	<u>Date</u>
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Retirement:

Resignation:

Leaves:

Terminated:

Non-Reelection:

Transfers:

(Requests approved by Superintendent)

**CLASSIFIED**

Employment / Appointments:

<u>Name</u>	<u>Position</u>	<u>Salary</u>	<u>Date</u>
Jimenez, Cynthia	EMS Yard Duty	\$10.00	11/28/2016
Sandoval, Abel	BPS Office Assistant/Attendance Clerk	\$15.29	12/5/2016
Lemenager, Andrew	Data Technology Specialist	\$19.52	12/7/2016

Leaves:

Resignation:

<u>Name</u>	<u>Position</u>	<u>Salary</u>	<u>Date</u>
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Retirement:

Increase of Hours:

Job transfer:

Termination:

Payroll totals for the month of:                    NOVEMBER 2016

Issued 11/10/2016: (SUP)	\$    49,683.24	Total getting paid: 59
Issued 11/30/2016: (EOM)	<u>\$ 762,671.85</u>	Total getting paid: 210
Monthly total	\$ 773,717.32	



# COLUSA UNIFIED SCHOOL DISTRICT

TRUSTEES:  
 MR. LINCOLN FORRY  
 MR. TERRY BRESSLER  
 MR. CHARLES YERXA  
 MRS. KELLI GRIFFITH-GARCIA  
 MRS. KATHIE WHITESELL

745 TENTH STREET, COLUSA, CA 95932  
 PHONE: (530) 458-7791 • FAX: (530) 458-4030

DWAYNE NEWMAN  
 DISTRICT SUPERINTENDENT



## 2016-2017 Annual Credentialing Report

Contained herein is the credentialing/certificated staffing assignment report. The Committee on Assignments has, with teachers’ consent, approved the following assignments as permitted under the California Education Code cited below.

Legal Authorization	Name	School	Grade	Assignment	Credential Held
CDE 44865 (f)	David Ramirez	Colusa High School	K-12	English	Single Subject: Foreign Language; Spanish
CDE 44258.3	Tina Lyons	Colusa High School	9-12	Math 1	Single Subject- Physical Education
CDE 44258.3	Mitchel Nail	Colusa High School	7-8	Computer Literacy	Single Subject: English

**COLUSA UNIFIED SCHOOL DISTRICT**  
**2016-17 GENERAL FUND 01 BUDGET REVISION**  
**December 13, 2016**

K.5.

2016-17 BEGINNING BALANCE	1,688,330
ESTIMATED INCOME	<u>15,505,310</u>
TOTAL INCOME/BEGINNING BALANCE	17,193,640

*Resource Code and Program*

No Changes to Income Amounts

REVISED TOTAL INCOME	15,505,310
REVISED TOTAL INCOME + BEGINNING BALANCE	17,193,640

**EXPENDITURES**

Current Expenditure Budget	16,000,311	
Reserve for Revolving Cash	30,350	
Reserves for Van/Bus/Tech/Textbooks	200,000	
Undistributed Reserve	<u>962,979</u>	<u>1,193,329</u>
		17,193,640

0000 Personnel Changes	20,000
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0000 Budget for Board Member Training	5,000
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Revised Expenditure Budget	16,025,311	
Reserve for Revolving Cash	30,350	
Reserves for Van/Bus/Tech/Textbooks	200,000	
Undistributed Reserve	<u>937,979</u>	<u>1,168,329</u>
		17,193,640

PASSED AND ADOPTED this 13th Day of December, 2016 at a meeting of the Board of Trustees of Colusa Unified School District.

AYES:

NOES:

ABSENT:

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Dwayne Newman, Superintendent

# Multi-Year Projection Summary - December 13, 2016

INCOME	14/15 ACTUALS	15/16 ACTUALS	16/17 BUDGET	17/18 BUDGET	18/19 BUDGET
8011-8089 TOTAL LCFF	10,874,660	12,397,758	13,077,903	13,605,277	13,818,263
TOTAL FEDERAL REVENUE	514,766	554,244	393,984	393,984	393,984
TOTAL STATE REVENUE	1,015,848	2,109,700	1,711,627	1,226,627	984,325
TOTAL LOCAL REVENUES	387,830	388,312	321,796	137,592	79,076
<b>TOTAL REVENUES</b>	<b>12,793,104</b>	<b>15,450,014</b>	<b>15,505,310</b>	<b>15,363,480</b>	<b>15,275,648</b>
<b>EXPENDITURES</b>					
TOTAL CERTIFICATED	5,939,658	6,468,062	6,271,344	6,395,991	6,435,991
TOTAL CLASSIFIED	1,847,681	2,047,601	2,171,313	2,203,929	2,228,929
TOTAL BENEFITS	<u>2,620,009</u>	<u>2,952,259</u>	<u>3,288,597</u>	<u>3,364,127</u>	<u>3,544,127</u>
SUBTOTAL SALARIES/BENEFITS	10,407,348	11,467,922	11,731,254	11,964,047	12,209,047
TOTAL BOOKS AND SUPPLIES	770,436	1,104,360	1,003,004	694,891	759,268
TOTAL TRAVEL, REPAIRS, UTILITIES, INS, OTHER	1,102,341	1,223,294	1,439,053	1,282,962	1,192,411
TOTAL CAPITAL OUTLAY	56,177	402,140	881,580	242,302	
TOTAL SELPA, COMMUNITY SCH, DEBT PYMT	603,624	765,140	970,420	998,301	987,522
<b>TOTAL EXPENDITURES</b>	<b>12,939,926</b>	<b>14,962,856</b>	<b>16,025,311</b>	<b>15,182,503</b>	<b>15,148,248</b>
<b>TOTAL REVENUES LESS EXPENDITURES</b>	<b>-146,822</b>	<b>487,158</b>	<b>-520,001</b>	<b>180,977</b>	<b>127,400</b>
		\$441,014 will carryover to be spent 16-17	\$441,014 was prior year income		
<b>GENERAL FUND BEGINNING BALANCE</b>	<b>1,347,994</b>	<b>1,201,172</b>	<b>1,688,330</b>	<b>1,168,329</b>	<b>1,349,306</b>
LESS AMOUNT ABOVE REVENUES LESS EXP	-146,822	487,158	-520,001	180,977	127,400
Less Reserve for Revolving Cash		-30,350	-30,350	-30,350	-30,350
less Reserves for Van/Bus, Tech, Textbooks		-125,000	-200,000	-275,000	-325,000
<b>UNDISTRIBUTED GENERAL FUND RESERVE</b>	<b>1,201,172</b>	<b>1,532,980</b>	<b>937,979</b>	<b>1,043,956</b>	<b>1,121,356</b>
<b>% UNDISTRIBUTED RESERVE</b>	<b>9.28%</b>	<b>10.25%</b>	<b>5.85%</b>	<b>6.88%</b>	<b>7.40%</b>
<b>AMOUNT ABOVE (-BELOW) 5%</b>	<b>554,176</b>	<b>784,837</b>	<b>136,713</b>	<b>284,831</b>	<b>363,944</b>
<b>TOTAL ADA</b>	<b>1386.33</b>	<b>1404.81</b>	<b>1402.72</b>	<b>1402.72</b>	<b>1402.72</b>
multiply x Average Amount per ADA	\$ 7,844	\$ 8,825	\$ 9,323	\$ 9,699	\$ 9,851
<b>Total LCFF Funding Budgeted</b>	<b>\$ 10,874,660</b>	<b>\$ 12,397,756</b>	<b>\$ 13,077,903</b>	<b>\$ 13,605,277</b>	<b>\$ 13,818,263</b>
% Increase over Prior Year	10.77%	14.01%	5.49%	4.03%	1.57%
<b>CUSD P-2 ADA</b>	<b>1381.29</b>	<b>1399.72</b>	<b>1399.72</b>	<b>1399.72</b>	<b>1399.72</b>
Adult Transition Class Reported by CCOE	5.04	4.02	3	3	3
Community School ADA Reported by CCOE	0	1.07	0	0	0
<b>TOTAL ADA CUSD LCFF</b>	<b>1386.33</b>	<b>1404.81</b>	<b>1402.72</b>	<b>1402.72</b>	<b>1402.72</b>
<b>ASSUMPTIONS:</b>					
Same ADA      Same ADA					
No New Staff      No New Staff					
1 Retirement Te					
Infinite Campus+30K					
8.88% STRS	10.73% STRS	12.58% STRS	14.43% STRS	16.28% STRS	
11.7% PERS	11.847% PERS	13.888 PERS	16.6% PERS	18.2% PERS	
Impact of Minimum Wage Increase for Classified is not budgeted as it is unknown-must be negotiated					