
Mendocino Unified School District



Agenda

Regular Board Meeting

FEBRUARY 11, 2021

**MENDOCINO K-8 SCHOOL
44261 LITTLE LAKE ROAD
MENDOCINO, CA 95460**

4:00 P.M. CLOSED SESSION - VIA TELECONFERENCE

(Closed Session Public Hearing – link on page 2)

5:00 P.M. OPEN SESSION - VIA TELECONFERENCE

Join Zoom Meeting

<https://zoom.us/j/91791952189?pwd=NUNMdHF1OU1URk1BTm5tZFRlej1XQT09>

Meeting ID: 917 9195 2189 Passcode: gJD26F

Dial by your location: +1 669 900 9128 US (San Jose)

Meeting ID: 917 9195 2189 Passcode: 788640

*Please “mute” your device during the meeting.
MUSD is not available for technical support for remote meetings.*

Board Priorities

- *Develop and expand community partnerships and communication*
- *Increase learning and achievement for all students, families, and staff*
- *Plan wisely for the future while maintaining fiscal integrity*
- *Maintain and improve the physical plant*

Any writings distributed either as part of the Board packet, or within 72 hours of a meeting, can be viewed at the District Office: 44141 Little Lake Road, Mendocino, CA 95460. Board backup materials are also located on the MUSD website at <http://www.mendocinoused.org/District/2285-Untitled.html>

In compliance with Government Code section 54954.2(a) Mendocino Unified School District will, on request, make agendas available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals who need this agenda in an alternative format or who need a disability related modification or accommodation in order to participate in the meeting should contact, Erin Placido Exec. Assistant to the Superintendent, in writing at P.O. Box 1154, Mendocino, CA 95460 or via email at doerin@mcn.org.

MENDOCINO UNIFIED SCHOOL DISTRICT IS PROUD TO BE AN EQUAL OPPORTUNITY EMPLOYER

1. 4:00 P.M., CLOSED SESSION CALL TO ORDER AND ROLL CALL

- 1.1. Call to order and roll call
- 1.2. The President will verbally identify the agenda items to be discussed during closed session as listed below.

2. PUBLIC HEARING FOR CLOSED SESSION

Members of the public may take this opportunity to comment on closed session agenda items per Board Policy 9322. Under the requirements of the Brown Act open meeting law, members of the community wishing to address an item on the closed session agenda may do so at this time. Items not on the agenda cannot be addressed at this time. A three-minute limit is set for each speaker on all items. The total time for public input on each item is limited to 20 minutes. (Government Code 54954.3).

<https://zoom.us/j/96332213949?pwd=TWYxT09ZcDB2eTNkSzgyK2p2QjdPZz09>

Meeting ID: 963 3221 3949 Passcode: Ce4tim

Dial by your location: +1 669 900 9128 US (San Jose)

Meeting ID: 963 3221 3949 Passcode: 365300

3. CLOSED SESSION

The Board will adjourn to closed session pursuant to Government Code 54950 - 54962.

- 3.1. Conference with labor negotiators (Govt. Code 54957.6) Agency Representative: Superintendent Jason Morse
Employee organizations: CEMUS and MTA bargaining units and unrepresented employees
- 3.2. Employment/Personnel Changes

4. 5:00 P.M. RECONVENE TO OPEN SESSION

- 4.1. Call to order and roll call
- 4.2. Closed session disclosure
Any reportable action taken during closed session will be disclosed at this time.
- 4.3. Approval of agenda
Items to be removed from the agenda or changes to the agenda should be done at this time.

5. CONSENT AGENDA

Items on the consent agenda are passed in one motion without discussion. Any item may be pulled from the consent agenda by any member of the Board and moved to action when approving the agenda. (action)

- 5.1. Approval of Warrants
 - 5.1.1. 1/7/21, 1/14/21, 1/21/21, 1/28/21
- 5.2. Approval of Minutes
 - 5.2.1. Board Meeting Minutes: 1/6/21, 1/21/21
- 5.3. Approval of Employment/Personnel Changes
 - 5.3.1. Retirement, Certificated Teacher, 1.0 FTE, effective 6/18/21
- 5.4. Approval of Student Accountability Report Cards (SARC) for Albion, Comptche, Sunrise and MAS

- 5.5. Accept donation, from Mitch Sprague, of a bronze plaque to commemorate the first dedicated internet connection in the Mendocino Unified School District (value \$725.00)
- 5.6. Approval of the Current Budget Change Report
- 5.7. Approval of Winter Consolidated Program Application
- 5.8. Approval of Christy White Associates as auditors for MUSD and MCN for Fiscal Year ending June 30, 2021
- 5.9. Approval of Resolution 2021-02: Designation of Business Manager as a Senior Management Position Pursuant to Education Code Sections 45100.5 and 45108.5
- 5.10. Approval of Student Body Reports – January
- 5.11. Approval of the Instructional Calendar for school year 2021-22
- 5.12. Approval of the Instructional Calendar for school year 2022-23
- 5.13. Approval of the Instructional Calendar for school year 2023-24

6. REPORTS

- 6.1. Student Trustee – Olivia Jung
- 6.2. Administrative
 - 6.2.1. Principal – Tobin Hahn
 - 6.2.2. Superintendent – Jason Morse
- 6.3. Bargaining Units
 - 6.3.1. Mendocino Teachers Association (MTA)
 - 6.3.2. Classified Employees of Mendocino Unified Schools (CEMUS)
- 6.4. Board Trustee Reports

7. TIMED ITEM 5:30 P.M. - PARENT/COMMUNITY COMMENT

Items not on the agenda, but within the jurisdiction of this body, may be addressed at this time or be submitted to the Superintendent in writing for Board consideration as an agenda item. A three-minute limit is set for each speaker on all items. The total time for public input on each item is limited to 20 minutes (Government Code 54952). The Brown Act does not permit the Board to take action on any item that is not on the agenda. In addition, in order to protect the rights of all involved, complaints about employees should be addressed through the District complaint process. Speaking about a personnel issue at a Board meeting may prevent the Board from being able to act on it. Please see an administrator to initiate the complaint process.

The Board may briefly respond to public comments by asking questions to clarify the speaker's comments and refer the speaker to the Superintendent for further clarification. We thank you for your comments and participation at this meeting.

8. INFORMATION/DISCUSSION/POSSIBLE ACTION ITEMS

- 8.1. MCN 2020-21 Second Quarter Report
MCN Manager, Sage Statham, will present the MCN 2020-21 Second Quarter Report (action)
- 8.2. 2020-21 School Year Reopening Update
Superintendent Morse will provide an update on the District reopening plans (discussion/action)
- 8.3. Board Calendar Discussion
The Board will discuss possible changes to the 2021-22 Board Calendar (action)
- 8.4. Sexual Harassment & Bullying Training
The Board will discuss Sexual Harassment and Bullying training (discussion/action)
- 8.5. Consideration of Leave Requests
 - 8.5.1. Certificated Teacher, currently working .50 FTE (on part time leave of .50 FTE) requests part time leave of .40 FTE for the 2021-22 School Year (action)
 - 8.5.2. Certificated Teacher, currently working .60 FTE (on part time leave of .40 FTE) requests continuing the leave of .40 FTE for the 2021-22 School Year (action)
- 8.6. Mendocino High School Modernization Update
Superintendent Morse will provide an update on the modernization project at the Mendocino High School (information)
- 8.7. Board Policies and Administrative Regulations (as a first reading) (action)
 - 8.7.1. BP/AR 3513.3: Tobacco Free Schools (business & non-instructional operations)
 - 8.7.2. BP/AR 4030: Non Discrimination in Employment (personnel)
 - 8.7.3. BP/E 4040: Employee Use of Technology (personnel)
 - 8.7.4. BP/AR/E 4119.42: Exposure to Bloodborne Pathogens (personnel)
- 8.8. Board Policies and Administrative Regulations (for information only)
 - 8.8.1. AR 441.6, 4216.6, 4312.6: Personnel Records (personnel)
 - 8.8.2. BP/AR 4119.43, 4219.43, 4319.43: Universal Precautions (personnel)
 - 8.8.3. BP/AR 4144, 4244, 4244: Complaints (personnel)

9. FUTURE AGENDA ITEMS

Admin/Management Contracts, 2nd Interim Budget Report, Deferred Maintenance Plan Update, Layoffs, Summer School Authorization, Child Abuse Month Resolution, ongoing policies.

10. ADJOURNMENT

The next Board meeting is scheduled for **March 11, 2021**

Payment Id	Check #	Check Amt	Status	Printed	Comment	Check Amt	Status	Printed	Comment
	10600080876 DEC2020	1,000.00	01	Printed	Postage for District	1,000.00	01	0000-0-5904-001-0000-7200-0000	US POSTAL SERVICE (CMRS-FP) (CMRSFP/1)
	Check # 703711	72.33	63	Printed		72.33	63	0000-0-4300-001-0000-6000-0000	DAVIS INSTRUMENTS (DAVISI/1)
	696022	3,953.22	01	Printed	Supplies	3,953.22	01	0000-0-4300-001-0000-6000-0000	WASTE MANAGEMENT-UKIAH (DEMPWM/2)
	0001738-2561-3				Garbage Collection			01-0000-0-5540-150-0000-8200-0000	
	1739-2561-1				Garbage Collection			01-0000-0-5540-220-0000-8200-0000	
	1746-2561-6				Garbage Collection			01-0000-0-5540-001-0000-8200-0000	
	2724498-2561-6				Garbage Collection			01-0000-0-5540-221-0000-8200-0000	
	Check # 703713	11,071.82	14	Printed		11,071.82	14	0000-0-4300-001-0000-8100-0000	EYEP SOLUTIONS (EYEPSO/1)
	20-428	156.78	63	Printed	Security Cameras for K8	156.78	63	0000-0-4300-001-0000-8100-0000	FERRELL GAS (FERREL/1)
	1113667860	119.58	01	Printed	Heating Fuel	119.58	01	0000-0-5520-001-0000-6000-0000	FRANCOTYP-POSTALIA, INC. (FPMAIL/1)
	Check # 703715	195.00	01	Printed	Postage Meter Rental	195.00	01	0000-0-5600-001-0000-7200-0000	LEE MILLER (LMILLE/1)
	RI104726215	1,129.08	01	Printed	Student Internet	1,129.08	01	0000-0-5900-001-0000-2420-9987	PG&E (00PG&E/1)
	Check # 703717	644.26	01	Printed	Electricity for District	644.26	01	0000-0-5510-006-0000-8200-0000	REDWOOD COAST FUELS (RWCOAS/1)
	6905412483-NOV2020	2,191.60	01	Printed		2,191.60	01	0000-0-5800-150-0000-8500-9911	SCHOOL FACILITY CONSULTANTS (SCHFAC/1)
	Check # 703718	50.00	21	Printed	Consulting	50.00	21	0000-0-5800-150-0000-8500-9911	
	1092203				Diesel and Regular Fuel for Vehicles			01-1100-0-5520-220-0000-8200-0000	
	1092203PYMT				Diesel and Regular Fuel for Vehicles			01-0740-0-4361-001-0000-3600-0000	
	Check # 703719	3,488.76	63	Printed		3,488.76	63	0000-0-4300-001-0000-6000-0000	WALKER AND ASSOCIATES INC (WALKE1/2)
	0015855	369.00	01	Printed	DSL Modems	369.00	01	0000-0-4300-001-0000-6000-0000	XIO INC. (XIOINC/1)
	Check # 703720	24,441.43	13	Printed	Water Quality Monitoring	24,441.43	13	0000-0-5800-001-0000-8110-0000	
	SM-1029187				Water System Annual Fee, Mendocino Schools			01-8150-0-5800-001-0000-8110-0000	
	SM-1029253				Water System Annual Fees, Albion			01-8150-0-5800-001-0000-8110-0000	
	Check # 703721	1,689.60	63	Printed		1,689.60	63	0000-0-4300-001-0000-6000-0000	
	IN01002244	502.00	01	Printed		502.00	01	0000-0-4300-001-0000-6000-0000	
	Check # 703722	3,488.76	01	Printed		3,488.76	01	0000-0-4300-001-0000-6000-0000	
	201210953	369.00	01	Printed		369.00	01	0000-0-4300-001-0000-6000-0000	

Number of Items 13 Totals for Register 000140 24,441.43

2021 FUND-OBJ Expense Summary / Register 000140 (continued)

2021 FUND-OBJ Expense Summary / Register 000140	
01-4361	1,364.83-
01-5510	1,129.08
01-5520	2,009.09
01-5540	3,953.22
01-5600	119.58
01-5800	2,560.60
01-5900	195.00
01-5904	1,000.00
01-9110*	9,601.74-
Totals for Fund 01	10,966.57
14-4300	11,071.82
14-9110*	11,071.82-
Totals for Fund 14	11,071.82
21-5800	50.00
21-9110*	50.00-
Totals for Fund 21	50.00
63-4300	3,561.09
63-5520	156.78
63-9110*	3,717.87-
Totals for Fund 63	3,717.87
Totals for Register 000140	25,806.26

* denotes System Generated entry

Net change to Cash 9110 24,441.43-Credit

Payment Id	Check #	Check Amt	Comment	Status	Printed	44.07	103.44	466.23	282.80	510.44	126.50	70.00	840.62	130.00	29.28	1,515.00
	704017		EDGAR MONROY (EDGAR MONRO - Payee)	Printed												
	DP21-00286		Refund for Closeout of Domain Service	Printed												
	704018		BLASER, SASHA E (000184 - Emp)	Printed												
	EP21-00124		Classroom Supplies	Printed												
	704019		JIMENEZ, MARTHA C (001455 - Emp)	Printed												
	EP21-00125		Gift Cards for Families	Printed												
	EP21-00129		Gift Card, Mileage (2020)	Printed												
	704020		LEVY, ANNA (000277 - Emp)	Printed												
	EP21-00123		Groceries for FRC, Mileage	Printed												
	704021		OATNEY, MARK D (000159 - Emp)	Printed												
	EP21-00126		Classroom Supplies	Printed												
	EP21-00127		Covid Supplies, Classroom Set-Up	Printed												
	EP21-00128		Chess Medals and Trophies	Printed												
	704022		RICE, OTTOPASKAL D (000242 - Emp)	Printed												
	EP21-00130		Maintenance Mileage 12/21 - 12/31	Printed												
	704023		ALDRICH, JADE (JALDR1/1)	Printed												
	DP21-00285		Student Internet	Printed												
	704024		AT&T (AT&TCS3/2)	Printed												
	15767335		Telephone Services	Printed												
	15767674		Telephone Services	Printed												
	15767675		Telephone Services	Printed												
	704025		ERIC CRUZ (ECRUZ7/1)	Printed												
	1078-7891		Student Internet	Printed												
	704026		FEDERAL EXPRESS CORP. (FEDEXC/1)	Printed												
	7-232-32514		Shipping Services	Printed												
	704027		FEINER, DONNA (DFEINE/1)	Printed												
	DECEMBER 2020		Water Testing, Treatment	Printed												

Payment Id	Comment	Check #	Check Amt	44.27	Status	Printed	FRANCOTYP-POSTALIA, INC. (FPMAIL/1)	44.27
RI104736386	Sealing Solution for Postage Meter	01			01-0000-0-4300-001-0000-7200-0000	Printed		
Check # 704029		01	1,453.85		GALLERY BOOKSHOP (GALLER/1)	Printed		44.27
10660764	5 Copies, Twice Toward Justice				01-6300-0-4200-220-1110-1000-0000			56.05
10660511	Feminism History, Freedom's Sake				01-6300-0-4200-150-1110-1000-0000			336.57
10660516	Word Search Games, Distance Learning Playbook				01-0000-0-4300-150-1110-1000-9009			807.72
10660520	Various Classroom Books				01-6300-0-4200-150-1110-1000-0000			38.81
10660849	Boxed Set Heroes of Olympus				01-6300-0-4200-150-1110-1000-0000			171.59
43.11								
Check # 704030		01	738.43		CYPRESS HOLDINGS INC (HARVES/2)	Printed		
49062 DEC 2020	Maintenance, Transportation, Cafeteria Supplies				13-5310-0-4700-001-0000-3700-0000			61.11
49494 DEC 2020	Maintenance, Transportation, Cafeteria Supplies				01-8150-0-4300-001-0000-8110-0000			225.90
49495 DEC 2020	Culinary and HS Supplies				01-0000-0-4300-150-0000-2700-9009			33.30
					01-0000-0-4300-150-0000-2700-9987			35.23
					01-0000-0-4300-150-1110-1000-9009			6.26
					01-9003-0-4300-150-1110-1000-8359			216.42
49496 DEC 2020	Custodial Supplies				01-0000-0-4300-001-0000-8200-0000			155.72
49497 DEC 2020	Supplies				63-0000-0-4300-001-0000-6000-0000			4.49
Check # 704031		13	967.24		HOPPER DAIRY (HOPPER/1)	Printed		
3716	Dairy for Cafeteria				13-5310-0-4700-001-0000-3700-0000			78.12-
67301860	Dairy for Cafeteria				13-5310-0-4700-001-0000-3700-0000			311.04
67301893	Dairy for Cafeteria				13-5310-0-4700-001-0000-3700-0000			371.19
67301894	Dairy for Cafeteria				13-5310-0-4700-001-0000-3700-0000			11.07-
67301907	Dairy for Cafeteria				13-5310-0-4700-001-0000-3700-0000			374.20
Check # 704032		01	181.34		JENNIFER WESTMORELAND (JWESTM/1)	Printed		
DP21-00283	Student Internet				01-0000-0-5900-001-0000-2420-9987			181.34
Check # 704033		01	164.76		JEZREELA ANDERSON (JANDER/1)	Printed		
DP21-00284	Student Internet				01-0000-0-5900-001-0000-2420-9987			164.76
Check # 704034		01	120.00		KEMPER ENVIRONMENTAL (KEMPER/1)	Printed		
1818	Water Testing				01-8150-0-5800-001-0000-8110-2096			120.00
Check # 704035		01	175.00		MARCELLA BALTAZAR (MBALTA/1)	Printed		
DP21-00288	Student Internet				01-0000-0-5900-001-0000-2420-9987			175.00
Check # 704036		13	451.00		Mendocino Coast Produce (MCOPRO/2)	Printed		
23916	Produce for Cafeteria				13-5310-0-4700-001-0000-3700-0000			359.00
23945	Produce for Cafeteria				13-5310-0-4700-001-0000-3700-0000			92.00
Check # 704037		63	265.00		CALL48 (01COMM/2)	Printed		
8856210101	Phone Services				63-0000-0-5903-001-0000-6000-0000			265.00

ReqPay04b

Check Register with Accounts

Register 000141 - 01/14/2021

Bank Account COUNTY - AP Checks

Payment Id	Check #	Check Amt	Status	Printed	Comment	OFFICID/2	
	704038	89.29	Printed		OFFICE DEPOT		
	147572184001				FRC Supplies	01-0001-0-4300-220-0000-3130-1137	47.45
	147572185001				FRC Supplies	01-0001-0-4300-220-0000-3130-1137	41.84
	704039	1,500.00	Printed		PEAR DECK INC. (PEARDE/1)		
	INV-11471				Distance Learning Subscription, All Teachers	01-0000-0-5800-220-1110-1000-9987	1,500.00
	704040	818.26	Printed		PURPLE AIR (PURPLE/1)		
PA 14047					Air Quality Sensors	01-0000-0-4300-221-0000-2700-9015	272.76
						01-0000-0-4300-246-0000-2700-9015	272.75
						12-6105-0-4300-222-7110-1000-9015	272.75
	704041	258.88	Printed		REBECCA POWERS (RPOWER/1)		
	DP21-00285				Student Internet	01-0000-0-5900-001-0000-2420-9987	258.88
	704042	2,281.73	Printed		REDWOOD COAST FUELS (RWCOAS/1)		
1092349					Diesel and Regular Fuel for Vehicles	01-0740-0-4361-001-0000-3600-0000	705.48
1092354					Diesel and Regular Fuel for Vehicles	01-1100-0-5520-150-0000-8200-0000	1,576.25
	704043	448.69	Printed		RHOADS AUTO PARTS INC. (RHOADS/1)		
3140 DECEMBER 2020					Auto Repair Parts	01-0740-0-4365-001-0000-3600-0000	140.71
						01-8150-0-4300-001-0000-8110-0000	307.98
	704044	8,396.86	Printed		RINCON CONSULTANTS INC. (RINCOC/1)		
27285					HS Bond Project	21-0000-0-5800-150-0000-8500-0000	8,396.86
	704045	614.25	Printed		ROSSI BUILDING MATERIALS (ROSSIB/1)		
2012-242750					Maintenance Supplies	01-8150-0-4300-001-0000-8110-0000	516.27
2012-244244					Maintenance Supplies	01-8150-0-4300-001-0000-8110-0000	97.98
	704046	5,500.00	Printed		RUDERMAN & KNOX LLP (RUDERM/1)		
12-30-20					Legal Services	01-0000-0-5802-220-5770-1120-0000	5,500.00
	704047	364.85	Printed		SAFEWAY INC. (SAFEWA/2)		
151360 DECEMBER 2020					Cafeteria Food	13-5310-0-4700-001-0000-3700-0000	364.85
	704048	45.00	Printed		SCHOOL & COLLEGE LEGAL SVCS (SCHAND/1)		
DP21-00287					Conference 1/22/21, Erin Placido	01-0000-0-5800-001-0000-7200-9987	45.00
	704049	164.00	Printed		SESAC (SESAC/2)		
711959					Music Performance License	01-0000-0-5300-150-1110-1000-9009	164.00
	704050	112,859.75	Printed		SISC MEDICAL (SISCME/1)		
JANUARY 20-21					Medical Insurance	01-0000-0-9514-000-0000-0000-0000	112,859.75
	704051	63.41	Printed		SOLID WASTE OF WILLITS INC (SOLIDW/1)		
05-229943-1 DEC 2020					Waste Disposal at Greenwood	12-6105-0-5540-222-7110-8200-0000	63.41
	704052	703.35	Printed		SPORT & CYCLE TEAM ATHLETICS (SPORT&/1)		

Payment Id	Comment	Check Amt	Printed	Status	Printed	703.35	1,089.72	101.40	477.66	954.86	824.14	5,453.52	824.14
219832	Sports Equipment	01	01-0000-0-4300-150-1110-4200-0000	Printed	SPORT & CYCLE TEAM ATHLETICS (SPORT&1) - continued	703.35							703.35
450049504	Cafeteria Food	13	13-5310-0-4700-001-0000-3700-0000	Printed	SYSCO FOOD SERVICES OF SF INC (SYSCOF/1)		1,089.72						1,089.72
843673126	CA Education Code 2021	01	01-0000-0-5800-001-0000-7150-0000	Printed	THOMSON REUTERS - WEST/PAYMEN T CENTER (THOMSOI/2)	101.40							101.40
0414815790	High School Hot Spots	01	01-0000-0-5900-001-0000-2420-9987	Printed	U.S. CELLULAR (USCELL/1)	477.66							477.66
518499	Paper Products for Cafeteria	13	13-5310-0-4300-001-0000-3700-0000	Printed	UKIAH PAPER SUPPLY INC (UKIAHP/1)	954.86							954.86
014242091-004	Cafeteria Food and Snack	13	13-5310-0-4700-001-0000-3700-0000	Printed	WILD OAK DAIRY (UNNATU/2)	824.14							824.14
1068799164	Camera for Photography Class	01	01-0795-0-4300-150-1110-1000-0000	Printed	US BANK CORPORATE PAYMENT SYS (USBANK/2)	5,453.52							5,453.52
11-24-20	Specialized Services		63-0000-0-5800-001-0000-6000-0000										581.35
113-5223824-3743415	Scale for Chemistry		01-0795-0-4300-150-1110-1000-0000										10.03
113-7679476-8973017	Thermometers		01-0000-0-4300-150-0000-2700-9987										485.10
12-14-20	Specialized Services		63-0000-0-5800-001-0000-6000-0000										124.00
12-19-20	Specialized Services		63-0000-0-5800-001-0000-6000-0000										115.64
12687725	Quill.com, Office Supplies		01-0000-0-4300-150-0000-2700-9009										38.00
1707937-0733 DEC2020	Specialized Services		63-0000-0-5800-001-0000-6000-0000										183.37
20201126-9PA-OYI	Cleanfeed Subscription		01-0000-0-5800-150-1110-1000-9987										10.00
2025045	Cables for Less		63-0000-0-4300-001-0000-6000-0000										22.00
2568-6125	EDpuzzle monthly subscription, Acker Classroom		63-0000-0-4300-001-0000-6000-0000										254.09
26QP3BAN	Pay.gov, Copyright Office		01-0000-0-5800-150-1110-1000-9009										15.57
2888-5440	EDpuzzle subscription monthly, Acker Classroom		63-0000-0-5800-001-0000-6000-0000										11.50
328330	Spotify Seats		01-0000-0-5800-150-1110-1000-9987										6.00
420915217	Specialized Services		63-0000-0-5800-001-0000-6000-0000										11.50
64127	Bootstrap Directory		63-0000-0-5800-001-0000-6000-0000										124.40
801586	Network Support Services		63-0000-0-5800-001-0000-6000-0000										188.00
936189	thestampmaker.com		63-0000-0-4300-001-0000-6000-0000										59.00
98085786PC736834T	Elementor Pro		63-0000-0-4300-001-0000-6000-0000										131.25
DP21-00266	US Cellular, HS Internet		01-0000-0-5900-001-0000-2420-9987										69.71
DP21-00267	Student Internet		01-0000-0-5900-001-0000-2420-9987										49.00
DP21-00268	Student Internet		01-0000-0-5900-001-0000-2420-9987										476.64
DP21-00269	Student Internet		01-0000-0-5900-001-0000-2420-9987										59.99
DP21-00270	Student Internet		01-0000-0-5900-001-0000-2420-9987										70.00

Payment id	Comment	Check Amt	5,453.52	Status	Printed	US BANK CORPORATE PAYMENT SYS (USBANK/2) - continued	
Check # 704058	01						
DP21-00271	Student Internet					01-0000-0-5900-001-0000-2420-9987	130.77
DP21-00272	Bilingual Warning Signs					01-8150-0-4300-001-0000-8110-0000	255.66
DP21-00273	Student Internet					01-0000-0-5900-001-0000-2420-9987	130.77
DP21-00274	Prime Membership, Annual					01-0000-0-5300-001-0000-7200-0000	128.37
DP21-00275	Student Internet					01-0000-0-5900-001-0000-2420-9987	175.78
DP21-00276	Student Internet					01-0000-0-5900-001-0000-2420-9987	175.78
DP21-00277	Student Internet					01-0000-0-5900-001-0000-2420-9987	175.78
DP21-00278	Student Internet					01-0000-0-5900-001-0000-2420-9987	175.88
DP21-00279	Student Internet					01-0000-0-5900-001-0000-2420-9987	130.77
DP21-00280	Student Internet					01-0000-0-5900-001-0000-2420-9987	193.37
DP21-00281	Student Internet					01-0000-0-5900-001-0000-2420-9987	175.78
DP21-00282	Student Internet					01-0000-0-5900-001-0000-2420-9987	175.78
INV56250727	Zoom Monthly Subscription					01-0000-0-5800-150-0000-2700-9987	40.00
Check # 704059	13		1,406.29	Status	Printed	US FOODS/DEPT 34766 (USFOOD/2)	
5024760	Cafeteria Food and Snack					13-5310-0-4700-001-0000-3700-0000	23.62
5535546	Cafeteria Food and Snack					13-5310-0-4700-001-0000-3700-0000	1,382.67
Check # 704060	63		359.38	Status	Printed	VERIZON WIRELESS (VERIZO/1)	
9353584886	Phone Services					01-0000-0-5902-001-0000-7150-0000	91.20
						01-1100-0-5903-220-0000-2420-6500	42.87
						01-8150-0-5800-001-0000-8110-0000	89.61
						63-0000-0-5902-001-0000-6000-0000	135.70
Check # 704061	01		42.25	Status	Printed	WHISPERING PINES WATER (WHISPE/2)	
20201231 HIGH SCHOOL	24.00					01-0000-0-4300-150-0000-2700-9009	24.00
20201231 MCN	Drinking Water					63-0000-0-5500-001-0000-6000-0000	18.25
Number of Items		45	153,496.81	Totals for Register 000141			

2021 FUND-OBJ Expense Summary / Register 000141

01-4200	646.13
01-4300	6,653.81
01-4361	705.48
01-4365	140.71
01-5200	274.28
01-5300	292.37
01-5520	1,576.25
01-5800	3,580.41

2021 FUND-OBJ Expense Summary / Register 000141 (continued)

01-5802	5,500.00	
01-5900	4,013.19	
01-5902	91.20	
01-5903	816.68	
01-9110*		137,150.26-
01-9514	112,859.75	
Totals for Fund 01	137,150.26	137,150.26-
12-4300	272.75	
12-5540	63.41	
12-5903	66.81	
12-9110*		402.97-
Totals for Fund 12	402.97	402.97-
13-4300	954.86	
13-4700	5,164.35	
13-9110*		6,119.21-
Totals for Fund 13	6,119.21	6,119.21-
21-5800	8,396.86	
21-9110*		8,396.86-
Totals for Fund 21	8,396.86	8,396.86-
63-4300	343.86	
63-5500	18.25	
63-5800	650.99	
63-5902	135.70	
63-5903	265.00	
63-5904	29.28	
63-9110*		1,427.51-
63-9550*		15.57-
Totals for Fund 63	1,443.08	1,443.08-
Totals for Register 000141	153,512.38	153,512.38-

* denotes System Generated entry

Net change to Cash 9110 153,496.81-Credit

ReqPay04b

Check Register with Accounts

Register 000142 - 01/21/2021

Bank Account COUNTY - AP Checks

Payment Id	Check #	Check Amt	Status	Printed	Comment	Check Amt
	DP21-00294	515.50	Printed	69-0000-0-5800-000-0000-6000-0000	ARROW BENEFITS GROUP (009731/1)	515.50
	DP21-00294	103.41	Printed	69-0000-0-5800-000-0000-6000-0000	AT&T (00AT&T/1)	103.41
	707937-4049653912-20	1,410.67	Printed	63-0000-0-5903-001-0000-6000-0000	BANDWIDTH INC. (BANDWI/1)	1,410.67
	BWUS10550033	4.00	Printed	63-0000-0-5903-001-0000-6000-0000	Open Purchase Order for Telephone Services	1,410.67
	057-415367 4Q2020	206.34	Printed	01-0740-0-5800-001-0000-3600-0000	CALIFORNIA DEPT OF TAX AND FEE (CALTAX/3)	4.00
	057-415367 4Q2020	206.34	Printed	01-0740-0-5800-001-0000-3600-0000	4th Quarter 2020 Fuel Tax	4.00
	20715	3,376.93	Printed	12-6105-0-5530-222-7110-8200-0000	Water Monitoring, Greenwood	206.34
	01	3,376.93	Printed	12-6105-0-5530-222-7110-8200-0000	FERRELL GAS (FERREL/1)	206.34
	1113696484	657.95	Printed	01-1100-0-5520-150-0000-8200-0000	Heating Fuel, Multiple Sites	657.95
	1113696487	746.60	Printed	01-1100-0-5520-150-0000-8200-0000	Heating Fuel, Multiple Sites	746.60
	1113808292	1,243.38	Printed	01-0000-0-5520-246-0000-8200-0000	Heating Fuel, Multiple Sites	1,243.38
	1114163728	729.00	Printed	01-0000-0-5520-221-0000-8200-0000	Heating Fuel, Multiple Sites	729.00
	01	93.69	Printed	63-0000-0-5904-001-0000-6000-0000	FRANCOTYP-POSTALIA, INC. (FPMAIL/1)	93.69
	R1104734229	208.39	Printed	63-0000-0-5904-001-0000-6000-0000	Blanket P.O. for Postage Meter	93.69
	01	208.39	Printed	63-0000-0-5904-001-0000-6000-0000	FRANCISCO ALANIS-AGUILAR (FAGUIL/1)	93.69
	DP21-00292	287.60	Printed	01-0000-0-5900-001-0000-2420-9987	Student Internet	208.39
	01	287.60	Printed	01-0000-0-5900-001-0000-2420-9987	JOHN WILEY & SONS INC. (JOHNWI/1)	208.39
	9600394001	846.51	Printed	01-6300-0-5800-150-1110-1000-0000	Online Course Access	287.60
	01	846.51	Printed	01-6300-0-5800-150-1110-1000-0000	KONE INC (KONEIN/2)	287.60
	959748874	225.40	Printed	01-8150-0-5800-001-0000-8100-2099	Elevator Servicing	846.51
	01	225.40	Printed	01-8150-0-5800-001-0000-8100-2099	MELINDA PRESCOTT (MPRESC/1)	846.51
	DP21-00290	2,071.08	Printed	01-0740-0-5200-220-7110-3600-9987	Mileage 12/1 - 12/18	225.40
	01	2,071.08	Printed	01-0740-0-5200-220-7110-3600-9987	MENDOCINO CITY COMM. SERV'S (MCITYC/1)	225.40
	C02000JANUARY2020	709.92	Printed	01-0000-0-5530-001-0000-8200-0000	Sewer Service	709.92
	C02001JANUARY2020	95.13	Printed	01-0000-0-5530-001-0000-8200-0000	Sewer Service	709.92
	C02003JANUARY2020	1,021.11	Printed	01-0000-0-5530-001-0000-8200-0000	Sewer Service	95.13
	C02040JANUARY2020	244.92	Printed	01-0000-0-5530-001-0000-8200-0000	Sewer Service	1,021.11
	01	45.00	Printed	01-0000-0-5800-150-1110-1000-9009	MENDOCINO COLLEGE FISCAL SERVICES (MCOLLE/3)	244.92
	DP21-00289	45.00	Printed	01-0000-0-5800-150-1110-1000-9009	Fees for HS Students	45.00
	01	45.00	Printed	01-0000-0-5800-150-1110-1000-9009	MENDOCINO COUNTY TAX COLLECTOR (MENCYT/1)	45.00
	DP21-00293	390.55	Printed	63-0000-0-5800-001-0000-6000-0000	Business License #125910	40.00
	01	390.55	Printed	63-0000-0-5800-001-0000-6000-0000	NANCY ALCANTAR ROMERO (NROMER/1)	40.00

Payment Id	Check #	Check Amt	Comment	Status	Printed	390.55	NANCY ALCANTAR ROMERO (NROMER/1) - continued	390.55
	DP21-00291	01	Mileage 11/16 - 1/8/21	01-0740-0-5200-220-7110-3600-9987	Printed			
	Check # 704441	01		NCR&E (0NCR&E/1)	Printed	396.05		
	59150		Thermostat Installation	01-8150-0-4300-001-0000-8110-0000				96.05
				01-8150-0-5800-001-0000-8110-0000				300.00
	Check # 704442	01		PG&E (00PG&E/1)	Printed	3,748.63		
	4668452137-3DEC20		Electricity for District	01-0000-0-5510-001-0000-8200-0000				744.54
				01-0000-0-5510-150-0000-8200-0000				2,098.64
				01-0000-0-5510-220-0000-8200-0000				27.10
				01-0000-0-5510-221-0000-8200-0000				184.10
				01-0000-0-5510-223-0000-8200-0000				15.20
				01-0740-0-5510-001-0000-8200-0000				302.56
				12-6105-0-5510-222-7110-8200-0000				376.49
	Check # 704443	21		QUATTROCCHI KWOK ARCHITECTS (QUATTR/1)	Printed	58,766.18		
	21727		MHS Bond Architectural Services	21-0000-0-6200-150-0000-8500-9911				58,766.18
	Check # 704444	01		REDWOOD COAST FUELS (RWCOAS/1)	Printed	2,614.97		
	1092509		Diesel and Regular Fuel for Vehicles	01-1100-0-5520-220-0000-8200-0000				1,302.55
	1092607		Diesel and Regular Fuel for Vehicles	01-0740-0-4361-001-0000-3600-0000				1,312.42
	Check # 704445	63		ROSSI BUILDING MATERIALS (ROSSIB/1)	Printed	95.18		
	2012-238624		Open PO for Supplies	63-0000-0-4300-001-0000-6000-0000				49.18
	2012-248753		Open PO for Supplies	63-0000-0-4300-001-0000-6000-0000				46.00
	Check # 704446	21		SAGE ENERGY CONSULTING (SAGEEN/1)	Printed	1,117.50		
	2511		Work Completed through 12/31	21-0000-0-5800-150-0000-8500-9911				1,117.50
	Check # 704447	01		SOLIAN (SOLIAN/1)	Printed	2,254.00		
	20073461		Speech Language Pathologist	01-0079-0-5800-001-1110-1000-0000				2,254.00
	Check # 704448	01		CA DEPT OF JUSTICE (STOF2/1)	Printed	32.00		
	487285		Fingerprint Apps, December	01-0000-0-5814-001-0000-7200-0000				32.00
	Check # 704449	63		STREAKWAVE (STREAK/1)	Printed	2,188.86		
	927350		Supplies	63-0000-0-4300-001-0000-6000-0000				2,188.86
				63-0000-0-4300-001-0000-6000-0000				166.45
	Check # 704450	01		THOMPSON'S PORTASEPTIC INC. (THOMPS/1)	Printed	113.94		
	11720		Soccer Field Unit	01-0000-0-5800-150-1110-4200-0000				113.94
	Check # 704451	63		TPX COMMUNICATIONS (TPXCOM/1)	Printed	3,509.48		
	138493599-0		Phone Services	63-0000-0-5903-001-0000-6000-0000				3,509.48
	Check # 704452	01		WAXIE SANITARY SUPPLY (009737/1)	Printed	3,133.41		
	79730042		Custodial Supplies	01-0000-0-4300-001-0000-8200-0000				2,833.14

Payment Id	Comment	Check Amt	Status	Printed	WAXIE SANITARY SUPPLY (0097371) - continued	300.27
Check # 704452	01	3,133.41				
79738423	Custodial Supplies				01 - 0000-0-4300-001-0000-8200-0000	
Check # 704453	63	111.82			DexYP (0000YP/H)	
800438395 1-21	Yellow Pages Advertising				63-0000-0-5811-001-0000-6000-0000	111.82

Number of Items	28	87,907.09	Totals for Register 000142
2021 FUND-OBJ Expense Summary / Register 000142			
01-4300		3,229.46	
01-4361		1,312.42	
01-5200		615.95	
01-5510		3,372.14	
01-5520		4,679.48	
01-5530		2,071.08	
01-5800		3,851.05	
01-5814		32.00	
01-5900		208.39	
01-9110*		19,371.97	19,371.97-
Totals for Fund 01		19,371.97	19,371.97-
12-5510		376.49	
12-5530		206.34	
12-9110*			582.83-
Totals for Fund 12		582.83	582.83-
21-5800		1,117.50	
21-6200		58,766.18	
21-9110*			59,883.68-
Totals for Fund 21		59,883.68	59,883.68-
63-4300		2,450.49	
63-5800		40.00	
63-5811		111.82	
63-5903		5,023.56	
63-5904		93.69	
63-9110*			7,553.11-
63-9550*			166.45-
Totals for Fund 63		7,719.56	7,719.56-

Selection Sorted by Check Number, Inv #, Include Address=No, (Org = 46, Source = N, Pay To = N, Payment Method = N, Starting Check Date = 1/21/2021, Ending Check Date = 1/21/2021, Summary? = Y, Sort/Group 1 = 1, Sort/Group 2 =)

2021 FUND-OBJ Expense Summary / Register 000142 (continued)

69-5800	515.50	
69-9110*		515.50-
Totals for Fund 69	515.50	515.50-
Totals for Register 000142	88,073.54	88,073.54-

* denotes System Generated entry

Net change to Cash 9110 87,907.09- Credit

Payment id	Check #	Check Amt	Status	Printed	Comment	Check Amt	Status	Printed
	63	73.40			BUCH, ROB A (000030 - Emp)	73.40		
EP21-00131	63	Wireless Mileage 12/28 - 1/13			63-0000-0-5200-001-0000-6000-0000			73.40
	63	122.02			FRIEDLEY, ZACHARY R (001527 - Emp)	122.02		
EP21-00132	63	Mileage 12/15 - 1/14			63-0000-0-5200-001-0000-6000-0000			122.02
	01	121.09			RICE, OTTOPASKAL D (000242 - Emp)	121.09		
EP21-00133	01	Compiche Mileage, 12/15			01-8150-0-5200-001-0000-8110-0000			18.40
EP21-00134	01	Mileage 12/19 - 12/22			01-8150-0-5200-001-0000-8110-0000			72.45
EP21-00135	01	Mileage 1/4 - 1/8			01-8150-0-5200-001-0000-8110-0000			30.24
	01	260.00			ANDREA PENNEBAKER (APEMNE/1)	260.00		
DP21-00296	01	2 months Student Internet			01-0000-0-5900-001-0000-2420-9987			260.00
	01	361.50			AT&T (AT&TC3/2)	361.50		
15910284		Telephone Services			01-0000-0-5903-001-0000-7200-0000			110.10
					01-0000-0-5903-150-0000-2700-0000			195.81
					01-0000-0-5903-155-3100-2700-0000			22.30
					01-0000-0-5903-220-0000-2700-0000			251.21
					01-0000-0-5903-221-0000-2700-0000			65.74
					01-0000-0-5903-246-0000-2700-0000			85.27
					01-0740-0-5903-001-0000-3600-0000			20.63
					12-6105-0-5903-222-7110-8200-0000			66.97
15910623		Telephone Services			01-0000-0-5903-150-0000-2700-0000			22.84
15910624		Telephone Services			01-0000-0-5903-220-0000-2700-0000			20.63
	63	2,342.80			AT&T (00AT&T/1)	2,342.80		
6353749501		Telephone Services			63-0000-0-5903-001-0000-6000-0000			2,342.80
	01	200.00			BLAYKE HEMMINGS (BHEMMI/1)	200.00		
230645		Student Internet			01-0000-0-5900-001-0000-2420-9987			200.00
	01	373.00			BMI MUSIC (BROADC/2)	373.00		
39051822		Annual Copyright Clearance Fee, KAKX			01-0795-0-5300-150-1110-1000-0000			373.00
	63	1,654.84			DELL MARKETING LP (DELLMA/2)	1,654.84		
10457049011		Dell Support Contracts			63-0000-0-5800-001-0000-6000-0000			1,654.84
	01	695.00			DOCUMENT TRACKING SERVICE LLC (DOCUME/1)	695.00		
9546007		Services 3/15/21 - 3/15/22			01-0000-0-5800-001-0000-7200-0000			695.00
	01	1,410.62			FLORENCE FILTER CORP (FLOREN/1)	1,410.62		
0116815-IN		Merv13 Filters, All Sites			01-8150-0-4300-001-0000-8110-9987			1,410.62
	01	70.73			GALLERY BOOKSHOP (GALLER/1)	70.73		
10661019		Textbooks			01-6300-0-4200-150-1110-1000-0000			70.73

Payment Id	Comment	Check #	Check Amt	7.32	Status	Printed	HARE CREEK NURSERY & POWER (HARECR/1)	7.32
573116	Groundskeeping Supplies	01						
Check # 704943		21	5,274.00	Status	Printed	HB&T ENVIRONMENTAL INC (HB&TEN/1)		
21-5631	Asbestos Survey and Analysis							5,274.00
Check # 704944		13	1,126.27	Status	Printed	HOPPER DAIRY (HOPPER/1)		
67301927	Dairy for Cafeteria							44.74
67301945	Dairy for Cafeteria							161.13
67301965	Dairy for Cafeteria							318.60
67302004	Dairy for Cafeteria							601.80
Check # 704945		13	1,995.00	Status	Printed	MATT ROWLAND EVENTS (MATPRO/1)		
1-25-21	Tents for Food Service							1,995.00
Check # 704946		63	121.44	Status	Printed	MENDOCINO CITY COMM. SERV'S (MCITYC/1)		
C02002 JANUARY 2021	Sewer Service							121.44
Check # 704947		13	556.00	Status	Printed	Mendocino Coast Produce (MCOPRO/2)		
23639	Produce for Cafeteria							128.00
23962	Produce for Cafeteria							303.00
24002	Produce for Cafeteria							125.00
Check # 704948		01	60.00	Status	Printed	MOUNTAIN FRESH SPRING WATER (MOUNTA/1)		
12-31-20 MUSD K8	Dispenser Rental							60.00
Check # 704949		01	521.45	Status	Printed	OFFICE DEPOT (OFFICD/2)		
14587878001	Office Supplies							225.97
146426802001	File Cabinet							295.48
Check # 704950		01	434.69	Status	Printed	PG&E (00PG&E/1)		
0483535710-6 DEC2020	Electricity for District							434.69
Check # 704951		01	108.54	Status	Printed	QUILL CORPORATION (QUILLC/2)		
13521677	Electronics							108.54
Check # 704952		01	175.78	Status	Printed	SHILIA STEWART (SSTEWAW/1)		
DP21-00295	Student Internet							175.78
Check # 704953		01	2,450.00	Status	Printed	SOLIANI (SOLIAN/1)		
20077391	Speech Language Pathologist							2,450.00
Check # 704954		63	2,324.22	Status	Printed	SUMO FIBER (SUMOFI/1)		
242238	Phone Services							2,324.22
Check # 704955		01	962.56	Status	Printed	SUN LIFE FINANCIAL (SUNLIF/1)		
FEBRUARY 20-21	Employee Life Insurance							962.56
Check # 704956		13	1,014.98	Status	Printed	SYSCO FOOD SERVICES OF SF INC (SYSCOF/1)		

ReqPay04b

Check Register with Accounts

Register 000143 - 01/28/2021

Bank Account COUNTY - AP Checks

Payment Id	Comment	Check Amt	1,014.98	Status	Printed	SYSCO FOOD SERVICES OF SF INC (SYSCOF1) - continued	503.79
Check # 704956	13 Cafeteria Food					13-5310-0-4700-001-0000-3700-0000	503.79
450057755						13-5310-0-4700-001-0000-3700-8634	511.19
Check # 704957	13 Cafeteria Food		73.00	Status	Printed	UKIAH PAPER SUPPLY INC (UKIAHP1)	73.00
518737						13-5310-0-4300-001-0000-3700-0000	73.00
Check # 704958	63 Paper Products for Cafeteria		45.00	Status	Printed	UPS (000UPS/1)	45.00
0000808W56031						63-0000-0-5904-001-0000-6000-0000	
Check # 704959	13 Shipping Services		1,704.74	Status	Printed	US FOODS/DEPT 34766 (USFOOD/2)	
5651761						13-5310-0-4700-001-0000-3700-0000	976.47
						13-5310-0-4700-001-0000-3700-8634	728.27
Check # 704960	01 Cafeteria Food and Snack		243.27	Status	Printed	XEROX CORPORATION (XEROXC/2)	
012313710						01-0000-0-5600-001-0000-7200-0000	194.85
012341680						12-6105-0-5600-222-7110-1000-0000	48.42

Number of Items 31 27,383.26 Totals for Register 000143

2021 FUND-OBJ Expense Summary / Register 000143

01-4200	70.73
01-4300	2,107.93
01-5200	121.09
01-5300	373.00
01-5510	434.69
01-5600	194.85
01-5800	3,145.00
01-5900	635.78
01-5903	794.53
01-9110*	8,840.16-
01-9514	962.56
Totals for Fund 01	8,840.16
12-5600	48.42
12-5903	66.97
12-9110*	115.39-
Totals for Fund 12	115.39
13-4300	73.00
13-4700	4,401.99
Totals for Fund 01	8,840.16-
Totals for Fund 12	115.39-

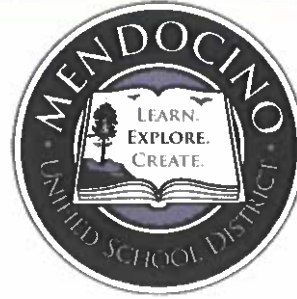
2021 FUND-OBJ Expense Summary / Register 000143 (continued)

13-5800	1,995.00	
13-9110*		6,469.99-
Totals for Fund 13	6,469.99	6,469.99-
21-5800	5,274.00	
21-9110*		5,274.00-
Totals for Fund 21	5,274.00	5,274.00-
63-5200	195.42	
63-5530	121.44	
63-5800	1,654.84	
63-5903	4,667.02	
63-5904	45.00	
63-9110*		6,683.72-
Totals for Fund 63	6,683.72	6,683.72-
Totals for Register 000143	27,383.26	27,383.26-

* denotes System Generated entry

Net change to Cash 9110 27,383.26- Credit

Mendocino Unified School District



MINUTES

Board Study Session

JANUARY 6, 2021

**MENDOCINO K-8 SCHOOL
44261 LITTLE LAKE ROAD
MENDOCINO, CA 95460**

9:00 A.M to 12:00 A.M

VIA TELECONFERENCE

Join Zoom Meeting

<https://zoom.us/j/92271870179?pwd=bWhlbEZFdKFSb3NZRnJQYmlWb09ndz09>

Meeting ID: 922 7187 0179 Passcode: 6hNHuD

Dial by your location

+1 669 900 9128 US (San Jose)

Meeting ID: 922 7187 0179

Passcode: 162527

*Please "mute" your device during the meeting.
MUSD is not available for technical support for remote meetings.*

Board Priorities

- *Develop and expand community partnerships and communication*
- *Increase learning and achievement for all students, families, and staff*
- *Plan wisely for the future while maintaining fiscal integrity*
- *Maintain and improve the physical plant*

Any writings distributed either as part of the Board packet, or within 72 hours of a meeting, can be viewed at the District Office: 44141 Little Lake Road, Mendocino, CA 95460. Board backup materials are also located on the MUSD website at <http://www.mendocinoused.org/District/2285-Untitled.html>

In compliance with Government Code section 54954.2(a) Mendocino Unified School District will, on request, make agendas available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals who need this agenda in an alternative format or who need a disability related modification or accommodation in order to participate in the meeting should contact, Erin Placido Exec. Assistant to the Superintendent, in writing at P.O. Box 1154, Mendocino, CA 95460 or via email at doerin@mcn.org.

MENDOCINO UNIFIED SCHOOL DISTRICT IS PROUD TO BE AN EQUAL OPPORTUNITY EMPLOYER

1. 9:00 A.M. OPEN SESSION

- 1.1. Call to order and roll call

The meeting was called to order at 9:04 A.M. Virtually present were Trustee's Aum, Gay, Grinberg, Schaeffer, Morton

- 1.2. Approval of agenda

Items to be removed from the agenda or changes to the agenda should be done at this time.

MSA Morton/Schaeffer (5/0) to approve the agenda.

2. PARENT/COMMUNITY COMMENT

Under the requirements of the Brown Act and open meeting laws, members of the community wishing to address an item on the agenda may do so at this time or when the item comes before the Board. Items not on the agenda cannot be addressed at this time. A three-minute limit is set for each speaker on all items. The total time for public input on each item is limited to 20 minutes. (Government Code 54952). The Board may briefly respond to public comments by asking questions to clarify the speaker's comments and refer the speaker to the Superintendent for further clarification. We thank you for your comments and participation at this meeting.

There were no parent/community comments.

3. INFORMATION/DISCUSSION/POSSIBLE ACTION ITEMS

- 3.1. MHS Bond Update

The Board will hear updates to the MHS design, meetings with the Division of State Architect, solar project, environmental and cultural site studies, and progress of work with the Mendocino Historical Review Board. (information)

- 3.2. Caspar Creek Charter School

The Board will receive an update and discuss the Caspar Creek Charter School petition appeal to the Mendocino County Office of Education (discussion)

- 3.3. Board Meeting Norms

The Board will discuss meeting norms and processes. (discussion)

- 3.4. Board Self-Evaluation

The Board will discuss the process and possible tools for self-evaluation. (discussion)

- 3.5. District Reopening Update

The Board will discuss possible parameters for the reopening of MUSD schools. (discussion)

- 3.6. Lease/Leaseback RFP Evaluation

The Board will discuss the process and timeline that will be used to evaluate the contractor proposals. (discussion)

4. ADJOURNMENT

The next Board meeting is scheduled for **January 21, 2021** via Zoom.

The meeting was adjourned at 12:08 P.M.

Mendocino Unified School District



MINUTES

Regular Board Meeting

JANUARY 21, 2021

**MENDOCINO K-8 SCHOOL
44261 LITTLE LAKE ROAD
MENDOCINO, CA 95460**

4:00 P.M. CLOSED SESSION - VIA TELECONFERENCE

(Closed Session Public Hearing - link on page 2)

5:00 P.M. OPEN SESSION - VIA TELECONFERENCE

Join Zoom Meeting

<https://zoom.us/j/98969094981?pwd=Q1JxK0RRVWxtRldYK29KeW1UaUt6QT09>

Meeting ID: 989 6909 4981 Passcode: N4bX4C

Dial by your location

+1 669 900 9128 US (San Jose)

Meeting ID: 989 6909 4981 Passcode: 662330

Please "mute" your device during the meeting.

MUSD is not available for technical support for remote meetings.

If the public wishes to make a comment regarding any closed session item before the Board adjourns to closed session, please email JMorse@mcn.org

Board Priorities

- *Develop and expand community partnerships and communication*
- *Increase learning and achievement for all students, families, and staff*
- *Plan wisely for the future while maintaining fiscal integrity*
- *Maintain and improve the physical plant*

Any writings distributed either as part of the Board packet, or within 72 hours of a meeting, can be viewed at the District Office: 44141 Little Lake Road, Mendocino, CA 95460. Board backup materials are also located on the MUSD website at <http://www.mendocinoused.org/District/2285-Untitled.html>

In compliance with Government Code section 54954.2(a) Mendocino Unified School District will, on request, make agendas available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals who need this agenda in an alternative format or who need a disability related modification or accommodation in order to participate in the meeting should contact, Erin Placido Exec. Assistant to the Superintendent, in writing at P.O. Box 1154, Mendocino, CA 95460 or via email at doerin@mcn.org.

MENDOCINO UNIFIED SCHOOL DISTRICT IS PROUD TO BE AN EQUAL OPPORTUNITY EMPLOYER

1. 4:00 P.M., CLOSED SESSION CALL TO ORDER AND ROLL CALL

- 1.1. Call to order and roll call

The meeting was called to order at 4:06 P.M. Virtually present were Trustees Gay, Morton, Grinberg, Aum, and Schaeffer.

- 1.2. The President will verbally identify the agenda items to be discussed during closed session as listed below.

The president verbally identified the agenda items to be discussed.

2. PUBLIC HEARING FOR CLOSED SESSION

Members of the public may take this opportunity to comment on closed session agenda items per Board Policy 9322. Under the requirements of the Brown Act open meeting law, members of the community wishing to address an item on the closed session agenda may do so at this time. Items not on the agenda cannot be addressed at this time. A three-minute limit is set for each speaker on all items. The total time for public input on each item is limited to 20 minutes. (Government Code 54954.3).

<https://zoom.us/j/95406922314?pwd=eCtzU0ZhZDFCUWlxRWduZVdmK3E1QT09>

Meeting ID: 954 0692 2314 Passcode: qN23mN

Dial by your location +1 669 900 9128 US (San Jose) Meeting ID: 954 0692 2314 Passcode: 460510

There was no one present for the Public Hearing.

3. CLOSED SESSION

The Board will adjourn to closed session pursuant to Government Code 54950 - 54962.

- 3.1. Conference with labor negotiators (Govt. Code 54957.6) Agency Representative: Superintendent Jason Morse

Employee organizations: CEMUS and MTA bargaining units and unrepresented employees

- 3.2. Employment/Personnel Changes

- 3.3. Conference with Legal Counsel – Anticipated Litigation Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9. Number of cases: 1

- 3.4. Public Employee Discipline/Dismissal/Release (Govt. Code 54956.9)

4. 5:00 P.M. RECONVENE TO OPEN SESSION

- 4.1. Call to order and roll call

The meeting was called to order at 5:02 P.M. Virtually present were Trustees Gay, Morton, Grinberg, Aum, Schaeffer and Student Trustee Jung.

- 4.2. Closed session disclosure

Any reportable action taken during closed session will be disclosed at this time.

Closed session will resume at the conclusion of Open Session.

- 4.3. Approval of agenda

Items to be removed from the agenda or changes to the agenda should be done at this time.

MSA Grinberg/Schaeffer (5/0) to approve the agenda as presented.

5. CONSENT AGENDA

Items on the consent agenda are passed in one motion without discussion. Any item may be pulled from the consent agenda by any member of the Board and moved to action when approving the agenda. (action)

- 5.1. Approval of Warrants

5.1.1. 12/3/20, 12/10/20, 12/17/20, 12/31/20

- 5.2. Approval of Minutes

5.2.1. Board Meeting Minutes: 12/14/20

- 5.3. Approval of Employment/Personnel Changes
 - 5.3.1. Hire, Long-Term Sub, 3 days/week, effective 1/4/21
- 5.4. Approval of the Current Budget Change Report
- 5.5. Approval of Cafeteria Financial Report through December 2020
- 5.6. Approval of Enrollment and Attendance Reports Month 3
- 5.7. Approval of Williams Settlement Quarterly Uniform Complaint Report for Quarter 2 of the 2020-21 school year.
- 5.8. Approval of Client Services Agreement between MUSD and Soliant Health/VocoVision regarding contracted Telepractice Services, effective 1/4/21 – 6/18/21.
- 5.9. Approval of Fieldwork Site Agreement between MUSD and Brandman University regarding the Greenwood Preschool field work experience oversight.
- 5.10. Approval of Student Body Reports – December
- 5.11. Approval of the 2019-20 Student Accountability Report Cards (SARC's)
- 5.12. Approval of the final changes made to the 2020-21 Board Meeting Calendar at the 12/14/20 Board meeting
- 5.13. Approval of Certificated Counselor, while on FMLA/CFRA leave, requests intermittent leave of 1 hour/week for clinical supervision
- 5.14. Final Approval of Board Policy/Administrative Regulation/Exhibits
 - 5.14.1. BP/AR 5145.3: Nondiscrimination/Harassment (students)
 - 5.14.2. BP/AR 6174: Education for English Learners (instruction)
 - 5.14.3. BP/AR 4119.11, 4219.11, 4319.11: Sexual Harassment (personnel)
 - 5.14.4. AR 4119.12, 4219.12, 4319.12: Title IX Harassment Complaint Procedures (personnel)
 - 5.14.5. BP/AR 5145.7: Sexual Harassment (students)
 - 5.14.6. AR 5145.71: Title IX Sexual Harassment Complaint Procedures (students)

MSA Schaeffer/Morton (5/0) to approve the Consent Agenda.

6. COVID-19 INFORMATION AND DISCUSSION

Dr. William Miller will attend the Board meeting to provide information regarding COVID-19, safety precautions and an update on vaccines.

Dr. William Miller, Chief of Staff of Adventist Health (Mendocino Coast), provided the board with information as it relates to the COVID-19 vaccine, safety precautions and his thoughts on students returning to the classroom.

7. REPORTS

7.1. Student Trustee – Olivia Jung

Student Trustee Jung reported that this past week has been finals week at the High School so students have been working hard and trying to get those grades up. The next semester starts

next week. Lately ASB has been working on many projects including making a website and trying to find ways to build community even when we're not physically together. Some ideas include: rallies, Valentine's Day gift ideas, and even have pen pals. Also coming up are school sanctioned sport cohorts of small groups. Lastly, a big "thank you" on behalf of all of MHS and MCHS to the MUSE Board for buying every student a yearbook this year.

7.2. Administrative

7.2.1. Principal – Kim Humrichouse

Principal Humrichouse provided an update on student/staff. See attached presentation.

7.2.2. Superintendent – Jason Morse

Superintendent Morse thanked Erin Placido for coordinating the recent vaccine clinic along with Fort Bragg Unified School District. The event was great. Staff gets their second dose on February 12th. It was nice to meet with fellow colleagues and share the hope that was obviously present in the gymnasium and share the gratitude for our area and opportunity. It was nice to be in a room with others who we haven't seen in a while.

A family in our District donated \$50 Safeway gift cards to each family that also received a holiday food box (35 families). Another MUSD family donated enough oats, granola, cereal and fruit for each box family. The High School ASB collected 930 items from their canned food drive. This is the largest number yet. The Interact Club also donated \$500 to the food boxes.

Most of his time is spent working on the High School Modernization project as well as reading the requirements for the School Reopening. February 15th is the deadline to notify families of their transfer application status. We are currently supporting 39 families with Internet support. People are very grateful.

7.3. Bargaining Units

7.3.1. Mendocino Teachers Association (MTA)

President Pam Duncan noted that all teachers are working on report cards and are planning for the next semester. Gathering and distributing supplies is very time consuming. Big thanks to Becky Walker for coordinating the vaccine clinic. The vibe during that event was very positive. Staff would like to thank Erin Placido for helping schedule the clinic and testing and being very supportive.

7.3.2. Classified Employees of Mendocino Unified Schools (CEMUS)

No one present from CEMUS.

7.4. Board Trustee Reports

Trustee Schaeffer: There seems to be confusion at the State level is something that he spends a lot of time trying to figure out. The more time spent, the more confused he becomes. Not going to be solved in the short term. More confusion is to come.

Trustee Grinberg: Nothing to report

Trustee Gay: Nothing to report

Trustee Morton: It's been very positive to work on the High School project. The process has been positive and he is grateful for the participation. Great to work on something that benefits the students. Thanks to Jason for inviting Dr. Miller. (* Trustee Grinberg suggested the invite)*

Trustee Aum: Seconds Trustee Morton regarding the High School project. He is enjoying the collaborative process.

8. TIMED ITEM 6:00 P.M. - PARENT/COMMUNITY COMMENT

Items not on the agenda, but within the jurisdiction of this body, may be addressed at this time or be submitted to the Superintendent in writing for Board consideration as an agenda item. A three-minute limit is set for each speaker on all items. The total time for public input on each item is limited to 20 minutes (Government Code 54952). The Brown Act does not permit the Board to take action on any item that is not on the agenda. In addition, in order to protect the rights of all involved, complaints about employees should be addressed through the District complaint process. Speaking about a personnel issue at a Board meeting may prevent the Board from being able to act on it. Please see an administrator to initiate the complaint process.

The Board may briefly respond to public comments by asking questions to clarify the speaker's comments and refer the speaker to the Superintendent for further clarification. We thank you for your comments and participation at this meeting.

There were no parent/community comments.

9. INFORMATION/DISCUSSION/POSSIBLE ACTION ITEMS

9.1. 2020-21 School Year Reopening Update

The Board will discuss the reopening plans for the remainder of the 2020-21 school year (discussion/action)

Superintendent Morse gave an update on the reopening plans for the remainder of the school year. We are still working within the Tier System set up by the State. Work is ongoing to make sure that all the plans needed are in place. Superintendent Morse would like to change the narrative to "How we can open versus how we cannot". We owe it to our communities to figure out a way to open. Superintendent Morse will discuss this topic again at the February Board meeting.

9.2. Resolution 2021-01: Lease/Leaseback Contractor Selection

The Board will select the contractor for the Lease/Leaseback Construction Services for the Mendocino High School Modernization Project (action)

MSA Grinberg/Gay (4/1) to approve Resolution 2021-01. Roll call vote: Student Trustee Jung (aye), Trustee Gay (aye), Trustee Grinberg (aye), Trustee Morton (aye), Trustee Schaeffer (nay), Trustee Aum (aye).

9.3. Acceptance of a grant donation of \$25,000 from the Community Foundation of Mendocino County "Jantzen-Romelli Donor Advised Fund" to be used at the discretion of Tobin Hahn, principal of the Mendocino High School for scholarships, music program, athletics, etc. (action)

MSA Schaeffer/Gay (5/0) to accept the grant donation.

9.4. Re-Certification of 1st Interim Budget Report & Budget Overview for Parents

MUSD Business Manager, Jason Fruth, will present changes to the 1st Interim Budget Report, which includes the Budget Overview for Parents, to the Board for consideration and approval (action)

MSA Schaeffer/Morton (5/0) to re-certify the 1st Interim Budget Report & Budget Overview for Parents.

9.5. Board Policies and Administrative Regulations (as information only)

9.5.1. BP/AR 3513.3: Tobacco Free Schools (business & non-instructional operations)

9.5.2. BP/AR 4030: Non Discrimination in Employment (personnel)

9.5.3. BP/E 4040: Employee Use of Technology (personnel)

9.5.4. BP/AR/E 4119.42: Exposure to Bloodborne Pathogens (personnel)

The Board will hear these policies and regulations as a first reading at the February Board meeting.

10. FUTURE AGENDA ITEMS

MCN 2nd Qtr Report, Winter Consolidated Program Application, Audit Report

The Board would like to hear a College Preparedness Update at the February Board meeting.

11. ADJOURNMENT

The next Board meeting is scheduled for **February 10, 2021**.

The Board adjourned to reconvene Closed Session at 7:02 P.M.

Closed Session reconvened at 7:02 P.M. and adjourned at 8:10 P.M with no reportable actions.

Mendocino K8 Schools

Board Report 12/1/21



End of 1st Semester

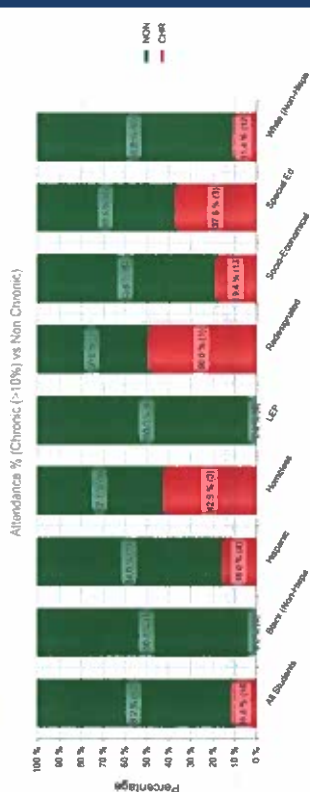
Students:

- Busy completing 1st semester course work
- Busy wrapping up the semester
- Grading and completing report cards
- Working on scope and sequence for 2nd semester lessons
- Rolling out new "clubs": guitar, cooking, drama, social/art

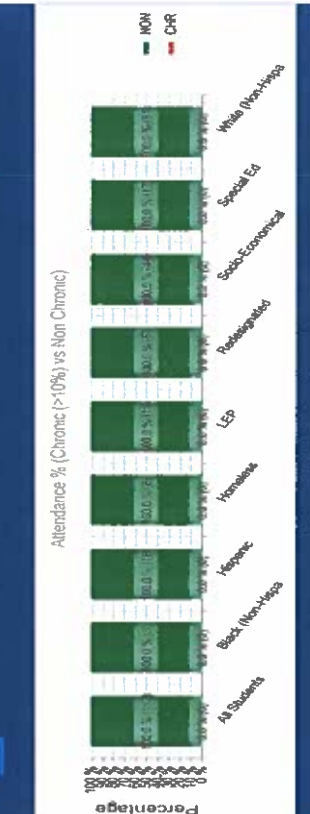
Teachers:

Standards-based Report Cards:

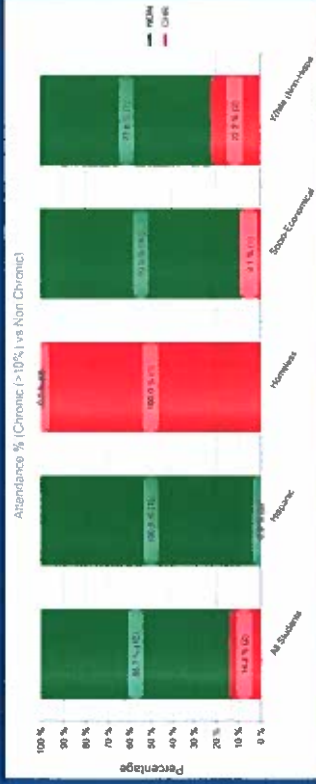
Attendance K-5



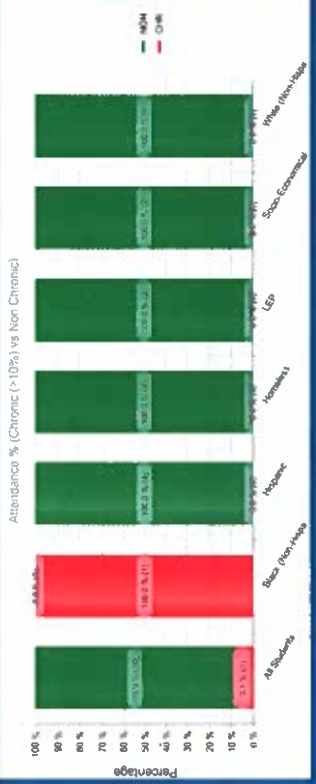
Attendance 6-8



Attendance Albion



Attendance Comptche



Transitions/Supports

Families in Transition

- Looking for housing
- Moving out of area/into our area

Family Supports

- Many families focused on meeting primary needs (food, shelter, clothing)
 - 35 families (140 people) received food boxes @ Winter Break
 - 85 student received gifts
- Family Engagement Team: continues to support students with engagement (home visits, in-person options, 1-1 virtual sessions, connection to outside agencies, regular check-ins, etc.)

School-wide

Reopening

- Processing new guidelines and requirements
- COVID Safety Plan (CSP)- COVID Prevention Program (CPP) + School Guidance Checklist

Vaccinations

- Thank you to Erin Placido
- Thank you to Becky Walker and Fort Bragg USD

School Accountability Report Cards

Mendocino Alternative

<https://www.sarconline.org/public/summary/23655812330306/2019%E2%80%932020>

Mendocino Sunrise High

<https://www.sarconline.org/public/summary/23655812330090/2019%E2%80%932020>

Albion Elementary

<https://www.sarconline.org/public/summary/23655816116149/2019%E2%80%932020>

Comptche Elementary

<https://www.sarconline.org/public/summary/23655816025142/2019%E2%80%932020>



Payment receipt

You paid \$725.00

to ARTISTIC BRONZE INC. on 8/12/2020

Invoice no.	26234
Invoice amount	\$725.00
Total	\$725.00

Payment method	MASTERCARD***
Transaction ID	PL0042397926



Mendocino Unified School District
2020-21 Combined General Fund Budget Change Report
February 2021

REVENUES:		January Meeting	February Meeting	Change	Notes
REVENUE LIMIT SOURCES					
8011	State Aid - Current Year	\$1,706,031	\$1,706,031	\$0	
80xx	Learning Loss Mitigation (LLM)	\$306,219	\$306,219	\$0	
8012	Education Protection Account	\$99,800	\$99,800	\$0	
8021	Homeowners' Exemptions Tax	\$41,200	\$41,200	\$0	
8022	Timber Yield Tax	\$120,000	\$160,000	\$40,000	Higher Expected Rev
8029	Other Subventions/In-Lieu Taxes	\$0	\$107	\$107	Unexpected Rev
8041	Secured Roll Taxes	\$5,360,329	\$5,360,329	\$0	
8042	Unsecured Taxes	\$155,665	\$155,665	\$0	
8043	Prior Years' Taxes	\$2,500	\$4,121	\$1,621	Higher Expected Rev
8044	Supplemental Taxes	\$0	\$0	\$0	
8091	Revenue Limit Transfers	-\$75,000	-\$75,000	\$0	
Total Revenue Limit Sources		\$7,716,744	\$7,758,472	\$41,728	
FEDERAL REVENUES					
8181	Special Education Entitlement	\$92,361	\$92,361	\$0	
8182	Discretionary Grants	\$3,200	\$3,200	\$0	
8285	Interagency Contracts between LEAs	\$0	\$0	\$0	
8290	All other Federal Revenue	\$81,419	\$289,179	\$207,760	CARES
Total Federal Revenues		\$176,980	\$384,740	\$207,760	
OTHER STATE REVENUES					
8311	Other St. Apportionments Current Yr.	\$0	\$0	\$0	
8550	Mandated Cost Reimbursements	\$20,987	\$20,987	\$0	
8560	State Lottery Revenue	\$96,722	\$96,722	\$0	
8590	All Other State Revenue	\$375,359	\$375,359	\$0	
Total Other State Revenues		\$493,068	\$493,068	\$0	
OTHER LOCAL REVENUES					
8622	Non-Ad Valorem Taxes	\$89,000	\$89,000	\$0	
8631	Sale of Equipment & Supplies	\$0	\$0	\$0	
8650	Leases and Rentals	\$0	\$0	\$0	
8660	Interest	\$23,000	\$23,000	\$0	
8662	Net Increase in Fair Value Investment	\$0	\$0	\$0	
8675	Transport. Fees from Individuals	\$0	\$0	\$0	
8677	Transportation & Interagency Services	\$21,730	\$21,730	\$0	
8689	Other Fees and Contracts	\$1,000	\$1,000	\$0	
8699	All Other Local Revenue	\$27,385	\$52,385	\$25,000	
8792	Transfer of Apportionment from COE	\$237,726	\$237,726	\$0	
Total Other Local Revenues		\$399,841	\$424,841	\$25,000	
TOTAL REVENUES		\$8,786,633	\$9,061,120	\$274,487	

		January	February	
EXPENDITURES:		Meeting	Meeting	Change
CERTIFICATED SALARIES				
1100	Teachers' Salaries	\$2,686,849	\$2,686,849	\$0
1200	Pupil Support Salaries	\$298,146	\$298,146	\$0
1300	Supervisors' and Admin Salaries	\$367,078	\$367,078	\$0
1900	Other Certificated Salaries	\$600	\$600	\$0
Total Certificated Salaries		\$3,352,673	\$3,352,673	\$0
CLASSIFIED SALARIES				
2100	Instructional Aides' Salaries	\$225,678	\$225,678	\$0
2200	Support Salaries	\$596,744	\$596,744	\$0
2300	Supervisors' and Admin Salaries	\$383,922	\$383,922	\$0
2400	Clerical and Office Salaries	\$439,022	\$439,022	\$0
2900	Other Classified Salaries	\$19,736	\$19,736	\$0
Total Classified Salaries		\$1,665,102	\$1,665,102	\$0
EMPLOYEE BENEFITS				
310X	STRS	\$847,633	\$847,633	\$0
320X	PERS	\$359,542	\$359,542	\$0
33XX	OASDI/Medicare	\$182,020	\$182,020	\$0
340X	Health & Welfare Benefits	\$903,203	\$903,203	\$0
350X	Unemployment Insurance	\$2,432	\$2,432	\$0
360X	Workers' Compensation	\$150,201	\$150,201	\$0
370X	Other Post-Employment Benefits	\$53,877	\$53,877	\$0
390X	Other Benefits (Ret. Inc. & Board bene.)	\$40,826	\$40,826	\$0
3xxx	Est Staff Red	-\$50,000	-\$50,000	\$0
Total Employee Benefits		\$2,489,733	\$2,489,733	\$0
BOOKS AND SUPPLIES				
4100	Approved Textbooks & Core Materials	\$0	\$0	\$0
4200	Books & Other Reference Materials	\$33,031	\$33,031	\$0
4300	Materials and Supplies	\$275,696	\$275,696	\$0
4400	Noncapitalized Equipment	\$50,500	\$50,500	\$0
Total Books and Supplies		\$359,227	\$359,227	\$0
SERVICES, OTHER OPERATING EXPENSES				
5100	Subagreements for Services	\$35,000	\$35,000	\$0
5200	Travel & Conference	\$16,409	\$16,409	\$0
5300	Dues and Memberships	\$18,805	\$18,805	\$0
5450	Insurance	\$89,492	\$89,492	\$0
5500	Operation & Housekeeping Services	\$225,965	\$225,965	\$0
5600	Rentals, Leases, Repairs, Improvmts	\$41,656	\$41,656	\$0
5800	Consulting Svcs and Op Expenses	\$265,880	\$265,880	\$0
5900	Communications	\$34,701	\$34,701	\$0
Total Services and Other Operating Expenses		\$727,907	\$727,907	\$0
CAPITAL OUTLAY				
6400	Equipment / Equipment Replacement	\$0	\$0	\$0
Total Capital Outlay		\$0	\$0	\$0
OTHER OUTGO				
7299	All Other Transfer Out to All Other	\$0	\$0	\$0
7300-7399	Transfer of Indirect Costs	-\$6,000	-\$6,000	\$0
7439	Debt Service - Principal & Interest	\$0	\$0	\$0
Total Other Outgo		-\$6,000	-\$6,000	\$0
TOTAL EXPENDITURES		\$8,588,642	\$8,588,642	\$0
OTHER FINANCING SOURCES AND USES				
8919	Transfer In from MCN Fund	\$40,000	\$40,000	\$0
7612	Transfer Out to Special Reserve Fund	\$0	\$0	\$0
7611	Transfer Out to State Preschool Fund	-\$33,178	-\$33,178	\$0
7616	Transfer Out to Cafeteria	-\$149,697	-\$149,697	\$0
7619	Transfer Out to MCN - telecom	-\$8,190	-\$8,190	\$0
TOT. OTHER FINANCING SOURCES & USES		-\$151,066	-\$151,066	\$0

NET INCREASE (DECR) IN FUND BALANCE		\$46,925	\$321,413	\$274,488
		January	February	
		Meeting	Meeting	Change
FUND BALANCE, RESERVES				
	Beginning Fund Balance	\$1,800,736	\$2,162,318	\$361,582
	Ending Fund Balance	\$1,847,661	\$2,483,730	\$636,069
COMPONENTS OF ENDING FUND BALANCE				
9711	Revolving Cash	\$10,000.00	\$10,000.00	\$0
9740	Restricted Balances	\$34,019.33	\$34,019.33	\$0
9789	Designated for Econ Uncertainty	\$368,260.00	\$368,260.00	\$0
9780	Other Designations:			
9790	General (Undesignated) Reserve	\$1,435,382	\$2,071,451	\$636,069

KEY TRANSFERS IMPACTING THE GENERAL FUND UNALLOCATED RESERVE:

Transfer # Purpose	Amount
Total	\$0

2019-20 Title I, Part A LEA Carryover

Report only expenditures and obligations for fiscal year (FY) 2019-20 allocation to determine funds to be carried over.

CDE Program Contact:

Rina DeRose, Title I Policy, Program, and Support Office, RDeRose@cde.ca.gov, 916-323-0472

Carryover Calculation

2019-20 Title I, Part A LEA allocation	\$38,867
Transferred-in amount	\$10,000
2019-20 Title I, Part A LEA available allocation	\$48,867
Expenditures and obligations through September 30, 2020	\$48,867
Carryover as of September 30, 2020	\$0
Carryover percent as of September 30, 2020	0.00%

*****Warning*****

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

2020-21 Federal Transferability

Federal transferability of funds is governed by Title V in ESSA Section 5102. An LEA may transfer Title II, Part A and or Title IV, Part A program funds to other allowable programs. This transferability is not the same as Title V, Part B Alternative Uses of Funds Authority governed by ESEA Section 5211.

Note: Funds utilized under Title V, Part B Alternative Uses of Funds Authority are not to be included on this form.

CDE Program Contact:

Lisa Fassett, Standards Implementation Support Office, LFassett@cde.ca.gov, 916-323-4963
 Kevin Donnelly, Rural Education and Student Support Office, KDonnelly@cde.ca.gov, 916-319-0942

Title II, Part A Transfers

2020-21 Title II, Part A allocation	\$13,725
Transferred to Title I, Part A	
Transferred to Title I, Part C	
Transferred to Title I, Part D	
Transferred to Title III English Learner	
Transferred to Title III Immigrant	
Transferred to Title IV, Part A	
Transferred to Title V, Part B, Subpart 1 Small, Rural School Achievement Grant	
Transferred to Title V, Part B, Subpart 2 Rural and Low-Income Grant	
Total amount of Title II, Part A funds transferred out	\$0
2020-21 Title II, Part A allocation after transfers out	\$13,725

Title IV, Part A Transfers

2020-21 Title IV, Part A allocation	\$10,000
Transferred to Title I, Part A	\$10,000
Transferred to Title I, Part C	
Transferred to Title I, Part D	
Transferred to Title II, Part A	
Transferred to Title III English Learner	
Transferred to Title III Immigrant	
Transferred to Title V, Part B Subpart 1 Small, Rural School Achievement Grant	
Transferred to Title V, Part B Subpart 2 Rural and Low-Income Grant	
Total amount of Title IV, Part A funds transferred out	\$10,000
2020-21 Title IV, Part A allocation after transfers out	\$0

*****Warning*****

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

2020–21 Title I, Part A LEA Allocation and Reservations

To report LEA required and authorized reservations before distributing funds to schools.

CDE Program Contact:

Sylvia Hanna, Title I Policy, Program, and Support Office, SHanna@cde.ca.gov, 916-319-0948
 Rina DeRose, Title I Policy, Program, and Support Office, RDerose@cde.ca.gov, 916-323-0472

2020–21 Title I, Part A LEA allocation (+)	\$80,104
Transferred-in amount (+)	\$10,000
Nonprofit private school equitable services proportional share amount (-)	\$0
2020–21 Title I, Part A LEA available allocation	\$90,104

Required Reservations

Parent and family engagement (If the allocation is greater than \$500,000, then parent and family engagement equals 1% of the allocation minus the nonprofit private school equitable services proportional share amount.)	\$0
School parent and family engagement	\$0
LEA parent and family engagement	\$0
* Local neglected institutions Does the LEA have local institutions for neglected children?	No
Local neglected institutions reservation	
* Local delinquent institutions Does the LEA have local institutions for delinquent children?	No
Local delinquent institutions reservation	
Direct or indirect services to homeless children, regardless of their school of attendance	\$100

Authorized Reservations

Public school Choice transportation	
Other authorized activities	
2020–21 Approved indirect cost rate	6.62%
Indirect cost reservation	\$5,595
Administrative reservation	\$7,921

Reservation Summary

Total LEA required and authorized reservations	\$13,616
School parent and family engagement reservation	\$0
Amount available for Title I, Part A school allocations	\$76,488

*****Warning*****

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

2020-21 Title II, Part A LEA Allocations

The purpose of this data collection is to calculate the total allocation amount available to the local educational agency (LEA) for Title II, Part A Supporting Effective Instruction.

CDE Program Contact:

Arianna Bobadilla (Fiscal), Division Support Office, ABobadilla@cde.ca.gov, 916-319-0208

Lisa Fassett (Program), Standards Implementation Support Office, LFassett@cde.ca.gov, 916-323-4963

2020-21 Title II, Part A allocation	\$13,725
Transferred-in amount	\$0
Total funds transferred out of Title II, Part A	\$0
Allocation after transfers	\$13,725
Repayment of funds	
2020-21 Total allocation	\$13,725
Administrative and indirect costs	
Equitable services for nonprofit private schools	
2020-21 Title II, Part A adjusted allocation	\$13,725

*****Warning*****

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

2020-21 Title IV, Part A LEA Allocations

The purpose of this data collection is to calculate the total allocation amount available to the local educational agency (LEA) for Title IV, Part A and to report reservations.

CDE Program Contact:

Kevin Donnelly, Rural Education and Student Support Office , KDonnelly@cde.ca.gov , 916-319-0942

2020-21 Title IV, Part A LEA allocation	\$10,000
Transferred-in amount	\$0
Total funds transferred out of Title IV, Part A	\$10,000
2020-21 Title IV, Part A LEA available allocation	\$0
Indirect cost reservation	
Administrative reservation	
Equitable services for nonprofit private schools	
2020-21 Title IV, Part A LEA adjusted allocation	\$0

*****Warning*****

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

2020-21 Consolidation of Administrative Funds

A request by the local educational agency (LEA) to consolidate administrative funds for specific programs.

CDE Program Contact:

Jonathan Feagle, Fiscal Oversight and Support Office, JFeagle@cde.ca.gov, 916-323-8515

Title I, Part A Basic SACS Code 3010	No
Title I, Part C Migrant Education SACS Code 3060	No
Title I, Part D Delinquent SACS Code 3025	No
Title II, Part A Supporting Effective Instruction SACS Code 4035	No
Title III English Learner Students - 2% maximum SACS Code 4203	No
Title III Immigrant Students SACS Code 4201	No
Title IV, Part A Student Support - 2% maximum SACS Code 4127	No
Title IV, Part B 21st Century Community Learning Centers SACS Code 4124	No

*****Warning*****

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

2020–21 Title I, Part A School Student Counts

This data collection contains school-level student data. The information in this data collection will be used by the local educational agency (LEA) to calculate eligibility and ranking for Title I, Part A school allocations.

CDE Program Contact:

Rina DeRose, Title I Policy, Program, and Support Office, RDeRose@cde.ca.gov, 916-323-0472

School ranking options Within the LEA

Select the highest to lowest school ranking method

Select a low income measure FRPM

Explanation of Pre-populated Student Counts

The data fields in this form, containing total student enrollment counts and eligible low income students ages 5-17 counts, were pre-populated with PRIOR year (Fiscal Year 2019–2020) certified data from CALPADS Fall 1 data submission.

Note: The LEA may use prior year data or current year data to calculate eligibility and ranking for Title I, Part A school allocations. The LEA may choose to manually enter current year data in place of prior year data.

School Name	School Code	Low Grade Offered	High Grade Offered	Grade Span Group	Student Enrollment	Eligible Low Income Students Ages 5-17
Albion Elementary	6116149	K	3	1	12	10
Comptche Elementary	6025142	K	3	1	21	11
Mendocino Alternative	2330306	K	12	3	12	4
Mendocino High	2333185	9	12	3	168	67
Mendocino K-8	6025167	K	8	1	304	145
Mendocino Sunrise High	2330090	9	12	3	8	3

*****Warning*****

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

California Department of Education

Mendocino Unified (23 65581 0000000)

Consolidated Application

Status: Draft
 Saved by: Jason Fruth
 Date: 2/5/2021 12:25 AM

2020–21 Title I, Part A School Allocations

This report identifies the amount of Title I, Part A funds to be allocated to eligible schools.

CDE Program Contact:

Lana Zhou, Title I Policy, Program, and Support Office, LZhou@cde.ca.gov, 916-319-0956
 Rina DeRose, Title I Policy, Program, and Support Office, RDeRose@cde.ca.gov, 916-323-0472

LEA meets small LEA criteria.

An LEA is defined as a small LEA if, based on the school list and the data entered in School Student Counts, the LEA meets one or both of the following:

- Is a single school LEA
- Has enrollment total for all schools less than 1,000

If applicable, enter a Discretion Code. Use lower case only.

Allowable Discretion Codes

- a - Below LEA average and at or above 35% student low income
- d - Waiver for a desegregation plan on file
- e - Grandfather provision
- f - Feeder pattern

Low income measure FRPM
 Ranking Schools Highest to Lowest Within the LEA
 LEA-wide low income % 45.71%
 Available Title I, Part A school allocations \$76,488
 Available parent and family engagement reservation \$0

School Name	School Code	Grade Span Group	Student Enrollment	Eligible Low Income Students Ages 5-17	Low Income Student %	Eligible to be Served	Required to be Served	Ranking	\$ Per Low Income Student	TIA School Allocation	2019–20 Carryover	Parent and Family Engagement	Total School Allocation	Discretion Code
Albion Elementary	6116149	1	12	10	83.33	*	*	1	369.86	3698.60			3698.60	
Comptche Elementary	6025142	1	21	11	52.38	*	*	2	0.00	0.00			0.00	

*****Warning*****

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

2020–21 Title I, Part A School Allocations

This report identifies the amount of Title I, Part A funds to be allocated to eligible schools.

School Name	School Code	Grade Span Group	Student Enrollment	Eligible Low Income Students Ages 5-17	Low Income Student %	Eligible to be Served	Required to be Served	Ranking	\$ Per Low Income Student	TIA School Allocation	2019–20 Carryover	Parent and Family Engagement	Total School Allocation	Discretion Code
Mendocino K-8	6025167	1	304	145	47.70	*	*	3	301.25	43681.25			43681.25	
Mendocino High	2333185	3	168	67	39.88	*	*	4	434.45	29108.15			29108.15	
Mendocino Sunrise High	2330090	3	8	3	37.50	*	*	5	0.00	0.00			0.00	
Mendocino Alternative	2330306	3	12	4	33.33	*	*	6	0.00	0.00			0.00	

*****Warning*****

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

California Department of Education

Mendocino Unified (23 65581 0000000)

Consolidated Application

Status: Draft
Saved by: Jason Fruth
Date: 2/5/2021 12:27 AM

2020–21 Title I, Part A Notification of Authorization of Schoolwide Program

This report provides notification to the California Department of Education of a school's eligibility and local board approval to operate under and report as Schoolwide Program.

CDE Program Contact:

Lana Zhou, Title I Policy, Program, and Support Office, LZhou@cde.ca.gov, 916-319-0956
Rina DeRose, Title I Policy, Program, and Support Office, RDeRose@cde.ca.gov, 916-323-0472

School Name	School Code	Authorized SWP	Low Income %	Local Board Approval Date SWP Plan (MM/DD/YYYY)	Local Board Approval Date SWP Waiver (MM/DD/YYYY)	SIG Approval Date (MM/DD/YYYY)
Albion Elementary	6116149	N				
Comptche Elementary	6025142	N				
Mendocino Alternative	2330306	N				
Mendocino High	2333185	N				
Mendocino K-8	6025167	N				
Mendocino Sunrise High	2330090	N				

*****Warning*****

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.



Certified Public Accountants serving
K-12 School Districts and Charter
Schools throughout California

January 21, 2021

Mendocino Unified School District
44141 Little Lake Road
Mendocino, CA 95460

We are pleased to confirm our understanding of the services we are to provide Mendocino Unified School District for the fiscal year ending June 30, 2021. We will audit the financial statements of the governmental activities and the major fund, which collectively comprise the basic financial statements, of Mendocino Unified School District as of and for the fiscal year ending June 30, 2021. Accounting standards generally accepted in the United States provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement Mendocino Unified School District's basic financial statements. As part of our engagement, we will apply certain limited procedures to Mendocino Unified School District's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion & Analysis.
2. Budgetary Comparison Schedule.
3. Schedule of Changes in OPEB Liability and Related Ratios.
4. Schedules of District's Proportionate Share of Net Pension Liability
5. Schedules of District Contributions

We have also been engaged to report on supplementary information other than RSI that accompanies Mendocino Unified School District's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

1. Schedules and/or information as required by the State Controller's Office.

348 Olive Street
San Diego, CA
92103

O: 619-270-8222
F: 619-260-9085
christywhite.com

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to above when considered in relation to the financial statements as a whole.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The paragraph will also state that the report is not suitable for any other purpose. If during our audit we become aware that Mendocino Unified School District is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States and *Standards and Procedures for Audits of California K-12 Local Educational Agencies*, published by the Education Audit Appeals Panel, and will include tests of accounting records and other procedures we consider necessary to enable us to express such opinions. Our reports will be addressed to the governing board of Mendocino Unified School District. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue report, or may withdraw from this engagement.

We will prepare a report related to state programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements contained in the *Standards and Procedures for Audits of California K-12 Local Educational Agencies*, published by the Education Audit Appeals Panel.

Audit Procedures – General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the Mendocino Unified School District. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures – Internal Controls

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*.

Audit Procedures – Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Mendocino Unified School District's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance, and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Other Services

We will also assist in preparing the financial statements and related notes of Mendocino Unified School District in conformity with U.S. generally accepted accounting principles based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for (1) establishing and maintaining effective internal controls and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements.

You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, and all accompanying information in conformity with U.S. generally accepted accounting principles, and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others.

In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon OR make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on the organization's website, you understand that electronic sites are a means to distribute information, and therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

You agree to assume all management responsibilities relating to the financial statements, related notes, and any other non-audit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, and related notes and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the non-audit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Audit Administration, Fees, and Other

The audit documentation for this engagement is the property of Christy White, Inc and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to the Comptroller General of the United States or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Christy White, Inc personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others.

The audit documentation for this engagement will be retained for a minimum of seven years after the report release or for any additional period requested by the State Controller's Office. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the parties contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit as soon as possible and to issue our reports no later than December 15. The maximum annual fee for auditing services under the terms of this agreement shall not exceed the following agreed upon amounts:

<u>Fiscal Year</u> <u>Ending</u>	<u>Total Maximum</u> <u>Audit Fees</u>
June 30, 2021	\$ 14,000

The maximum annual fee for auditing services shall not exceed the above amounts, with the exception that any auditing services provided for (1) significant changes in Mendocino Unified School District audit requirements as stated in *Government Auditing Standards* or the Audit Guide issued by the Education Audit Appeals Panel, or (2) any changes in the number of funds or accounts maintained by the Mendocino Unified School District during the period under this agreement, shall be in addition to the above maximum fee.

Our invoices for these fees will be rendered upon completion of fieldwork as follows: 25% of contract upon completion of site testing, 25% of contract upon completion of interim testing and 50% of contract upon completion of year end fieldwork and are payable on presentation. In accordance with Education Code Section 14505 as amended, ten percent (10%) of the audit fee shall be withheld pending certification of the audit report by the Office of the State Controller and fifty percent (50%) of the audit fee shall be withheld for any subsequent year of a multi-year contract if the prior year's audit report was not certified as conforming to the reporting provisions of the Audit Guide.

If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our reports. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination.

If any dispute arises among the parties hereto, the parties agree to first try in good faith to settle the dispute by mediation under Rules for Professional Accounting and Related Services Disputes before resorting to litigation. Costs of any mediation proceeding shall be shared equally by all parties.

Client and accountant both agree that any dispute over fees charged by the accountant to the client will be submitted for resolution by arbitration. Such arbitration shall be binding and final. In agreeing to arbitration, we both acknowledge that in the event of a dispute over fees charged by the accountant, each of us is giving up the right to have the dispute in a court of law before a judge or jury and instead we are accepting the use of arbitration for resolution.

This audit contract is null and void if the firm is declared ineligible to audit K-12 school districts pursuant to subdivision (c) of Education Code Section 41020.5. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

The first period to be audited shall be for the fiscal year ending June 30, 2021. Additional extensions beyond 2021 may be secured on a year by year basis, subject to the agreement of the District and the auditor.

In accordance with *Government Auditing Standards*, upon request, we will provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract.

Christy White, Inc has a non-licensee owner who may provide client services in your contract under the supervision of licensed owner.

We appreciate the opportunity to be of service to the Mendocino Unified School District and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



Michael Ash, CPA
Partner
Christy White, Inc

RESPONSE:

This letter correctly sets forth the understanding of Mendocino Unified School District.

Signature

Title

Date



Certified Public Accountants serving
K-12 School Districts and Charter
Schools throughout California

January 21, 2021

Mendocino Unified School District
44141 Little Lake Road
Mendocino, CA 95460

We are pleased to confirm our understanding of the services we are to provide Mendocino Unified School District for the fiscal year ending June 30, 2021. We will conduct a financial statement and performance audit to include the balance sheet of the **Measure H Bond** of Mendocino Unified School District as of June 30, 2021, with the and the related statement of revenues, expenditures and changes in fund balance for the fiscal years ending June 30, 2021. The audit will be conducted in accordance with Article 13A of the California Constitution.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and whether the District complied with the compliance requirements over the deposit and use of Measure H Bond funds. In addition, we will issue an opinion on performance requirements of Proposition 39 which include whether the expenditures are allowable in accordance with applicable laws, regulations and the voter approved measure. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of the accounting records of Mendocino Unified School District and other procedures we consider necessary to enable us to express such opinions. If our opinions on the financial statements are other than unqualified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

The reports on internal control and compliance will each include a paragraph that states that the purpose of the report is solely to describe the scope of testing of internal control over financial reporting and compliance, and the result of that testing, and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance, and that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering internal control over financial reporting and compliance. The paragraph will also state that the report is not suitable for any other purpose. If during our audit we become aware that Mendocino Unified School District is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

348 Olive Street
San Diego, CA
92103

O: 619-270-8222
F: 619-260-9085
christywhite.com

Audit Procedures – General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the District or to acts by management or employees acting on behalf of the District. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors or any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of the inventories, and direct confirmation of certain assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We may request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will also require certain written representations from you about the financial statements and related matters.

Audit Procedures – Internal Controls

Our audit will include obtaining an understanding of the District and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

Audit Procedures – Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Mendocino Unified School District's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

We will provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with laws, regulations, and the provisions of contracts or grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. We will also provide a Performance Audit report, as required by Proposition 39, which will also be conducted in accordance with *Government Auditing Standards*.

Other Services

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of District Name in conformity with U.S. generally accepted accounting principles and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. As part of the audit, we will prepare a draft of your financial statements and related notes. You are responsible for making all management decisions and performing all management functions relating to the financial statements and related notes and for accepting full responsibility for such decisions. You will be required to acknowledge in the management representation letter that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you are required to designate an individual with suitable skill, knowledge, or experience to oversee any non-audit services we provide and for evaluating the adequacy and results of those services and accepting responsibility for them. The scope of the non-audit services does not constitute an audit conducted under *Government Auditing Standards*.

Management is responsible for establishing and maintaining internal control, including monitoring ongoing activities: for the selection and application of accounting principles; for the fair presentation in the financial statements of the respective financial position of the **Measure H Bond** of the Mendocino Unified School District and the respective changes in financial position in conformity with U.S. generally accepted accounting principles; and, for compliance with applicable laws and regulations and the provisions of contracts. Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein.

Management is also responsible for making all financial records and related information available to us and for ensuring that management is reliable and financial information is reliable and properly recorded. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements, and grants for taking timely and appropriate steps to remedy any fraud, illegal acts, violations of contracts or grant agreements, or abuse that we may report.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

Audit Administration, Fees, and Other

The audit documentation for this engagement is the property of Christy White, Inc and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to the State Controller's Office or its designee or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Christy White, Inc personnel.

Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of seven years after the report release or for any additional period requested by the State Controller's Office. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the parties contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit as soon as possible and to issue our reports no later than March 31 following the close of year fiscal year. The maximum annual fee for auditing services under the terms of this agreement shall not exceed the following agreed upon amounts:

<u>Fiscal Year</u> <u>Ending</u>	<u>Total Maximum</u> <u>Audit Fees</u>
June 30, 2021	\$ 3,000

The maximum annual fee for auditing services shall not exceed the above amounts, with the exception that any auditing services provided for significant changes in District audit requirements as stated in *Government Auditing Standards* or changes in applicable laws and regulations.

Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our reports. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination.

If any dispute arises among the parties hereto, the parties agree to first try in good faith to settle the dispute by mediation under Rules for Professional Accounting and Related Services Disputes before resorting to litigation. Costs of any mediation proceeding shall be shared equally by all parties.

Client and accountant both agree that any dispute over fees charged by the accountant to the client will be submitted for resolution by arbitration. Such arbitration shall be binding and final. In agreeing to arbitration, we both acknowledge that in the event of a dispute over fees charged by the accountant, each of us is giving up the right to have the dispute in a court of law before a judge or jury and instead we are accepting the use of arbitration for resolution.

This audit contract is null and void if the firm is declared ineligible to audit K-12 school districts pursuant to subdivision (c) of Education Code Section 41020.5. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

The first period to be audited shall be for the fiscal year ending June 30, 2021. Additional extensions beyond 2021 may be secured on a year by year basis, subject to the agreement of the District and the auditor.

In accordance with *Government Auditing Standards*, upon request, we will provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract.

Christy White, Inc has a non-licensee owner who may provide client services in your contract under the supervision of a licensed owner.

We appreciate the opportunity to be of service to Mendocino Unified School District and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



Michael Ash, CPA
Partner
Christy White, Inc

RESPONSE:

This letter correctly sets forth the understanding of Mendocino Unified School District.

Signature

Title

Date



Certified Public Accountants serving
K-12 School Districts and Charter
Schools throughout California

January 22, 2021

Mendocino Community Network
c/o Mendocino Unified School District
44141 Little Lake Road
Mendocino, CA 95460

We are pleased to confirm our understanding of the services we are to provide Mendocino Unified School District for the fiscal year ending June 30, 2021. We will audit the Statement of Fund Net Position, Statement of Revenues, Expenses and Changes in Fund Net Position and Statement of Cash Flows, which collectively comprise the basic financial statements, of Mendocino Community Network (a Proprietary Fund of the Mendocino Unified School District) as of and for the fiscal year ending June 30, 2021.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of the accounting records of Mendocino Community Network and other procedures we consider necessary to enable us to express such opinions. If our opinions on the financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

The reports on internal control and compliance will each include a paragraph that states that the purpose of the report is solely to describe the scope of testing of internal control over financial reporting and compliance, and the result of that testing, and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance, and that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering internal control over financial reporting and compliance. The paragraph will also state that the report is not suitable for any other purpose. If during our audit we become aware that Mendocino Community Network is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. As part of the audit, we will prepare a draft of your financial statements and related notes. You are responsible for making all management decisions and performing all management functions relating to the financial statements and related notes and for accepting full responsibility for such decisions.

348 Olive Street
San Diego, CA
92103

O: 619-270-8222
F: 619-260-9085
christywhite.com

You will be required to acknowledge in the management representation letter that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you are required to designate an individual with suitable skill, knowledge, or experience to oversee any non-audit services we provide and for evaluating the adequacy and results of those services and accepting responsibility for them. The scope of the non-audit services does not constitute an audit conducted under *Government Auditing Standards*.

Management is responsible for establishing and maintaining effective internal controls, including evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met, for the selection and application of accounting principles; and for the fair presentation in the financial statements of the statement of fund net position and statement of changes in fund net position with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for ensuring that management is reliable and financial information is reliable and properly recorded. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements, and grants for taking timely and appropriate steps to remedy any fraud, illegal acts, violations of contracts or grant agreements, or abuse that we may report.

You are responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon OR make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon.

Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) that you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on the organization's website, you understand that electronic sites are a means to distribute information, and therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Audit Procedures – General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to Mendocino Community Network or to acts by management or employees acting on behalf of Mendocino Community Network. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors or any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts and may include tests of the physical existence of the inventories, and direct confirmation of certain assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We may request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will also require certain written representations from you about the financial statements and related matters.

Audit Procedures – Internal Controls

Our audit will include obtaining an understanding of Mendocino Community Network and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

Audit Procedures – Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Mendocino Community Network's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Other Services

We will also assist in preparing the financial statements and related notes of Mendocino Community Network in conformity with U.S. generally accepted accounting principles based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements and related services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Audit Administration, Fees, and Other

The audit documentation for this engagement is the property of Christy White, Inc and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Christy White, Inc personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of seven years after the report release. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the parties contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit as soon as possible and to issue our reports no later than December 15. The maximum annual fee for auditing services under the terms of this agreement shall not exceed the following agreed upon amounts:

Fiscal Year Ending	Total Maximum Audit Fees
June 30, 2021	\$ 3,000

The maximum annual fee for auditing services shall not exceed the above amounts, with the exception that any auditing services provided for (1) significant changes in audit requirements as stated in *Government Auditing Standards*, or (2) any changes in the number of funds or accounts maintained by Mendocino Community Network during the period under this agreement, shall be in addition to the above maximum fee.

Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our reports. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination

If any dispute arises among the parties hereto, the parties agree to first try in good faith to settle the dispute by mediation under Rules for Professional Accounting and Related Services Disputes before resorting to litigation. Costs of any mediation proceeding shall be shared equally by all parties.

Client and accountant both agree that any dispute over fees charged by the accountant to the client will be submitted for resolution by arbitration. Such arbitration shall be binding and final. In agreeing to arbitration, we both acknowledge that in the event of a dispute over fees charged by the accountant, each of us is giving up the right to have the dispute in a court of law before a judge or jury and instead we are accepting the use of arbitration for resolution.

The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

The first period to be audited shall be for the fiscal year ending June 30, 2021. Additional extensions beyond 2021 may be secured on a year by year basis, subject to the agreement of Mendocino Community Network and the auditor.

In accordance with *Government Auditing Standards*, upon request, we will provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract

Christy White, Inc has a non-licensee owner who may provide client services in your contract under the supervision of licensed owner.

We appreciate the opportunity to be of service to Mendocino Community Network and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



Michael Ash, CPA
Partner
Christy White, Inc

RESPONSE:

This letter correctly sets forth the understanding of Mendocino Unified School District.

Signature

Title

Date

**RESOLUTION 2021-02:
RESOLUTION OF THE BOARD OF TRUSTEES
OF THE
MENDOCINO UNIFIED SCHOOL DISTRICT**

**Designation Of Business Manager
As A Senior Management Position Pursuant To
Education Code Sections 45100.5 And 45108.5**

WHEREAS, Mendocino Unified School District (“District”) requires the services of a Business Manager; and

WHEREAS, the Business Manager is the fiscal advisor to the Superintendent; and

WHEREAS, Education Code section 45100.5 and 45108.5, subdivision (a)(2), authorize a school district governing board to designate certain positions, including the fiscal advisor to the superintendent, as senior management of the classified service;

NOW, THEREFORE, IT IS RESOLVED that the Board of Trustees has determined for the reasons set forth above that the position of Business Manager of the Mendocino Unified School District shall be designated as senior management of the classified service.

The foregoing resolution was introduced by Trustee _____, who moved its adoption, second by Trustee _____, and adopted on roll call on February 11, 2021 by the following vote:

	AYE	NO	ABSENT/NOT VOTING
Trustee Grinberg	_____	_____	_____
Trustee Schaeffer	_____	_____	_____
Trustee Morton	_____	_____	_____
Trustee Aum	_____	_____	_____
Trustee Gay	_____	_____	_____

SO ORDERED.

Windspirit Aum, President, Board of Trustees

45100.5.

(a) The governing board of a school district may adopt a resolution designating certain positions as senior management of the classified service. Notwithstanding the provisions of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, the decision of the governing board shall not be deemed a matter subject to negotiation, but shall be subject to review by the Public Employment Relations Board.

(b) Employees whose positions are designated as senior management of the classified service shall be a part of the classified service and shall be afforded all rights, benefits, and burdens of other classified employees, except that they shall be exempt from all provisions relating to obtaining permanent status in a senior management position.

(c) Notice of reassignment or dismissal from a position in the senior management of the classified service shall be provided in accordance with the provisions of Section 35031.

(Added by Stats. 1983, Ch. 498, Sec. 70. Effective July 28, 1983.)

(a) Senior management employee means either of the following:

(1) An employee in the highest position in a principal district program area, as determined by the governing board, which does not require certification qualifications, and which has districtwide responsibility for formulating policies or administering the program area.

(2) An employee who acts as the fiscal advisor to the district superintendent.

(b) The maximum number of positions which may be designated as senior management positions shall be as follows:

(1) For districts with less than 10,000 units of average daily attendance, two positions.

(2) For districts with 10,000 to 25,000 units of average daily attendance, inclusive, three positions.

(3) For districts with 25,001 to 50,000 units of average daily attendance, inclusive, 4 positions.

(4) For districts with more than 50,000 units of average daily attendance, 5 positions.

(c) This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 6 (commencing with Section 45240), as well as to districts which have not adopted the merit system.

(Added by Stats. 1983, Ch. 498, Sec. 72. Effective July 28, 1983.)

MENDOCINO GRAMMAR SCHOOL
STUDENT BODY ACCOUNT
2020-2021 MONTHLY SUMMARY
PERIOD: JANUARY 2021

	BALANCE	INCOME	EXPENSE	NEW BALANCE
KINDERGARDEN	35.10			35.10
1st GRADE	20.00			20.00
2nd GRADE	-72.84			-72.84
3rd GRADE	122.50			122.50
4-5 GRADES	151.34			151.34
COMPTCHE SCHOOL	193.78			193.78
GENERAL STUDENT BODY	3.45	0.01		3.46
MULTI-PURPOSE STAGE	55.78			55.78
To be Reimbursed MUSD	-225.00			-225.00
TOTAL	284.11	0.01	0.00	284.12

**MENDOCINO MIDDLE SCHOOL
STUDENT BODY ACCOUNT
2019-2020 MONTHLY SUMMARY
PERIOD: JANUARY 2021**

DESCRIPTION	Beginning Balance	Income	Expenses	Ending Balance
6-8 Art Field Trips	\$ 839.98			\$ 839.98
6-8 Boys Free Throw	\$ -			\$ -
6-8 Girls Free Throw	\$ -			\$ -
6th Grade Class	\$ 0.08			\$ 0.08
6th Grade Trips	\$ 6,350.48			\$ 6,350.48
6-8 Trips	\$ -			\$ -
7-8 Boy's BB	\$ 640.27			\$ 640.27
7-8 Girl's BB	\$ 744.81			\$ 744.81
7th Grade Class	\$ 2,669.17			\$ 2,669.17
8th Grade Class	\$ -			\$ -
8th Grade Trip	\$ 74.95			\$ 74.95
Art Fund	\$ 2,495.41			\$ 2,495.41
Athletics	\$ 584.41			\$ 584.41
AVID	\$ -			\$ -
Chess Club	\$ -			\$ -
Chorus	\$ 9.00			\$ 9.00
Cooking Club	\$ 283.93			\$ 283.93
Film Club	\$ 99.00			\$ 99.00
Grad Dance	\$ -			\$ -
Maker Faire	\$ -			\$ -
Outdoor Survival	\$ -			\$ -
PE Fund	\$ -			\$ -
School Supplies	\$ 48.96			\$ 48.96
Science	\$ 319.48			\$ 319.48
Student Council	\$ 1,679.10	\$0.89		\$ 1,679.99
Volleyball	\$ 3,330.28			\$ 3,330.28
Yearbook	\$ 413.62			\$ 413.62
Yearend Activities	\$ 56.72			\$ 56.72
TOTAL	\$ 20,639.65	\$0.89	\$0.00	\$ 20,640.54

**MENDOCINO HIGH SCHOOL
STUDENT BODY ACCOUNT
2020-2021 MONTHLY SUMMARY
PERIOD: JANUARY 2021**

	DESCRIPTION	Begin Balance	Income	Expenses	Ending Balance
GENERAL FUNDS					
	Athletic Travel/Requests	1199.68			1199.68
	Athletics - Officials only	4142.80			4142.80
	CTE Art	214.00			214.00
	CTE Media	0.00			0.00
	CTE Woodshop	119.83			119.83
	Facilities (key dep)	1908.05			1908.05
	Library	96.20			96.20
	MCHS General	1344.70			1344.70
	MCHS Outdoor Leadership	493.15			493.15
	MCHS Yearbook	280.00			280.00
	PACT Testing	525.00			525.00
	PSAT/SAT workbooks	1050.00			1050.00
	Request (donations/interest)	115.63	2.00		117.63
	Sober Grad	2164.49			2164.49
	Skate Ramp Fund	500.87			500.87
	SONAR	4273.34			4273.34
	Store	160.33			160.33
	Student Council	903.74			903.74
	Youth Prevention	92.50			92.50
CLASSES					
	Class of 16	500.00			500.00
	Class of 19	306.26			306.26
	Class of 20	0.00			0.00
	Class of 21	1624.47		904.00	720.47
	Class of 22	1197.11			1197.11
	Class of 23	0.00			0.00
FALL SPORTS					
	Boys Soccer	238.76			238.76
	Football	134.12			134.12
	Girls Soccer	25.00			25.00
	Volleyball	826.85			826.85
WINTER SPORTS					
	Boys Basketball	1441.85			1441.85
	Girls Basketball	2239.73			2239.73
SPRING SPORTS					
	Baseball	500.00			500.00
	Golf	0.00			0.00
	Softball	367.73			367.73
	Tennis	64.97			64.97
	Track	0.00			0.00
CLUB					
	Amnesty	387.87			387.87
	Art Club	542.85			542.85
	Body Positive	0.00			0.00
	Chorus	152.21			152.21
	CSF	320.84			320.84
	Culinary	759.40			759.40
	Electronics	2051.69			2051.69
	Horticulture/Botany Club	1419.35			1419.35
	Improv club	877.30			877.30
	Interact Club-Activity	4370.55		63.19	4307.36
	Interact Club-Administrative	2793.10			2793.10
	Leadership	56.44			56.44

Model U.N.	-5.29			-5.29
Multi-Cultural Club	305.00			305.00
Radio	1033.81			1033.81
Science Club	71.09			71.09
S.E.A. Club	30.00			30.00
Workability/Cardinal Express	146.41			146.41
Yearbook	-2993.17			-2993.17
Yoga Club	0.00			0.00
A/E WEEK	0.00			0.00
AE WEEK Art Center	25.00			25.00
AE WEEK Ashland	-1130.15			-1130.15
AE WEEK Biking	0.00			0.00
AE WEEK Celebration of Self	303.44			303.44
AE WEEK Coastal Adventures	-134.65			-134.65
AE WEEK College Tours	7.75			7.75
AE WEEK Creative Writing	0.00			0.00
AE WEEK Culinary	94.31			94.31
AE WEEK Drivers Ed Class	0.00			0.00
AW WEEK E-Lab	45.00			45.00
AE WEEK Engineering Extravaganza	857.30			857.30
AE WEEK First Responder Academy	1403.29			1403.29
AE WEEK Learning in La-La Land	237.27			237.27
AE WEEK Media Film	0.00			0.00
AE WEEK San Francisco	634.00			634.00
AE WEEK Sierra Adventure	-789.04			-789.04
AE WEEK Top Sail	-535.00			-535.00
AE WEEK Volunteer Crew	76.14			76.14
AE WEEK Washington DC	3467.67	75.00		3392.67
AE WEEK Wind Surfing	181.07			181.07
AW WEEK Woodworking	0.00			0.00
AE WEEK Yosemite Institute	-1047.81			-1047.81
AE WEEK Reserve	1113.53			1113.53
TO BE REFUNDED	0.00			0.00
TOTAL	46179.73	2.00	1042.19	45139.54

45139.54

DIF 0.00

Mendocino Unified School District 2021-22 Instructional Calendar

A
u
g
u
s
t

M	T	W	T	F	2021 (7)
2	3	4	5	6	
9	10	11	12	13	
[16]	17	18	19	(20)	Certif.Staff Dev. 8/16-8/20
(23)	24	25	26	27	8/20 Staff Welcome Back
30	31				8/23 First Day

M	T	W	T	F	2022 (15)
	1	2	3	4	
7	8	9	10	11	
[14]	15	16	17	18]	2/14-2/18 President's Week
21	22	23	24	25	
28					

F
e
b
r
u
a
r
y

S
e
p
t
e
m
b
e
r

M	T	W	T	F	2021 (21)
		1	2	3	9/6/21 Labor Day
[6]	7	8	9	10	
13	14	15	16	17	
20	21	22	23	24	
27	28	29	30		

M	T	W	T	F	2022 (22)
	1	2	3	4	
7	8	(9)	10	11	3/9/22 Min. Day & ½ day
14	15	16	17	18	of Prof. Dev.
21	22	23	25	25	
28	29	30	31		

M
a
r
c
h

O
c
t
o
b
e
r

M	T	W	T	F	2021 (20)
				1	
4	5	6	7	8	K-8 Parent Conf. Wk
11	12	13	14	[15]	10/15/21 Oct. Break
18	19	20	21	22	
25	26	(27)	28	29	(10/27/21 Minimum Day & ½ day PD

M	T	W	T	F	2022 (16)
				1	
[4]	5	6	7	8]	4/5-4/9 HS AE Week
[11]	12	13	14	15]	4/11-4/15 Spring Break
18	19	20	21	22	
25	26	27	28	29	

A
p
r
i
l

N
o
v
e
m
b
e
r

M	T	W	T	F	2021 (16)
1	2	3	4	5	
8	9	10	[11]	12	11/11/21 Veterans Day
15	16	17	18	19	
[22]	23	24	25	26]	Thanksgiving
29	30				(11/22-11/26)

M	T	W	T	F	2022 (21)
2	3	4	5	6	
9	10	11	12	13	
16	17	18	19	20	
23	24	25	26	27	5/30/22 Memorial Day
[30]	31				

M
a
y

D
e
c
e
m
b
e
r

M	T	W	T	F	2021 (13)
		1	2	3	
6	7	8	9	10	
13	14	15	16	(17)	12/17/21 Minimum Day
[20]	21	22	23	24	Winter Break
27	28	29	30	31]	12/20/21-12/31/21

M	T	W	T	F	2022 (8)
		1	2	3	
6	7	8	(9)	(10)	6/9& 6/10 Minimum days
13	14				6/10/22 Last Day
					6/13 & 6/14 Storm days

J
u
n
e

J
a
n
u
a
r
y

M	T	W	T	F	2022 (20)
3	4	5	6	7	
10	11	12	13	14	1/17/22 MLK Holiday
[17]	18	19	20	(21)	1/21/22 K8 Semester Ends
24	25	(26)	27	28	1/26/22 Min. Day &
31					½ Day Prof. Dev

- 10/27/21 Minimum Day & 1/2 Day Prof. Dev.
- 11/11/21 Veterans Day
- 11/22-11/26 Thanksgiving
- 12/17/21 Minimum Day
- 12/20/21-12/31/21 Winter Break
- 1/17/22 Martin Luther King
- 1/21/22 K-8 Semester Ends
- 1/26/22 Minimum Day & 1/2 Day Prof. Dev.
- 2/14-2/18/22 Presidents Week
- 3/9/22 Minimum Day & ½ Day of Prof. Dev.
- 4/4-4/8/22 HS AE Week
- 4/11-4/15/22 Spring Break
- 5/30/22 Memorial Day
- 6/16 & 6/17 Minimum Days
- 6/17/22 Last Day

- 8/23-8/27/21 Certificated Staff Development
- 8/27/21 Welcome Back Day
- 8/30/21 First Day of School
- 9/6/21 Labor Day
- 10/15/21 October Break (1 day)

Mendocino Unified School District
2022-23 Instructional Calendar

A
u
g
u
s
t

M	T	W	T	F	2022 (8)
1	2	3	4	5	
8	9	10	11	12	
[15	16	17	18	(19)]	Certif Staff Dev. 8/15-8/19
(22)	23	24	25	26	8/19 Staff Welcome Back
29	30	31			8/22 First Day

M	T	W	T	F	2023 (15)
		1	2	3	
6	7	8	9	10	
[13	14	15	16	17]	2/13-2/17 President's Week
20	21	22	23	24	
27	28				

F
e
b
r
u
a
r
y

S
e
p
t
e
m
b
e
r

M	T	W	T	F	2022 (21)
			1	2	9/5/22 Labor Day
[5]	6	7	8	9	
12	13	14	15	16	
19	20	21	22	23	
26	27	28	29	30	

M	T	W	T	F	2023 (23)
		1	2	3	
6	7	(8)	9	10	3/8/23 Min. Day & ½ day
13	14	15	16	17	of Prof. Dev.
20	21	22	23	24	
27	28	29	30	31	

M
a
r
c
h

O
c
t
o
b
e
r

M	T	W	T	F	2022 (20)
3	4	5	6	7	K-8 Parent Conf. Wk
10	11	12	13	[14]	10/14/21 Oct. Break
17	18	19	20	21	
24	25	(26)	27	28	10/26/22 Minimum Day
31					& ½ day PD

M	T	W	T	F	2023 (15)
[3	4	5	6	7]	4/3-4/7 HS AE Week
[10	11	12	13	14]	4/10-4/14 Spring Break
17	18	19	20	21	
24	25	26	27	28	

A
p
r
i
l

N
o
v
e
m
b
e
r

M	T	W	T	F	2022 (16)
	1	2	3	4	
7	8	9	10	[11]	11/11/22 Veterans Day
14	15	16	17	18	
[21	22	23	24	25]	Thanksgiving
28	29	30			(11/21-11/25)

M	T	W	T	F	2023 (22)
1	2	3	4	5	
8	9	10	11	12	
15	16	17	18	19	
22	23	24	25	26	5/29/23 Memorial Day
[29]	30	31			

M
a
y

D
e
c
e
m
b
e
r

M	T	W	T	F	2022 (12)
			1	2	
5	6	7	8	9	
12	13	14	15	(16)	12/16/22 Minimum Day
[19	20	21	22	23]	Winter Break
26	27	28	29	30]	12/19/22-12/30/22

M	T	W	T	F	2023 (7)
			1	2	
5	6	7	(8)	(9)	6/8 & 6/9 Minimum days
12	13				6/9/23 Last Day
					6/12 & 6/13 Storm days

J
u
n
e

J
a
n
u
a
r
y

M	T	W	T	F	2023 (21)
2	3	4	5	6	
9	10	11	12	13	1/16/23 MLK Holiday
[16]	17	18	19	(20)	1/20/23 HS/K-8 Semester Ends
23	24	(25)	26	27	1/25/23 Min. Day &
30	31				½ Day Prof. Dev.

- 10/26/22 Minimum Day & 1/2 Day Prof. Dev.
- 11/11/22 Veterans Day
- 11/21-11/25 Thanksgiving
- 12/16/22 Minimum Day
- 12/19/22-12/30/22 Winter Break
- 1/16/23 Martin Luther King
- 1/20/23 K-8 Semester Ends
- 1/25/23 Minimum Day & 1/2 Day Prof. Dev.
- 2/13-2/17/23 Presidents Week
- 3/8/23 Minimum Day & ½ Day of Prof. Dev.
- 4/3-4/7/23 HS AE Week
- 4/10-4/14/23 Spring Break
- 5/29/23 Memorial Day
- 6/8 & 6/9 Minimum Days
- 6/9/23 Last Day

- 8/15-8/19/22 Certificated Staff Development
- 8/22/22 Welcome Back Day
- 8/22/22 First Day of School
- 9/5/22 Labor Day
- 10/14/22 October Break (1 day)

Mendocino Unified School District 2023-24 Instructional Calendar

A
u
g
u
s
t

M	T	W	T	F	2023 (4)
	1	2	3	4	
7	8	9	10	11	
14	15	16	17	18	Certif. Staff Dev. 8/21-8/25
[21 22 23 24 (25)]					8/25 Staff Welcome Back
(28)	29	30	31		8/28 First Day

M	T	W	T	F	2024 (16)
			1	2	
5	6	7	8	9	
[12 13 14 15 16]					2/12-2/16 President's Week
19	20	21	22	23	
26	27	28	29		

F
e
b
r
u
a
r
y

S
e
p
t
e
m
b
e
r

M	T	W	T	F	2023 (20)
				1	9/4/23 Labor Day
[4]	5	6	7	8	
11	12	13	14	15	
18	19	20	21	22	
25	26	27	28	29	

M	T	W	T	F	2024 (21)
				1	
4	5	(6)	7	8	3/6/23 Min. Day & ½ day
11	12	13	14	15	of Prof. Dev.
18	19	20	21	22	
25	26	27	28	29	

M
a
r
c
h

O
c
t
o
b
e
r

M	T	W	T	F	2023 (21)
2	3	4	5	6	K-8 Parent Conf. Wk
9	10	11	12	[13]	10/13/23 Oct. Break
16	17	18	19	20	
23	24	(25)	26	27	10/25/23 Minimum Day
30	31				& ½ day PD

M	T	W	T	F	2024 (17)
[1 2 3 4 5]					4/1-4/5 HS AE Week
[8 9 10 11 12]					4/8-4/12 Spring Break
15	16	17	18	19	
22	23	24	25	26	
29	30				

A
p
r
i
l

N
o
v
e
m
b
e
r

M	T	W	T	F	2023 (17)
		1	2	3	
6	7	8	9	10	
13	14	15	16	17	
[20 21 22 23 24]					Thanksgiving
27	28	29	30		(11/20-11/24)

M	T	W	T	F	2024 (22)
		1	2	3	
6	7	8	9	10	
13	14	15	16	17	
20	21	22	23	24	5/27/24 Memorial Day
[27]	28	29	30	31	

M
a
y

D
e
c
e
m
b
e
r

M	T	W	T	F	2023 (11)
				1	
4	5	6	7	8	
11	12	13	14	(15)	12/15/23 Minimum Day
[18 19 20 21 22]					Winter Break
25 26 27 28 29					12/18/23-1/1/24

M	T	W	T	F	2024 (10)
3	4	5	6	7	
10	11	12	(13) (14)		6/13& 6/14 Minimum days
17 18					6/14/23 Last Day
					6/17 & 6/18 Storm days

J
u
n
e

J
a
n
u
a
r
y

M	T	W	T	F	2024 (21)
[1]	2	3	4	5	
8	9	10	11	12	
[15]	16	17	18	19	1/15/24 MLK Holiday
22	23	(24)	25	(26)	1/24/24 Min. Day &
29	30	31			½ Day Prof. Dev.
					1/26/24 K-8 Semester Ends

- 10/25/23 Minimum Day & 1/2 Day Prof. Dev.
- 11/20-11/24 Thanksgiving
- 12/15/23 Minimum Day
- 12/18/22-1/1/24 Winter Break
- 1/15/24 Martin Luther King
- 1/24/24 Minimum Day & 1/2 Day Prof. Dev.
- 1/26/24 K-8 Semester Ends
- 2/12-2/16/24 Presidents Week
- 3/6/24 Minimum Day & ½ Day of Prof. Dev.
- 4/1-4/5/24 HS AE Week
- 4/8-4/12/24 Spring Break
- 5/27/24 Memorial Day
- 6/13 & 6/14 Minimum Days
- 6/14/24 Last Day

- 8/21-8/25/23 Certificated Staff Development
- 8/25/23 Welcome Back Day
- 8/28/23 First Day of School
- 9/4/23 Labor Day
- 10/13/23 October Break (1 day)

MENDOCINO UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES MEETING

CALENDAR 2021-22 (Revised 12/29/20)

Regular Board meetings are typically on the 3rd Thurs of the month at 5:00 pm at the K-8 School Campus in the Multipurpose Room (except as noted)

MEETINGS ARE HELD VIRTUALLY UNTIL FURTHER NOTICE

Month	Day	Year	Wednesday/ Thursday	Wk	Other/ location
January	6	2021	1 st Wednesday	1	Board Study Session
January	21	2021	3 rd Thursday	3	K-8 School
February	3	2021	1 st Wednesday	1	Superintendent Evaluation
February	11	2021	2 nd Thursday	2	Greenwood Preschool
March	11	2021	2 nd Thursday	2	K-8 School
April	21	2021	4 th Wednesday	4	High School
May	5	2021	1 st Wednesday	1	Board Study Session
May	20	2021	3 rd Thursday	3	K-8 School
June	2	2021	1 st Wednesday	1	K-8 School
June	22	2021	4 th Tuesday	4	K-8 School
July	--	--	--	--	No Meeting in July
August	25	2021	4 th Wednesday	4	K-8 School
September	9	2021	2 nd Thursday	2	K-8 School
October	6	2021	1 st Wednesday	1	Board Study Session
October	21	2021	3 rd Thursday	3	Comptche School
November	18	2021	3 rd Thursday	3	K-8 School
December	9	2021	2 nd Thursday	2	K-8 School
January	5	2022	1 st Wednesday	1	Board Study Session
January	20	2022	3 rd Thursday	3	K-8 School
February	2	2022	1 st Wednesday	1	Superintendent Evaluation
February	10	2022	2 nd Thursday	2	Albion School
March	10	2022	2 nd Thursday	2	K-8 School
April	21	2022	3 rd Thursday	3	High School
May	4	2022	1 st Wednesday	1	Board Study Session
May	19	2022	3 rd Thursday	3	K-8 School
June	1	2022	1 st Wednesday	1	K-8 School
June	14	2022	2 nd Tuesday	3	K-8 School

Board meetings are typically the 3rd Thursday of the month. Exceptions may apply due to holidays, school events, and other conflicts.

Board Study Sessions: 3 per year in January, May, and October; also as needed

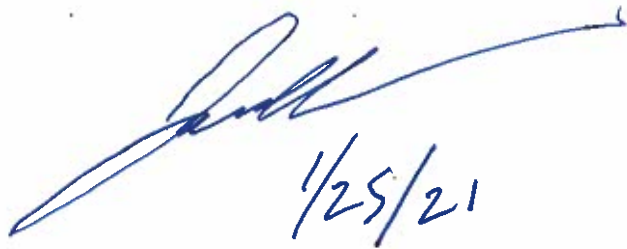
Superintendent Evaluation: February

*LCAP Public Hearing and Budget Adoption Public Hearing, first Thursday in June

Erin Placido

From: Mimi DuVigneaud <mimiduv@gmail.com>
Sent: Thursday, February 4, 2021 2:48 PM
To: Jason Morse; Erin Placido
Subject: Leave Request

Hi Jason,
I would like to again request a leave of 40% in order to balance a livable income and caring for my young child.
Thank you kindly for your support.
Mimi



1/25/21

Erin Placido

From: mroot@musdstudents.org
Sent: Monday, January 25, 2021 11:51 AM
To: Kim Humrichouse; Jason Morse
Cc: Erin Placido
Subject: Leave Request

Dear Jason and Kim,

I am requesting a part time leave again for the 2021-2022 school year at 60%. Again, I greatly appreciate your flexibility in the previous years and supporting me as a mother once again!

Many thanks,

Molly Root

Sent from Mail for Windows 10



1/25/21

Business and Non-instructional Operations

Tobacco-Free Schools

Notifications

Information about the district's tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students, and the community. (Health and Safety Code 104420)

The Superintendent or designee may disseminate this information through annual written notifications, district and school web sites, student and parent handbooks, and/or other appropriate methods of communication.

Signs stating "Tobacco use is prohibited" shall be prominently displayed at all entrances to school property. (Health and Safety Code 104420)

Enforcement/Discipline

Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

Any other person who violates the district's policy on tobacco-free schools shall be informed of the district's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

1. Direct the person to leave school property
2. Request local law enforcement assistance in removing the person from school premises
3. If the person repeatedly violates the tobacco-free schools policy, prohibit him/her from entering district property for a specified period of time

The Superintendent or designee shall not be required to physically eject a nonemployee who is smoking or to request that the nonemployee refrain from smoking under circumstances involving a risk of physical harm to the district or any employee. (Labor Code 6404.5)

Business and Non-instructional Operations

Tobacco-Free Schools

Notifications

Note: Districts receiving Tobacco-Use Prevention Education (TUPE) funds are required by Health and Safety Code 104420 to communicate information about the district's tobacco-free schools policy. Districts that do not receive TUPE funds may delete or revise the following paragraph at their discretion.

Information about the district's tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students, and the community. (Health and Safety Code 104420)

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

(cf. 5145.6 - Parental Notifications)

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

The Superintendent or designee may disseminate this information through annual written notifications, district and school web sites, student and parent handbooks, and/or other appropriate methods of communication.

(cf. 1113 - District and School Web Sites)

Note: Health and Safety Code 104559, as added by ABX2 9 (Ch. 5, Statutes of 2016), requires all districts to display signs prohibiting tobacco use, as provided below.

The Superintendent or designee shall ensure that signs stating "Tobacco use is prohibited" are prominently displayed at all entrances to school property. (Health and Safety Code 104420, 104559)

Enforcement/Discipline

Note: Pursuant to Labor Code 6404.5, no employer shall knowingly or intentionally permit the smoking of tobacco products in an enclosed space at a place of employment. The effects of the district's tobacco policy, including any disciplinary action taken against employees resulting from the enforcement of the policy, may be subjects of negotiation between the Governing Board and employee organizations. Pursuant to Education Code 48900(h), a student may be subject to disciplinary action when it is determined that he/she possessed or used tobacco or nicotine products; see AR 5144.1 - Suspension and Expulsion/Due Process.

Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5144 - Discipline)

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

Note: Labor Code 6404.5 requires the district to take "reasonable steps" to prevent smoking by nonemployees. These reasonable steps include posting clear and prominent signs as specified in the "Notifications" section above and requesting that the nonemployee refrain from smoking on school premises. The following optional paragraph may be revised to reflect district practice.

Any other person who violates the district's policy on tobacco-free schools shall be informed of the district's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

- 1. Direct the person to leave school property*
- 2. Request local law enforcement assistance in removing the person from school premises*
- 3. If the person repeatedly violates the tobacco-free schools policy, prohibit him/her from entering district property for a specified period of time*

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.2 - Disruptions)

The Superintendent or designee shall not be required to physically eject a nonemployee who is smoking or to request that the nonemployee refrain from smoking under circumstances involving a risk of physical harm to the district or any employee. (Labor Code 6404.5)

(7/02 3/11) 7/16

Business and Non-instructional Operations

Tobacco-Free Schools

The Governing Board recognizes that the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, are inconsistent with its goal to provide a healthy environment for students and staff.

The Board prohibits the use of tobacco products at any time in district-owned or leased buildings, on district property, and in district vehicles. (Health and Safety Code 104420; Labor Code 6404.5; 20 USC 6083)

This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Any written joint use agreement governing community use of district facilities or grounds shall include notice of the district's tobacco-free schools policy and consequences for violations of the policy.

Prohibited products include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, and nicotine delivery devices such as electronic cigarettes. Exceptions may be made for the use or possession of prescription nicotine products.

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. (Health and Safety Code 104495)

Legal Reference:

EDUCATION CODE

- 48900 Grounds for suspension/expulsion
- 48901 Prohibition against tobacco use by students

HEALTH AND SAFETY CODE

- 39002 Control of air pollution from nonvehicular sources
- 104350-104495 Tobacco use prevention, especially:
- 104495 Prohibition of smoking and tobacco waste on playgrounds
- 119405 Unlawful to sell or furnish electronic cigarettes to minors

LABOR CODE

- 3300 Employer, definition
- 6304 Safe and healthful workplace
- 6404.5 Occupational safety and health; use of tobacco products

UNITED STATES CODE, TITLE 20

- 6083 Nonsmoking policy for children's services
- 7100-7117 Safe and Drug Free Schools and Communities Act

CODE OF FEDERAL REGULATIONS, TITLE 21

- 1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

Eureka Teachers Assn. v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)

CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)

Tobacco-Free Schools

Note: Health and Safety Code 104420 mandates districts receiving Tobacco-Use Prevention Education (TUPE) funds to adopt a tobacco-free schools policy that prohibits the use of tobacco and nicotine products anytime, anywhere in district-owned or leased buildings, on school or district property, and in district vehicles. The same prohibition is applicable to districts that do not receive TUPE funds pursuant to Health and Safety Code 104559, as added by ABX2 9 (Ch. 5, Statutes of 2016).

Note: Districts receiving TUPE funds must certify compliance with this requirement by submitting a California Department of Education (CDE) certification form and supporting documentation to the county office of education's TUPE coordinator by July 1 in order to apply for TUPE funding for that fiscal year. The certification process also requires submission of the district's written policy and enforcement procedures; see the accompanying administrative regulation for enforcement procedures.

The Governing Board recognizes that smoking and other uses of tobacco and nicotine products constitute a serious public health hazard and are inconsistent with district goals to provide a healthy environment for students and staff.

(cf. 3514 - Environmental Safety)

(cf. 4159/4259/4359 - Employee Assistance Programs)

(cf. 5030 - Student Wellness)

(cf. 5131.62 - Tobacco)

(cf. 5141.23 - Asthma Management)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

The Board prohibits smoking and/or the use of tobacco products at any time in district-owned or leased buildings, on district property, and in district vehicles. (Health and Safety Code 104420, 104559)

These prohibitions apply to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Any written joint use agreement governing community use of district facilities or grounds shall include notice of the district's tobacco-free schools policy and consequences for violations of the policy.

(cf. 1330 - Use of School Facilities)

(cf. 1330.1 - Joint Use Agreements)

Note: Health and Safety Code 104420 and 104559, as added by ABX2 9 (Ch. 5, Statutes of 2016), define products containing tobacco and nicotine as including smokeless tobacco, snuff, chew, clove cigarettes, and electronic cigarettes that can deliver nicotine and non-nicotine vaporized solutions. Education Code 48901, which prohibits smoking or tobacco use by students on campus, applies the definition of smoking and tobacco products specified in Business and Professions Code 22950.5, as amended by SBX2

5 (Ch. 7, Statutes of 2016). The following paragraphs reflect the more comprehensive definitions in Business and Professions Code 22950.5.

Smoking means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking. (Business and Professions Code 22950.5; Education Code ~~48901~~)

Tobacco products include: (Business and Professions Code 22950.5; Education Code ~~48901~~)

- 1. Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff*
- 2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah*
- 3. Any component, part, or accessory of a tobacco product, whether or not sold separately*

This policy does not prohibit the use or possession of prescription products and other cessation aids that have been approved by the U.S. Department of Health and Human Services, Food and Drug Administration, such as nicotine patch or gum.

Smoking or use of any tobacco-related product or disposal of any tobacco-related waste is prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. In addition, any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited. (Health and Safety Code ~~104495~~)

Legal Reference:

EDUCATION CODE

~~48900~~ Grounds for suspension/expulsion

~~48901~~ Prohibition against tobacco use by students

BUSINESS AND PROFESSIONS CODE

22950.5 Stop Tobacco Access to Kids Enforcement Act; definitions

HEALTH AND SAFETY CODE

~~39002~~ Control of air pollution from nonvehicular sources

~~104350-104495~~ Tobacco use prevention, especially:

~~104495~~ Prohibition of smoking and tobacco waste on playgrounds

104559 Tobacco use prohibition

119405 Unlawful to sell or furnish electronic cigarettes to minors

LABOR CODE

3300 Employer, definition

6304 Safe and healthful workplace

6404.5 Occupational safety and health; use of tobacco products

UNITED STATES CODE, TITLE 20

6083 Nonsmoking policy for children's services

7111-7122 Student Support and Academic Enrichment Grants

CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

PUBLIC EMPLOYMENT AND RELATIONS BOARD RULINGS

Eureka Teachers Assn. v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)

CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)

Management Resources:

WEB SITES

California Department of Education, Alcohol, Tobacco and Other Drug Prevention: <http://www.cde.ca.gov/ls/he/at>

California Department of Education, Tobacco-Free School District Certification: <http://www.cde.ca.gov/ls/he/at/tobaccofreecert.asp>

California Department of Public Health, Tobacco Control: <http://www.cdph.ca.gov/programs/tobacco>

Occupational Safety and Health Standards Board: <http://www.dir.ca.gov/OSHSB/oshsb.html>

U.S. Environmental Protection Agency: <http://www.epa.gov>

(3/11 4/14) 7/16

Personnel

Nondiscrimination in Employment

Note: Pursuant to Government Code 11138 and 2 CCR 11023, districts are mandated to adopt rules and regulations to ensure that district programs and activities are free from unlawful discriminatory practices. Pursuant to Government Code 12940, protections against discrimination apply to employees, job applicants, persons who serve in unpaid internship or other limited-duration programs to gain unpaid work experience, volunteers, and independent contractors.

All allegations of discrimination in employment, including those involving an employee, job applicant, intern, volunteer, or other person contracted to provide services to the district shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

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

(cf. 1240 - Volunteer Assistance)

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

(cf. 4032 - Reasonable Accommodation)

Note: Many nondiscrimination laws and regulations require identification of an employee who is responsible for compliance with the nondiscrimination laws. For example, pursuant to 34 CFR 104.7, 106.8, and 110.25, the district is required to designate the person(s) responsible for the overall implementation of the requirements of federal laws which prohibit discrimination on the basis of disability, sex, and age, i.e., Section 504 of the Rehabilitation Act of 1973 (29 USC 794), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), and the Age Discrimination in Employment Act (29 USC 621-634). The district should fill in the blanks below to designate the responsible employee and contact information.

Note: 34 CFR 106.8, as amended by 85 Fed. Reg. 30026, requires the district to designate at least one employee to coordinate its responsibilities under Title IX, who must be referred to as the Title IX Coordinator. The Title IX Coordinator may be the same person designated below, or the district may designate separate employees to serve these functions. See AR 4119.11/4219.11/4319.11 - Sexual Harassment. The Title IX Coordinator is responsible for receiving complaints of sexual harassment and determining whether they should be handled in accordance with the procedures specified in this administrative regulation or in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures; see section on "Complaint Procedure" below.

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to organize and manage the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

(position title)

(address)

(telephone number)

(email)

Measures to Prevent Discrimination

Note: Pursuant to Government Code [12940](#) and 2 CCR [11023](#), the district is required to take all reasonable steps to prevent unlawful discrimination and harassment. 2 CCR [11023](#) specifies certain requirements to be included in the district's policy. The following section reflects the requirements of 2 CCR [11023](#) and other applicable laws or regulations, as indicated.

To prevent unlawful discrimination, harassment, and retaliation in district employment, the Superintendent or designee shall implement the following measures:

Note: Pursuant to Government Code [12950](#), districts are required to post the California Department of Fair Employment and Housing's (DFEH) posters entitled California Law Prohibits Workplace Discrimination and Harassment and Transgender Rights in the Workplace, as provided in item #1. DFEH rules require that these materials be posted electronically and in every location where the district has employees (e.g., district office, hiring office, each school site). These posters and the rules for posting are available on the DFEH web site.

Note: In addition, 2 CCR [11049](#) requires posting a notice of the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth. Also see AR [4161.8/4261.8/4361.8](#) - Family Care and Medical Leave.

1. Display in a prominent and accessible location at every work site where the district has employees, and post electronically in a conspicuous location on computers for employee use, up-to-date California Department of Fair Employment and Housing (DFEH) posters on the prohibition of workplace discrimination and harassment, the rights of transgender employees, and the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth (Government Code [12950](#); 2 CCR [11013](#), [11023](#), [11049](#))

(cf. [4119.11/4219.11/4319.11](#) - Sexual Harassment)

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

2. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR [4960](#); 34 CFR [100.6](#), [106.9](#))

a. Including them in each announcement, bulletin, or application form that is used in employee recruitment

b. Posting them in all district schools and offices, including staff lounges and other prominent locations

c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available

(cf. [1113](#) - District and School Web Sites)

(cf. [1114](#) - District-Sponsored Social Media)

(cf. [4111/4211/4311](#) - Recruitment and Selection)

3. Disseminate the district's nondiscrimination policy and administrative regulation to all employees by one or more of the following methods: (2 CCR [11023](#))

a. Printing and providing a copy to all employees, with an acknowledgment form for each employee to sign and return

- b. Sending a copy via email with an acknowledgment return form*
- c. Posting a copy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies*
- d. Discussing the policy and regulation with employees upon hire and/or during a new hire orientation session*
- e. Any other way that ensures employees receive and understand the policy*

(cf. [4112.9/4212.9/4312.9](#) - Employee Notifications)

4. Provide to employees a handbook which contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to employees who believe they have been the victim of any discriminatory or harassing behavior

Note: Optional item #5 below provides for training regarding the district's discrimination policy and reporting procedures. For requirements specifically pertaining to sexual harassment training, see [AR 4119.11/4219.11/4319.11](#) - Sexual Harassment.

5. Provide training regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

The district may also provide bystander intervention training to employees which includes information and practical guidance on how to recognize potentially problematic behaviors and which may motivate them to take action when they observe such behaviors. The training and education may include exercises to provide employees with the skills and confidence to intervene as appropriate and to provide them with resources they can call upon that support their intervention. (Government Code 12950.2)

(cf. [4131](#) - Staff Development)

(cf. [4231](#) - Staff Development)

(cf. [4331](#) - Staff Development)

6. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law

7. For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce (2 CCR [11023](#))

Complaint Procedure

Note: 2 CCR [11023](#) mandates that a district's policy include a complaint process with specified requirements. Some of the requirements of 2 CCR [11023](#) are similar to those required under existing case law.

Note: Courts have held that liability may be mitigated for hostile environment employment discrimination when (1) the employer took reasonable care to prevent and promptly correct the discriminatory or harassing conduct (i.e., provided a complaint procedure) and (2) the aggrieved employee unreasonably failed to take advantage of corrective opportunities offered by the employer (i.e., failure to file a complaint). In its June 1999 Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, the Equal Employment Opportunity Commission (EEOC) outlines the elements of an effective complaint procedure to include (1) a clear explanation of the process; (2) protection against retaliation; (3) designation of multiple individuals authorized to receive complaints; (4) a mechanism for prompt, thorough, and impartial investigation; (5) assurance of immediate and

appropriate corrective action; and (6) information about time frames for filing charges with EEOC or DFEH.

Note: While EEOC's guidance recommends a "prompt" investigation, neither the law nor EEOC delineates a specific time frame for resolution. EEOC's guidance acknowledges that whether an investigation is considered "prompt" may vary depending on the seriousness and complexity of the circumstances and that intermediate measures may be necessary to prevent further harassment during the investigation. The following section, including the listed timelines, is consistent with EEOC's guidance and should be modified to reflect district practice.

Note: In lieu of using the procedures described below, complaints of sexual harassment must be addressed through the federal Title IX complaint procedures established pursuant to 34 CFR 106.44-106.45, as added by 85 Fed. Reg. 30026, if the alleged conduct meets the federal definition of sexual harassment. Pursuant to 34 CFR 106.30, Title IX sexual harassment includes (1) a district employee conditioning the provision of a district aid, benefit, or service on an individual's participation in unwelcome sexual conduct; (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 and 34 USC 12291. See BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment and AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures.

Complaints of sexual harassment shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures if the alleged conduct meets the definition of sexual harassment pursuant to 34 CFR 106.30.

Any other complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. Notice and Receipt of Complaint: A complainant may inform a direct supervisor, another supervisor, the coordinator, the Superintendent or, if available, a complaint hotline or an ombudsman. The complainant's direct supervisor may be bypassed in filing a complaint when the supervisor is the subject of the complaint.

The complainant may first attempt to resolve the situation informally with the complainant's supervisor before filing a written complaint.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, any available evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

2. Investigation Process: The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions

based on the evidence collected. The coordinator shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be disclosed as necessary to conduct an effective investigation.

(cf. 3580 - District Records)

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

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

If the coordinator determines that a detailed fact-finding investigation is necessary, the investigation shall begin immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out the investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator shall also determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed in order to prevent further incidents. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. Written Report on Findings and Remedial/Corrective Action: No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of the findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report shall also include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented. The report shall be presented to the Superintendent or designee.

A summary of the findings shall be presented to the complainant and the person accused.

4. Appeal to the Governing Board: The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 9321 - Closed Session)

Other Remedies

Note: Items #1-3 below state the time limits within which complaints must be filed.

Note: EEOC's guidance states that it is important for employers' nondiscrimination policies to contain information about timeframes for filing charges of unlawful discrimination or harassment with EEOC or DFEH. Employees should be informed that the deadline for filing charges starts to run from the last date

of the unlawful act, not from the conclusion of the district's complaint investigation. Pursuant to DFEH procedures, DFEH will automatically forward any complaint it has accepted for investigation to EEOC when the matter falls within EEOC's jurisdiction.

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either DFEH or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

Note: As amended by AB 9 (Ch. 709, Statutes of 2019), Government Code 12960 extends the period of time in which a complaint alleging employment discrimination pursuant to Government Code 12940-12952 may be filed with DFEH, from one year to three years following the alleged discriminatory act(s). That period may be extended under certain circumstances. Districts should consult legal counsel if any questions arise.

1. For filing a complaint with DFEH alleging a violation of Government Code 12940-12952, within three years of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960 (Government Code 12960)

Note: 42 USC 2000e-5 specifies that a person must file a discrimination complaint with EEOC within 180 days of the alleged discriminatory act. Pursuant to 42 USC 2000e-5, the 180-day timeline for compensation discrimination starts when the discriminatory paycheck is received and that each discriminatory paycheck restarts the timeline for the filing of a complaint.

2. For filing a complaint with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)

3. For filing a complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

(3/19/12/19) 7/20

Nondiscrimination in Employment

The Governing Board desires to provide a positive work environment where employees and job applicants are assured of equal access and opportunities and are free from harassment in accordance with law. The Board prohibits district employees from discriminating against or harassing any other district employee or job applicant on the basis of the person's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, gender identity, gender expression, sex, or sexual orientation.

Prohibited discrimination consists of the taking of any adverse employment action against a person, including termination or denial of promotion, job assignment, or training, or in discriminating against the person in compensation, terms, conditions, or other privileges of employment based on any of the prohibited categories of discrimination listed above.

The prohibition against discrimination based on the religious creed of an employee or job applicant includes any discrimination based on the person's religious dress or grooming practices or any conflict between the person's religious belief, observance, or practice and an employment requirement. The prohibition against discrimination based on the sex of an employee or job applicant shall include any discrimination based on the person's pregnancy, childbirth, breastfeeding, or any related medical conditions. (Government Code 12926, 12940)

Harassment consists of any unwelcome verbal, physical, or visual conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe or pervasive that it adversely affects an individual's employment opportunities, has the purpose or effect of unreasonably interfering with the individual's work performance, or creates an intimidating, hostile, or offensive work environment.

The Board also prohibits retaliation against any district employee or job applicant who complains, testifies, assists, or in any way participates in the district's complaint procedures instituted pursuant to this policy.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

The following position is designated as Coordinator for Nondiscrimination in Employment:

Superintendent
44141 Little Lake Road
Mendocino, CA 95460
707-937-5868

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of district policy should, as appropriate, immediately contact his/her supervisor, the Coordinator, or the Superintendent who shall advise the employee or

applicant about the district's procedures for filing, investigating, and resolving any such complaint.

Complaints regarding employment discrimination or harassment shall immediately be investigated in accordance with AR 4031 - Complaints Concerning Discrimination in Employment.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Coordinator or Superintendent as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

Training and Notifications

The Superintendent or designee shall provide training to employees about how to recognize harassment and discrimination, how to respond appropriately, and components of the district's policies and regulations regarding discrimination.

The Superintendent or designee shall regularly publicize, within the district and in the community, the district's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin, or application form that is used in employee recruitment. (34 CFR 100.6, 106.9)

The district's policy shall be posted in all district schools and offices including staff lounges and student government meeting rooms. (5 CCR 4960)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

7287.6 Terms, conditions and privileges of employment

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age discrimination in federally assisted programs

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 Compliance information

104.7 Designation of responsible employee for Section 504

104.8 Notice

106.8 Designation of responsible employee and adoption of grievance procedures

106.9 Dissemination of policy

110.1-110.39 Nondiscrimination on the basis of age

COURT DECISIONS

Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863

Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

(3/10 3/12) 11/12

Nondiscrimination in Employment

Note: The following Board policy and accompanying administrative regulation are mandated pursuant to Government Code 11138 and 2 CCR 11023. The California Fair Employment and Housing Act (FEHA) (Government Code 12900-12996) prohibits districts and district employees from harassing or discriminating against employees and job applicants on the basis of actual or perceived race, color, ancestry, national origin, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, sex, sexual orientation, gender, gender identity, or gender expression. Pursuant to Government Code 12940, these protections apply to employees, job applicants, persons who serve in an unpaid internship or other limited-duration program to gain unpaid work experience, volunteers, and independent contractors.

Note: The same or similar protections are available to employees and job applicants under various provisions of federal law, including Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-7), Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), the Americans with Disabilities Act (42 USC 12101-12213), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), and the Genetic Information Nondiscrimination Act (42 USC 2000ff-2000ff-11).

Note: For policy addressing sexual harassment of and by employees, see BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.

The Governing Board is determined to provide a safe, positive environment where all district employees are assured of full and equal employment access and opportunities, protection from harassment and intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. For purposes of this policy, employees include job applicants, interns, volunteers, and persons who contracted with the district to provide services, as applicable.

(cf. 1240 - Volunteer Assistance)

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

(cf. 4111/4211/4311 - Recruitment and Selection)

Note: 2 CCR 11027.1, as added by Register 2018, No. 20, provides a definition of "national origin" for the purpose of implementing state nondiscrimination laws.

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, color, ancestry, national origin, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, sex, sexual orientation, gender, gender identity, gender expression, or association with a person or group with one or more of these actual or perceived characteristics.

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

Note: 2 CCR 11028, as amended by Register 2018, No. 20, prohibits inquiry into an employee's immigration status or discrimination on the basis of such status, unless the district provides clear and convincing evidence that it is required to do so in order to comply with federal immigration law. Districts should consult legal counsel as necessary.

The district shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that it is necessary to comply with federal immigration law. (2 CCR 11028)

Note: The following items illustrate unlawful discriminatory practices as specified in Government Code 12940. Labor Code 1197.5 prohibits the payment of different wage rates to employees for similar work based on sex, race, or ethnicity and prohibits the use of prior salary history by itself to justify any disparity in compensation under the bona fide factor exception.

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment

(cf. 4151/4251/4351 - Employee Compensation)

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

2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training

3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment

Note: Item #4 below addresses the specific practices prohibited under Government Code 12940 or 2 CCR 11006-11086 in relation to certain protected categories. For example, because "sex" as defined in Government Code 12926 includes pregnancy, childbirth, breastfeeding, or related medical conditions, any of these conditions may be the basis for an employee's sex discrimination claim. As the specific prohibitions are too numerous to list in policy, it is recommended that district legal counsel be consulted when questions arise as to any specific claim.

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:

a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status

(cf. 4033 - Lactation Accommodation)

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

b. Religious creed discrimination based on an employee's religious belief or observance, including religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement

(cf. 4119.22/4219.22/4319.22 - Dress and Grooming)

c. Requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

d. Failure to make reasonable accommodation for the known physical or mental disability of an employee, or to engage in a timely, good faith, interactive process with an employee who has requested

such accommodations in order to determine the effective reasonable accommodations, if any, to be provided to the employee

(cf. 4032 - Reasonable Accommodation)

Note: Retaliation against complainants or other participants in the grievance procedures is prohibited by Government Code 12940 and 34 CFR 110.34. In addition to the general prohibition against retaliation, Government Code 12940 provides that an employee who requests accommodation for a physical or mental disability or religious belief is protected from retaliation as specified below. CSBA recommends that this protection be extended to all protected characteristics, as provided below.

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940; 2 CCR 11028)

Note: Pursuant to Government Code 12964.5, as added by SB 1300 (Ch. 955, Statutes of 2018), the district is prohibited from requiring an employee, in exchange for a raise or bonus or as a condition of employment or continued employment, to sign a nondisparagement agreement or similar document that would deny the employee the right to disclose information about unlawful acts in the workplace or requiring an employee to release the right to file a claim or civil action against the district.

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign any document that releases the employee's right to file a claim against the district or to disclose information about harassment or other unlawful employment practices. (Government Code 12964.5)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Note: Pursuant to 2 CCR 11019, in certain instances, an employee's (especially a supervisor's) knowledge or notice of prohibited conduct of another employee or individual may subject the district to liability. Therefore, it is recommended that the district require its employees with knowledge of harassment or discrimination to report the incident to the appropriate district authorities. In addition, Government Code 12940, as amended by SB 1300, provides that a district may be responsible for harassment of employees by nonemployees where the district knows or should have known of the conduct and failed to take immediate and corrective action, taking into consideration the extent of the district's control and other legal responsibility that the district may have with respect to the conduct of those nonemployees. Also see BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.

Note: See the accompanying administrative regulation for requirements related to the identification of the employee who will be responsible for compliance with the nondiscrimination laws.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, including harassment of an employee by a nonemployee, shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who reports such incidents from retaliation.

Note: Government Code 12940 and 2 CCR 11023 require districts to take all reasonable steps to prevent prohibited discrimination and harassment, including, but not limited to, dissemination of the district's policy on the prevention of harassment, discrimination, and retaliation. In addition, Government Code 12950 requires districts to post, in prominent and accessible locations on district premises, posters developed by the California Department of Fair Employment and Housing (DFEH), which are available

on DFEH's web site. For further information on prevention strategies, see the accompanying administrative regulation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy, including providing training and information to employees about how to recognize harassment, discrimination, or other related conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. [4118](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

[200-262.4](#) Prohibition of discrimination

CIVIL CODE

[51.7](#) Freedom from violence or intimidation

GOVERNMENT CODE

[11135](#) Unlawful discrimination

[11138](#) Rules and regulations

[12900-12996](#) Fair Employment and Housing Act, especially:

[12940-12952](#) Unlawful employment practices

[12960-12976](#) Unlawful employment practices: complaints

PENAL CODE

[422.56](#) Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

[11006-11086](#) Discrimination in employment, especially:

[11013](#) Recordkeeping

[11019](#) Terms, conditions and privileges of employment

[11023](#) Harassment and discrimination prevention and correction

[11024](#) Sexual harassment training and education

[11027-11028](#) National origin and ancestry discrimination

CODE OF REGULATIONS, TITLE 5

[4900-4965](#) Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

[1681-1688](#) Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 *Age Discrimination in Employment Act*

794 *Section 504 of the Rehabilitation Act of 1973*

UNITED STATES CODE, TITLE 42

2000d-2000d-7 *Title VI, Civil Rights Act of 1964, as amended*

2000e-2000e-17 *Title VII, Civil Rights Act of 1964, as amended*

2000ff-2000ff-11 *Genetic Information Nondiscrimination Act of 2008*

2000h-2-2000h-6 *Title IX of the Civil Rights Act of 1964*

6101-6107 *Age discrimination in federally assisted programs*

12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 *Compliance information*

104.7 *Designation of responsible employee for Section 504*

104.8 *Notice*

106.8 *Designation of responsible employee and adoption of grievance procedures*

106.9 *Dissemination of policy*

110.1-110.39 *Nondiscrimination on the basis of age*

COURT DECISIONS

Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863

Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

Management Resources:

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment

Transgender Rights in the Workplace

Workplace Harassment Guide for California Employers

Your Rights and Obligations as a Pregnant Employee

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

Notice of Non-Discrimination, August 2010

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

EEOC Compliance Manual

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

WEB SITES

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

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

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

(5/16 12/16) 3/19

×

• • • • • • • • • •

Personnel

Employee Use of Technology

The Governing Board recognizes that technological resources enhance employee performance by offering effective tools to assist in providing a quality instructional program; facilitating communications with parents/guardians, students, and the community; supporting district and school operations; and improving access to and exchange of information. The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As needed, employees shall receive professional development in the appropriate use of these resources.

(cf. 0440 - District Technology Plan)

(cf. 1100 - Communication with the Public)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 4032 - Reasonable Accommodation)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Employees shall be responsible for the appropriate use of technology and shall use district technology primarily for purposes related to their employment.

(cf. 0110 - Nondiscrimination in District Programs and Activities)

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

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 6162.6 - Use of Copyrighted Materials)

(cf. 6163.4 - Student Use of Technology)

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

Note: The following paragraph is optional and may be revised to reflect district practice. It is recommended that districts develop an Acceptable Use Agreement containing rules for the use of district technology, which should be signed by each employee. See the accompanying Exhibit for an example of an Acceptable Use Agreement for employees.

The Superintendent or designee shall establish an Acceptable Use Agreement which outlines employee obligations and responsibilities related to the use of district technology. Upon employment and whenever significant changes are made to the district's Acceptable Use Agreement, employees shall be required to acknowledge in writing that they have read and agreed to the Acceptable Use Agreement.

Note: The following paragraphs may be revised to reflect district practice.

Note: To qualify for federal universal service discounts for Internet access, Internet services, or internal connections (E-rate discounts), districts are mandated by 47 USC 254 to adopt an Internet safety policy that includes, but is not limited to, provisions addressing access by minors to "inappropriate matter" on the Internet; see BP 6163.4 - Student Use of Technology. Consistent with those requirements, the following paragraph provides that employees shall not use district technology to access inappropriate matter. "Inappropriate matter" is not defined in the law and the determination of what matter is considered inappropriate is a local decision to be made by the district. Penal Code 313 provides a definition of "harmful matter" as specified below. Districts that have adopted their own definition should revise the following paragraphs as appropriate.

Employees shall not use district technology to access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, sexually explicit, or unethical or that promotes any activity prohibited by law, Board policy, or administrative regulations.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

Note: 47 USC 254 mandates that the district's Internet safety policy for E-rate discounts include the operation and enforcement of a "technology protection measure" that protects against Internet access to visual depictions that are obscene, child pornography, or harmful to minors. Similarly, as a condition of using federal Student Support and Academic Achievement Grants (20 USC 7101-7122) for the purpose of purchasing computers with Internet access or paying for direct costs associated with Internet access, 20 USC 7131 mandates that districts adopt an Internet safety policy that includes the operation of a technology protection measure that protects against access to visual depictions that are obscene or child pornography. Although these requirements focus on measures designed to protect students using district technology (see BP 6163.4 - Student Use of Technology), they also require policy that affects Internet access by adults.

Note: The following paragraph is for use by districts that desire to use E-rate or federal technology funding sources and may be adapted by other districts that choose to install technology protection measures.

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose. (20 USC 7131; 47 USC 254)

Note: The following optional paragraphs may be revised to reflect district practice.

Note: Although 20 USC 7131 and 47 USC 254 require districts receiving Student Support and Academic Achievement Grants or E-rate discounts to enforce the operation of technology protection measures, the legislation clarifies that nothing in the Children's Internet Protection Act shall be construed to require the tracking of individual students' or adults' Internet use. Thus, it appears to be left to the discretion of districts as to whether they wish to track Internet use through personally identifiable web monitoring software or other means.

Note: It is recommended that districts notify employees that they should have no expectation of privacy when using district equipment or technological resources. In City of Ontario v. Quon, the U.S. Supreme Court held that a search of an employee's pager messages was reasonable because the search was motivated by a legitimate work-related purpose and was not excessive in scope. In addition, the city had adopted a policy stating that employees should have no expectation of privacy or confidentiality when using city equipment.

The Superintendent or designee shall annually notify employees in writing that they have no reasonable expectation of privacy in the use of any equipment or other technological resources provided by or maintained by the district, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, even when provided their own password. To ensure proper use, the Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent and for any reason allowed by law.

Note: In City of San Jose v. Superior Court, the California Supreme Court held that a government employee's communications about public business are not excluded from a request under the California Public Records Act (CPRA) simply because they have been sent or received on a personal account or personal device. Thus, employees should be aware that if they use personal accounts or devices to communicate about district business, they may be required to search their personal communications and provide a sworn declaration stating a sufficient factual basis for determining whether communications are district-related communications subject to the CPRA, personal nondisclosable materials, or materials otherwise exempt under the CPRA. The court observed that the CPRA requires districts to use "reasonable effort" to locate existing records in response to a public records request, but that such searches need not be extraordinary or intrusive. For further information, see CSBA's Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications.

In addition, employees shall be notified that records maintained on any personal device or messages sent or received on a personal device that is being used to conduct district business may be subject to disclosure, pursuant to a subpoena or other lawful request.

Employees shall report any security problem or misuse of district technology to the Superintendent or designee.

Inappropriate use of district technology may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, Board policy, and administrative regulation.

(cf. [4118](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

GOVERNMENT CODE

[3543.1](#) Rights of employee organizations

[6250-6270](#) California Public Records Act

PENAL CODE

[502](#) Computer crimes, remedies

[632](#) Eavesdropping on or recording confidential communications

VEHICLE CODE

[23123](#) Wireless telephones in vehicles

[23123.5](#) Mobile communication devices; text messaging while driving

[23125](#) Wireless telephones in school buses

UNITED STATES CODE, TITLE 20

[7101-7122](#) Student Support and Academic Enrichment Grants

[7131](#) Internet safety

UNITED STATES CODE, TITLE 47

[254](#) Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 47

[54.520](#) Internet safety policy and technology protection measures, E-rate discounts

COURT DECISIONS

City of San Jose v. Superior Court (2017) 2 Cal.5th 608

City of Ontario v. Quon et al. (2010) 000 U.S. 08-1332

Management Resources:

WEB SITES

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

American Library Association: <http://www.ala.org>

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

Federal Communications Commission: <http://www.fcc.gov>

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

(7/01 7/07) 7/15

Personnel

Employee Use of Technology

Online/Internet Services: User Obligations and Responsibilities

Employees are authorized to use district equipment to access the Internet or other online services in accordance with Board policy, the district's Acceptable Use Agreement, and the user obligations and responsibilities specified below.

1. The employee in whose name an online services account is issued is responsible for its proper use at all times. Employees shall keep account information, home addresses, and telephone numbers private. They shall use the system only under the account number to which they have been assigned.
2. Employees shall use the system safely, responsibly, and primarily for work-related purposes.
3. Employees shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race, ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs.
4. Employees shall not use the system to promote any activity prohibited by law, Board policy, or administrative regulations.
5. Employees shall not use the system to engage in commercial or other for-profit activities without permission of the Superintendent or designee.
6. Copyrighted material shall be posted online only in accordance with applicable copyright laws.
7. Employees shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or forge other users' email.
8. Employees shall not develop any classroom or work-related web sites, blogs, forums, or similar online communications representing the district or using district equipment or resources without permission of the Superintendent or designee. Such sites shall be subject to rules and guidelines established for district online publishing activities including, but not limited to, copyright laws, privacy rights, and prohibitions against obscene, libelous, and slanderous content. Because of the unfiltered nature of blogs, any such site shall include a disclaimer that the district is not responsible for the content of the messages. The district retains the right to delete material on any such online communications.
9. Users shall report to the Superintendent or designee any security problems prohibited by law, Board policy, or administrative regulations.

Personnel

Employee Use of Technology

Note: The following Exhibit presents a sample Acceptable Use Agreement outlining obligations and responsibilities of employees using the district's technological resources. The district is encouraged to consult legal counsel in the development of such an agreement.

Note: Districts using an Acceptable Use Agreement should require all employees who use district technology to sign the agreement as an acknowledgment that they have read and understood its contents; see the accompanying Board policy. As appropriate, the district may also require contractors and affiliated third parties to sign the Acceptable Use Agreement.

Note: For a sample Acceptable Use Agreement for students, see E 6163.4 - Student Use of Technology.

The _____ School District authorizes district employees to use technology owned or otherwise provided by the district as necessary to fulfill the requirements of their position. The use of district technology is a privilege permitted at the district's discretion and is subject to the conditions and restrictions set forth in applicable Board policies, administrative regulations, and this Acceptable Use Agreement. The district reserves the right to suspend access at any time, without notice, for any reason.

The district expects all employees to use technology responsibly in order to avoid potential problems and liability. The district may place reasonable restrictions on the sites, material, and/or information that employees may access through the system.

The district makes no guarantee that the functions or services provided by or through the district will be without defect. In addition, the district is not responsible for financial obligations arising from unauthorized use of the system.

Each employee who is authorized to use district technology shall sign this Acceptable Use Agreement as an indication that he/she has read and understands the agreement.

Definitions

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

Employee Obligations and Responsibilities

Employees are expected to use district technology safely, responsibly, and primarily for work-related purposes. Any incidental personal use of district technology shall not interfere with district business and operations, the work and productivity of any district employee, or the safety and security of district technology. The district is not responsible for any loss or damage incurred by an employee as a result of his/her personal use of district technology.

The employee in whose name district technology is issued is responsible for its proper use at all times. Employees shall not share their assigned online services account information, passwords, or other information used for identification and authorization purposes, and shall use the system only under the account to which they have been assigned. Employees shall not gain unauthorized access to the files or equipment of others, access electronic resources by using another person's

name or electronic identification, or send anonymous electronic communications. Furthermore, employees shall not attempt to access any data, documents, emails, or programs in the district's system for which they do not have authorization.

Employees are prohibited from using district technology for improper purposes, including, but not limited to, use of district technology to:

- 1. Access, post, display, or otherwise use material that is discriminatory, defamatory, obscene, sexually explicit, harassing, intimidating, threatening, or disruptive*
- 2. Disclose or in any way cause to be disclosed confidential or sensitive district, employee, or student information without prior authorization from a supervisor*
- 3. Engage in personal commercial or other for-profit activities without permission of the Superintendent or designee*
- 4. Engage in unlawful use of district technology for political lobbying*
- 5. Infringe on copyright, license, trademark, patent, or other intellectual property rights*
- 6. Intentionally disrupt or harm district technology or other district operations (such as destroying district equipment, placing a virus on district computers, adding or removing a computer program without permission, changing settings on shared computers)*
- 7. Install unauthorized software*
- 8. Engage in or promote unethical practices or violate any law or Board policy, administrative regulation, or district practice*

Privacy

Since the use of district technology is intended for use in conducting district business, no employee should have any expectation of privacy in any use of district technology.

The district reserves the right to monitor and record all use of district technology, including, but not limited to, access to the Internet or social media, communications sent or received from district technology, or other uses within the jurisdiction of the district. Such monitoring/recording may occur at any time without prior notice for any legal purposes including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Employees should be aware that, in most instances, their use of district technology (such as web searches or emails) cannot be erased or deleted.

All passwords created for or used on any district technology are the sole property of the district. The creation or use of a password by an employee on district technology does not create a reasonable expectation of privacy.

Personally Owned Devices

If an employee uses a personally owned device to access district technology or conduct district business, he/she shall abide by all applicable Board policies, administrative regulations, and this Acceptable Use Agreement. Any such use of a personally owned device may subject the contents of the device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

Records

Any electronically stored information generated or received by an employee which constitutes a district or student record shall be classified, retained, and destroyed in accordance with BP/AR 3580 - District Records, BP/AR 5125 - Student Records, or other applicable policies and regulations addressing the retention of district or student records.

Reporting

If an employee becomes aware of any security problem (such as any compromise of the confidentiality of any login or account information) or misuse of district technology, he/she shall immediately report such information to the Superintendent or designee.

Consequences for Violation

Violations of the law, Board policy, or this Acceptable Use Agreement may result in revocation of an employee's access to district technology and/or discipline, up to and including termination. In addition, violations of the law, Board policy, or this agreement may be reported to law enforcement agencies as appropriate.

Employee Acknowledgment

I have received, read, understand, and agree to abide by this Acceptable Use Agreement, BP 4040 - Employee Use of Technology, and other applicable laws and district policies and regulations governing the use of district technology. I understand that there is no expectation of privacy when using district technology or when my personal electronic devices use district technology. I further understand that any violation may result in revocation of user privileges, disciplinary action, and/or appropriate legal action.

I hereby release the district and its personnel from any and all claims and damages arising from my use of district technology or from the failure of any technology protection measures employed by the district.

Name: _____ Position: _____

(Please print)

School/Work Site: _____

Signature: _____ Date: _____

7/15

Personnel

Exposure Control Plan for Bloodborne Pathogens

As part of its commitment to provide a safe and healthful work environment, the Governing Board recognizes the importance of developing an exposure control plan. The Superintendent or designee shall establish a written exposure control plan in accordance with state and federal standards for dealing with potentially infectious materials in the workplace to protect employees from possible infection due to contact with bloodborne pathogens, including but not limited to hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV).

The Superintendent or designee shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with the district's exposure control plan, employees having occupational exposure shall be offered the hepatitis B vaccination.

Any employee not identified by the Superintendent or designee as having occupational exposure may submit a request to the Superintendent or designee to be included in the training and hepatitis B vaccination program. The Superintendent or designee may deny a request when there is no reasonable anticipation of contact with any infectious material.

Legal Reference:

LABOR CODE

142.3 Authority of Cal/OSHA to adopt standards

144.7 Requirement to amend standards

CODE OF REGULATIONS, TITLE 8

3204 Access to employee exposure and medical records

5193 California bloodborne pathogens standards

CODE OF FEDERAL REGULATIONS, TITLE 29

1910.1030 OSHA bloodborne pathogens standards

Personnel

Exposure Control Plan for Bloodborne Pathogens

Note: Pursuant to 29 CFR 1910.1030 and 8 CCR 5193, districts must identify employees who have occupational exposure to bloodborne pathogens and must establish a written exposure control plan to eliminate or minimize employee exposure to these pathogens. Because safety conditions of employment are within the scope of bargaining pursuant to Government Code 3543.2, the district may want to consult legal counsel regarding whether components of its exposure control plan are subject to collective bargaining.

As part of its commitment to provide a safe and healthy work environment, the Governing Board recognizes the importance of protecting employees from possible infection due to contact with bloodborne pathogens, including, but not limited to, hepatitis B virus, hepatitis C virus, and human immunodeficiency virus (HIV). The Superintendent or designee shall establish a written exposure control plan in accordance with state and federal standards for dealing with potentially infectious materials in the workplace.

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.6 - School Health Services)

The exposure control plan shall be consistent with the district's injury and illness prevention program established pursuant to Labor Code 6401.7 and 8 CCR 3203. (8 CCR 5193)

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

The Superintendent or designee shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with the district's exposure control plan, employees having occupational exposure shall receive training and be offered the hepatitis B vaccination. (8 CCR 5193; 29 CFR 1910.1030)

Note: The following optional paragraph allows for employees to be included in the training and vaccination program without being classified as having occupational exposure.

Any employee not identified by the Superintendent or designee as having occupational exposure may submit a request to the Superintendent or designee to be included in the training and hepatitis B vaccination program. The Superintendent or designee may deny a request when there is no reasonable anticipation of contact with any infectious material.

In the event that an employee has an exposure incident, the district shall implement follow-up procedures in accordance with the exposure control plan. All such incidents shall be evaluated to determine whether changes need to be made in district practices.

Legal Reference:

GOVERNMENT CODE

3543.2 Scope of bargaining

LABOR CODE

142.3 Authority of Cal/OSHA to adopt standards

144.7 Requirement to amend standards

6401.7 Injury and illness prevention program

CODE OF REGULATIONS, TITLE 8

3203 *Injury and illness prevention program*

3204 *Access to employee exposure and medical records*

5193 *California bloodborne pathogens standards*

CODE OF FEDERAL REGULATIONS, TITLE 29

1910.1030 *OSHA bloodborne pathogens standards*

Management Resources:

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Frequently Asked Questions About the Bloodborne Pathogens Standard

A Best Practices Approach for Reducing Bloodborne Pathogens Exposure, 2001

Exposure Control Plan for Bloodborne Pathogens, 2001

WEB SITES

California Department of Industrial Relations, Occupational Safety and Health: http://www.dir.ca.gov/occupational_safety.html

Centers for Disease Control and Prevention: <http://www.cdc.gov>

U.S. Department of Labor, Occupational Safety and Health Administration: <http://www.osha.gov>

(3/93 7/99) 5/20

s

Personnel

Exposure Control Plan for Bloodborne Pathogens

Definitions

Occupational exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193(b))

Exposure incident means a specific eye, mouth, other mucous membrane, nonintact skin, or parenteral contact with blood or other potentially infectious materials that result from the performance of an employee's duties. (8 CCR 5193(b))

Parenteral contact means piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts, and abrasions. (8 CCR 5193(b))

A sharp is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193(b))

A sharps injury is any injury caused by a sharp, including but not limited to cuts, abrasions or needlesticks. (8 CCR 5193(b))

Work practice controls are controls that reduce the likelihood of exposure by defining the manner in which a task is performed. (8 CCR 5193(b))

Engineering controls are controls, such as sharps disposal containers, needleless systems, and sharps with engineered sharps injury protection, that isolate or remove the bloodborne pathogens hazard from the workplace. (8 CCR 5193(b))

Engineered sharps injury protection is a physical attribute built into a needle device or into a non-needle sharp which effectively reduces the risk of an exposure incident. (8 CCR 5193(b))

Exposure Control Plan

The district's exposure control plan shall contain at least the following components: (8 CCR 5193(c))

1. A determination of which employees have occupational exposure to blood or other potentially infectious materials. The district's exposure determination shall be made without regard to the use of personal protective equipment and shall include a list of:
 - a. All job classifications in which all employees have occupational exposure
 - b. Job classifications in which some employees have occupational exposure
 - c. All tasks and procedures, or groups of closely related tasks and procedures, in which occupational exposure occurs and which are performed by employees listed in item #b above
2. The schedule and method of implementing:
 - a. Methods of compliance required by 8 CCR 5193(d), such as universal precautions, general and specific engineering and work practice controls, and personal protective equipment
 - b. Hepatitis B vaccination
 - c. Bloodborne pathogen post-exposure evaluation and follow-up
 - d. Communication of hazards to employees, including labels, signs, information and training
 - e. Recordkeeping
3. The district's procedure for evaluating circumstances surrounding exposure incidents
4. An effective procedure for gathering information about each exposure incident involving a sharp, as required for the log of sharps injuries
5. An effective procedure for periodically determining the frequency of use of the types and brands of sharps involved in exposure incidents documented in the sharps injury log
6. An effective procedure for identifying currently available engineering controls and selecting such controls as appropriate for the procedures performed by employees in their work areas or departments
7. An effective procedure for documenting instances when a licensed healthcare professional directly involved in a patient's care determines, in the reasonable exercise of clinical judgment, that the use of an

engineering control would jeopardize an individual's safety or the success of a medical, dental or nursing procedure involving the individual

8. An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed by employees in their respective work areas or departments

The exposure control plan shall be reviewed and updated at least annually and whenever necessary to: (8 CCR 5193(c))

1. Reflect new or modified tasks and procedures affecting occupational exposure
2. To the extent that sharps are used in the district, reflect progress in implementing the use of needleless systems and sharps with engineered sharps injury protection
3. Include new or revised employee positions with occupational exposure
4. Review and evaluate the exposure incidents which occurred since the previous update
5. Review and respond to information indicating that the exposure control plan is deficient in any area

The district's exposure control plan shall be accessible to employees upon request. (8 CCR 3204(e))

Preventive Measures

The Superintendent or designee shall use engineering and work practice controls to eliminate or minimize employee exposure, and shall regularly examine and update controls to ensure their effectiveness. (8 CCR 5193(d))

Hepatitis B Vaccination

The hepatitis B vaccination and vaccination series shall be made available at no cost to all employees who have occupational exposure. The hepatitis B vaccination shall be made available after an employee with occupational exposure has received the required training and within 10 working days of initial assignment, unless the employee has previously received the complete hepatitis B vaccination series, or antibody testing has revealed that the employee is immune, or vaccination is contraindicated by medical reasons. (8 CCR 5193(f))

Employees who decline to accept the vaccination shall sign the hepatitis B declination statement. (8 CCR 5193(f))

The Superintendent or designee may exempt designated first aid providers from the pre-exposure hepatitis B vaccine in accordance with 8 CCR 5193 (f).

Information and Training

The Superintendent or designee shall ensure that all employees with occupational exposure participate in a training program containing the elements required by state regulations, during working hours and at no cost to the employee. This program shall be offered at the time of initial assignment to tasks where occupational exposure may take place, at least annually thereafter, and whenever a change of tasks or procedures affects the employee's exposure. (8 CCR 5193(g))

Designated first aid providers shall receive training that includes the specifics of reporting first-aid incidents which involve blood or body fluids which are potentially infectious. (8 CCR 5193(g))

Reporting Incidents

All exposure incidents shall be reported as soon as possible to the Superintendent or designee.

Unvaccinated designated first aid providers must report any first aid incident involving the presence of blood or other potentially infectious material, regardless of whether an exposure incident occurred, by the end of the work shift. The full hepatitis B vaccination series shall be made available to such employees no later than 24 hours after the first aid incident. (8 CCR 5193(f))

Sharps Injury Log

The Superintendent or designee shall establish and maintain a log recording each exposure incident involving a sharp. The exposure incident shall be recorded within 14 working days of the date the incident is reported to the district. (8 CCR 5193(c))

The information recorded shall include the following, if known or reasonably available: (8 CCR 5193(c))

1. Date and time of the exposure incident
2. Type and brand of sharp involved in the exposure incident
3. A description of the exposure incident, including:
 - a. Job classification of the exposed employee
 - b. Department or work area where the exposure incident occurred
 - c. The procedure that the exposed employee was performing at the time of the incident
 - d. How the incident occurred
 - e. The body part involved in the incident
 - f. If the sharp had engineered sharps injury protection, whether the protective mechanism was activated and whether the injury occurred before, during or after the protective mechanism was activated
 - g. If the sharp had no engineered sharps injury protection, the injured employee's opinion as to whether and how such a mechanism could have prevented the injury
 - h. The employee's opinion about whether any other engineering, administrative or work practice could have prevented the injury

Post-Exposure Evaluation and Follow-up

Following a report of an exposure incident, the Superintendent or designee shall immediately make available to the exposed employee, at no cost, a confidential medical evaluation, post-exposure evaluation and follow-up. The Superintendent or designee shall, at a minimum: (8 CCR 5193(f))

1. Document the route(s) of exposure and the circumstances under which the exposure incident occurred
2. Identify and document the source individual, unless that identification is infeasible or prohibited by law
3. Provide for the collection and testing of the employee's blood for hepatitis B, hepatitis C and HIV serological status
4. Provide for post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service
5. Provide for counseling and evaluation of reported illnesses

The Superintendent or designee shall provide the health care professional with a copy of 8 CCR 5193; a description of the employee's duties as they relate to the exposure incident; documentation of the route(s) of exposure and circumstances under which exposure occurred; results of the source individual's blood testing, if available; and all medical records maintained by the district relevant to the appropriate treatment of the employee, including vaccination status. (8 CCR 5193(f))

The district shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation. (8 CCR 5193(f))

Records

Upon an employee's initial employment and at least annually thereafter, the Superintendent or designee shall inform employees with occupational exposure of the existence, location and availability of related records; the person responsible for maintaining and providing access to records; and the employee's right of access to these records. (8 CCR 3204)

Medical records for each employee with occupational exposure shall be kept confidential and not disclosed or reported without the employee's written consent to any person within or outside the workplace except as required by law. (8 CCR 5193(h))

Upon request by an employee, or a designated representative with the employee's written consent, the Superintendent or designee shall provide access to a record in a reasonable time, place and manner, no later than 15 days after the request is made. (8 CCR 3204(e))

Records shall be maintained as follows: (8 CCR 3204(d), 5193(h))

1. Medical records shall be maintained for the duration of employment plus 30 years.
2. Training records shall be maintained for three years from the date of training.
3. The sharps injury log shall be maintained five years from the date the exposure incident occurred.
4. Exposure records shall be maintained for at least 30 years.
5. Each analysis using medical or exposure records shall be maintained for at least 30 years.

Personnel

Exposure Control Plan for Bloodborne Pathogens

Note: The following optional administrative regulation summarizes key requirements for preventing and handling exposure to bloodborne pathogens pursuant to 8 CCR 5193. The standards are detailed and lengthy, and districts are encouraged to examine the full content of 8 CCR 5193 to determine any additional requirements applicable to their circumstances. Because safety conditions of employment are within the scope of bargaining pursuant to Government Code 3543.2, the district may want to consult legal counsel regarding whether components of its exposure control plan are subject to collective bargaining.

Note: Districts may wish to consider including the following regulation in their employee handbooks.

Definitions

Occupational exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193; 29 CFR 1910.1030)

Exposure incident means a specific eye, mouth, other mucous membrane, nonintact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties. (8 CCR 5193; 29 CFR 1910.1030)

Parenteral contact means piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts, and abrasions. (8 CCR 5193; 29 CFR 1910.1030)

A sharp is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193)

A sharps injury is any injury caused by a sharp, including, but not limited to, cuts, abrasions, or needlesticks. (8 CCR 5193)

Work practice controls are controls that reduce the likelihood of exposure by defining the manner in which a task is performed. (8 CCR 5193; 29 CFR 1910.1030)

Engineering controls are controls, such as sharps disposal containers, needleless systems, and sharps with engineered sharps injury protection, that isolate or remove the bloodborne pathogens hazard from the workplace. (8 CCR 5193; 29 CFR 1910.1030)

Engineered sharps injury protection is a physical attribute, such as a barrier, blunting, encapsulation, withdrawal, or other effective mechanism, built into a needle device or into a non-needle sharp which effectively reduces the risk of an exposure incident. (8 CCR 5193; 29 CFR 1910.1030)

Personal protective equipment is specialized clothing or equipment worn or used by an employee for protection against a hazard, such as gloves, gowns, laboratory coats, face shields or masks. (8 CCR 5193)

Exposure Control Plan

The district's written exposure control plan for bloodborne pathogens shall contain at least the following components: (8 CCR 5193; 29 CFR 1910.1030)

- 1. A determination of which employees have occupational exposure to blood or other potentially infectious materials, which shall be made without regard to employees' use of personal protective equipment and shall include a list of:
 - a. All job classifications in which all employees have occupational exposure*
 - b. Job classifications in which some employees have occupational exposure*
 - c. All tasks and procedures, or groups of closely related tasks and procedures, in which occupational exposure occurs and which are performed by employees listed in item #1b above**

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.6 - School Health Services)

2. The schedule and method of implementing each of the following in accordance with 8 CCR 5193 and this administrative regulation:

a. Methods of compliance required by 8 CCR 5193(d) and 29 CFR 1910.1030, including universal precautions, general and specific engineering and work practice controls, and personal protective equipment

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

b. Hepatitis B vaccination

c. Bloodborne pathogen post-exposure evaluation and follow-up

d. Communication of hazards to employees through information and training

e. Recordkeeping, including medical records, training records, and a log of sharps injuries

3. The district's procedure for documenting the route(s) of exposure and the circumstances under which exposure incidents occurred

4. An effective procedure for gathering information about each exposure incident involving a sharp

5. An effective procedure for periodically determining the frequency of use of the types and brands of sharps involved in exposure incidents

6. An effective procedure for identifying currently available engineering controls and selecting such controls, as appropriate, for the procedures performed by employees in their work areas or departments

7. An effective procedure for documenting instances when a licensed healthcare professional directly involved in an employee's care determines that the use of an engineering control would jeopardize the employee's safety or the success of a medical, dental, or nursing procedure involving the employee

8. An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed by employees in their respective work areas or departments

The exposure control plan shall be reviewed and updated at least annually and whenever necessary to: (8 CCR 5193; 29 CFR 1910.1030)

1. Reflect new or modified tasks and procedures affecting occupational exposure

2. Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens and, to the extent that sharps are used in the district, document consideration and implementation of appropriate commercially available needleless systems and needle devices and sharps with engineered sharps injury protection

3. Include new or revised employee positions with occupational exposure

4. Review and evaluate the exposure incidents which occurred since the previous update

5. Review and respond to information indicating that the exposure control plan is deficient in any area

The district's exposure control plan shall be accessible to employees upon request. (8 CCR 3204(e), 5193; 29 CFR 1910.1030)

Preventive Measures

The Superintendent or designee shall use engineering controls and work practice controls, as defined above, to eliminate or minimize employee exposure to bloodborne pathogens. Engineering controls and work practice controls shall be evaluated on a regular schedule and, as applicable, maintained, replaced, or updated to ensure their effectiveness. (8 CCR 5193; 29 CFR 1910.1030)

Whenever potential occupational exposure continues to exist after institution of engineering and work practice controls, the district shall provide, at no cost to the employee, appropriate personal protective equipment. (8 CCR 5193; 29 CFR 1910.1030)

Employees shall observe universal precautions to prevent contact with blood or other potentially infectious materials, including, but not limited to, handwashing, proper use of personal protective equipment, and proper disposal or washing of contaminated garments or objects. (8 CCR 5193; 29 CFR 1910.1030)

Any use of needleless systems, needle devices, or non-needle sharps shall adhere to the specific requirements of 8 CCR 5193(d) and 29 CFR 1910.1030.

Pre-Exposure Hepatitis B Vaccination

The hepatitis B vaccination and vaccination series shall be made available at no cost to all employees who have occupational exposure. The hepatitis B vaccination shall be made available after an employee with occupational exposure has received the required training and within 10 working days of initial assignment, unless the employee has previously received the complete hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or vaccination is contraindicated for medical reasons. (8 CCR 5193; 29 CFR 1910.1030)

Note: Pursuant to 8 CCR 5193 and 29 CFR 1910.1030, if the employee declines to accept the hepatitis B vaccination offered by the district, the district must ensure that the employee signs the statement reproduced in the accompanying Exhibit.

Employees who decline to accept the vaccination shall sign the hepatitis B declination statement. (8 CCR 5193; 29 CFR 1910.1030)

The Superintendent or designee may exempt from the pre-exposure hepatitis B vaccine designated first aid providers whose primary job assignment is not the rendering of first aid, provided that the district implements the procedures in its exposure control plan for providing hepatitis B vaccine to all unvaccinated first aid providers who have rendered assistance in any situation involving the presence of blood or other potentially infectious materials and provides appropriate follow-up for those who experience an exposure incident. (8 CCR 5193)

Training

The Superintendent or designee shall ensure that all employees with occupational exposure participate in a training program at the time of initial assignment to tasks where occupational exposure may take place and at least annually thereafter. The training shall be offered during working hours and at no cost to the employee. (8 CCR 5193; 29 CFR 1910.1030)

The training shall address, at a minimum: (8 CCR 5193; 29 CFR 1910.1030)

- 1. The exposure control standard contained in 8 CCR 5193 and 29 CFR 1910.1030*
- 2. The epidemiology and symptoms of bloodborne diseases*
- 3. Modes of transmission of bloodborne pathogens*
- 4. The district's exposure control plan and the means by which employees may obtain a copy of the written plan*
- 5. Appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials*
- 6. The use and limitations of methods to prevent or reduce exposure, including appropriate engineering controls, administrative or work practice controls, and personal protective equipment*
- 7. The types, proper use, location, removal, handling, decontamination, and disposal of personal protective equipment*
- 8. The basis for selecting personal protective equipment*
- 9. The hepatitis B vaccine, including its efficacy, safety, and method of administration; the benefits of being vaccinated; and that the vaccine will be offered free of charge*

10. *Appropriate actions to take and persons to contact in an emergency or exposure incident involving blood or other potentially infectious materials*

11. *The post-exposure evaluation and follow-up that the district is required to provide for the employee following an exposure incident*

Additional training shall be provided to affected employees whenever a change, such as the introduction or modification of tasks or procedures or the introduction of new engineering, administrative, or work practice controls, affects the employee's exposure. The additional training may be limited to addressing the new exposures created. (8 CCR [5193](#); 29 CFR [1910.1030](#))

Designated first aid providers shall receive training that includes the specifics of reporting first-aid incidents which involve blood or body fluids which are potentially infectious. (8 CCR [5193](#))

Reporting Incidents

All exposure incidents shall be reported as soon as possible to the Superintendent or designee.

Unvaccinated designated first aid providers must report any first aid incident involving the presence of blood or other potentially infectious material, regardless of whether an exposure incident occurred, by the end of the work shift. The full hepatitis B vaccination series shall be made available to such employees no later than 24 hours after the first aid incident. (8 CCR [5193](#))

Sharps Injury Log

The Superintendent or designee shall establish and maintain a log recording each exposure incident involving a sharp. (8 CCR [5193](#); 29 CFR [1910.1030](#))

The exposure incident shall be recorded within 14 working days of the date the incident is reported to the district. (8 CCR [5193](#))

The information recorded shall include the following, if known or reasonably available: (8 CCR [5193](#); 29 CFR [1910.1030](#))

- 1. Date and time of the exposure incident*
- 2. Type and brand of sharp involved in the exposure incident*
- 3. A description of the exposure incident, including:*
 - a. Job classification of the exposed employee*
 - b. Department or work area where the exposure incident occurred*
 - c. The procedure that the exposed employee was performing at the time of the incident*
 - d. How the incident occurred*
 - e. The body part involved in the incident*
 - f. If the sharp had engineered sharps injury protection, whether the protective mechanism was activated and whether the injury occurred before, during, or after the protective mechanism was activated*
 - g. If the sharp had no engineered sharps injury protection, the injured employee's opinion as to whether and how such a mechanism could have prevented the injury*
 - h. The employee's opinion about whether any other engineering, administrative, or work practice could have prevented the injury*

Post-Exposure Evaluation and Follow-up

Following a report of an exposure incident, the Superintendent or designee shall immediately make available to the exposed employee, at no cost, a confidential medical evaluation, post-exposure evaluation, and follow-up. The Superintendent or designee shall, at a minimum: (8 CCR 5193; 29 CFR 1910.1030)

1. Document the route(s) of exposure and the circumstances under which the exposure incident occurred

Note: Pursuant to 8 CCR 5193 and 29 CFR 1910.1030, the district must identify and document the source individual, unless to do so is not feasible or is prohibited by law. If the source individual provides consent, that individual's blood should be tested as soon as feasible to determine hepatitis B, hepatitis C, or HIV infectivity.

Note: The district should obtain permission from the source individual before disclosing confidential information about that source individual, in accordance with law. Legal counsel should be consulted as necessary to ensure compliance with confidentiality laws.

2. Identify and document the source individual, unless that identification is not feasible or is prohibited by law

3. With the consent of the exposed employee, provide for the collection and testing of the employee's blood for hepatitis B, hepatitis C, and HIV serological status

4. Provide for post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service

5. Provide for counseling and evaluation of reported illnesses

The Superintendent or designee shall provide the health care professional responsible for the employee's hepatitis B vaccination with a copy of 8 CCR 5193 and 29 CFR 1910.1030; a description of the employee's duties as they relate to the exposure incident; documentation of the route(s) of exposure and circumstances under which exposure occurred; results of the source individual's blood testing, if available; and all medical records maintained by the district relevant to the appropriate treatment of the employee, including vaccination status. (8 CCR 5193; 29 CFR 1910.1030)

The district shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation. (8 CCR 5193)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

Records

Upon an employee's initial employment and at least annually thereafter, the Superintendent or designee shall inform employees with occupational exposure of the existence, location, and availability of related records; the person responsible for maintaining and providing access to records; and the employee's right of access to these records. (8 CCR 3204)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

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

The district shall maintain a medical record of each employee with occupational exposure, including the employee's hepatitis B vaccination status, the results of any post-exposure medical examinations and follow-up procedures, a copy of the information provided to the health care professional, and a copy of the health care professional's written opinion. The medical record shall be kept confidential and not disclosed or reported without the employee's written consent to any person within or outside the workplace except as required by law. (8 CCR 5193; 29 CFR 1910.1030)

Upon request by an employee, or a designated representative with the employee's written consent, the Superintendent or designee shall provide access to a record in a reasonable time, place, and manner, no later than 15 days after the request is made. (8 CCR 3204)

Records shall be maintained as follows: (8 CCR 3204, 5193; 29 CFR 1910.1030)

- 1. The medical records of each employee with occupational exposure shall be maintained for the duration of employment plus 30 years.*
- 2. Training records shall be maintained for three years from the date of training.*
- 3. The sharps injury log shall be maintained five years from the date the exposure incident occurred.*
- 4. Exposure records shall be maintained for at least 30 years.*
- 5. Each analysis using medical or exposure records shall be maintained for at least 30 years.*

(3/93 7/99) 5/20

Personnel

Exposure Control Plan for Bloodborne Pathogens

Hepatitis B Vaccine Declination

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to myself.

Signature

Employee Name (Please print)

Date

Personnel

Note: 8 CCR 5193 and 29 CFR 1910.1030 require the district to ensure that the following statement is signed by any employee with occupational exposure to bloodborne pathogens or other potentially infectious materials who declines to accept the hepatitis B vaccination offered by the district.

In accordance with 8 CCR 5193 and 29 CFR 1910.1030, the district makes the hepatitis B vaccine available to employees who may reasonably be expected to have contact with blood or other potentially infectious materials in the performance of their duties. Any employee who declines this vaccine is required to read and sign the following statement:

I understand that, due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to myself.

Employee Name (Please print)

Signature

Date

(3/93) 5/20

Personnel

Personnel Records

The Superintendent or designee shall maintain personnel files for all current employees. All personnel files are confidential and shall be available only to the employee, persons authorized by the employee and those authorized by the Superintendent or designee. Official employee files shall be maintained at the district's central office. The Superintendent or designee shall determine the kinds of information to be included and shall process all material to be placed in a personnel file.

The contents of all personnel files shall be kept in strict confidence by any authorized reviewer.

Personnel files shall be reviewed and re-filed within the shortest time possible. In no case shall a personnel file be left unattended or left un-filed overnight.

Placement of Material in Personnel Files

Any person who places written material or drafts written material for placement in an employee's file shall sign the material and signify the date of placement.

When an employee is asked to sign any material that is to be placed in his/her file, it is with the understanding that his/her signature signifies only that he/she has read the material and does not necessarily indicate agreement with its contents.

Any request by an employee to include materials in his/her personnel file must be approved by the Superintendent or designee.

A certificated employee may initiate a written reaction or response to his/her performance evaluation and that response shall become a permanent record in the employee's personnel file. (Education Code 44663)

Derogatory Information

Information of a derogatory nature shall not be entered into an employee's personnel file unless and until the employee is given notice and an opportunity to review and comment on that information. Such a review shall take place during normal business hours. The employee shall be released from duty for this purpose without a salary reduction. The employee may enter his/her own comments and have them attached to the derogatory statement. (Education Code 44031)

File Review by Employee

The contents of personnel records relating to the employee's performance or to any grievance concerning the employee shall be made available to the employee at reasonable intervals and at reasonable times. The Superintendent or designee shall not be required to make such records available at a time when the employee is required to render services to the district, unless the employee is required to view the file where it is stored. (Labor Code 1198.5; Education Code 44031)

The Superintendent or designee shall do one of the following: (Labor Code 1198.5)

1. Keep a copy of each employee's personnel records at the place where the employee reports to work
2. Make the employee's personnel records available at the place where the employee reports to work within a reasonable period of time following an employee's request
3. Permit the employee to inspect the personnel records at the location where the district stores the personnel records, with no loss of compensation to the employee

Any employee wishing to inspect his/her personnel record shall contact the Superintendent or designee.

With the exceptions noted below, all personnel records related to the employee's performance or to any grievance concerning the employee shall be made available for inspection by the employee. Noncredentialed employees shall have access to any numerical scores obtained as result of written examinations. (Education Code 44031)

The Superintendent or designee shall not be required to make available to the employee: (Labor Code 1198.5, Education Code 44031)

1. Records relating to the investigation of a possible criminal offense
2. Letters of reference
3. Ratings, reports or records that were obtained prior to the employee's employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination

The employee may be accompanied by a representative of the employee's choice while reviewing the record.

In no instance shall any material be removed from the records. Requests for copies of material in a personnel record must be made in writing.

File Review by Management and Board

Management personnel or district legal counsel with a valid "right to know" or "need to know" may, with the Superintendent or designee's authorization, review an employee's personnel file.

Board members are not individually allowed to request and access personnel files but the Board may request pertinent information from an employee's file in cases of personnel action.

Legal Reference:

EDUCATION CODE

35253 Regulations to destroy records

44031 Personnel file contents and inspection

44663 Performance appraisals and related materials

GOVERNMENT CODE

3305-3306 District police officers; personnel files

6254.3 Disclosure of home address and phone number

LABOR CODE

1198.5 Inspection of personnel files

PENAL CODE

11165.14 Report of investigation of child abuse complaint

CODE OF REGULATIONS, TITLE 5

16020-16022 Records, general provisions

16023-16027 Retention of records

ATTORNEY GENERAL OPINIONS

Cal. Atty. Gen., Indexed Letter, no. IL 75-73 (June 6, 1975)

Personnel

Personnel Records

Note: The following optional administrative regulation should be revised to reflect district practice and any related provisions of negotiated agreements.

The Superintendent or designee shall maintain personnel files for all current employees at the district's central office or at the location where the employee works.

The Superintendent or designee shall determine the types of information to be included in personnel files, including, but not limited to, records required by law, and shall process all material to be placed in such files.

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

Note: The following paragraph is for use by districts that maintain their own police or security department; see BP/AR 3515.3 - District Police/Security Department.

Personnel files for district police or security officers shall be maintained and accessed in accordance with Government Code 3305-3306.5 and AR 3515.3 - District Police/Security Department.

(cf. 3515.3 - District Police/Security Department)

Placement of Material in Personnel Files

Any supervisor or administrator who places written material or drafts written material for placement in an employee's file shall sign the material and indicate the date of the placement.

When an employee is asked to sign any material that is to be placed in his/her file, he/she shall be informed that the signature only signifies that he/she has read the material and does not necessarily indicate that he/she agrees with its contents.

Any request by an employee to include materials in his/her personnel file must be approved by the Superintendent or designee.

Note: Pursuant to Education Code 44663, certificated employees have the right to provide a written reaction to their evaluation and this response becomes a permanent attachment to their personnel file. The following paragraph extends this right to all employees and may be revised to reflect district practice.

An employee may initiate a written reaction or response to his/her performance evaluation. The response shall be permanently attached to the evaluation and placed in the employee's personnel file.

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

Derogatory Information

Note: Education Code 44031 requires that an employee be given an opportunity to review and comment on any derogatory information before such information is placed in the employee's personnel file, as provided below. Pursuant to 5 CCR 16023, derogatory information must be retained as a Class 1 (permanent) record only when the time for filing a grievance has passed or the document has been sustained by the grievance process; see AR 3580 - District Records.

Information of a derogatory nature shall not be entered into an employee's personnel file unless and until the employee is given notice and an opportunity to review and comment on that information. Such a review shall take place during normal business hours. The employee shall be released from duty for this purpose without a salary reduction. The employee may enter his/her own comments and have them attached to the derogatory statement. (Education Code 44031)

(cf. [1312.1](#) - Complaints Concerning District Employees)

(cf. [4112.9/4212.9/4312.9](#) - Employee Notifications)

(cf. [4118](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [5141.4](#) - Child Abuse Prevention and Reporting)

Persons with Authorized Access

*Note: The following section should be revised to reflect district practice. Pursuant to Government Code [6254](#), districts may refuse to disclose personnel records when such disclosure would constitute an unwarranted invasion of personal privacy, although such disclosure is not prohibited. In *Marken v. Santa Monica-Malibu Unified School District*, the court, relying on *Bakersfield City School District v. Superior Ct.*, held that "if a complaint is of a substantial nature and there is reasonable cause to believe the complaint or charge of misconduct is well-founded," then the public's right to know outweighs the employee's right to privacy. The ruling emphasized that balancing the public's right to know with the employee's privacy rights must be determined on a case-by-case basis. Districts should consult legal counsel prior to disclosing an individual's personnel records.*

The Superintendent or designee shall maintain the confidentiality of any personnel records which, if inappropriately disclosed, would constitute an unwarranted invasion of the employee's privacy.

Access to an employee's personnel file shall be granted only to the employee, persons authorized by the employee, district personnel, and others with a valid "right to know" or "need to know" who are authorized access by the Superintendent or designee.

(cf. [4119.23/4219.23/4319.23](#) - Unauthorized Release of Confidential/Privileged Information)

Note: The following optional paragraph is consistent with BB 9005 - Governance Standards and BB 9200 - Limits of Board Member Authority which reflect an understanding that the Governing Board's authority rests with the Board as a whole and not with individual Board members.

Individual Governing Board members shall not be allowed to access personnel files, but the Board may request pertinent information from an employee's file in cases of personnel action.

(cf. [9011](#) - Disclosure of Confidential/Privileged Information)

(cf. [9321](#) - Closed Session Purposes and Agendas)

(cf. [9321.1](#) - Closed Session Actions and Reports)

Any authorized reviewer shall maintain strict confidence of the contents of a personnel file. Personnel files shall be reviewed and replaced within the shortest time possible. In no case shall a personnel file be left unattended or left unsecured overnight.

File Review by Employee

Any employee wishing to inspect his/her personnel record shall contact the Superintendent or designee.

With the exceptions noted below, all personnel records related to the employee's performance or to any grievance concerning the employee shall be made available for inspection by the employee. Noncredentialed employees shall have access to any numerical scores obtained as a result of written examinations. (Education Code [44031](#); Labor Code [1198.5](#))

The Superintendent or designee shall not be required to make available to the employee: (Education Code [44031](#); Labor Code [1198.5](#))

- 1. Records related to the investigation of a possible criminal offense*
- 2. Letters of reference*

3. Ratings, reports, or records that were obtained prior to the employee's employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination

(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)

Note: Education Code 44031 and Labor Code 1198.5 require districts to make the contents of personnel files available to an employee at reasonable intervals and at reasonable times, as specified below. The law does not define the term "reasonable interval" or "reasonable time." If questions arise, districts should consult with legal counsel as appropriate.

Personnel records related to the employee's job performance or to any grievance concerning him/her shall be made available to the employee at reasonable intervals and at reasonable times. The Superintendent or designee shall not be required to make such records available at a time when the employee is required to render services to the district, unless the employee is required to view the file where it is stored. (Education Code 44031; Labor Code 1198.5)

The Superintendent or designee shall do one of the following: (Labor Code 1198.5)

1. Keep a copy of each employee's personnel records at the place where the employee reports to work
2. Make the employee's personnel records available at the place where the employee reports to work within a reasonable period of time following the employee's request
3. Permit the employee to inspect the personnel records at the location where the district stores the personnel records, with no loss of compensation to the employee

Note: The remainder of this section is optional and may be revised to reflect district practice.

The employee may be accompanied by a representative of his/her choice while reviewing his/her personnel records.

Inspection shall take place in the presence of the Superintendent or designee. The Superintendent or designee shall keep a record of the date and time the file was reviewed and the name and title of the person(s) present during the review.

In no instance shall any material be removed from the records. Requests for copies of material in a personnel record must be made in writing.

Record Retention

Note: Pursuant to 5 CCR 16023, personnel records pertaining to the employment, assignment, amounts and dates of service rendered, termination or dismissal of an employee, sick leave, rate of compensation, salaries or wages paid, and deductions or withholdings made and the person or agency to whom such amounts were paid are Class 1 (permanent) records which must be retained indefinitely unless microfilmed or part of a summary payroll record; see AR 3580 - District Records.

Personnel records for current and former employees shall be retained in accordance with 5 CCR 16023.

(cf. 3580 - District Records)

Note: Pursuant to Education Code 44939.5, as amended by AB 1452 (Ch. 59, Statutes of 2015), districts must not expunge from an employee's personnel file any documentation of a credible complaint of, substantiated investigation into, or discipline for egregious misconduct, except under the circumstances specified below.

The Superintendent or designee shall not expunge from an employee's personnel file, nor enter into an agreement that would authorize expunging from an employee's personnel file, credible complaints of, substantiated investigations into, or discipline for egregious misconduct as defined in Education Code 44932. However, such documentation may be removed if, during a hearing before the Board, an arbiter, personnel commission, Commission on Professional Competence, or administrative law judge, the employee prevailed, the allegations were determined to be false, not credible, or unsubstantiated, or a determination was made that the discipline was not warranted. (Education Code 44939.5)

Legal Reference:

EDUCATION CODE

35253 *Regulations to destroy records*

44031 *Personnel file contents and inspection*

44663 *Performance appraisals and related materials*

GOVERNMENT CODE

3305-3306.5 *District police officers; personnel files*

6250-6270 *California Public Records Act, especially:*

6254 *Exemption for personnel records if invasion of personal privacy*

6254.3 *Disclosure of home address and phone number*

LABOR CODE

1198.5 *Inspection of personnel files*

PENAL CODE

11165.14 *Report of investigation of child abuse complaint*

CODE OF REGULATIONS, TITLE 5

16020-16022 *Records, general provisions*

16023-16027 *Retention of records*

COURT DECISIONS

Marken v. Santa Monica-Malibu Unified School District, (2012) 202 Cal.App.4th 1250

Bakersfield City School District v. Superior Ct. (2004) 118 Cal.App.4th 1041

ATTORNEY GENERAL OPINIONS

Cal. Atty. Gen., Indexed Letter, no. IL 75-73 (June 6, 1975)

(3/01 7/12) 3/16

Personnel

Universal Precautions

In order to protect employees from contact with potentially infectious blood or other body fluids, the Governing Board requires that universal precautions be observed throughout the district.

Universal precautions are appropriate for preventing the spread of all infectious diseases and shall be used regardless of whether bloodborne pathogens are known to be present.

Employees shall immediately report any exposure incident or first aid incident in accordance with the district's exposure control plan or other safety procedures.

Legal Reference:

HEALTH AND SAFETY CODE

117600-118360 Handling and disposal of regulated waste

120875 Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B

120880 Information to employees of school district

CODE OF REGULATIONS, TITLE 8

5193 California bloodborne pathogens standard

CODE OF FEDERAL REGULATIONS, TITLE 29

1910.1030 OSHA bloodborne pathogens standards

Personnel

Universal Precautions

Note: The following policy and accompanying administrative regulation establish the expectation that all employees will observe universal precautions to prevent the spread of infectious diseases. In addition, pursuant to 8 CCR 5193(d) and 29 CFR 1910.1030, all districts with one or more employees having occupational exposure to bloodborne pathogens must enforce universal precautions to prevent contact with blood or other potentially infectious materials; see BP/AR 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens. Note: Because safety conditions of employment are within the scope of bargaining pursuant to Government Code 3543.2, the district may want to consult legal counsel regarding whether components of this policy or the accompanying administrative regulation are subject to collective bargaining.

In order to protect all employees from contact with potentially infectious blood or other body fluids, the Governing Board requires that universal precautions be observed throughout the district. Universal precautions are appropriate for preventing the spread of all infectious diseases and shall be used regardless of whether bloodborne pathogens are known to be present.

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

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.24 - Specialized Health Care Services)

(cf. 5141.6 - School Health Services)

(cf. 6145.2 - Athletic Competition)

Note: Health and Safety Code 120880 requires districts to provide information regarding AIDS and hepatitis B, as specified below, including that the cost of a hepatitis B vaccination may be covered by the employees' health benefit plan. For employees who are identified as having occupational exposure to bloodborne pathogens, the cost of a hepatitis B vaccination must be borne by the district pursuant to 8 CCR 5193 and 29 CFR 1910.1030; see AR 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens.

Note: Districts may also wish to provide information to employees about the hepatitis C virus and other bloodborne pathogens that may be controlled through the use of universal precautions. The following paragraph should be modified to reflect any additional information provided to employees.

The Superintendent or designee shall distribute to employees information provided by the California Department of Education (CDE) regarding acquired immune deficiency syndrome (AIDS), AIDS-related conditions, and hepatitis B. This information shall include, but not be limited to, any appropriate methods employees may use to prevent exposure to AIDS and hepatitis B, including information concerning the availability of a vaccine to prevent contraction of hepatitis B, and that the cost of this vaccination may be covered by the health plan of the employees. Information shall be distributed annually, or more frequently if there is new information supplied by CDE. (Health and Safety Code 120875, 120880)

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

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

Information regarding universal precautions may be included in employee handbooks.

Employees shall immediately report any exposure incident or first aid incident in accordance with the district's exposure control plan for bloodborne pathogens or other safety procedures.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

Legal Reference:

GOVERNMENT CODE

3543.2 Scope of bargaining

HEALTH AND SAFETY CODE

117600-118360 Handling and disposal of regulated waste

120875 Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B

120880 Information to employees of school district

LABOR CODE

6401.7 Injury and illness prevention program

CODE OF REGULATIONS, TITLE 8

3203 Injury and illness prevention program

5193 California bloodborne pathogens standard

CODE OF FEDERAL REGULATIONS, TITLE 29

1910.1030 OSHA bloodborne pathogens standards

Management Resources:

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Hepatitis B Questions and Answers for the Public

WEB SITES

American Federation of Teachers: <http://www.aft.org>

California Department of Industrial Relations, Occupational Safety and Health: http://www.dir.ca.gov/occupational_safety.html

California Department of Public Health: <http://www.cdph.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

U.S. Department of Labor, Occupational Safety and Health Administration: <http://www.osha.gov>

(3/93 7/99) 5/20

Personnel

Universal Precautions

Definitions

Universal precautions are an approach to infection control. All human blood and certain human body fluids, including but not limited to semen, vaginal secretions and any body fluid that is visibly contaminated with blood, are treated as if known to be infectious for human immunodeficiency virus (HIV), hepatitis B virus (HBV), hepatitis C virus (HCV) and other bloodborne pathogens. (8 CCR 5193(b))

Personal protective equipment includes specialized clothing or equipment worn or used for protection against a hazard. General work clothes such as uniforms, pants, shirts or blouses not intended to function as protection against a hazard are not considered to be personal protective equipment. (8 CCR 5193(b))

A sharp is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193(b))

Engineered sharps injury protection is a physical attribute built into a needle device or into a non-needle sharp which effectively reduces the risk of an exposure incident. (8 CCR 5193(b))

Employee Information

The Superintendent or designee shall distribute to employees information provided by the California Department of Education regarding acquired immune deficiency syndrome (AIDS), AIDS-related conditions, and hepatitis B. This information shall include, but not be limited to, any appropriate methods employees may use to prevent exposure to AIDS and hepatitis B, including information concerning the availability of a vaccine to prevent contraction of hepatitis B, and that the cost of this vaccination may be covered by the health plan benefits of the employees. Information shall be distributed at least annually, or more frequently if there is new information supplied by the California Department of Education. (Health and Safety Code 120875, 120880)

Infection Control Practices

The Superintendent or designee shall ensure that the worksite is effectively maintained in a clean and sanitary condition, and shall implement an appropriate written schedule for cleaning and decontamination of the worksite. (8 CCR 5193(d))

Where occupational exposure remains after the institution of engineering and work practice controls, the Superintendent or designee shall provide appropriate personal protective equipment at no cost to the employee. Such equipment may include gloves, gowns, masks, eye protection, and other devices that do not permit blood or other potentially infectious materials to pass through or reach the employee's clothes, skin, eyes, mouth or other mucous membranes under normal conditions of use. The Superintendent or designee shall maintain, repair, make accessible and require employees to use and properly handle protective equipment. (8 CCR 5193(d))

The Superintendent or designee shall provide handwashing facilities which are readily accessible to employees. When provision of handwashing facilities is not feasible, the Superintendent or designee shall provide an appropriate antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes. (8 CCR 5193(d))

For the prevention of infectious disease, employees shall routinely: (8 CCR 5193(d))

1. Perform all procedures involving blood or other potentially infectious materials in such a manner as to minimize splashing, spraying, spattering, and generating droplets of these substances.
2. Use personal protective equipment as appropriate.

a. Appropriate clothing, including but not limited to, gowns, aprons, lab coats, clinic jackets or similar outer garments, shall be worn in occupational exposure situations.

If a garment becomes penetrated by blood or other potentially infectious materials, the employee shall remove the garment immediately or as soon as feasible. All personal protective equipment shall be removed prior to leaving the work area. When removed, it shall be placed in an appropriately designated area or container for storage, washing, decontamination or disposal.

b. Gloves shall be worn when it can be reasonably anticipated that the employee may have hand contact with blood, other potentially infectious materials, mucous membranes and nonintact skin, and when handling or touching contaminated items or surfaces.

Disposable gloves shall be replaced as soon as practical when contaminated, or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised. They shall not be washed or decontaminated for reuse. Utility gloves may be decontaminated for reuse if the integrity of the gloves is not compromised, but must be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.

c. Masks in combination with eye protection devices or face shields shall be worn whenever splashes, spray, spatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose or mouth contamination can be reasonably anticipated.

3. Wash hands and other skin surfaces thoroughly with soap and running water:

a. Immediately or as soon as feasible following contact of hands or any other skin or mucous membranes with blood or other potentially infectious materials

b. Immediately after removing gloves or other personal protective equipment

When handwashing facilities are not available, the employee shall use antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes. In such instances, hands shall be washed with soap and running water as soon as feasible.

4. Refrain from eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses in work areas with a reasonable likelihood of occupational exposure.

5. Clean and decontaminate all equipment and environmental and work surfaces after contact with blood or other potentially infectious material, no later than the end of the shift or more frequently as required by state regulations.

6. Rather than using the hands directly, use mechanical means such as a brush and dust pan, tongs or forceps to clean up broken glassware which may be contaminated.

7. Use effective patient-handling techniques and other methods designed to minimize the risk of a sharps injury in all procedures involving the use of sharps in patient care.

a. Needleless systems shall be used to administer medication or fluids, withdraw body fluids after initial venous or arterial access is established, and conduct any other procedure involving the potential for an exposure incident for which a needleless system is available as an alternative to the use of needle devices. If needleless systems are not used, needles or non-needle sharps with engineered sharps injury protection shall be used.

b. Contaminated needles or other sharps shall not be broken, bent, recapped, removed from devices, or stored or processed in a manner that requires employees to reach by hand into the containers where these sharps have been placed.

c. Disposable sharps shall not be reused.

8. Handle, store, treat and dispose of regulated waste in accordance with Health and Safety Code 117600-118360 and other applicable state and federal regulations.

a. Immediately or as soon as possible after use, contaminated sharps shall be placed in containers meeting the requirements of 8 CCR 5193(d)(3)(D). Containers shall be easily accessible, maintained upright throughout use where feasible, and replaced as necessary to avoid overfilling.

b. Specimens of blood or other potentially infectious material shall be placed in a container which prevents leakage during collection, handling, processing, storage, transport or shipping.

Personnel

Universal Precautions

Definitions

Universal precautions are an approach to infection control. All human blood and certain human body fluids, including, but not limited to semen, vaginal secretions, and any body fluid that is visibly contaminated with blood, are treated as if known to be infectious for human immunodeficiency virus (HIV), hepatitis B virus (HBV), hepatitis C virus (HCV), and other bloodborne pathogens. (8 CCR [5193](#); 29 CFR [1910.1030](#))

Occupational exposure means reasonably anticipated contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR [5193](#); 29 CFR [1910.1030](#))

A sharp is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR [5193](#))

Infection Control Practices

For the prevention of infectious disease, the district shall:

1. Effectively maintain the worksite in a clean and sanitary condition, and implement an appropriate written schedule for cleaning and decontamination of the worksite

(cf. [4119.42/4219.42/4319.42](#) - Exposure Control Plan for Bloodborne Pathogens)

2. When necessary for employees with occupational exposure to bloodborne pathogens, provide appropriate personal protective equipment, such as gloves, masks, and outer garments, at no cost to the employee (8 CCR [5193](#))

3. Provide handwashing facilities which are readily accessible to employees, or, if not feasible, provide an appropriate antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes

Any employee who has contact with blood or other body fluid, regardless of whether bloodborne pathogens are known to be present, shall:

1. Use personal protective equipment as appropriate.

2. Wash hands and other skin surfaces thoroughly with soap and running water:

a. Immediately or as soon as feasible following contact with blood or other potentially infectious materials

b. Immediately after removing gloves or other personal protective equipment

3. When handwashing facilities are not available, use antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes. In such instances, hands shall be washed with soap and running water as soon as feasible.

4. Refrain from eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses in work areas with a reasonable likelihood of occupational exposure to bloodborne pathogens.

5. Clean and decontaminate all equipment and environmental and work surfaces after contact with blood or other potentially infectious material, no later than the end of the shift or more frequently as required by state regulations.

6. Rather than using the hands directly, use mechanical means such as a brush and dust pan, tongs, or forceps to clean up broken glassware which may be contaminated.

7. Use effective techniques designed to minimize the risk of a sharps injury in all procedures involving the use of sharps.

(cf. [5141.21](#) - Administering Medication and Monitoring Health Conditions)

(cf. [5141.24](#) - Specialized Health Care Services)

8. Handle, store, treat, and dispose of regulated waste in accordance with Health and Safety Code [117600-118360](#) and other applicable state and federal regulations.

a. Immediately or as soon as possible after use, contaminated sharps shall be placed in containers meeting the requirements of 8 CCR [5193](#).

b. Specimens of blood or other potentially infectious material shall be placed in a container which prevents leakage during collection, handling, processing, storage, transport, or shipping.

(cf. [4157/4257/4357](#) - Employee Safety)

(cf. [5141](#) - Health Care and Emergencies)

(cf. [5141.22](#) - Infectious Diseases)

(cf. [5141.6](#) - School Health Services)

(cf. [6145.2](#) - Athletic Competition)

(3/93 7/99) 5/20

Personnel

Complaints

The Governing Board recognizes the need for providing employees with a complaint process.

The Board expects that employees and supervisors will make every effort to resolve employee complaints and disagreements informally before resorting to formal complaint procedures.

The Superintendent or designee shall establish complaint procedures which allow employees to appeal to the Board.

Legal Reference:

GOVERNMENT CODE

3543 Public school employees' rights

3543.1 Rights of employee organizations

53296 Definitions

53297 Filing complaint

53298 Reprisals

53298.5 Violations; punishment

Personnel

Complaints

Note: The following optional policy and accompanying administrative regulation may be used for complaints by employees or job applicants regarding the misapplication of district policies or procedures and for "whistleblower" complaints pursuant to Government Code [53296-53299](#). See the accompanying administrative regulation for a list of the types of complaints subject to this procedure as well as a list of the types of complaints for which the law requires that a specific process, such as the Uniform Complaint Procedures, be developed.

The Governing Board recognizes the need to establish a process to allow employees and job applicants to have their concerns heard in an expeditious and unbiased manner. The Board expects that employees will make every effort to resolve complaints and disagreements informally before filing a formal complaint.

(cf. [1312.3](#) - Uniform Complaint Procedures)

(cf. [1312.4](#) - Williams Uniform Complaint Procedures)

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

(cf. [4030](#) - Nondiscrimination in Employment)

(cf. [4119.11/4219.11/4319.11](#) - Sexual Harassment)

Note: Pursuant to Education Code [44112-44113](#) and Government Code [53297](#), the district is prohibited from retaliating against, or otherwise interfering with, an employee for exercising his/her right to file a whistleblower complaint. See BP [4119.1/4219.1/4319.1](#) - Civil and Legal Rights. However, pursuant to Government Code [53298](#), the district may take disciplinary action against an employee for disclosing false or confidential information.

The Board prohibits retaliation against complainants. The Superintendent or designee may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint.

(cf. [4119.1/4219.1/4319.1](#) - Civil and Legal Rights)

(cf. [4119.23/4219.23/4319.23](#) - Unauthorized Release of Confidential/Privileged Information)

All matters related to a complaint shall be kept confidential and any document, communication, or record regarding the complaint shall be placed in a separate file and shall not be placed in an employee's personnel file.

(cf. [4112.6/4212.6/4312.6](#) - Personnel Files)

Legal Reference:

EDUCATION CODE

[200-262.4](#) Prohibition of discrimination on the basis of sex

[35186](#) Williams uniform complaint procedures

[44110-44114](#) Reporting by school employees of improper governmental activity

GOVERNMENT CODE

[3543](#) Public school employees' rights

[3543.1](#) Rights of employee organizations

[53296-53299](#) Disclosure of confidential information; whistleblower

[54957](#) Closed session; personnel matters

LABOR CODE

1102.5-1106 Whistleblower protections

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in district programs and activities

Management Resources:

WEB SITES

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

(6/90 6/92) 3/08

Personnel

Complaints

The following guidelines shall prescribe the manner in which complaints are handled:

1. A "complaint" shall be defined as an alleged misapplication of the district's policies, regulations, rules or procedures. Procedures for the resolution of employee complaints provide a route of appeal through administrative channels and to the Governing Board, if necessary. If the complaint is related to discrimination, the district's procedure for complaints concerning discrimination should be used.
2. If a complaint involves sexual harassment, the initial complaint should be made directly to the offending employee's immediate supervisor. An employee is not required to resolve sexual harassment complaints with the offending person.
3. So as not to interfere with school schedules, meetings related to a complaint shall be held before or after the complainant's regular working hours.
4. All matters related to a complaint shall be kept confidential. Only those individuals directly involved in resolving the complaint shall be informed of the complaint.
5. All documents, communications and records dealing with the complaint shall be placed in a district complaint file. No such material shall be placed in an employee's personnel file.
6. No reprisals shall be taken against any participant in a complaint procedure by reason of such participation.
7. Time limits specified in these procedures may be reduced or extended in any specific instance by written mutual agreement of the parties involved. If specified or adjusted time limits expire, the complaint may proceed to the next step.
8. Any complaint not taken to the next step within prescribed time limits shall be considered settled on the basis of the answer given at the preceding step.

INFORMAL COMPLAINTS

Employees are encouraged to resolve complaints informally. Formal complaint procedures shall not be initiated unless informal efforts to resolve the complaint have been exhausted and the complainant has provided a written description of such efforts.

FORMAL COMPLAINT PROCEDURE - STEP 1

If a complaint has not been satisfactorily resolved by informal procedures, the complainant may file a written complaint with the immediate supervisor or principal within 60 days of the act or event which is the subject of the complaint.

Within five working days of receiving the complaint, the immediate supervisor or principal shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint.

The immediate supervisor or principal shall present all concerned parties with a written answer to the complaint within ten working days after the meeting.

FORMAL COMPLAINT PROCEDURE - STEP 2

If a complaint has not been satisfactorily resolved at Step 1, the complainant may file the written complaint with the Superintendent or designee within five working days of receiving the answer at Step 1. All information presented at Step 1 shall be included with the complaint, and the immediate supervisor or principal shall submit to the Superintendent or designee a report describing attempts to resolve the complaint at Step 1.

Within five working days of receiving the complaint, the Superintendent or designee shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint.

The Superintendent or designee shall present all concerned parties with a written answer to the complaint within ten working days after the meeting.

FORMAL COMPLAINT PROCEDURE - STEP 3

If a complaint has not been satisfactorily resolved at Step 2, the complainant may file a written appeal to the Board within five working days of receiving the answer at Step 2. All information presented at Steps 1 and 2 shall be included with the appeal, and the Superintendent or designee shall submit to the Board a report describing attempts to resolve the complaint at Step 2.

An appeal hearing shall be held at the next regularly scheduled Board meeting which falls at least 12 days after the appeal is filed. This hearing shall be held in closed session if the complaint relates to matters properly addressed in closed session.

The Board shall make its decision within 30 days of the hearing and shall mail its decision to all concerned parties. The Board's decision shall be final.

Personnel

Complaints

Note: The following administrative regulation is optional. Government Code 53296-53299 grant district employees and job applicants the right to file a "whistleblower" complaint regarding issues specified below. Pursuant to Education Code 44112-44113, the district is prohibited from retaliating against, or otherwise interfering with, an employee for exercising his/her right to file such a complaint. See BP 4119.1/4219.1/4319.1 - Civil and Legal Rights.

The procedure specified in this administrative regulation shall be used to investigate and resolve any complaint by an employee alleging misapplication of the district's policies, regulations, rules, or procedures or for "whistleblower" complaints by an employee or job applicant regarding an improper district activity including, but not limited to, an allegation of gross mismanagement, a significant waste of funds, an abuse of authority, or a specific danger to public health or safety.

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

Note: Any of the timelines in the following procedure may be modified to reflect district practice.

Any of the time limits specified in the following procedure may be extended by written agreement between the district and complainant.

Step 1: Informal Complaint Process

Prior to instituting a formal, written complaint, the employee shall first discuss the issue with his/her supervisor or the principal of the school where the alleged act took place. Formal complaint procedures shall not be initiated until the employee has first attempted to resolve the complaint informally.

Step 2: Site Level Formal Complaint Process

Note: Pursuant to Government Code 53297, an employee has the right to file a "whistleblower" complaint within 60 days of the date of the act or event that is the subject of the complaint. The following paragraph establishes a 60-day limit for all complaints filed pursuant to this procedure. Districts that choose to create a separate timeline for complaints not covered by Government Code 53297 (non-whistleblower complaints) should modify the following section accordingly.

If a complaint has not been satisfactorily resolved through the informal process in Step 1, the complainant may file a written complaint with his/her immediate supervisor or principal within 60 days of the act or event which is the subject of the complaint. If an employee fails to file a written complaint within 60 days, the complaint shall be considered resolved on the basis of the preceding step.

In the written complaint, the employee shall specify the nature of the problem, including names, dates, locations, witnesses, the remedy sought by the employee, and a description of informal efforts to resolve the issue.

Within 10 working days of receiving the complaint, the immediate supervisor or principal shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint. Within five working days after the meeting, he/she shall prepare and send a written response to the complainant.

Step 3: District Level Appeal

If a complaint has not been satisfactorily resolved at Step 2, the complainant may file the written complaint with the Superintendent or designee within five working days of receiving the written response from the immediate supervisor or the principal. The complainant shall include all information presented to the immediate supervisor or principal at Step 2.

Within 10 working days of receiving the complaint, the Superintendent or designee shall conduct any necessary investigation, including reviewing the investigation and written response by the immediate supervisor or principal at Step 2, and shall meet with the complainant in an effort to resolve the complaint. Within five working days after the meeting, he/she shall prepare and send a written response to the complainant.

Step 4: Appeal to the Governing Board

If a complaint has not been satisfactorily resolved at Step 3, the complainant may file a written appeal to the Board within five working days of receiving the Superintendent or designee's response. All information presented at Steps 1, 2, and 3 shall be included with the appeal, and the Superintendent or designee shall submit to the Board a written report describing attempts to resolve the complaint and the district's response.

Note: Government Code [54957](#) authorizes the Board to meet in closed session regarding certain personnel matters. However, when the Board is discussing specific "complaints or charges" against an employee, that employee must be given at least 24-hour written notice of the meeting and he/she may request the matter be heard in open session. See [BB 9321](#) - Closed Session Purposes and Agendas.

The Board may uphold the findings by the Superintendent or designee without hearing the complaint or the Board may hear the complaint at a regular or special Board meeting. The hearing shall be held in closed session if the complaint relates to matters that may be addressed in closed session in accordance with law.

(cf. [9321](#) - Closed Session Purposes and Agendas)

The Board shall make its decision within 30 days of the hearing and shall send its decision to all concerned parties. The Board's decision shall be final.

Alternate Procedures

Complaints alleging unlawful discrimination on any basis specified in the district's nondiscrimination policies, including complaints of sexual harassment, shall be resolved in accordance with the district's procedure in [BP/AR 4030](#) - Nondiscrimination in Employment.

(cf. [0410](#) - Nondiscrimination in District Programs and Activities)

(cf. [4030](#) - Nondiscrimination in Employment)

(cf. [4119.11/4219.11/4319.11](#) - Sexual Harassment)

Complaints regarding unlawful discrimination in district programs or the district's failure to comply with state or federal laws regarding educational programs shall be resolved in accordance with [BP/AR 1312.3](#) - Uniform Complaint Procedures. Complaints regarding sufficiency of textbook materials, teacher vacancy or misassignment, or an urgent or emergency facility condition shall be resolved in accordance with [AR 1312.4](#) - Williams Uniform Complaint Procedures. (Education Code [35186](#); 5 CCR [4621](#))

(cf. [1312.3](#) - Uniform Complaint Procedures)

(cf. [1312.4](#) - Williams Uniform Complaint Procedures)

For complaints regarding working conditions or other subjects of negotiation, the employee shall use the grievance procedure specified in the applicable collective bargaining agreement.

(6/90 3/08) 12/17