

ALBANY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION

REGULAR MEETING

Albany Community Center

1249 Marin Avenue

Albany, CA 94706

TUESDAY

October 20, 2009

A G E N D A

I. OPENING BUSINESS

6:30 p.m.

A) Call to Order

B) Roll Call

C) Identify Closed Session Pursuant to Agenda Section III Below

II. PUBLIC COMMENT PERIOD FOR CLOSED SESSION ITEMS

General public comment on any Closed Session item will be heard. The Board may limit comments to no more than three (3) minutes.

III. CLOSED SESSION

6:35 p.m.

A) With respect to every item of business to be discussed in Closed Session pursuant to Government Code Section 35146: Student Personnel Matters, Student ID# 206119 and Student ID# 206342

B) With respect to every item of business to be discussed in Closed Session pursuant to Government Code Section 54956.8: Real Estate Negotiations

C) With respect to every item of business to be discussed in Closed Session pursuant to: Government Code Section 54957: Personnel Assignment Order

Certificated

1. Corrections

a. Volleyball Coach

2. Extra Assignment

a. Asst. Coach – Wrestling

b. Head Coach - Wrestling

c. Noontime Sports Director

3. New Hire

a. CAHSEE Coordinator

b. Counselor

c. Substitute Teacher

4. Resignation

a. Teacher

5. Status Change

- a. Long Term Sub
- 6. Termination
 - a. Substitute Teacher

Classified

- 1. Corrections – none
- 2. Extra Assignment – none
- 3. New Hire
 - a. Asst. Coach - Wrestling
 - b. Athletic Clerk
 - c. Career Coordinator
 - d. Donation Funded Sup Art Teacher
 - e. Men's JV Basketball Coach
 - f. Men's JV Soccer Coach
 - g. Men's Varsity Basketball Coach
 - h. Men's Varsity Soccer Coach
 - i. Sub Café Assistant
 - j. Substitute Para
 - k. Substitute Custodian
 - l. Women's JV Basketball Coach
 - m. Women's JV Soccer Coach
- 4. Resignation – none
- 5. Status Change
 - a. Adult Ed Secretary
 - b. Café Asst. I
 - c. Secretary II
 - d. Sp Ed Para
- 6. Termination - none

Student Worker

- 1. Food Services Aide

- D) With respect to every item of business to be discussed in Closed Session Pursuant to Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATOR (Superintendent Marla Stephenson, District Representative), Regarding Negotiations as pertains to:
 - a. California School Employees Association (CSEA)
 - b. Albany Teachers Association (ATA)
 - c. SEIU Local 1021

IV. OPEN SESSION

7:30 p.m.

Depending upon completion of Closed Session items, the Board of Education intends to convene to Open Session at 7:30 p.m. to conduct the remainder of its meeting, reserving the right to return to Closed Session at any time.

- A) Reconvene to Open Session
- B) Roll Call
- C) Pledge of Allegiance

- D) Report of Action Taken in Closed Session
- E) Approval of Agenda
- F) Approval of Consent Calendar

(The Consent Calendar includes routine items that may be handled with one action. Board Members may request any item be removed from the Consent Calendar without formal action)

1. **Approval of Minutes**

- a) August 4, 2009

2. **Personnel Assignment Order**

a) **Certificated Personnel – Public Employee Assignment, Employment, Appointment, Evaluation, Leave Requests:**

- 1. Corrections
 - a. Volleyball Coach
- 2. Extra Assignment
 - a. Asst. Coach – Wrestling
 - b. Head Coach - Wrestling
 - c. Noontime Sports Director
- 3. New Hire
 - a. CAHSEE Coordinator
 - b. Counselor
 - c. Substitute Teacher
- 4. Resignation
 - a. Teacher
- 5. Status Change
 - a. Long Term Sub
- 6. Termination
 - a. Substitute Teacher

b) **Classified Personnel – Public Employee Assignment, Appointment Employment, Leave Requests:**

- 1. Corrections – none
- 2. Extra Assignment – none
- 3. New Hire
 - a. Asst. Coach - Wrestling
 - b. Athletic Clerk
 - c. Career Coordinator
 - d. Donation Funded Sup Art Teacher
 - e. Men's JV Basketball Coach
 - f. Men's JV Soccer Coach
 - g. Men's Varsity Basketball Coach
 - h. Men's Varsity Soccer Coach
 - i. Sub Café Assistant
 - j. Substitute Para
 - k. Substitute Custodian
 - l. Women's JV Basketball Coach
 - m. Women's JV Soccer Coach

- 4. Resignation -- none
- 5. Status Change
 - a. Adult Ed Secretary
 - b. Café Asst. I
 - c. Secretary II
 - d. Sp Ed Para
- 6. Termination - none

c.) **Student Worker**

- 1. Food Services Aide

3. **Curriculum and Instruction**

- a) Approve the LEA Contract for Modules 2 and 3 for Services Between Contra Costa County of Education and Albany Unified School District for the AB 430 Administrator Training Program
- b) Approve Overnight Field Trip from Albany High School to Stanford University from Friday, November 6, 2009 to Sunday, November 8, 2009 to attend the Stanford Model UN Conference
- c) Approve the Independent Contractor Agreement for Matt Matuska and Glenn Killam, Business Partners for E-report Cards. Cost not to Exceed \$2,500.00.

4. **Business and Operations**

- a) Approve the Change Order for the Albany High School Demolition Project
- b) Approve the Notice of Completion for the Albany High School Pool Demolition Project
- c) Approve Warrant Listing – September 2009

5. **Student Services**

- a) Approve One (1) Master Contract Agreement between Albany Unified School District and Bay Hill High School for Basic Education for One (1) Student. Cost not to Exceed \$23,000.00. Funding Source: Special Education
- b) Approve One (1) Master Contract Agreement between Albany Unified School District and Pediatric Contracting Services, Inc. to Provide Physical Therapy Services for Two (2) Students at the Rate of \$88.00/hour. Cost not to Exceed \$6,160.00. Funding Source: Special Education
- c) Approve the Independent Contractor Agreement between Albany Unified School District and Kathleen Skow to Provide Orientation and Mobility Services for Visually Impaired Students at a Rate of \$75.00. Cost not to Exceed \$11,550.00. Funding Source: Special Education

V. STUDENT BOARD MEMBERS

- A) Student Reports

VI. STAFF REPORTS

- A) Technology Update
- B) Enrichment Report

VII. PERSONS TO ADDRESS THE BOARD ON MATTERS NOT ON THE AGENDA

Board practice limits each speaker to no more than three (3) minutes. The Brown Act limits Board ability to discuss or act on items which are not on the agenda; therefore, such items may be referred to staff for comment or for consideration on a future agenda.

VIII. REVIEW AND ACTION ITEMS

(Members of the public will have the opportunity to speak on all issues.)

- A) Approve Appointment of Jewell Okawachi to Serve on the Citizen Bond Oversight Committee for Measure A as a Member Active in a Senior Organization
- B) Conduct the 2nd Reading and Approve Board Policy Update/Revision Section 0000 – Philosophy-Goals-Objectives, and Comprehensive Plans (Under Separate Cover)

IX. REVIEW AND DISCUSSION ITEMS

- A) 1st Reading of Board Policy Section 3000 – Business & Noninstructional Operations

X. BOARD AND SUPERINTENDENT COMMENTS**XI. FUTURE AGENDA ITEMS**

- A) Strategic Plan Update
- B) 1st Interim Report

XII. FUTURE BOARD MEETINGS

- A) **Wednesday, November 4, 2009, 7:30 p.m., Regular Meeting, Albany Community Center, 1249 Marin Avenue, Albany**
- B) **Tuesday, November 17, 2009, 7:30 p.m., Regular Meeting, Albany Community Center, 1249 Marin Avenue, Albany**
- C) **Tuesday, December 1, 2009, 7:30 p.m., Regular Meeting, Albany Community Center, 1249 Marin Avenue, Albany**

XIII. ADJOURNMENT

The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board Meetings shall be adjourned at 10:00 p.m. unless extended to a specific time determined by a majority of the Board.

The Board of Education meeting packet is available for public inspection at the Albany Public Library, 1247 Marin Avenue, all school sites, and the lobby of the Albany Unified School District office, 904 Talbot Avenue, Albany. The agenda is available on the Albany Unified School District web site: www.albany.k12.ca.us

If you provide your name and/or address when speaking before the Board of Education, it may become a part of the official public record and the official minutes will be published on the Internet

In compliance with the Americans with Disability Act (ADA), if you need special assistance to participate in this meeting, please contact the Superintendent's Office at 510-558-3766. Notification must be given forty-eight (48) hours prior to the meeting to make reasonable arrangements for accessibility (28 CFR 35.102.104 ADA Title II).



AB 430 ADMINISTRATOR TRAINING PROGRAM

LEA CONTRACT FOR SERVICES: Albany USD Modules 2 and 3: 2009-2010

Contra Costa County Office of Education (CCCOE), hereby known as the Provider for the AB 430 Administrator Training Program, establishes and commits to implement a well-designed AB 430 program for principals and vice principals that successfully meets or exceeds the program's intent and criteria.

To ensure successful implementation of the program, the **Albany Unified School District**, hereby known as the Local Educational Agency (LEA), commits to its participation in and support of both the Core Content training and follow-up Practicum for AB 430 as outlined in the State Board of Education requirements.

A. PROGRAM DESCRIPTION

It is the intent of AB 430 through Core Content training and follow-up Practicum to develop principals and vice principals who:

- Can establish sound and clear instructional goals,
- Can collaboratively develop data-driven instructional strategies,
- Are knowledgeable about academic content and effective instructional strategies,
- Understand and use technological applications to leverage time and effectiveness,
- Know how to align fiscal and human resources to achieve data-driven goals, and
- Have the skills to lead a school through the academic instructional program change required of a standards-based system.

The State Board of Education has determined the content, objectives, and outcomes of the AB 430 modules. CCCOE's Module 2 and 3 training will include a minimum of 40 hours of Core Content training (20 hours per module) and 40 hours of follow-up Practicum (20 hours per module) designed to enable participants to put the core content training into practice at the school site level.

Note: Participants will follow Practicum guidelines as outlined in our "CCCOE AB 430 Practicum Handbook" and use the Practicum forms available on our web site at www.ab430region4.org.

B. EVALUATION AND REPORTING

Required collection and reporting of attendance data on all participants will include name, school, title, attendance, and make-up attendance. The LEA and Provider will support the State Board of Education AB 430 requirements and final reports for submission to the legislature (44516 (a) (b)).

C. COST

The LEA is contracting with the Provider for 40 hours of Core Content training **beginning July 1, 2009 and ending June 30, 2010** as well as for oversight of the 40 hours of follow-up Practicum.

Provider Fees for Institute Training: The cost for Module 2 and 3 training is \$450 per module per participant. The cost to make up training is \$50 per make-up session per participant.

The LEA is still responsible for the cost of the training and Practicum if the participant cancels less than 24 hours prior to the training, is a No Show on the first day of the training, or fails to complete the training.

Provider Fee for Follow-up Practicum: The cost for the required hours of Practicum will be negotiated as necessary between the Provider and the LEA, depending upon the level of service and activities requested by the district and participant. If requested, follow-up Practicum services could include additional professional development and mentoring/coaching.

LEA Reimbursement from the California Department of Education

The California Department of Education will reimburse the LEA for completion of all 160 hours of training. Please be advised that reimbursement is subject to the amount of funding available from the CDE and is dependent upon the State budget allocation each year.

The LEA understands that the cost of services is payable to the Provider even when the State does not reimburse the LEA for participants who fail to complete the training or because State funds are not allocated sufficiently for full reimbursement.

LEA initial here: _____

D. ASSURANCE OF PROPRIETARY RIGHTS

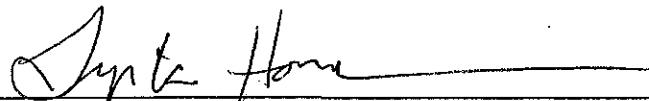
Proprietary rights of Provider's training curriculum will be protected:

By signing below, the contracting LEA acknowledges and accepts the proprietary rights of all Provider training curriculum and materials and understands that neither of these may be used nor reproduced for any purpose without the express written consent of the AB 430 Provider.

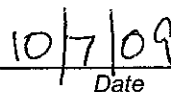
The Provider and LEA hereby enter into an agreement for AB 430 training services as described in the above sections.

CCCOE Superintendent or Designee

Date



District/LEA Superintendent or Designee


Date

AB 430 Contact for CCCOE and Region IV

Cheryl Hansen, AB 430 Coordinator
Contra Costa County Office of Education
Phone: 925-942-3445
Email: chansen@cccoe.k12.ca.us
AB 430 Web Site: www.ab430region4.org

ALBANY UNIFIED SCHOOL DISTRICT

EXTENDED FIELD TRIP BEYOND REGULAR SCHOOL HOURS
OVERNIGHT FIELD TRIP
OUT OF STATE FIELD TRIP

Page 1 of 4

MUST BE SUBMITTED FOUR WEEKS PRIOR TO FIELD TRIP

Date of Request: Sept. 29, 2009

Sponsoring Teacher(s): Jones

School: AHS

Class(es) Involved: Model UN club

Grade Level(s): 9-12

Days and Dates of Trip: 11/6/09 through 11/8/09

Number of Students Involved: ~28 (no more than 30)

Each adult will be assigned responsibility for 14 students
(Refer to page 4 for guidelines)

Day and Time of Departure: 11/6/09 2³⁰ pm El Cerrito Plze BART

Day and Time of Return: 11/8/09 4³⁰-5⁰⁰ pm EC Plze BART

General Statement of Proposed Trip:

Attend Stanford Model UN Conference

OVERNIGHT EXTENDED FIELD TRIP APPLICATION

Page 2 of 4

Objectives to be Accomplished by Students:

- Improve knowledge of international relations and international orgs
- Improve knowledge of parliamentary procedure
- Improve speaking, writing and negotiating skills

Proposed Itinerary:

(Please be specific regarding dates, times and locations)

- 11/6/09 Leave EL Plaza BART at 2³⁰; transfer to CalTrains at Milbrae;
arrive Palo Alto Station / Stanford University ~ 4⁰⁰ pm
- 11/8/09 Leave Palo Alto Station / Stanford University ~ 2³⁰; transfer from
CalTrains at Milbrae; arrive El Cerrito BART ~ 4³⁰-5⁰⁰ pm

Estimated Costs to District:

If ATU tickets used for BART trip, cost will be
approximately \$90 (includes youth discount)

Estimated Costs to Students:

\$130 for registration and hotel
~ \$4-\$24 for transit (depending on availability of ATU BART tickets)
Food expenditures

Name of Adult Sponsors:

Kevin Jones

OVERNIGHT EXTENDED FIELD TRIP APPLICATION

Page 3 of 4

Principal's Recommendation:

Best Tamm 9/30/09
Principal's Signature Date
[Signature] 10/7/09
Director of Curriculum Date

BOARD ACTION:

(Required for out of state field trips)

Approved as Requested:

☐

Approved with Following Changes:

☐

Superintendent's Signature Date

OVERNIGHT EXTENDED FIELD TRIP APPLICATION

P11

Page 4 of 4

MINIMUM GUIDELINES FOR ADULT SUPERVISION ON FIELD TRIPS

VEHICLE FIELD TRIPS

<u>Grade</u>	<u>Adult/Student Ratio</u>
Pre K-2	1:5
3-5	1:6
6-8	1:10
9-12	1:15

WATER TRIPS*

<u>Grade</u>	<u>Adult/Student Ratio</u>
Pre K-2	1:3
3-5	1:5
6-8	1:8
9-12	1:10

*Excludes Albany Pool

**FORMS TO BE SUBMITTED PRIOR TO FIELD TRIP:
(to be completed by Principal)**

- ☐ K-12 FIELD TRIP PERMISSION FORM
- ☐ HIGH SCHOOL FIELD TRIP/CLASS ABSENCE FORM
- ☐ OVERNIGHT EXTENDED FIELD TRIP APPLICATION
- ☐ ASSUMPTION OF RISK AND WAIVER, RELEASE AND INDEMNITY AGREEMENT
(for a trip beyond regular school hours, Student participation in school sports and water trips)
- ☐ PERSONAL VEHICLE USE PERMISSION FORM
(for Vehicle Field Trips)

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of October 20, 2009

ITEM: Independent Contractor Agreement – Matt Matuska and Glenn Killam,
Business Partners for E-Report Cards

PREPARED BY: Lynda Hornada, Director of Curriculum and Instruction



TYPE OF ITEM: *Consent*

BACKGROUND INFORMATION:

Please see attached contracts. This is a renewal of E-report cards contract for the 2009-10 school year.

FINANCIAL INFORMATION:

The total cost of the contract is \$2500.00 for both Matt Mutuska and Glenn Killam.

RECOMMENDATION: Approve the contracts

**Albany Unified School District
Independent Contractor Agreement**

THIS AGREEMENT, made this 13th day of October 2009 between Matt Matuska, an independent contractor ("Contractor") having a principal place of business at _____, and the Albany Unified School District ("District"), mutually agree as follows:

I. TERMS OF THE CONTRACT

- A. This Agreement will become effective as of the date above and will continue in effect through July 31, 2010, unless sooner terminated.

II. SCOPE OF WORK TO BE PERFORMED BY CONTRACTOR

- A. Contractor agrees to perform the services specified in the "Description of Services" attached to this Agreement and incorporated by reference herein as Exhibit "A".
- B. Contractor shall perform within the time set forth in Exhibit "A": everything required to be performed.

III. COMPENSATION

- A. In consideration for the services and/or materials referenced in Article II, scope of work by contract, District agrees to pay \$2,500 in total to Matt Mutuska and Glenn Killam, Business Partners for E- Report Card. Unless otherwise provided for in Article II, payment of expenses shall be made within sixty (60) days upon completion/delivery of goods and accompanied by invoices and appropriate supporting documentation. Invoices shall be submitted to the attention of the Albany Unified School District, Attention: Accounts Payable, along with completed W-9 Form (copy attached).
- B. The District reserves the right to withhold payment until order is completed and/or accepted by the District.

IV. OBLIGATION OF CONTRACTOR

- A. While performing services hereunder, Contractor is an independent contractor and not an officer, agent or employee of the District.
- B. The Contractor shall provide and furnish all necessary tools, labor, materials, equipment and all transportation services as described and required to perform the services under this Agreement. The Contractor shall assume all other expenses incurred in connection with the performance of this contract and the District shall not be responsible for payment of any other expenses. The Contractor is personally liable for among other things, taxes, personal health and car insurance. Workers'

Compensation for his/her own employees and business expenses for maintaining his/her office.

- C. The Contractor shall not assign, transfer, convey, sublet or other wise dispose of this contract or its right, title or interest therein, or any part thereof, such attached or purported assignments, transfer, conveyance, sublease or other disposition shall be null, void and of no legal effect whatsoever, and the contract may, at the option of the District be terminated, revoked and annulled, and the District shall thereupon be relieved and discharged from any and all liability and obligations growing out of the same to the contractor, and to its purported assignee or transferee.

Item IV-D () is (X) is not applicable to this agreement.

- D. Sections 1771 through 1775 of the Labor Code are hereby made part of this agreement as if written in its entirety herein.
- E. All equipment, supplies and services sold to the District shall conform to the general safety orders of the State of California.
- F. It is the policy of the District that in connection with all work performed under any and all contracts, including independent contractor agreements, there will be no discrimination against any prospective or active employee engaged in the work because of race, color, ancestry, national origin, religious creed, sex, age, physical handicap, medical condition or marital status. In the performance of the terms of this contract, Contractor agrees to comply with applicable Federal and California laws including, but not limited, to the California Fair Employment and Housing Act, beginning with Government Code Section 12900, and labor Code Section 1735, and agrees that it will not engage in nor permit any subcontractor as it may employ to engage in unlawful discrimination in the employment of persons because of race, color, ancestry, religious creed, national origin, age, physical handicap, medical condition, marital status, or sex of such person.

V. LIABILITY

The Contractor agrees to hold harmless and to indemnify the District for any injury to person or property sustained by the Contractor, by any person, firm or corporation, employed directly or indirectly by the Contractor, or by any of the individuals participating in, or associated with, the Contractor, however, caused. The Contractor further agrees to hold harmless and to indemnify the District for any injury to person or property sustained by any person, firm or corporation, caused by any act, neglect, default or omission of the Contractor, or of any person, firm or Corporation directly or indirectly employed by the Contractor upon or in connection with this Agreement, or any of the participants arising out of or in the course of the term of this Agreement, and the contractor, at his/her own cost, expense and risk, shall defend any and all actions, suits or other

legal proceedings that any be instituted against the District for any such claim or demand and pay or satisfy and judgment, including attorney fees and costs, that may be rendered against the District in any such action, suit or legal proceeding.

VI. ENTIRETY OF AGREEMENT

This Agreement supersedes any and all agreements, either oral or written, between the parties hereto with respect to the rendering of services by Contractor for the District and contains all the covenants and agreements between the parties. Each party to this Agreement acknowledges that no representations, inducements, promises, or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied herein, and that no other agreement, statement or promise not contained in this Agreement shall be valid or binding. Any modification of this Agreement will be effective only if it is in writing, signed and dated by both the Contractor and the District.

If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

VII. ATTORNEY FEES

If any action at law or in equity, including an action for declaratory relief, is brought to enforce or interpret the provisions of this Agreement, the prevailing party will be entitled to reasonable attorney fees, which may be set by the court in the same action or in a separate action brought for the purpose, in addition to any other relief to which the party may be entitled.

This Agreement will be governed by and construed in accordance with the laws of the State of California.

EXECUTED AT Albany, California, on the date first written above.

ALBANY UNIFIED SCHOOL DISTRICT

By: _____
District Superintendent



Independent Contractor

10/14/09

Date

Exhibit "A"

Description of Services

Description of Services:

1. License the use of the Albany Unified School District web based Report Card System developed by Contractor for grades K-5.
2. Load the student data at the start of the Academic Year. Provide a mechanism to add, delete and/or move students throughout the Academic Year.
3. Provide ongoing technical support for the Report Card web site and underlying databases.

Note: These services will be delivered jointly by Glenn Killam and Matt Matuska (doing business together as eRportCards), each of whom is an independent contractor and have submitted individual Contractor agreements.

Not to Exceed \$2500 for both Matt Mutuska and Glenn Killam.

Exhibit "B"

INDEPENDENT CONTRACTOR
CERTIFICATION OF
EMPLOYEE CLEARANCEName of Company/Individuals: Matt Matuska

Address: _____

City: Concord State: CA ZIP: 94519

Telephone: _____ FAX _____

Email: mmatuska@ereportcards.comContact Person: Matt Matuska

I certify that:

- My company has completed background checks pursuant to Education Code Section 45125.1 and 45125.2 on all of our employees who may come into contact with pupils while working on projects for the Albany Unified School District.
- None of my company's employees, who may come into contract with pupils while working on projects for the Albany Unified School District have been convicted of a violent or serious felony as defined in Education Code Section 45122.1 (see exhibit "B")
- I have attached a list of the names of our employees who may come in contact with pupils. I also agree to update the list as employees for new employees prior to their contact with pupils.

I certify that any false, deceptive, misleading, or nondisclosed information related to this certification may result in tort liability for my company/myself.

Matt Matuska

Print Name

Principal

Title

Matt Matuska

Signature

10/14/09

Date

Exhibit "B"

**Albany Unified School District
Independent Contractor Agreement**

THIS AGREEMENT, made this 13th day of October 2009 between Glenn Killam, an independent contractor ("Contractor") having a principal place of business at _____ and the Albany Unified School District ("District"), mutually agree as follows:

I. TERMS OF THE CONTRACT

- A. This Agreement will become effective as of the date above and will continue in effect through July 31, 2010, unless sooner terminated.

II. SCOPE OF WORK TO BE PERFORMED BY CONTRACTOR

- A. Contractor agrees to perform the services specified in the "Description of Services" attached to this Agreement and incorporated by reference herein as Exhibit "A".
- B. Contractor shall perform within the time set forth in Exhibit "A": everything required to be performed.

III. COMPENSATION

- A. In consideration for the services and/or materials referenced in Article II, scope of work by contract, District agrees to pay \$2,500 in total to Matt Mutuska and Glenn Killam, Business Partners in E-Report Cards. Unless otherwise provided for in Article II, payment of expenses shall be made within sixty (60) days upon completion/delivery of goods and accompanied by invoices and appropriate supporting documentation. Invoices shall be submitted to the attention of the Albany Unified School District, Attention: Accounts Payable, along with completed W-9 Form (copy attached).
- B. The District reserves the right to withhold payment until order is completed and/or accepted by the District.

IV. OBLIGATION OF CONTRACTOR

- A. While performing services hereunder, Contractor is an independent contractor and not an officer, agent or employee of the District.
- B. The Contractor shall provide and furnish all necessary tools, labor, materials, equipment and all transportation services as described and required to perform the services under this Agreement. The Contractor shall assume all other expenses incurred in connection with the performance of this contract and the District shall not be responsible for payment of any other expenses. The Contractor is personally liable for among other things, taxes, personal health and car insurance. Workers'

Compensation for his/her own employees and business expenses for maintaining his/her office.

- C. The Contractor shall not assign, transfer, convey, sublet or other wise dispose of this contract or its right, title or interest therein, or any part thereof, such attached or purported assignments, transfer, conveyance, sublease or other disposition shall be null, void and of no legal effect whatsoever, and the contract may, at the option of the District be terminated, revoked and annulled, and the District shall thereupon be relieved and discharged from any and all liability and obligations growing out of the same to the contractor, and to its purported assignee or transferee.

Item IV-D () is (X) is not applicable to this agreement.

- D. Sections 1771 through 1775 of the Labor Code are hereby made part of this agreement as if written in its entirety herein.
- E. All equipment, supplies and services sold to the District shall conform to the general safety orders of the State of California.
- F. It is the policy of the District that in connection with all work performed under any and all contracts, including independent contractor agreements, there will be no discrimination against any prospective or active employee engaged in the work because of race, color, ancestry, national origin, religious creed, sex, age, physical handicap, medical condition or marital status. In the performance of the terms of this contract, Contractor agrees to comply with applicable Federal and California laws including, but not limited, to the California Fair Employment and Housing Act, beginning with Government Code Section 12900, and labor Code Section 1735, and agrees that it will not engage in nor permit any subcontractor as it may employ to engage in unlawful discrimination in the employment of persons because of race, color, ancestry, religious creed, national origin, age, physical handicap, medical condition, marital status, or sex of such person.

V. LIABILITY

The Contractor agrees to hold harmless and to indemnify the District for any injury to person or property sustained by the Contractor, by any person, firm or corporation, employed directly or indirectly by the Contractor, or by any of the individuals participating in, or associated with, the Contractor, however, caused. The Contractor further agrees to hold harmless and to indemnify the District for any injury to person or property sustained by any person, firm or corporation, caused by any act, neglect, default or omission of the Contractor, or of any person, firm or Corporation directly or indirectly employed by the Contractor upon or in connection with this Agreement, or any of the participants arising out of or in the course of the term of this Agreement, and the contractor, at his/her own cost, expense and risk, shall defend any and all actions, suits or other

legal proceedings that any be instituted against the District for any such claim or demand and pay or satisfy and judgment, including attorney fees and costs, that may be rendered against the District in any such action, suit or legal proceeding.

VI. ENTIRETY OF AGREEMENT

This Agreement supersedes any and all agreements, either oral or written, between the parties hereto with respect to the rendering of services by Contractor for the District and contains all the covenants and agreements between the parties. Each party to this Agreement acknowledges that no representations, inducements, promises, or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied herein, and that no other agreement, statement or promise not contained in this Agreement shall be valid or binding. Any modification of this Agreement will be effective only if it is in writing, signed and dated by both the Contractor and the District.

If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

VII. ATTORNEY FEES

If any action at law or in equity, including an action for declaratory relief, is brought to enforce or interpret the provisions of this Agreement, the prevailing party will be entitled to reasonable attorney fees, which may be set by the court in the same action or in a separate action brought for the purpose, in addition to any other relief to which the party may be entitled.

This Agreement will be governed by and construed in accordance with the laws of the State of California.

EXECUTED AT Albany, California, on the date first written above.

ALBANY UNIFIED SCHOOL DISTRICT

By: _____
District Superintendent

Glen Kille
Independent Contractor

10.15.2009
Date

Exhibit "A"

Description of Services

Description of Services:

1. License the use of the Albany Unified School District web based Report Card System developed by Contractor for grades K-5.
2. Load the student data at the start of the Academic Year. Provide a mechanism to add, delete and/or move students throughout the Academic Year.
3. Provide ongoing technical support for the Report Card web site and underlying databases.

Note: These services will be delivered jointly by Glenn Killam and Matt Matuska (doing business together as eRportCards), each of whom is an independent contractor and have submitted individual Contractor agreements.

Not to Exceed \$2500 for both Matt Mutuska and Glenn Killam

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Exhibit "B"

INDEPENDENT CONTRACTOR
CERTIFICATION OF
EMPLOYEE CLEARANCE

Name of Company/Individuals: Glenn Killam

Address: _____

City: _____ State _____ ZIP: _____

Telephone: _____ FAX: _____

Email: gkillam@comcast.net

Contact Person: Glenn Killam

I certify that:

- My company has completed background checks pursuant to Education Code Section 45125.1 and 45125.2 on all of our employees who may come into contact with pupils while working on projects for the Albany Unified School District.
- None of my company's employees, who may come into contract with pupils while working on projects for the Albany Unified School District have been convicted of a violent or serious felony as defined in Education Code Section 45122.1 (see exhibit "B")
- I have attached a list of the names of our employees who may come in contact with pupils. I also agree to update the list as employees for new employees prior to their contact with pupils.

I certify that any false, deceptive, misleading, or nondisclosed information related to this certification may result in tort liability for my company/myself.

<u>Glenn Killam</u>	<u>Principal</u>
Print Name	Title

<u>Glen Killam</u>	<u>10.15.2009</u>
Signature	Date

Exhibit "B"

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of October 20, 2009

ITEM: CHANGE ORDER FOR THE ALBANY HIGH SCHOOL
POOL DEMOLITION PROJECT

PREPARED BY: MARLA STEPHENSON, SUPERINTENDENT 

TYPE OF ITEM: ACTION

BACKGROUND INFORMATION:

The Superintendent is submitting the attached change order for the Albany High School Pool Demolition project.

The Albany High School Pool Demolition Project contract was awarded to RC Knapp, Inc. in the amount of \$266,153 by the Board at its June 3, 2009 Board Meeting. A change order in the amount of \$7,728.00 related to unforeseen conditions is being requested for the following:

Change Request 1: At the Direction of Civil Engineer Carl Moore, Construction Manager David Burke, and District Representative Tom Murphy, RC Knapp was directed to re-grade the site to change the direction of the drainage. This direction was given because the invert elevations of the existing storm drainage inlets at the southeastern portion of the site were too high to "make grade". The exact existing invert elevations were not known prior to the start of construction. Had the Contractor been forced to use the existing storm drainage system at the southeast corner of the project site, the tie-in would have required extensive work in Portland Ave. (significant cost and neighborhood impact). The Civil Engineer was able to revise the grades to drain to an existing drain inlet at the northwestern corner of the site. Overall this drainage change saved costs that would have far exceeded the change order request of \$6,072.

Amount: \$6,072.00

Change Request 2: At the Direction of Construction Manager David Burke and District Representative Tom Murphy, RC Knapp was directed to assist in the locating, investigation, and repair of the gas line that served the former snack shack. The service gas line was not noted on the construction documents and could not have been noted or located prior to construction since there were no "as-builts" for the snack shack and the plastic gas line was untraceable.

Amount: \$1,656.00

The change order request of \$7,728 represents 2.9% of the original construction contract. Since the project bid came in approximately \$30,000 under budget, funding for this change would be provided through savings within the demolition budget line item.

RECOMMENDATION: APPROVE THE CHANGE ORDER TO THE ALBANY HIGH SCHOOL POOL DEMOLITION PROJECT CONTRACT IN THE AMOUNT OF \$7,728.00.

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of October 20, 2009

ITEM: NOTICE OF COMPLETION FOR THE ALBANY HIGH
SCHOOL POOL DEMOLITION PROJECT

PREPARED BY: MARLA STEPHENSON, SUPERINTENDENT 

TYPE OF ITEM: ACTION

BACKGROUND INFORMATION:

The Albany High School Pool Demolition Project contract was awarded to RC Knapp, Inc. by the Board at its June 3, 2009 Board Meeting.

The contractor has met the requirements set forth in the construction documents and the work has been completed to the satisfaction of Marla Stephenson, Superintendent.

**RECOMMENDATION: APPROVE THE NOTICE OF COMPLETION FOR THE
ALBANY HIGH SCHOOL POOL DEMOLITION PROJECT.**

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NO FEE PER GOVERNMENT CODE 6103

RECORDING REQUESTED BY

WHEN RECORDED MAIL TO

Albany Unified School District
904 Talbot Avenue
Albany, CA 94706

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN that the undersigned

ALBANY UNIFIED SCHOOL DISTRICT (owner), 904 Talbot Avenue, Albany, CA 94706, caused certain construction work to be performed within the County of Alameda, which work is generally described as follows:

Demolition of the Albany High School Pool

That the contract for the performance of such work was awarded to

RC Knapp, Inc.

that said work was completed and was accepted by the District on the 6th day of October, 2009 that said RC Knapp, Inc. was the contractor; and First Pacific Bonding was surety on the contractor's bonds.

This notice is given pursuant to Sections 3181, 3184, 3185, 3187, 3193 and 3196 of the Civil Code of the State of California.

DATED: October 6, 2009

Albany Unified School District

By: _____

Title: Marla Stephenson, Superintendent

STATE OF CALIFORNIA)
) ss.
County of Alameda)

Marla Stephenson, being first duly sworn, deposes and says: That she is the Superintendent of the Albany Unified School District and that she makes this verification on behalf of said Board; that she has read the foregoing Notice of Completion and knows the contents thereof; that the same is true of her own knowledge, except as to those matters therein stated on his information and belief, and as to those matters that he believes it to be true.

Subscribed and sworn to before me
this _____ day of _____, 2009.

Marla Stephenson, Superintendent

Notary Public in and for the County of
Alameda, State of California

SEPTEMBER 2009 WARRANT LISTING

Check#	Check Dt	Company Name	Check Amount	Description
937129	9/1/2009	A1 SEPTIC TANK SERVICE INC.	\$650.00	PUMP GREASE TRAP (POOL)
937130	9/1/2009	ACCREDITING COMMISSION FOR	\$1,425.00	09/10 REVISIT FEE (AHS)
937131	9/1/2009	ACSIG - VISION INSURANCE	\$10,304.32	08/09 PREMIUM
937132	9/1/2009	ACSIG - DELTA DENTAL	\$32,865.60	08/09 PREMIUM
937133	9/1/2009	AHS-ATHLETIC BOOSTERS	\$250.00	REIMB/CROSS COUNTRY INVITATIONALS (AHS ATHLETICS)
937134	9/1/2009	ALBANY HILL MINI MART	\$440.87	06/09 & 07/09 GAS (MAINT)
937135	9/1/2009	AT&T	\$5,395.25	07/19-08/18 SERVICE
937136	9/1/2009	BERKELEY FARMS	\$1,308.14	DAIRY
937137	9/1/2009	BUDGETTEXT CORP.	\$8.85	ALGEBRA BOOK (AHS)
937138	9/1/2009	CALPERS - CALIFORNIA PUBLIC	\$344,878.21	09/09 PREMIUM
937139	9/1/2009	CASTRO VALLEY HIGH SCHOOL	(\$175.00)	CROSS COUNTRY INVITATIONAL
937140	9/1/2009	CLOVIS HIGH SCHOOL	\$40.00	CROSS COUNTRY INVITATIONAL (AHS ATHLETICS)
937141	9/1/2009	DELL MARKETING L.P.	\$171.20	LAPTOP BATTERY (TECH)
937142	9/1/2009	EAST BAY PAINT & DECORATOR CTR	\$21.00	PAINT MATERIALS (MAINT)
937143	9/1/2009	EBMUD	\$198.43	07/23-08/20 SERVICE
937144	9/1/2009	EDUCATIONAL FACILITIES CO	\$5,950.00	09/01/09-08/31/10 PORTABLE CLASSROOM LEASE (ACC)
937145	9/1/2009	HAPPY PRODUCE	\$861.70	PRODUCE (ACC)
937146	9/1/2009	HAYWARD HIGH SCHOOL	\$150.00	CROSS COUNTRY INVITATIONAL (AHS ATHLETICS)
937147	9/1/2009	HOME DEPOT CREDIT SERVICES	\$60.93	HARDWARE (MAINT)
937148	9/1/2009	IBC SALES CORP	\$74.48	FOOD (ACC)
937149	9/1/2009	LANGUAGE PEOPLE, INC.	\$300.00	INTERPRETING SERVICES (SPECIAL SERVICES)
937150	9/1/2009	LPA, INC.	\$2,716.71	POOL BUILDING PROJECT-ARCHITECT
937151	9/1/2009	MOREAU CATHOLIC HIGH SCHOOL	\$120.00	CROSS COUNTRY INVITATIONAL (AHS ATHLETICS)
937152	9/1/2009	NATIONAL ELEVATOR CO	\$135.00	09/10 ELEVATOR SERVICE (AMS)
937153	9/1/2009	SUZANNE NELSON	\$131.70	REIMB FOR LUNCH & SNACKS FOR SELPA RETREAT
937154	9/1/2009	NEXTEL COMMUNICATIONS	\$474.22	07/23-08/22 SERVICE
937155	9/1/2009	OFFICE DEPOT	\$7,177.88	SUPPLIES
937156	9/1/2009	PALO ALTO HIGH SCHOOL	\$60.00	CROSS COUNTRY INVITATIONAL (AHS ATHLETICS)
937157	9/1/2009	PG&E	\$14,174.79	07/24-08/21 SERVICE
937158	9/1/2009	PRUDENTIAL OVERALL SUPPLY	\$160.10	09/10 UNIFORM SERVICE
937159	9/1/2009	RICOH AMERICAS CORP..	\$8,407.60	09/10 LEASE & MAINT FOR COPIERS (DIST)
937160	9/1/2009	SCHOOL HEALTH CORPORATION	\$640.57	FIRST AID SUPPLIES (MARIN)
937161	9/1/2009	SNADER & ASSOCIATES INC.	\$785.27	DALITE SCREEN (AHS)
937162	9/1/2009	SYSCO FOOD SERVICES OF S.F.INC	\$2,238.27	FOOD & SUPPLIES (ACC)
937163	9/1/2009	MARY TOWNSEND	\$4,557.73	PLAN & FACILITATE STRATEGIC PLANNING PROCESS
937164	9/1/2009	VERIZON WIRELESS	\$94.74	07/20-08/19 SERVICE
937165	9/1/2009	WASTE MANAGEMENT OF ALAMEDA	\$6,733.84	08/09 PICK-UP
937166	9/1/2009	WAXIE SANITARY SUPPLY	\$1,985.33	SANITARY SUPPLIES
937167	9/1/2009	RAM TRACK CLUB	(\$150.00)	CROSS COUNTRY INVITATIONAL

SEPTEMBER 2009 WARRANT LISTING

<u>Check#</u>	<u>Check Dt</u>	<u>Company Name</u>	<u>Check Amount</u>	<u>Description</u>
937785	9/8/2009	ABILITATIONS	\$76.91	SIT BALLS (CORNELL)
937786	9/8/2009	ADMINISTRATIVE SOFTWARE	\$1,810.88	09/10 WEB ATTENDANCE/ON-LINE PAY (AAS)
937787	9/8/2009	ANNE ALCOTT	\$259.22	REIMB FOR CLASSROOM SUPPLIES
937788	9/8/2009	AMERICAN TELESOURCE, INC.	\$200.00	PHONE LINES (O.V.)
937789	9/8/2009	SARA BACKOWSKI	\$221.68	REIMB FOR 6TH GRD SCI MATERIALS
937790	9/8/2009	THEODORE BARONE	\$154.95	REIMB FOR SUPPLIES
937791	9/8/2009	TAMI BENAU	\$493.74	REIMB FOR STAFF DEVELOPMENT SUPPLIES
937792	9/8/2009	BERKELEY FARMS	\$1,020.60	DAIRY (FOOD SERVICES)
937793	9/8/2009	KAREN BONINI	\$118.71	REIMB FOR CLASSROOM SUPPLIES
937794	9/8/2009	BUDGETTEXT CORP.	\$5,848.30	BOOKS (AHS)
937797	9/8/2009	HSBC BUSINESS SOLUTIONS	\$1,329.24	FOOD (FOOD SERVICES)
937798	9/8/2009	DANIELSEN	\$2,718.02	FOOD & SUPPLIES (FOOD SERVICES)
937799	9/8/2009	DELTA DENTAL	\$3,705.71	09/09 PREMIUM
937800	9/8/2009	DEMCO	\$75.68	SUPPLIES (AMS)
937801	9/8/2009	EAGLE	\$567.66	ENVELOPES (D.O.)
937802	9/8/2009	EBMUD	\$235.66	06/26-08/26 SERVICE
937803	9/8/2009	FOOD 4 THOUGHT, LLC	\$220.64	PRODUCE (FOOD SERVICES)
937804	9/8/2009	HONG FORREST	\$256.79	REIMB FOR CLASSROOM SUPPLIES
937805	9/8/2009	GOLD STAR FOODS	\$7,620.72	FOOD (FOOD SERVICES)
937806	9/8/2009	GREGORY DRESSER &	\$552.50	REIMB/ESY EXTENDED SPEECH & LANGUAGE SERVICES
937807	9/8/2009	MONICA GRYCZ	\$13.41	REIMB FOR CLASSROOM PHOTOS
937808	9/8/2009	HANDWRITING WITHOUT TEARS	\$3,587.77	WORKBOOKS & PAPER (CORNELL)
937809	9/8/2009	CLELL HOFFMAN	(\$156.85)	REIMB FOR FOOD
937810	9/8/2009	WENDY HOLMES	\$539.88	REIMB FOR STAFF DEVELOPMENT
937811	9/8/2009	HOUGHTON MIFFLIN COMPANY	\$20,075.00	DATA DIRECTOR
937812	9/8/2009	HYDREX- HAYWARD	\$150.00	09/10 PEST CONTROL (AHS & AMS)
937813	9/8/2009	CHRISTOPHER KAJIWARA	\$23.92	07/30-08/27 MILEAGE REIMB
937814	9/8/2009	ADRIENNE KOHN	\$294.93	REIMB FOR CLASSROOM SUPPLIES
937815	9/8/2009	LOZANO SMITH	\$3,553.67	07/09 LEGAL SERVICES (DIST)
937816	9/8/2009	MAGGIORA BAKING CO	\$408.00	FOOD (FOOD SERVICES)
937817	9/8/2009	MEDCO SUPPLY CO.	\$409.44	FIRST AID SUPPLIES (CORNELL)
937818	9/8/2009	ELLEN MURFF	\$298.75	REIMB FOR CLASSROOM SUPPLIES
937819	9/8/2009	ODWALLA INC	\$678.72	DRINKS (FOOD SERVICES)
937820	9/8/2009	OFFICE DEPOT	\$6,795.99	SUPPLIES
937821	9/8/2009	PASTIME ACE HARDWARE	\$1,344.91	08/09 HARDWARE (MAINT)
937822	9/8/2009	WENDY POLIVKA	\$88.99	REIMB FOR SCHOOL LIBRARY JOURNAL
937823	9/8/2009	PRUDENTIAL OVERALL SUPPLY	\$227.83	09/10 UNIFORM SERVICE
937824	9/8/2009	RICOH AMERICAS CORP..	\$212.15	09/10 LEASE & MAINT FOR COPIERS (ACC)
937825	9/8/2009	MICHAEL SADLER	\$500.00	INSTALL TILE (MARIN)

SEPTEMBER 2009 WARRANT LISTING

<u>Check#</u>	<u>Check Dt</u>	<u>Company Name</u>	<u>Check Amount</u>	<u>Description</u>
937826	9/8/2009	AT&T	\$321.42	08/28-09/27 SERVICE
937827	9/8/2009	SCHOOL MART	\$442.98	CALCULATORS (CORNELL)
937828	9/8/2009	ALENE SHIROMOTO	\$538.99	REIMB FOR CLASSROOM SUPPLIES
937829	9/8/2009	STANLEY STEEMER CARPET &	\$108.80	CARPET CLEANING AT MAPLES
937830	9/8/2009	SUMMITVIEW SCHOOL	\$5,264.85	09/10 BASIC ED & TRANS SERVICES
937831	9/8/2009	QUANTA RECEIVABLES LP-SUNESYS	\$8,217.64	MONTHLY LICENSE FEE FOR MANAGED SERVICES/3 MOS (DIST)
937832	9/8/2009	SYSCO FOOD SERVICES OF S.F.INC	\$6,984.00	FOOD & SUPPLIES (FOOD SERVICES)
937833	9/8/2009	TODAY'S CLASSROOM	\$16,288.05	TABLES FOR AHS CAFETERIA
937834	9/8/2009	TOSHIBA FINANCIAL SERVICES	\$5,238.21	09/10 COPIER LEASE (DIST)
937836	9/8/2009	URS CORPORATION	\$28,300.00	09/10 PROFESSIONAL SERVICES
937837	9/8/2009	WAXIE SANITARY SUPPLY	\$2,153.87	SANITARY SUPPLIES
937838	9/8/2009	CORRIE WINNACKER	\$108.15	REIMB FOR CLASSROOM SUPPLIES
937839	9/8/2009	CENGAGE LEARNING	\$812.82	ACTIVITY BOOKS (AHS)
937840	9/8/2009	COPY EXPRESS	\$847.04	PRINT ENVELOPES & SCHOOL LUNCH APPS
938186	9/11/2009	APPLE COMPUTER INC.	\$11,603.12	EMAIL XSERVE & APPLECARE PLAN (TECH/NEW DIST EMAIL)
938187	9/11/2009	ARROW GLASS COMPANY	\$532.00	INSTALL WINDOW (AHS)
938188	9/11/2009	CA DEPARTMENT OF EDUCATION	\$38.82	A COMPOSITE OF LAWS 31ST EDITION
938189	9/11/2009	CIT TECHNOLOGY FINANCING SERV	\$153.33	09/10 COPIER LEASE (SELPA)
938190	9/11/2009	CITY OF ALBANY	\$9,004.25	09/10 SEWER SERVICE
938191	9/11/2009	COMMERCIAL LIGHTING CO.	\$2,005.47	BULBS (MAINT)
938192	9/11/2009	DEPARTMENT OF JUSTICE	\$686.00	08/09 FINGERPRINTS
938193	9/11/2009	DEPARTMENT OF GENERAL SERVICES	\$46.75	ADMIN HEARING SERVICES
938194	9/11/2009	DJ CO-OPS	\$20.25	FOOD (FOOD SERVICES)
938195	9/11/2009	EBMUD	\$718.46	07/06-09/02 SERVICE
938196	9/11/2009	EL CERRITO UUT	\$318.46	UTILITY USER TAX 01/09-06/09
938197	9/11/2009	LAURIE HARDEN	\$70.95	08/30/09 MILEAGE REIMB/SSC CONF
938198	9/11/2009	HERTZ EQUIPMENT RENTAL	\$597.03	WASHER RENTAL (MAINT)
938199	9/11/2009	HOME DEPOT CREDIT SERVICES	\$629.06	HARDWARE (MAINT)
938200	9/11/2009	THE KEY SHACK LOCKSMITH	\$33.21	KEYS MADE (MAINT)
938201	9/11/2009	KOSS INTERNATIONAL CORP	\$1,077.34	CHALK (MARIN)
938202	9/11/2009	THE MCGRAW-HILL COMPANIES	\$28,236.64	EVERYDAY MATH MATERIALS (ELEM)
938203	9/11/2009	NEOPOST INC.	\$218.28	POSTAGE METER SUPPLIES (AMS)
938204	9/11/2009	OAK HILL SCHOOL	\$6,291.50	09/10 BASIC ED & RELATED SERVICES
938205	9/11/2009	OFFICE DEPOT	\$6,495.26	SUPPLIES
938206	9/11/2009	PEARSON EDUCATION	\$3,433.63	PHYSICS BOOKS (AHS)
938207	9/11/2009	PG&E	\$6,553.01	08/05-09/02 SERVICE
938208	9/11/2009	PITNEY BOWES	\$131.50	POSTAGE MACHINE SUPPLIES (AHS)
938209	9/11/2009	PRUDENTIAL OVERALL SUPPLY	\$184.10	09/10 UNIFORM SERVICE
938210	9/11/2009	ROTO-ROOTER	\$674.63	DRAIN CLEANING (O.V. & AHS)

SEPTEMBER 2009 WARRANT LISTING

<u>Check#</u>	<u>Check Dt</u>	<u>Company Name</u>	<u>Check Amount</u>	<u>Description</u>
938211	9/11/2009	PABLO E. SANCHEZ	\$1,500.00	09/10 LANDSCAPE SERVICES (DIST)
938212	9/11/2009	SPURR	\$2,263.90	08/09 GAS SERVICE
938213	9/11/2009	VALLEJO HIGH SCHOOL TRACK CLUB	\$300.00	BASKETBALL TOURNAMENT (AHS ATHLETICS)
938214	9/11/2009	WEST COAST JAMBOREE	\$450.00	BASKETBALL TOURNAMENT (AHS ATHLETICS)
938215	9/11/2009	WILLIAMS SCOTSMAN, INC.	\$1,235.79	09/10 RENT/2 PORTABLE CLASSROOMS (CORNELL)
942049	9/16/2009	ACSIG	\$72,260.00	50% 09/10 PROP/LIAB INSURANCE PROGRAM
942050	9/16/2009	JULIE ALLEN	\$231.06	REIMB FOR CLASSROOM SUPPLIES
942051	9/16/2009	ERIC ANGRESS	\$600.00	ROOT REMOVAL (AHS)
942052	9/16/2009	ARROWHEAD MOUNTAIN SPRING	\$85.61	08/09 WATER (MARIN)
942053	9/16/2009	HASLER FINANCIAL SERVICES	\$185.45	09/10 POSTAGE MACHINE LEASE (D.O.)
942054	9/16/2009	BAY ALARM	\$95.00	REPAIR PROGRAMER (CORNELL)
942055	9/16/2009	BEHAVIORAL INTERVENTION	\$5,807.50	SPECIALIZED BEHAVIOR INTERVENTION SERVICES
942056	9/16/2009	BERKELEY FARMS	\$1,082.85	DAIRY
942057	9/16/2009	CATHY BERMAN	\$20.00	PRINT REIMB
942058	9/16/2009	BEST EQUIPMENT CO.	\$10,649.50	CHECK FIRE EXTINGUISHERS (DIST)
942059	9/16/2009	LINDA BISHOP	\$92.45	REIMB FOR CLASSROOM SUPPLIES
942060	9/16/2009	KAREN BONINI	\$42.52	REIMB FOR CLASSROOM SUPPLIES
942061	9/16/2009	CALIFORNIA GROWERS	\$191.50	PRODUCE (FOOD SERVICES)
942062	9/16/2009	HEATHER CARVER	\$20.00	PRINT REIMB
942063	9/16/2009	RYAN CASEY	\$20.00	PRINT REIMB
942064	9/16/2009	CENTER FOR EARLY INT. ON	\$3,248.00	09/10 SPECIALIZED INSTRUCTION
942065	9/16/2009	CHILDREN'S LEARNING CENTER	\$8,715.00	09/10 EDUCATIONAL SERVICES
942066	9/16/2009	CMEA BAY SECTION	\$45.00	UNANIMOUS SUPERIOR PLAQUE (AHS)
942067	9/16/2009	SALLY COHEN	\$20.00	PRINT REIMB
942068	9/16/2009	COPY EXPRESS	\$9.80	COLOR PRINTS (D.O.)
942069	9/16/2009	DANIELSEN	\$818.83	FOOD & SUPPLIES (FOOD SERVICES)
942070	9/16/2009	DUBLIN UNIFIED SCHOOL DISTRICT	\$30.00	REG/ALAMEDA COUNTY SUPT. COUNCIL 09 RETREAT
942071	9/16/2009	EBMUD	\$2,006.20	07/23-08/20 SERVICE
942072	9/16/2009	FAGEN FRIEDMAN & FULFROST, LLP	\$360.00	SELPA REG FOR 09/10 LEGAL WORKSHOPS
942073	9/16/2009	CHRISTIN FEUERSTRAETER	\$87.81	REIMB FOR CLASSROOM SUPPLIES
942074	9/16/2009	JANET FOHNER	\$146.25	08/25-09/03 MILEAGE REIMB
942075	9/16/2009	HONG FORREST	\$611.89	REIMB FOR CHINESE TEXTBOOKS
942076	9/16/2009	GOLD STAR FOODS	\$2,620.02	FOOD (FOOD SERVICES)
942077	9/16/2009	MARGARET GOLDBERG	\$119.34	REIMB FOR CLASSROOM MATERIALS
942078	9/16/2009	GREATER TESTING CONCEPTS	\$32.00	09/10 MANDELBROT COMPETITION (AHS)
942079	9/16/2009	IMPERIAL FOODS CORP.	\$520.06	CHINESE FOOD (FOOD SERVICES)
942080	9/16/2009	MAGGIORA BAKING CO	\$183.85	FOOD (FOOD SERVICES)
942081	9/16/2009	HEATHER McLARNON	\$20.00	PRINT REIMB
942082	9/16/2009	KERRY-ANN MITCHELL	\$20.00	PRINT REIMB

SEPTEMBER 2009 WARRANT LISTING

<u>Check#</u>	<u>Check Dt</u>	<u>Company Name</u>	<u>Check Amount</u>	<u>Description</u>
942083	9/16/2009	HOLLY MIYASHIRO	\$20.00	PRINT REIMB
942084	9/16/2009	MEG NIXON	\$114.79	REIMB FOR CLASSROOM SUPPLIES
942085	9/16/2009	OFFICE DEPOT	\$553.20	SUPPLIES
942086	9/16/2009	OFFICE FURNITURE WORLD, INC.	\$480.70	DESK FOR TECH
942087	9/16/2009	NCS PEARSON, INC.	\$1,031.60	NEPSY-II KIT (SPECIAL SERVICES)
942088	9/16/2009	PERMA-BOUND BOOK	\$6,187.85	BOOKS (AHS)
942089	9/16/2009	FIA CARD SERVICES	\$757.30	08/09 CHARGES-SIGNS,FOOD, SUPPLIES (HOFFMAN)
942090	9/16/2009	PRUDENTIAL OVERALL SUPPLY	\$160.10	09/10 UNIFORM SERVICE
942091	9/16/2009	ALEXIA RITCHIE	\$181.42	REIMB FOR GARDEN GRANT SUPPLIES
942092	9/16/2009	MARSHA RYLE	\$20.00	PRINT REIMB
942093	9/16/2009	GERALDINE SCOTT	\$157.00	REIMB FOR CLASSROOM SUPPLIES
942094	9/16/2009	ALENE SHIROMOTO	\$97.21	REIMB FOR CLASSROOM SUPPLIES
942095	9/16/2009	STAR ELEVATOR INC-ATLAS	\$291.86	09/10 ELEVATOR SERVICE (AHS)
942096	9/16/2009	STARFISH THERAPIES	\$105.00	09/10 PHYSICAL THERAPY SERVICES
942097	9/16/2009	MARE STATON	\$31.82	REIMB FOR LIBRARY SUPPLIES
942098	9/16/2009	CRAIG JEFFRY STERN	\$20.00	PRINT REIMB
942099	9/16/2009	SUMMITVIEW SCHOOL	\$7,187.07	09/10 BASIC ED & TRANS SERVICES
942100	9/16/2009	SYSCO FOOD SERVICES OF S.F.INC	\$6,040.52	FOOD & SUPPLIES (ACC)
942101	9/16/2009	TIDES CENTER/CITY GUIDES	\$175.00	09/30/09 MISSION MURALS TOUR (AHS)
942102	9/16/2009	TOSHIBA BUSINESS SOLUTIONS CA	\$146.19	COPIER INK (AMS)
942103	9/16/2009	DANIEL VILHAVER	\$20.00	PRINT REIMB
942104	9/16/2009	CORRIE WINNACKER	\$8.56	REIMB FOR CLASS PHOTOS
942105	9/16/2009	WORTHINGTON DIRECT INC	\$1,073.99	TABLES (CORNELL)
942106	9/16/2009	MARY ZEILER	\$20.00	PRINT REIMB
943284	9/25/2009	ALAMEDA COUNTY OFFICE OF ED	\$17.70	ACC PLUG (AHS) & PRINTER FUSE (D.O.)
943285	9/25/2009	TREASURER OF ALAMEDA COUNTY	\$150.00	09 DIRECT CERTIFICATION MATCH DATA PROCESSING
943286	9/25/2009	ALAMEDA UNIFIED SCHOOL DIST.	\$318,293.00	2ND DISTRIBUTION (SELPA)
943287	9/25/2009	ANNE ALCOTT	\$87.04	REIMB FOR OFFICE SUPPLIES
943288	9/25/2009	ERIC ANGRESS	\$207.00	REMOVE FALLEN TREE BRANCH (MAC HIGH)
943289	9/25/2009	ARROW GLASS COMPANY	\$1,278.00	INSTALL WINDOWS (MAINT)
943290	9/25/2009	AMERICAN TELESOURCE, INC.	\$150.00	PHONE LINE FIXES (AMS & O.V.)
943293	9/25/2009	BANDY GREEN	\$7,100.00	EMAIL-ONETIME SETUP OF SERVICES & REMOTE MANAGEMEN
943295	9/25/2009	BARNES & NOBLE INC	\$526.70	BOOKS (AMS)
943296	9/25/2009	BAY ALARM	\$575.95	09/10 ALAMRM MONITORING
943297	9/25/2009	BEHAVIORAL INTERVENTION	\$250.00	SPECIALIZED BEHAVIOR INTERVENTION SERVICES
943298	9/25/2009	BERKELEY UNIFIED SCHOOL DIST.	\$267,833.00	2ND DISTRIBUTION (SELPA)
943299	9/25/2009	VICTORIA BERNDT	\$26.91	08/03-09/15 MILEAGE REIMB
943300	9/25/2009	BEYOND THE CLASSROOM	\$1,239.00	09/10 DEAF/HARD OF HEARING/AUDIOLOGICAL SERVICES
943305	9/25/2009	MICKEY CABODI	\$1,362.00	CONSTRUCT ENCLOSURE (POOL)

SEPTEMBER 2009 WARRANT LISTING

<u>Check#</u>	<u>Check Dt</u>	<u>Company Name</u>	<u>Check Amount</u>	<u>Description</u>
943306	9/25/2009	CHILDREN'S LEARNING CENTER	\$6,375.00	09/10 EDUCATIONAL SERVICES
943307	9/25/2009	COPY EXPRESS	\$1,855.87	FORM PRINTING
943308	9/25/2009	CRAIGSLIST	\$150.00	09/10 JOB POSTINGS
943309	9/25/2009	DELL MARKETING L.P.	\$160.22	POWER SUPPLY (TECH)
943310	9/25/2009	DICK BLICK	\$1,640.49	CONNECT DESIGN LAB SUPPLIES (AHS)
943311	9/25/2009	DIVISION OF THE STATE	\$1,207.61	COUGAR FIELD FEES
943313	9/25/2009	SARA DORNISCH	\$279.77	REIMB FOR CLASSROOM MATERIALS
943316	9/25/2009	EDUCATIONAL DATA SYSTEMS, INC.	\$486.17	PRE ID SET-UP FOR CELDT
943317	9/25/2009	EMERY UNIFIED SCHOOL DISTRICT	\$23,144.00	2ND DISTRIBUTION (SELPA)
943318	9/25/2009	FAGEN FRIEDMAN & FULFROST, LLP	\$1,041.80	08/09 LEGAL SERVICES (SPECIAL SERVICES)
943319	9/25/2009	FAR WEST SANITATION AND	\$87.26	CONTAINER RENTAL (POOL)
943320	9/25/2009	FEDEX	\$43.36	SHIPPING CHARGES (D.O.)
943321	9/25/2009	FIREMASTER DEPT. 1019	\$879.48	SERVICE CALL (AHS)
943322	9/25/2009	FIRSTGROUP AMERICA	\$496.00	09/10 BUS TRANSPORTATION (AHS ATHLETICS)
943323	9/25/2009	HONG FORREST	\$26.09	07/03-09/16 MILEAGE REIMB
943327	9/25/2009	GOPHER SPORTS	\$2,948.75	SPORT SUPPLIES (AMS)
943329	9/25/2009	HERTZ EQUIPMENT RENTAL	\$91.76	BREAKER & SCRAPER RENTAL (MAINT)
943330	9/25/2009	HIGH TECH BURRITO CORP.	\$262.30	BURRITOS (FOOD SERVICES)
943331	9/25/2009	HIGHSMITH INC.	\$120.91	LIBRARY SUPPLIES (MARIN)
943333	9/25/2009	CLELL HOFFMAN	\$156.85	REIMB FOR FOOD
943334	9/25/2009	HOME DEPOT CREDIT SERVICES	\$404.12	HARDWARE (MAINT)
943335	9/25/2009	HOME DEPOT SUPPLY	\$393.78	BULBS (MAINT)
943337	9/25/2009	TUYET HUYNH	\$11.98	08/26-09/15 MILEAGE REIMB
943338	9/25/2009	HYDREX- HAYWARD	\$90.00	09/10 PEST CONTROL (ACC)
943340	9/25/2009	HELEN JIANG	\$8.52	08/25-09/15 MILEAGE REIMB
943343	9/25/2009	THE KEY SHACK LOCKSMITH	\$17.01	KEYS MADE (MAINT)
943349	9/25/2009	LOZANO SMITH	\$3,368.14	08/09 LEGAL SERVICES (DIST)
943350	9/25/2009	LPA, INC.	\$903.15	POOL BUILDING PROJECT
943353	9/25/2009	REBECCA MARTINEZ	\$21.24	08/05/09 MILEAGE REIMB/TRANSPORT TOWNSEND
943355	9/25/2009	MCGUIRE AND HESTER	\$318.10	UNPAID BALANCE/COUGAR FIELD CONTRACT
943358	9/25/2009	TOM MURPHY	\$35.76	REIMB FOR DRAIN RISER
943359	9/25/2009	NASCO MODESTO	\$371.43	CONSTRUCTION PAPER (AHS)
943360	9/25/2009	SUZANNE NELSON	\$554.19	REIMB FOR SELPA CONF EXPENSES
943361	9/25/2009	NEOPOST LEASING	\$99.96	09/10 POSTAGE MACHINE LEASE (AMS)
943362	9/25/2009	NET SQUAD COMMUNICATIONS	\$1,782.00	INTERMAPPER (TECH)
943365	9/25/2009	PARENT	\$69.50	REFUND/UNUSED LUNCH MONEY
943366	9/25/2009	OFFICE DEPOT	\$632.28	SUPPLIES
943367	9/25/2009	PARAMOUNT ELEVATOR CORPORATION	\$90.00	09/10 ELEVATOR SERVICE FOR CORNELL
943368	9/25/2009	PIEDMONT UNIFIED SCHOOL DIST	\$77,657.00	2ND DISTRIBUTION (SELPA)

SEPTEMBER 2009 WARRANT LISTING

<u>Check#</u>	<u>Check Dt</u>	<u>Company Name</u>	<u>Check Amount</u>	<u>Description</u>
943369	9/25/2009	PITNEY BOWES	\$338.02	09/10 POSTAGE MACHINE LEASE (AHS)
943370	9/25/2009	FIA CARD SERVICES (HARDEN)	\$2,057.77	08/09 CHARGES-TECH COMPUTER & TRAVEL EXP. GOVS. CONF.
943371	9/25/2009	FIA CARD SERVICES (STEPHENSON)	\$96.36	08/09 CHARGES-TRAVEL EXP. & MEETING SUPPLIES
943372	9/25/2009	FIA CARD SERVICES (MURPHY)	\$420.30	08/09 CHARGES-LIFT,MAINT SUPPLIES
943373	9/25/2009	PRUDENTIAL OVERALL SUPPLY	\$167.10	09/10 UNIFORM SERVICE
943374	9/25/2009	R.C. KNAPP INC.	\$68,964.20	POOL DEMOLITION PROJECT
943375	9/25/2009	RICOH AMERICAS CORP..	\$8,407.60	09/10 LEASE & MAINT FOR COPIERS
943378	9/25/2009	AT&T	\$178.14	09/11-10/10 SERVICE
943379	9/25/2009	SCHOOL HEALTH CORPORATION	\$85.63	FIRST-AID SUPPLIES (AHS)
943380	9/25/2009	GERALDINE SCOTT	\$48.88	REIMB FOR CLASSROOM SUPPLIES
943381	9/25/2009	SEAC	\$625.00	09 COLLECTIVE BARGAINING SUMMITS
943382	9/25/2009	SELK COMMUNICATIONS	\$375.00	MEDIA SUPPORT
943384	9/25/2009	SI SE PUEDE BEHAVIORAL	\$1,156.25	06/09 ACADEMIC BEHAVIOR SERVICES
943386	9/25/2009	MARLA STEPHENSON	\$77.33	REIMB FOR TRAVEL EXPENSES-SSC
943387	9/25/2009	SYSCO FOOD SERVICES OF S.F.INC	\$99.63	FOOD (MAC HIGH)
943388	9/25/2009	PARENT	\$255.00	SETTLEMENT PER COMPROMISE & RELEASE
943390	9/25/2009	UNITED PARCEL SERVICE	\$52.26	SHIPPING CHARGES (D.O.)
943392	9/25/2009	WAXIE SANITARY SUPPLY	\$11,517.29	SANITARY SUPPLIES
943393	9/25/2009	WILLIAMS SCOTSMAN, INC.	\$443.39	PORTABLE RENT (MARIN)
955161	9/25/2009	CALPERS - CALIFORNIA PUBLIC	\$303,220.13	10/09 PREMIUM
955162	9/25/2009	FAGEN FRIEDMAN & FULFROST, LLP	\$1,260.00	09/10 SPED SYMPOSIUM
955163	9/25/2009	SANTA CLARA ASSOCIATION OF	\$100.00	REGISTRATION FOR WORKSHOP
937835	9/8/2009	RETIREE	\$2,040.28	08/09 CALPERS/REIMB
943291	9/25/2009	RETIREE	\$1,831.20	08/09 & 09/09 CALPERS/REIMB
943303	9/25/2009	RETIREE	\$1,016.60	REIMB FOR 08/09 CALPERS
943292	9/25/2009	RETIREE	\$459.57	10/09 CALPERS/REIMB
943294	9/25/2009	RETIREE	\$459.57	10/09 CALPERS/REIMB
943301	9/25/2009	RETIREE	\$407.30	10/09 CALPERS/REIMB
943302	9/25/2009	RETIREE	\$801.01	10/09 CALPERS/REIMB
943304	9/25/2009	RETIREE	\$459.57	10/09 CALPERS/REIMB
943312	9/25/2009	RETIREE	\$687.46	10/09 CALPERS/REIMB
943314	9/25/2009	RETIREE	\$1,020.14	10/09 CALPERS/REIMB
943315	9/25/2009	RETIREE	\$915.60	10/09 CALPERS/REIMB
943324	9/25/2009	RETIREE	\$240.44	10/09 CALPERS/REIMB
943325	9/25/2009	RETIREE	\$125.00	10/09 CNL
943326	9/25/2009	RETIREE	\$407.30	10/09 CALPERS/REIMB
943328	9/25/2009	RETIREE	\$1,020.14	10/09 CALPERS/REIMB
943332	9/25/2009	RETIREE	\$1,020.14	10/09 CALPERS/REIMB
943336	9/25/2009	RETIREE	\$801.01	10/09 CALPERS/REIMB

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943339	9/25/2009	RETIREE	\$915.60	10/09 CALPERS/REIMB
943341	9/25/2009	RETIREE	\$1,020.14	10/09 CALPERS/REIMB
943342	9/25/2009	RETIREE	\$863.96	10/09 CALPERS/REIMB
943344	9/25/2009	RETIREE	\$915.60	10/09 CALPERS/REIMB
943345	9/25/2009	RETIREE	\$303.60	10/09 CALPERS/REIMB
943346	9/25/2009	RETIREE	\$801.01	10/09 CALPERS/REIMB
943347	9/25/2009	RETIREE	\$687.46	10/09 CALPERS/REIMB
943348	9/25/2009	RETIREE	\$407.30	10/09 CALPERS/REIMB
943351	9/25/2009	RETIREE	\$407.30	10/09 CALPERS/REIMB
943352	9/25/2009	RETIREE	\$687.46	10/09 CALPERS/REIMB
943354	9/25/2009	RETIREE	\$915.60	10/09 CALPERS/REIMB
943356	9/25/2009	RETIREE	\$459.57	10/09 CALPERS/REIMB
943357	9/25/2009	RETIREE	\$915.60	10/09 CALPERS/REIMB
943363	9/25/2009	RETIREE	\$949.94	10/09 CALPERS/REIMB
943364	9/25/2009	RETIREE	\$1,020.14	10/09 CALPERS/REIMB
943376	9/25/2009	RETIREE	\$459.57	10/09 CALPERS/REIMB
943377	9/25/2009	RETIREE	\$407.30	10/09 CALPERS/REIMB
943383	9/25/2009	RETIREE	\$1,020.14	10/09 CALPERS/REIMB
943385	9/25/2009	RETIREE	\$407.30	10/09 CALPERS/REIMB
943389	9/25/2009	RETIREE	\$1,020.14	10/09 CALPERS/REIMB
943391	9/25/2009	RETIREE	\$949.94	10/09 CALPERS/REIMB
943394	9/25/2009	RETIREE	\$1,020.14	10/09 CALPERS/REIMB
943395	9/25/2009	RETIREE	\$915.60	10/09 CALPERS/REIMB
955079	9/25/2009	AMERICAN FIDELITY ASSURANCE	\$1.14	Payroll on 9/25/09
955080	9/25/2009	ING Northern Annuity	\$7.64	Payroll on 9/25/09
955081	9/25/2009	ALBANY UNIFIED SCHOOL DISTRICT	\$17.29	Payroll on 9/25/09
955082	9/25/2009	ALBANY UNIFIED SCHOOL DISTRICT	\$50.69	Payroll on 9/25/09
955083	9/25/2009	ALBANY UNIFIED SCHOOL DISTRICT	\$25.78	Payroll on 9/25/09
955084	9/25/2009	ALBANY UNIFIED SCHOOL DISTRICT	\$97.60	Payroll on 9/25/09
955085	9/25/2009	CSEA Dues	\$1.68	Payroll on 9/25/09
955156	9/25/2009	ING Northern Annuity	\$61.24	Payroll on 9/25/09
955157	9/25/2009	ALBANY UNIFIED SCHOOL DISTRICT	\$544.01	Payroll on 9/25/09
955158	9/25/2009	ALBANY UNIFIED SCHOOL DISTRICT	\$1,673.01	Payroll on 9/25/09
955159	9/25/2009	ALBANY UNIFIED SCHOOL DISTRICT	\$276.32	Payroll on 9/25/09
937064	9/1/2009	ALBANY UNIFIED SCHOOL DISTRICT	\$6.14	Payroll on 9/01/09

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<u>Check#</u>	<u>Check Dt</u>	<u>Company Name</u>	<u>Check Amount</u>	<u>Description</u>
942573	9/22/2009	1st United Services Credit Un.	\$1,717.90	Payroll on 9/22/09
942574	9/22/2009	ACSA'S FOUNDATION FOR	\$344.40	Payroll on 9/22/09
942575	9/22/2009	ACSA'S FOUNDATION FOR	\$290.50	Payroll on 9/22/09
942576	9/22/2009	ALAMEDA COUNTY SCHOOLS INS	\$5,875.38	Payroll on 9/22/09
942577	9/22/2009	Alameda Cnty Schools Insurance	\$1,277.87	Payroll on 9/22/09
942578	9/22/2009	AIG RETIREMENT ADVISORS INC.	\$2,350.00	Payroll on 9/22/09
942579	9/22/2009	AIG RETIREMENT ADVISORS INC.	\$250.00	Payroll on 9/22/09
942580	9/22/2009	ALBANY EDUCATION FOUNDATION	\$9.00	Payroll on 9/22/09
942581	9/22/2009	American Family Life	\$12.94	Payroll on 9/22/09
942582	9/22/2009	American Fidelity Assurance Co	\$1,930.00	Payroll on 9/22/09
942583	9/22/2009	AMERICAN FIDELITY ASSURANCE	\$3,416.63	Payroll on 9/22/09
942584	9/22/2009	AMERICAN FIDELITY ASSURANCE CO	\$388.72	Payroll on 9/22/09
942585	9/22/2009	AMERICAN FIDELITY ASSURANCE CO	\$523.69	Payroll on 9/22/09
942586	9/22/2009	AMERICAN FUNDS SERVICE	\$2,480.00	Payroll on 9/22/09
942587	9/22/2009	American Fidelity Assurance	\$4,285.00	Payroll on 9/22/09
942588	9/22/2009	American Fidelity Assurance	\$278.00	Payroll on 9/22/09
942589	9/22/2009	American Fidelity Assurance	\$4,008.66	Payroll on 9/22/09
942590	9/22/2009	American General Annuity	\$120.00	Payroll on 9/22/09
942591	9/22/2009	ING Northern Annuity	\$1,768.80	Payroll on 9/22/09
942592	9/22/2009	Albany Unified School District	\$978,324.69	Payroll on 9/22/09
942593	9/22/2009	Albany Unified School District	\$58,610.34	Payroll on 9/22/09
942594	9/22/2009	Albany Unified School District	\$4,737.60	Payroll on 9/22/09
942595	9/22/2009	Albany Unified School District	\$15,834.36	Payroll on 9/22/09
942596	9/22/2009	ALBANY UNIFIED SCHOOL DISTRICT	\$63,654.74	Payroll on 9/22/09
942597	9/22/2009	ALBANY UNIFIED SCHOOL DISTRICT	\$197,598.31	Payroll on 9/22/09
942598	9/22/2009	ALBANY UNIFIED SCHOOL DISTRICT	\$54,003.40	Payroll on 9/22/09
942599	9/22/2009	ALBANY UNIFIED SCHOOL DISTRICT	\$58,642.18	Payroll on 9/22/09
942600	9/22/2009	ALBANY UNIFIED REVOLVING FUND	\$50.00	Payroll on 9/22/09
942601	9/22/2009	CALIF STATE TEACHER RET SYSTEM	\$4,681.48	Payroll on 9/22/09
942602	9/22/2009	Calif. State Empl.Credit Union	\$400.00	Payroll on 9/22/09
942603	9/22/2009	CALIFORNIA STATE DISBSMT UNIT	\$52.53	Payroll on 9/22/09
942604	9/22/2009	CALPERS - CALIFORNIA PUBLIC	\$15,421.38	Payroll on 9/22/09
942605	9/22/2009	CONSECO INSURANCE COMPANY	\$200.00	Payroll on 9/22/09
942606	9/22/2009	CONSECO INSURANCE COMPANY	\$400.00	Payroll on 9/22/09
942607	9/22/2009	CSEA Dues	\$3,135.82	Payroll on 9/22/09
942608	9/22/2009	CSEA VICTORY CLUB	\$37.00	Payroll on 9/22/09
942609	9/22/2009	CTA Dues	\$20,479.07	Payroll on 9/22/09
942610	9/22/2009	Equitable Life Assurance Co.	\$1,005.00	Payroll on 9/22/09
942611	9/22/2009	FIDELITY INVESTMENTS	\$300.00	Payroll on 9/22/09

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942612	9/22/2009	FRANKLIN TEMPLETON BANK & TRUS	\$1,000.00	Payroll on 9/22/09
942613	9/22/2009	GALIC DISBURSING COMPANY	\$3,005.00	Payroll on 9/22/09
942614	9/22/2009	GALIC DISBURSING COMPANY	\$212.00	Payroll on 9/22/09
942615	9/22/2009	GALIC DISBURSING COMPANY	\$6,358.60	Payroll on 9/22/09
942616	9/22/2009	GALIC DISBURSING COMPANY	\$275.00	Payroll on 9/22/09
942617	9/22/2009	GALIC DISBURSING COMPANY	\$250.00	Payroll on 9/22/09
942618	9/22/2009	GALIC DISBURSING COMPANY	\$4,750.00	Payroll on 9/22/09
942619	9/22/2009	HORACE MANN LIFE INS. CO	\$1,000.00	Payroll on 9/22/09
942620	9/22/2009	IDS Financial Sercices INS	\$300.00	Payroll on 9/22/09
942621	9/22/2009	Fresno Internal Revenue Serv.	\$438.36	Payroll on 9/22/09
942622	9/22/2009	PRUDENTIAL/KEENAN	\$172.18	Payroll on 9/22/09
942623	9/22/2009	PRUDENTIAL/KEENAN	\$1,516.94	Payroll on 9/22/09
942624	9/22/2009	PRUDENTIAL/KEENAN	\$410.30	Payroll on 9/22/09
942625	9/22/2009	Life Insurance Co of SouthWest	\$3,410.00	Payroll on 9/22/09
942626	9/22/2009	METLIFE RESOURCES 403B CO	\$12,650.00	Payroll on 9/22/09
942627	9/22/2009	National Health Insurance Co.	\$550.00	Payroll on 9/22/09
942628	9/22/2009	NORTHERN LIFE INSURANCE CO	\$400.00	Payroll on 9/22/09
942629	9/22/2009	OGDEN SERVICE CENTER	\$126.00	Payroll on 9/22/09
942630	9/22/2009	OPPENHEIMER FUND	\$3,069.00	Payroll on 9/22/09
942631	9/22/2009	Pacific Life Insurance Co	\$300.00	Payroll on 9/22/09
942632	9/22/2009	Provident central Credit Union	\$1,275.00	Payroll on 9/22/09
942633	9/22/2009	Provident central Credit Union	\$636.00	Payroll on 9/22/09
942634	9/22/2009	Putnam Investors Services	\$3,350.00	Payroll on 9/22/09
942635	9/22/2009	Reliastar Life Ins. CO	\$3,460.00	Payroll on 9/22/09
942636	9/22/2009	SCHOOL CARE	\$5.00	Payroll on 9/22/09
942637	9/22/2009	The Security Benefit Group	\$300.00	Payroll on 9/22/09
942638	9/22/2009	PAT MORONES	\$1,669.23	Payroll on 9/22/09
942639	9/22/2009	SEIU LOCAL 1021 COPE DEDUCTION	\$22.00	Payroll on 9/22/09
942640	9/22/2009	SOCIAL SECURITY ADMINISTRATION	\$254.74	Payroll on 9/22/09
942641	9/22/2009	STANDARD INSURANCE COMPANY	\$12.00	Payroll on 9/22/09
942642	9/22/2009	STANDARD INSURANCE COMPANY	\$27.63	Payroll on 9/22/09
942643	9/22/2009	STANDARD INSURANCE COMPANY	\$2,394.09	Payroll on 9/22/09
942644	9/22/2009	STANDARD INSURANCE COMPANY	\$22.97	Payroll on 9/22/09
942645	9/22/2009	STATE OF CALIFORNIA	\$937.53	Payroll on 9/22/09
942646	9/22/2009	STATE OF CALIFORNIA	\$274.52	Payroll on 9/22/09
942647	9/22/2009	TAX DEFERRED SERVICES 457PLAN	\$18,385.00	Payroll on 9/22/09
942648	9/22/2009	TAX DEFERRED SERVICES 457PLAN	\$1,400.00	Payroll on 9/22/09
942649	9/22/2009	Thomas E. Mestmaker	\$11.25	Payroll on 9/22/09
942650	9/22/2009	TIAA-CREF	\$300.00	Payroll on 9/22/09

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942651	9/22/2009	TRANSAMERICA	\$385.00	Payroll on 9/22/09
942652	9/22/2009	Vanguard Fiduciary Trust Co	\$5,790.00	Payroll on 9/22/09
942653	9/22/2009	VAR ANN LF	\$5,445.00	Payroll on 9/22/09
			\$3,575,879.52	TOTAL

FUND SUMMARY

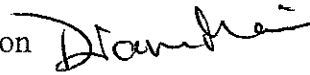
<u>FUND DESCRIPTION</u>	<u>AMOUNT</u>
010- GENERAL FUND	\$3,346,051.76
110- ADULT EDUCATION FUND	\$8,447.22
120- CHILD DEVELOPMENT	\$80,077.08
130- CAFETERIA FUND	\$47,216.34
210- BUILDING FUND PRIMARY	\$92,851.33
250- CAPITAL FACILITIES FUND	\$1,235.79
	\$3,575,879.52 TOTAL

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of October 20, 2009

ITEM: Approve Master Contract Bayhill High School

PREPARED BY: Diane Marie, Director of Special Education



TYPE OF ITEM: Consent Calendar – Student Services

BACKGROUND INFORMATION:

Approve one (1) Master Contract between Albany Unified School District and Bay Hill High School for Basic Education for one (1) student. Cost not to exceed \$23,000.00

FINANCIAL INFORMATION:

Funding Source: Special Education

RECOMMENDATION: Approve Master Contract at a cost not to exceed \$23,000.00.

OCT 12

2009-2010Special Education Office
Albany Unified School District**CONTRACT NUMBER:****LEA: ALBANY UNIFIED SCHOOL DISTRICT****NONPUBLIC SCHOOL/AGENCY/RELATED SERVICES PROVIDER:****Bayhill High School****NONPUBLIC, NONSECTARIAN SCHOOL/AGENCY SERVICES**
MASTER CONTRACT**AUTHORIZATION FOR MASTER CONTRACT AND GENERAL PROVISIONS****1. MASTER CONTRACT**

This Master Contract is entered into this 1st day of July, 2009, between the Albany Unified School District (hereinafter referred to as "LEA") and BAYHILL HIGH SCHOOL (hereinafter referred to as "CONTRACTOR") for the purpose of providing special education and/or related services to LEA pupils with exceptional needs under the authorization of California Education Code sections 56157, 56361 and 56365 *et seq.* and Title 5 of the California Code of Regulations section 3000 *et seq.*, AB490 (Chapter 862, Statutes of 2003) and AB1858 (Chapter 914, Statutes of 2004). It is understood that this Master Contract does not commit LEA to pay for special education and/or related services provided to any LEA pupil, or CONTRACTOR to provide such special education and/or related services, unless and until an authorized LEA representative approves the provision of special education and/or related services by CONTRACTOR pursuant to an Individualized Education Plan (hereinafter referred to as "IEP"), Individual Family Service Plan (hereinafter referred to as IFSP) or Rehabilitation Act Section 504 plan.

SELPA Collaborative. The LEA is a member of the Bay Area SELPA Collaborative. Nonpublic schools and nonpublic agencies that are geographically located in one of the participating SELPAs agree to participate in this collaborative process to establish a uniform contract for identified services and standards. The established system provides NPA/Ss with an opportunity to have input to the development of the process, contract issues, etc., and a simplified, standard process for rate negotiation with the participating SELPAs. Issues listed on the Rate Schedule portion of this Master Contract may be reviewed on an annual basis upon request of the CONTRACTOR using the established Bay Area SELPA Collaborative system. CONTRACTOR agrees that the rates set forth in this Master Contract will remain unchanged from July 1 through June 30 of the term of contract, with no changes in the services provided, unless changed in a duly executed amendment to this Master Contract signed by both parties. Increases in rates will be considered on an annual basis and remain unchanged for the term of the contract from July 1 through June 30, with no changes in level of service provided without written approval by both parties.

NPA/Ss that are not geographically located in a participating SELPA should negotiate rates with their geographically corresponding SELPA(s). The LEA will contact the corresponding SELPA to verify established rates. Increases in rates will be considered on an annual basis and

P40

62. CONTRACTOR	CONTRACTOR NUMBER	2009-2010
(NONPUBLIC SCHOOL OR AGENCY)		(CONTRACT YEAR)

Per CDE Certification, total enrollment may not exceed 80

The attached rate schedule limits the number of LEA students that may be enrolled and maximum dollar amount of the contract. It may also limit the maximum number of students that can be provided specific services. Per diem rates for LEA students whose IEPs authorize less than a full instructional day shall be adjusted proportionally. Special education and/or related services offered by CONTRACTOR, shall be provided by qualified personnel as per State and Federal law, and the codes and charges for such educational and/or related services during the term of this contract, shall be as stated in section 62.

Rate Schedule. Special education and/or related services offered by CONTRACTOR, and the charges for such educational and/or related services during the term of this contract shall be as follows:

	Rate	Period
A. Basic Education Program/Special Education Instruction	23,000.00	YEAR
Basic Education Program/Dual Enrollment*		

*Per Diem rates for LEA pupils whose IEP/IFSPs authorize less than a full instructional day shall be adjusted proportionally. In such cases only, the adjustments in basic rate shall be based on the percentage of a 240-minute instructional day.

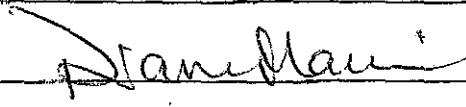
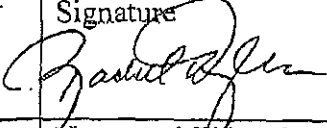
B. Related Services

(1)	a. Transportation – Round Trip		
	b. Transportation – One Way		
	c. Transportation-Dual Enrollment		
	d. MTA		
	e. Parent*		
(2)	a. Educational Counseling – Individual	120.00	HOUR
	b. Educational Counseling – Consult	120.00	HOUR
	c. Counseling – Group	50.00	HOUR
(3)	a. Adapted Physical Education – Individual		
	b. Adapted Physical Education – Group of		
	c. Adapted Physical Education – Group of		
(4)	a. Language and Speech Therapy – Individual	100.00	HOUR
	b. Language and Speech Therapy – Group of 2		
	c. Language and Speech Therapy – Group of 3		
	d. Language and Speech Therapy – Per diem		
	e. Language and Speech - Consultation Rate		
(5)	a. Additional Adult Assistance - Individual (must be authorized on IEP/IFSP)		
	b. Additional Adult Assistance – Group of 2		
	c. Additional Adult Assistance – Group of 3		
(6)	Intensive Special Education Instruction, by credentialed special education teacher		
(7)	a. Occupational Therapy – Individual		

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	b. Occupational Therapy - Group of 2				
	c. Occupational Therapy - Group of 3				
	d. Occupational Therapy - Group of 4 - 7				
	e. Occupational Therapy - Consultation Rate				
(9)	Physical Therapy				
(10)	a. Behavior Intervention - BII				
	b. Behavior Intervention - BID				
	Provided by:				
(11)	Nursing Services				
(12)	Other: Psychological Services other than Assessment and IEP				
(13)	Home or Hospital Instruction				
(14)	Other				

The parties hereto have executed this Contract by and through their duly authorized agents or representatives. This contract is effective on the 1st day of July 2009 and terminates at 5:00 P.M. on June 30, 2010, unless sooner terminated as provided herein.

CONTRACTOR, BAYHILL HIGH SCHOOL		ALBANY UNIFIED SCHOOL DISTRICT	
Nonpublic School/Agency			
By:	RACHEL WYLDE	By:	
Signature 	Date 10/12/09		Diane Marie, Director of Special Education
Name and Title of Authorized Representative RACHEL WYLDE EXECUTIVE DIRECTOR			<u>10-12-09</u> Date
Notices to CONTRACTOR shall be addressed to: Name RACHEL WYLDE		Notices to LEA shall be addressed to: Name: Diane Marie, Director of Special Education	
Nonpublic School/Agency Service Provider Bayhill High School		Albany Unified School District	
Address 521 Boden Way		Address: 601 San Gabriel Avenue	
City Oakland State CA Zip 94610 Phone (510) 268-1500 Fax (510) 268-1503 Email wylde@bayhillhs.org Website www.bayhillhs.org		City: Albany State: CA Zip: 94706 Phone: 510-559-6536 Fax: 510-559-6543 Email: diane.marie@albany.k12.ca.us Website	

CONFIDENTIAL INFORMATION

CONTRACT TERMS:

1. The pupil's teacher/service provider will hold the following credential/ license: Mild Moderate Credential, LH Credential or Single Subject Credential (Generic description, i.e., LH credential).
2. The class size for the pupil will not exceed 12 and/or the therapist/pupil ratio will not exceed 12:1.
3. The length of the instructional program will be consistent with the Master Contract unless otherwise specified.
4. Authorized educational services as specified in the IEP shall be provided by the CONTRACTOR under other provisions up to the amount specified.
5. Method for complying with statewide standardized assessment requirements: AS SPECIFIED IN IEP.
6. Other Provisions (attachments as necessary). _____

A. BASIC EDUCATION PROGRAM (Applies to Nonpublic schools only.)

Number of Days 180 x Per Diem \$ 127.78 = Total Basic Education Costs (A) \$23,000.00
(Include extended school year days as appropriate to the pupil's IEP.)

B. DESIGNATED INSTRUCTION AND SERVICES/RELATED SERVICES:

	SERVICE PROVIDER			TOTAL MINUTES HRLY/PER WEEK/OR SESSION	COST PER SESSION				# OF WKS	ANNUAL MAX TOTAL COST FOR CONTRACT PERIOD
	LEA	NPS/A	OTHER		DLV	WKLY	HRLY	GROUP		
1. O.T.										
2. Lang/Spch										
3. Transport										
4. Counseling										
5. P.T.										
6.										
7.										

MAXIMUM TOTAL RELATED SERVICES COST (B)	\$ <u>- 0 -</u>
MAXIMUM TOTAL BASIC EDUCATION AND RELATED SERVICES COST (A+B)	\$ <u>23,000.00</u>
MAXIMUM PER DIEM FOR BASIC EDUCATION AND RELATED SERVICES	\$ <u>127.78</u>

INDIVIDUAL SERVICE AGREEMENT FOR NONPUBLIC, NONSECTARIAN SCHOOL/AGENCY SERVICES

(Education Code sections 56365, 56366, et seq.) (Page 2 of 2)

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PUPIL NAME: _____
(Last) (First) (Middle)

All terms and conditions of the current Master Contract for Nonpublic, Nonsectarian School/Agency Service (NPS/NPA), hereinafter referred to as the Master Contract, previously executed by the parties hereto, are incorporated herein by reference. The Contractor will implement the Individualized Education Program (IEP) in accordance with this Agreement and the Master Contract, and will request an IEP review prior to any change in the service program. Pursuant to 34 CFR 300.9 and 34 CFR 300.300 parents and legal guardians are allowed, at any time subsequent to the initial provision of special education and related services to revoke their consent for special education and related services for their child /ward. Upon such revocation of consent, the responsible LEA may not continue to implement the child's last agreed upon and implemented IEP. However, the LEA must provide the parent/guardian with a 34 CFR 300.503 prior written notice before ceasing to provide the child with the special education and related services contained in his/her last agreed upon and implemented IEP. The Individual Services agreement attached to the student's last agreed upon IEP will end at the date noticed on the prior written notice and all associated nonpublic, nonsectarian school/agency services will cease as of the noticed date.

Invoices shall be submitted based on actual service provided and attendance standards addressed in the Master Contract.

The parties hereto have executed this contract by and through their duly authorized agents or representatives. This contract is effective on July 1, 2009, and terminates at 5:00 p.m. on June 30, 2010, unless sooner terminated as provided herein.

~~CONTRACTOR~~

-LOCAL EDUCATIONAL AGENCY-

(Authorized Signature)

(Date)

(Authorized Signature)

(Date)

RACHEL WYLDE

Laurie Harden, Asst. Supt., Business Services

(Type or Print Name)

(Date)

(Type or Print Name)

(Date)

BAYHILL HIGH SCHOOL

Albany Unified School District

(Name of NPS/NPA)

(Name of District, SELPA, County Office)

521 BODEN WAY

904 Talbot Avenue

(Mailing Address)

(Mailing Address)

OAKLAND, CA 94610

Albany, CA 94706

(City/State/Zip Code)

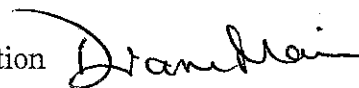
(City/State/Zip Code)

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of October 20, 2009

ITEM: Approve Master Contract for Pediatric Contracting Services, Inc.

PREPARED BY: Diane Marie, Director of Special Education



TYPE OF ITEM: Consent Calendar – Student Services

BACKGROUND INFORMATION:

Approve one (1) Master Contract between Albany Unified School District and Pediatric Contracting Services, Inc. to provide Physical Therapy Services for two (2) students at the rate of \$88.00/hour. Cost not to exceed \$6,160.00.

FINANCIAL INFORMATION:

Funding Source: Special Education

RECOMMENDATION: Approve Master Contract at a cost not to exceed \$6,160.00.

2009-2010

CONTRACT NUMBER:

RECEIVED

401 State Street, Albany, NY 12242

LEA: ALBANY UNIFIED SCHOOL DISTRICT

SEP 3 2009

NONPUBLIC SCHOOL/AGENCY/RELATED SERVICES PROVIDER: Special Education Office
Albany Unified School District**Pediatric Contracting Services, Inc.****NONPUBLIC, NONSECTARIAN SCHOOL/AGENCY SERVICES
MASTER CONTRACT*****AUTHORIZATION FOR MASTER CONTRACT AND GENERAL PROVISIONS*****1. MASTER CONTRACT**

This Master Contract is entered into this 1st day of **July**, 2009, between the Albany Unified School District (hereinafter referred to as "LEA") and Pediatric Contracting Services, Inc. (hereinafter referred to as "CONTRACTOR") for the purpose of providing special education and/or related services to LEA pupils with exceptional needs under the authorization of California Education Code sections 56157, 56361 and 56365 *et seq.* and Title 5 of the California Code of Regulations section 3000 *et seq.*, AB490 (Chapter 862, Statutes of 2003) and AB1858 (Chapter 914, Statutes of 2004). It is understood that this Master Contract does not commit LEA to pay for special education and/or related services provided to any LEA pupil, or CONTRACTOR to provide such special education and/or related services, unless and until an authorized LEA representative approves the provision of special education and/or related services by CONTRACTOR pursuant to an Individualized Education Plan (hereinafter referred to as "IEP"), Individual Family Service Plan (hereinafter referred to as IFSP) or Rehabilitation Act Section 504 plan.

SELPA Collaborative. The LEA is a member of the Bay Area SELPA Collaborative. Nonpublic schools and nonpublic agencies that are geographically located in one of the participating SELPAs agree to participate in this collaborative process to establish a uniform contract for identified services and standards. The established system provides NPA/Ss with an opportunity to have input to the development of the process, contract issues, etc., and a simplified, standard process for rate negotiation with the participating SELPAs. Issues listed on the Rate Schedule portion of this Master Contract may be reviewed on an annual basis upon request of the CONTRACTOR using the established Bay Area SELPA Collaborative system. CONTRACTOR agrees that the rates set forth in this Master Contract will remain unchanged from July 1 through June 30 of the term of contract, with no changes in the services provided, unless changed in a duly executed amendment to this Master Contract signed by both parties. Increases in rates will be considered on an annual basis and remain unchanged for the term of the contract from July 1 through June 30, with no changes in level of service provided without written approval by both parties.

NPA/Ss that are not geographically located in a participating SELPA should negotiate rates with their geographically corresponding SELPA(s). The LEA will contact the corresponding SELPA to verify established rates. Increases in rates will be considered on an annual basis and

62. CONTRACTOR	<i>Don Mayer</i>	CONTRACTOR NUMBER		2009-2010
(NONPUBLIC SCHOOL OR AGENCY)	Pediatric Contracting Services, Inc.			(CONTRACT YEAR)

Per CDE Certification, total enrollment may not exceed _____

The attached rate schedule limits the number of LEA students that may be enrolled and maximum dollar amount of the contract. It may also limit the maximum number of students that can be provided specific services. Per diem rates for LEA students whose IEPs authorize less than a full instructional day shall be adjusted proportionally. Special education and/or related services offered by CONTRACTOR, shall be provided by qualified personnel as per State and Federal law, and the codes and charges for such educational and/or related services during the term of this contract, shall be as stated in section 62.

Rate Schedule. Special education and/or related services offered by CONTRACTOR, and the charges for such educational and/or related services during the term of this contract shall be as follows:

	Rate	Period
A. Basic Education Program/Special Education Instruction		
Basic Education Program/Dual Enrollment*		

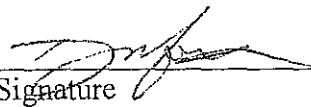
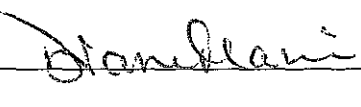
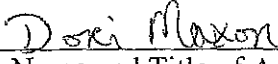
*Per Diem rates for LEA pupils whose IEP/IFSPs authorize less than a full instructional day shall be adjusted proportionally. In such cases only, the adjustments in basic rate shall be based on the percentage of a 240-minute instructional day.

B. Related Services

(1)	a. Transportation – Round Trip			
	b. Transportation – One Way			
	c. Transportation-Dual Enrollment			
	d. MTA			
	e. Parent*			
(2)	a. Educational Counseling – Individual			
	b. Educational Counseling – Group of			
	c. Counseling – Parent			
(3)	a. Adapted Physical Education – Individual			
	b. Adapted Physical Education – Group of			
	c. Adapted Physical Education – Group of			
(4)	a. Language and Speech Therapy – Individual	95.00		hour
	b. Language and Speech Therapy – Group of 2			
	c. Language and Speech Therapy – Group of 3			
	d. Language and Speech Therapy – Per diem	75.00		hour for .5FTE+
	e. Language and Speech - Consultation Rate			
(5)	a. Additional Adult Assistance - Individual (must be authorized on IEP/IFSP)			
	b. Additional Adult Assistance – Group of 2			
	c. Additional Adult Assistance – Group of 3			
(6)	Intensive Special Education Instruction, by credentialed special education teacher			
(7)	a. Occupational Therapy – Individual	83.00		hour

	b. Occupational Therapy – Group of 2				P47
	c. Occupational Therapy – Group of 3				
	d. Occupational Therapy – Group of 4 - 7				
	e. Occupational Therapy - Per diem	65.00		hour for .5FTI+	
(9)	Physical Therapy	88.00		hour	
(10)	a. Behavior Intervention – BII				
	b. Behavior Intervention – BID				
	Provided by:				
(11)	Nursing Services				
(12)	Other: Psychological Services other than Assessment and IEP				
(13)	Home or Hospital Instruction				
(14)	Other				

The parties hereto have executed this Contract by and through their duly authorized agents or representatives. This contract is effective on the 1st day of July 2009 and terminates at 5:00 P.M. on June 30, 2010, unless sooner terminated as provided herein.

CONTRACTOR, Pediatric Contracting Services, Inc.		ALBANY UNIFIED SCHOOL DISTRICT	
Nonpublic School/Agency			
By:	 Signature	9/3/09 Date	By:  Diane Marie, Director of Special Education
	 Name and Title of Authorized Representative Dori Maxon Director		<u>10/12/09</u> Date
Notices to CONTRACTOR shall be addressed to: Name Dori Maxon		Notices to LEA shall be addressed to: Name: Diane Marie, Director of Special Education	
Nonpublic School/Agency Service Provider Pediatric Contracting Services, Inc.		Albany Unified School District	
Address 5830 Sacramento Avenue		Address: 601 San Gabriel Avenue	
City Richmond State CA Zip 94804		City: Albany State: CA Zip: 94706	
Phone 510-527-0446		Phone: 510-559-6536	
Fax 510-526-7656		Fax: 510-559-6543	
Email dorimaxon@earthlink.net		Email: diane.marie@albany.k12.ca.us	
Website		Website	

CONFIDENTIAL INFORMATION

CONTRACT TERMS

1. The pupil's teacher/service provider will hold the following credential/license: Physical Therapist
(Generic description, i.e., LH Credential).
2. The class size for the pupil will not exceed _____ and/or the therapist/pupil ratio will not exceed 1:1/group.
3. The length of the instructional program will be consistent with the Master Contract unless otherwise specified.
4. Authorized educational services as specified in the IEP shall be provided by the CONTRACTOR under other provisions up to the amount specified.
5. Method for complying with statewide standardized assessment requirements: _____
6. Other provisions (attachments as necessary). _____

A. BASIC EDUCATION PROGRAM (Applies to Nonpublic schools only)

Number of Days _____ x Per Diem \$ _____ = Total Basic Education Costs (A) \$ _____
(Include extended school year days as appropriate to the pupil's IEP)

B. DESIGNATED INSTRUCTION AND SERVICES OR RELATED SERVICES

Student 2
09-10 school year

	SERVICE PROVIDER			TOTAL MINUTES HRLY/ PER WEEK/OR SESSION	COST PER SESSION				# OF MONTHS	ANNUAL MAX TOTAL COST FOR CONTRACT PERIOD
	LEA	NPS/A	OTHER		DLY	WKLY	HRLY	GROUP		
1. OT										
2. Speech - Inclusive										
3. Transport.										
4. Counseling										
5. PT		x		60 min/mo			88.00		10	880.00
6. PT - Consult		X		8 hr/yr			88.00		1	704.00
7.										

MAXIMUM TOTAL RELATED SERVICES COST (B)

\$ 1,584.00

MAXIMUM TOTAL BASIC EDUCATION AND RELATED SERVICES COST (A + B)

\$ 1,584.00

MAXIMUM PER DIEM FOR BASIC EDUCATION AND RELATED SERVICES

\$

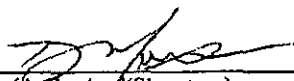
**INDIVIDUAL SERVICE AGREEMENT FOR NONPUBLIC, NONSECTARIAN
SCHOOL/AGENCY SERVICES**
(Education Code sections 56365, 56366, et seq.) (Page 2 of 2)

PUPIL NAME: _____
(Last) (First) (Middle)

All terms and conditions of the current Master Contract for Nonpublic, Nonsectarian School/Agency Service (NPS/NPA), hereinafter referred to as the Master Contract, previously executed by the parties hereto, are incorporated herein by reference. The Contractor will implement the Individualized Education Program (IEP) in accordance with this Agreement and the Master Contractor, and will request an IEP review prior to any change in the service program. Invoices shall be submitted based on actual service provided and attendance standards addressed in the Master Contract.

The parties hereto have executed this contract by and through their duly authorized agents or representatives. This contract is effective on 7/1/09 and terminates at 5:00 p.m. on 6/30/10 unless sooner terminated as provided herein.

-CONTRACTOR-**-LOCAL EDUCATIONAL AGENCY-**

 9/21/09
(Authorized Signature) (Date) (Authorized Signature) (Date)

Dori Maxon 9/21/09 Laurie Harden, Asst. Supt., Business Services
(Type or Print Name) (Date) (Type or Print Name) (Date)

Pediatric Contracting Services, Inc. Albany Unified School District
(Name of NPS/NPA) (Name of District, SELPA, County Office)

5830 Sacramento Avenue 904 Talbot Ave.
(Mailing Address) (Mailing Address)

Richmond, CA 94804 Albany, CA 94706
(City/State/Zip Code) (City/State/Zip Code)

CONFIDENTIAL INFORMATION

CONTRACT TERMS

1. The pupil's teacher/service provider will hold the following credential/license: Physical Therapist
(Generic description, i.e., LH Credential).
2. The class size for the pupil will not exceed _____ and/or the therapist/pupil ratio will not exceed 1:1/group.
3. The length of the instructional program will be consistent with the Master Contract unless otherwise specified.
4. Authorized educational services as specified in the IEP shall be provided by the CONTRACTOR under other provisions up to the amount specified.
5. Method for complying with statewide standardized assessment requirements: _____
6. Other provisions (attachments as necessary). _____

A. BASIC EDUCATION PROGRAM (Applies to Nonpublic schools only)

Number of Days _____ x Per Diem \$ _____ = Total Basic Education Costs (A) \$ _____
(Include extended school year days as appropriate to the pupil's IEP)

B. DESIGNATED INSTRUCTION AND SERVICES OR RELATED SERVICES

Student 1
7/1/09 - 9/5/09

	SERVICE PROVIDER			TOTAL MINUTES HRLY/ PER WEEK/OR SESSION	COST PER SESSION				# OF WKS	ANNUAL MAX TOTAL COST FOR CONTRACT PERIOD
	LEA	NPS/A	OTHER		DLY	WKLY	HRLY	GROUP		
1. OT										
2. Speech - Inclusive										
3. Transport.										
4. Counseling										
5. PT		x		60 min/wk			88.00		8	704.00
6. PT Consult		x		4 hr/yr			88.00		1	352.00
7.										

MAXIMUM TOTAL RELATED SERVICES COST (B)

\$ 1,056.00

MAXIMUM TOTAL BASIC EDUCATION AND RELATED SERVICES COST (A + B)

\$ 1,056.00

MAXIMUM PER DIEM FOR BASIC EDUCATION AND RELATED SERVICES

\$

**INDIVIDUAL SERVICE AGREEMENT FOR NONPUBLIC, NONSECTARIAN
SCHOOL/AGENCY SERVICES**

(Education Code sections 56365, 56366, et seq.) (Page 2 of 2)

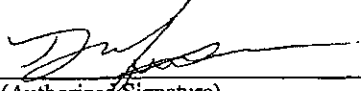
PUPIL NAME: _____
(Last) (First) (Middle)

All terms and conditions of the current Master Contract for Nonpublic, Nonsectarian School/Agency Service (NPS/NPA), hereinafter referred to as the Master Contract, previously executed by the parties hereto, are incorporated herein by reference. The Contractor will implement the Individualized Education Program (IEP) in accordance with this Agreement and the Master Contractor, and will request an IEP review prior to any change in the service program. Invoices shall be submitted based on actual service provided and attendance standards addressed in the Master Contract.

The parties hereto have executed this contract by and through their duly authorized agents or representatives. This contract is effective on 7/1/09 and terminates at 5:00 p.m. on 9/5/09 unless sooner terminated as provided herein.

-CONTRACTOR-

-LOCAL EDUCATIONAL AGENCY-

 9/21/09
(Authorized Signature) (Date) (Authorized Signature) (Date)

Dori Maxon 9/21/09 Laurie Harden, Asst. Supt., Business Services
(Type or Print Name) (Date) (Type or Print Name) (Date)

Pediatric Contracting Services, Inc. Albany Unified School District
(Name of NPS/NPA) (Name of District, SELPA, County Office)

5830 Sacramento Avenue 904 Talbot Ave.
(Mailing Address) (Mailing Address)

Richmond, CA 94804 Albany, CA 94706
(City/State/Zip Code) (City/State/Zip Code)

CONFIDENTIAL INFORMATION

NON-EDUCATIONAL SERVICES AGENCY (if applicable) _____

CONTRACT TERMS

1. The pupil's teacher/service provider will hold the following credential/license: Physical Therapist
(Generic description, i.e., LH Credential).
2. The class size for the pupil will not exceed _____ and/or the therapist/pupil ratio will not exceed 1:1/group.
3. The length of the instructional program will be consistent with the Master Contract unless otherwise specified.
4. Authorized educational services as specified in the IEP shall be provided by the CONTRACTOR under other provisions up to the amount specified.
5. Method for complying with statewide standardized assessment requirements: _____
6. Other provisions (attachments as necessary). _____

A. BASIC EDUCATION PROGRAM (Applies to Nonpublic schools only)

Number of Days _____ x Per Diem \$ _____ = Total Basic Education Costs (A) \$ _____
(Include extended school year days as appropriate to the pupil's IEP)

B. DESIGNATED INSTRUCTION AND SERVICES OR RELATED SERVICES

Student 1
9/6/09 - 6/30/10

	SERVICE PROVIDER			TOTAL MINUTES HRLY/ PER WEEK/OR SESSION	COST PER SESSION				# OF WKS	ANNUAL MAX TOTAL COST FOR CONTRACT PERIOD
	LEA	NPS/A	OTHER		DLY	WKLY	HRLY	GROUP		
1. OT										
2. Speech - Inclusive										
3. Transport.										
4. Counseling										
5. PT		x		45 min/wk			88.00		40	2,640.00
6. PT Consult		x		10 hr/yr			88.00		1	880.00
7.										

MAXIMUM TOTAL RELATED SERVICES COST (B)

\$ 3,520.00

MAXIMUM TOTAL BASIC EDUCATION AND RELATED SERVICES COST (A + B)

\$ 3,520.00

MAXIMUM PER DIEM FOR BASIC EDUCATION AND RELATED SERVICES

\$

**INDIVIDUAL SERVICE AGREEMENT FOR NONPUBLIC, NONSECTARIAN
SCHOOL/AGENCY SERVICES**

(Education Code sections 56365, 56366, et seq.) (Page 2 of 2)

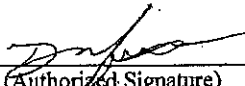
PUPIL NAME: _____
(Last) (First) (Middle)

All terms and conditions of the current Master Contract for Nonpublic, Nonsectarian School/Agency Service (NPS/NPA), hereinafter referred to as the Master Contract, previously executed by the parties hereto, are incorporated herein by reference. The Contractor will implement the Individualized Education Program (IEP) in accordance with this Agreement and the Master Contractor, and will request an IEP review prior to any change in the service program. Invoices shall be submitted based on actual service provided and attendance standards addressed in the Master Contract.

The parties hereto have executed this contract by and through their duly authorized agents or representatives. This contract is effective on 9/6/09 and terminates at 5:00 p.m. on 6/30/10 unless sooner terminated as provided herein.

-CONTRACTOR-

-LOCAL EDUCATIONAL AGENCY-

 9/21/09
(Authorized Signature) (Date) (Authorized Signature) (Date)

Dori Maxon 9/21/09
(Type or Print Name) (Date) (Type or Print Name) (Date)

Pediatric Contracting Services, Inc. Albany Unified School District
(Name of NPS/NPA) (Name of District, SELPA, County Office)

5830 Sacramento Avenue 904 Talbot Ave.
(Mailing Address) (Mailing Address)

Richmond, CA 94804 Albany, CA 94706
(City/State/Zip Code) (City/State/Zip Code)

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of October 20, 2009

ITEM: Independent Contractor Agreement for Kathleen Skow

PREPARED BY: Diane Marie, Director of Special Education



TYPE OF ITEM: Consent Calendar – Student Services

BACKGROUND INFORMATION:

Approve Independent Contractor Agreement between Albany Unified School District and Kathleen Skow to Provide Orientation and Mobility services for Visually Impaired Students at rate of \$75.00. Cost not to exceed \$11,550.00.

FINANCIAL INFORMATION:

Funding Source: Special Education

RECOMMENDATION: Approve Master Contract at a cost not to exceed \$11,550.00.

Albany Unified School District Independent Contractor Agreement

THIS AGREEMENT, made this 1 day/date of 7 2009, between Kathleen Skov
an independent contractor ("Contractor") having a principal

place of business at _____, and the Albany Unified School District
("District"), mutually agree as follows:

I. TERMS OF THE CONTRACT

- A. This Agreement will become effective as of the date above and will continue in effect through June 30, 2010, unless sooner terminated.

II. SCOPE OF WORK TO BE PERFORMED BY CONTRACTOR

- A. Contractor agrees to perform the services specified in the "Description of Services" attached to this Agreement and incorporated by reference herein as Exhibit "A".
- B. Contractor shall perform within the time set forth in Exhibit "A": everything required to be performed.

III. COMPENSATION

- A. In consideration for the services and/or materials referenced in Article II, scope of work by contract, District agrees to pay \$ 75 per hour. Unless otherwise provided for in Article II, payment of expenses shall be made within sixty (60) days upon completion/delivery of goods and accompanied by invoices and appropriate supporting documentation. Invoices shall be submitted to the attention of the Albany Unified School District, Attention: Accounts Payable, along with completed W-9 Form (copy attached).
- B. The District reserves the right to withhold payment until order is completed and/or accepted by the District.

IV. OBLIGATION OF CONTRACTOR

- A. While performing services hereunder, Contractor is an independent contractor and not an officer, agent or employee of the District.
- B. The Contractor shall provide and furnish all necessary tools, labor, materials, equipment and all transportation services as described and required to perform the services under this Agreement. The Contractor shall assume all other expenses incurred in connection with the performance of this contract and the District shall not be responsible for payment of any other expenses. The Contractor is personally liable for among other things, taxes, personal health and car insurance. Workers' Compensation for his/her own employees and business expenses for maintaining his/her office.

- C. The Contractor shall not assign, transfer, convey, sublet or other wise dispose of this contract or its right, title or interest therein, or any part thereof, such attached or purported assignments, transfer, conveyance, sublease or other disposition shall be null, void and of no legal effect whatsoever, and the contract may, at the option of the District be terminated, revoked and annulled, and the District shall thereupon be relieved and discharged from any and all liability and obligations growing out of the same to the contractor, and to its purported assignee or transferee.

Item 4 (X) is () is not applicable to this agreement.

- D. Sections 1771 through 1775 of the Labor Code are hereby made part of this agreement as if written in its entirety herein.
- E. All equipment, supplies and services sold to the District shall conform to the general safety orders of the State of California.
- F. It is the policy of the District that in connection with all work performed under any and all contracts, including independent contractor agreements, there will be no discrimination against any prospective or active employee engaged in the work because of race, color, ancestry, national origin, religious creed, sex, age, physical handicap, medical condition or marital status. In the performance of the terms of this contract, Contractor agrees to comply with applicable Federal and California laws including, but not limited, to the California Fair Employment and Housing Act, beginning with Government Code Section 12900, and labor Code Section 1735, and agrees that it will not engage in nor permit any subcontractor as it may employ to engage in unlawful discrimination in the employment of persons because of race, color, ancestry, religious creed, national origin, age, physical handicap, medical condition, marital status, or sex of such person.

V. LIABILITY

The Contractor agrees to hold harmless and to indemnify the District for any injury to person or property sustained by the Contractor, by any person, firm or corporation, employed directly or indirectly by the Contractor, or by any of the individuals participating in, or associated with, the Contractor, however, caused. The Contractor further agrees to hold harmless and to indemnify the District for any injury to person or property sustained by any person, firm or corporation, caused by any act, neglect, default or omission of the Contractor, or of any person, firm or Corporation directly or indirectly employed by the Contractor upon or in connection with this Agreement, or any of the participants arising out of or in the course of the term of this Agreement, and the contractor, at his/her own cost, expense and risk, shall defend any and all actions, suits or other legal proceedings that any be instituted against the District for any such claim or demand and pay or satisfy and judgment, including attorney fees and costs, that may be rendered against the District in any such action, suit or legal proceeding.

VII. ENTIRETY OF AGREEMENT

This Agreement supersedes any and all agreements, either oral or written, between the parties hereto with respect to the rendering of services by Contractor for the

District and contains all the covenants and agreements between the parties. Each party to this Agreement acknowledges that no representations, inducements, promises, or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied herein, and that no other agreement, statement or promise not contained in this Agreement shall be valid or binding. Any modification of this Agreement will be effective only if it is in writing, signed and dated by both the Contractor and the District.

If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

VIII. ATTORNEY FEES

If any action at law or in equity, including an action for declaratory relief, is brought to enforce or interpret the provisions of this Agreement, the prevailing party will be entitled to reasonable attorney fees, which may be set by the court in the same action or in a separate action brought for the purpose, in addition to any other relief to which the party may be entitled.

This Agreement will be governed by and construed in accordance with the laws of the State of California.

EXECUTED AT Albany, California, on the date first written above.

ALBANY UNIFIED SCHOOL DISTRICT

By: _____
District Superintendent

Kathleen Skow
Independent Contractor

10/12/09 _____
Date Social Security or Federal I.D. #

Description of Services

Description of Services

Complete Academic Assessment for one special education student

Orientation and Mobility for Visually
impaired students - two (2) students.
Cost not to exceed \$11,550.00.


Date(s) of Services to be performed:

Summer/fall 2009 - thru June 2010.

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of October 20, 2009

ITEM: **APPROVE APPOINTMENT OF JEWELL OKAWACHI TO
SERVE ON THE CITIZEN OVERSIGHT COMMITTEE FOR
MEASURE A AS A MEMBER ACTIVE IN A SENIOR
ORGANIZATION**

PREPARED BY: Marla Stephenson, Superintendent 

TYPE OF ITEM: **ACTION**

BACKGROUND INFORMATION:

The Board has appointed members to serve on the Citizen Bond Oversight Committee for Measure A.

The Citizen's oversight committee must include:

One member who is active in a business organization representing the business community located within the school district.

One member active in a senior citizen's organization

One member who is the parent or guardian of a child enrolled in the school district.

One member who is both a parent or guardian of a child enrolled in the school district and active in a parent-teacher organization

One member who is active in a bona fide taxpayers' organization

Chairperson Peggy Thomson, was appointed to represent a member who is active in a senior citizen organization. Her term has expired. Staff posted the opening for a representative who is active in a senior citizens organization. Jewell Okawachi has applied. Ms. Okawachi is the past president of Friends of Albany Seniors and long time Albany Volunteer.

FINANCIAL INFORMATION:


No fiscal impact.

<p>RECOMMENDATION: RECOMMENDATION: Approve appointment of Jewell Okawachi to serve on the citizen oversight committee for Measure A as a member active in a senior citizen organization</p>
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**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of September 1, 2009

ITEM: Conduct 2nd Reading and Approve Board Policy
Update/Revision Section 0000 – Philosophy-Goals-
Objectives, and Comprehensive Plans

PREPARED BY: Marla Stephenson, Superintendent 

TYPE OF ITEM: Action Item

BACKGROUND INFORMATION:

Pursuant to Governing Board Bylaws, staff members shall regularly review Governing Board policies, administrative regulations, and exhibits to compare them against the latest sample materials from California School Boards Association (CSBA). After comparison, appropriate updates and revisions are presented for Governing Board consideration for appropriate action as recommended by staff.

Revised language for BP 0100(a) was introduced at the October 6, 2009 Board Meeting. There are no additional changes to Sections 0000 – Philosophy-Goals-Objectives, and Comprehensive Plans.

FINANCIAL INFORMATION:

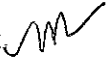
No fiscal impact

**RECOMMENDATION: Conduct 2nd reading and adopt Board Policy Section 0000 –
Philosophy-Goals-Objectives, and Comprehensive Plans**

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of October 20, 2009

ITEM: Conduct 1st Reading of Board Policy Section 3000 – Business & Noninstructional Operations

PREPARED BY: Marla Stephenson, Superintendent 

TYPE OF ITEM: Review and Discussion

BACKGROUND INFORMATION:

Per Education Code the Governing Board shall adopt written policies to convey its expectations for actions that will be taken in the district, clarify roles and responsibilities of the Board and Superintendent, and communicate Board philosophy and positions to the students, staff, parents/guardians and the community. Board policies are binding on the district to the extent that they do not conflict with federal or state law and are consistent with the district's collective bargaining agreements.

The Board shall review the newly adopted policies on Business & Noninstructional Operations and suggest any revisions that are presented for a first and second reading prior to adoption. Board-requested changes or revisions will be made prior to the second reading at the next scheduled regular board meeting. Policies will be presented for 2nd reading and adoption.

FINANCIAL INFORMATION:

No fiscal impact

RECOMMENDATION:

It is recommended that the Governing Board:

- (1) Accept for a first-reading the following board policies, administrative regulations and/or exhibits and
- (2) Direct the Superintendent or her designee to further refine the documents as necessary and return them for a second reading at the November 4, 2009 meeting at which time the Governing Board will vote to adopt, approve or delete them as recommended.

Business and Noninstructional Operations

BP 3000(a)

CONCEPTS AND ROLES

The Board of Education recognizes that the business and other noninstructional operations of the district support the educational program by maximizing and prioritizing resources and providing a safe and healthy environment for students and staff. The Superintendent or designee shall ensure that the district's business and noninstructional operations are efficient and responsive to the needs of students, parents/guardians, staff, and the community.

(cf. 3511 - Energy and Water Management)
(cf. 3511.1 - Integrated Waste Management)
(cf. 3512 - Equipment)
(cf. 3517 - Facilities Inspection)
(cf. 3540 - Transportation)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)

The district shall maintain high standards of safety in the operation of facilities, equipment, and services. The Superintendent or designee shall establish a risk management program that promotes safety and protects district resources.

(cf. 3514 - Environmental Safety)
(cf. 3514.2 - Integrated Pest Management)
(cf. 3515 - Campus Security)
(cf. 3515.6 - Criminal Background Checks for Contractors)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3530 - Risk Management/Insurance)
(cf. 3543 - Transportation Safety and Emergencies)

In the development of a district budget, the Board and the Superintendent or designee shall establish a calendar that reflects the full budget cycle and a process that satisfies the requirements of law, including opportunities for public input. The Superintendent or designee shall provide fiscal data and prepare a proposed budget document within the budget priorities and parameters set by the Board. The Board shall adopt a budget that is aligned with the district's vision and goals and enables the district to meet its fiscal obligations.

(cf. 0000 - Vision)
(cf. 0100 - Philosophy)
(cf. 0200 - Goals for the School District)
(cf. 3100 - Budget)
(cf. 9000 - Role of the Board)

The Board expects sound fiscal management from the administration. The Superintendent or designee shall administer the adopted budget in accordance with Board policies and accepted business practices.

BP 3000(b)

CONCEPTS AND ROLES (continued)

(cf. 3110 - *Transfer of Funds*)
 (cf. 3300 - *Expenditures and Purchases*)
 (cf. 3311 - *Bids*)
 (cf. 3312 - *Contracts*)
 (cf. 3400 - *Management of District Assets/Accounts*)
 (cf. 3430 - *Investing*)
 (cf. 3440 - *Inventories*)

The Board shall monitor financial operations so as to ensure the district's fiscal integrity and accountability to the community. The Superintendent or designee shall complete all required financial reports, facilitate the independent audit process, recommend financial plans for meeting program needs, and keep the Board informed about the district's fiscal and noninstructional operations.

(cf. 0500 - *Accountability*)
 (cf. 3460 - *Financial Reports and Accountability*)

Legal Reference:**EDUCATION CODE**

35035 *Powers and duties of superintendent*
 35160 *Authority of governing boards*
 35160.1 *Broad authority of school district*
 35161 *Powers and duties of governing boards*
 44518-44519.2 *Chief business officer training program*

Management Resources:**CSBA PUBLICATIONS**

Maximizing School Board Governance: Understanding California's Public School Finance System, 2006
Maximizing School Board Governance: Budget Planning and Adoption, 2006
Maximizing School Board Governance: Understanding District Budgets, 2006
Maximizing School Board Governance: Fiscal Accountability, 2006
School Finance CD-ROM, 2005

WEB SITES

CSBA: <http://www.csba.org>
 California Association of School Business Officials: <http://www.casbo.org>
 California Department of Education: <http://www.cde.ca.gov>
 Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>
 School Services of California: <http://www.sscal.com>

Business and Noninstructional Operations

BP 3100(a)

BUDGET

The Board of Education recognizes its critical responsibility for adopting a sound budget for each fiscal year which is aligned with the district's vision, goals, and priorities. The district budget shall guide administrative decisions and actions throughout the year and shall serve as a tool for monitoring the fiscal health of the district.

(cf. 0000 - Vision)

(cf. 3000 - Concepts and Roles)

(cf. 3300 - Expenditures and Purchases)

(cf. 3460 - Financial Reports and Accountability)

(cf. 9000 - Role of the Board)

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

Budget Development and Adoption Process

The Superintendent or designee shall establish an annual budget development process and calendar in accordance with the single budget adoption process described in Education Code 42127(i). He/she shall annually notify the County Superintendent of Schools of the district's decision to use the single budget adoption process in the subsequent year.

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

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

The Board encourages public input in the budget development process and shall hold public hearings and meetings in accordance with Education Code 42103 and 42127.

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

The Superintendent or designee shall ensure that the proposed district budget is clearly presented and effectively communicated to the Board, staff, and public. He/she may adapt or supplement the format prescribed by the Superintendent of Public Instruction (SPI) as necessary for these purposes. However, the budget that is formally adopted by the Board shall be in the state-required format.

BP 3100(b)

BUDGET (continued)**Budget Criteria and Standards**

In developing the district budget, the Superintendent or designee shall analyze criteria and standards adopted by the State Board of Education which address estimation of funded average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected revenue limit, salaries and benefits, other revenues and expenditures, facilities maintenance, deficit spending, fund balance, and reserves. The budget review shall also identify supplemental information regarding contingent liabilities, use of one-time revenues for ongoing expenditures, use of ongoing revenues for one-time expenditures, contingent revenues, contributions, long-term commitments, unfunded liabilities, and the status of labor agreements. (Education Code 33127, 33128, 33129; 5 CCR 15440-15451)

The Board shall establish and maintain a general fund reserve for economic uncertainty that meets or exceeds the requirements of 5 CCR 15450.

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

Long-Term Financial Obligations

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

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

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

(cf. 7210 - Facilities Financing)

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

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

BUDGET (continued)

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

*Legal Reference:*EDUCATION CODE

1240 Duties of county superintendent of schools
 33127-33131 Standards and criteria for local budgets and expenditures
 35035 Powers and duties of superintendent
 35161 Powers and duties, generally, of governing boards
 42103 Public hearing on proposed budget; requirements for content of proposed budget
 42120-42129 Budget requirements
 42132 Resolutions identifying estimated appropriations limit
 42602 Use of unbudgeted funds
 42610 Appropriation of excess funds and limitation thereon
 44518-44519.2 Chief business officer training program
 45253 Annual budget of personnel commission
 45254 First year budget of personnel commission
GOVERNMENT CODE
 7900-7914 Appropriations limit
CODE OF REGULATIONS, TITLE 5
 15060 Standardized account code structure
 15440-15451 Criteria and standards for school district budgets

*Management Resources:*CSBA PUBLICATIONS

Maximizing School Board Governance: Budget Planning and Adoption, 2006
Maximizing School Board Governance: Understanding District Budgets, 2006
School Finance CD-ROM, 2005

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, September 2006

GOVERNMENTAL ACCOUNTING STANDARDS BOARD

Statement 34, Basic Financial Statements and Management's Discussion and Analysis - For State and Local Governments, June 1999

Statement 45, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2004

WEB SITES

CSBA: <http://www.csba.org>
 Association of California School Administrators: <http://www.acsa.org>
 California Department of Education, Finance and Grants: <http://www.cde.ca.gov/fgr>
 California Department of Finance: <http://www.dof.ca.gov>
 Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>
 Governmental Accounting Standards Board: <http://www.gasb.org>
 Legislative Analyst's Office: <http://www.lao.ca.gov>
 School Services of California, Inc.: <http://www.sscal.com>

Policy
 adopted:

ALBANY UNIFIED SCHOOL DISTRICT
 Albany, California

Business and Noninstructional Operations

AR 3100(a)

BUDGET**Initial Budget Adoption**

On or before July 1 of each year, the Board shall adopt a budget which adheres to the state's standardized account code structure (SACS) as prescribed by the Superintendent of Public Instruction (SPI). (Education Code 42126, 42127)

Before adopting the district budget for the subsequent fiscal year, the Board shall hold a public hearing. The agenda for this hearing shall be posted at least 72 hours before the hearing and shall indicate the location where the budget may be inspected. The proposed budget shall be available for public inspection at least three working days before this hearing. (Education Code 42103, 42127)

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

The Superintendent or designee shall notify the County Superintendent of Schools of the location, dates, and times at which the proposed budget may be inspected, as well as the location, date, and time of the public hearing, in sufficient time for the County Superintendent to publish such information in a newspaper of general circulation at least 10 days but not more than 45 days before the hearing.

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

(cf. 9323 - Meeting Conduct)

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

(cf. 1340 - Access to District Records)

Revised Budget

No later than 45 days after the Governor signs the annual Budget Act, the Superintendent or designee shall make available for public review any revisions in budgeted revenues and expenditures which are consequently necessary. (Education Code 42127)

If the County Superintendent disapproves the district's budget, the Board shall review and respond to his/her recommendations at a public meeting on or before September 8. The response shall include any revisions to the adopted budget and any other proposed actions to be taken as a result of those recommendations. (Education Code 42127)

BUDGET (continued)

The revised budget and supporting data shall be maintained and made available for public review. (Education Code 42127)

Budget Review Committee for Disapproved Budgets

If the district's revised budget is disapproved by the County Superintendent, the budget shall be reviewed by a budget review committee, unless the Board and County Superintendent agree to waive the requirement and the California Department of Education accepts the waiver. (Education Code 42127)

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

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

If the budget review committee recommends disapproval of the district budget, the Board may submit a response no later than five working days after receipt of the committee's report. The response may include any revisions to the adopted final budget and any other proposed actions to be taken as a result of the committee's recommendations. (Education Code 42127.3)

If the SPI disapproves the district budget after reviewing the committee's report and the district's response, the Board shall consult with the County Superintendent as he/she develops and adopts, by November 30, a fiscal plan and budget that will allow the district to meet its financial obligations. For the current fiscal year, the district shall operate in accordance with the budget adopted by the County Superintendent. (Education Code 42127.3)

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

Business and Noninstructional Operations

BP 3111

DEFERRED MAINTENANCE FUNDS

In order to help meet the district's facility maintenance needs, the Board of Education shall discuss proposals and plans for expenditures of deferred maintenance facility funds at a regularly scheduled public hearing.

(cf. 3100 - Budget)

(cf. 3110 - Transfer of Funds)

(cf. 7000 - Concepts and Roles)

(cf. 7210 - Facilities Financing)

In any year that the district does not set aside one-half of one percent of its current-year revenue limit average daily attendance for deferred maintenance, the Board shall submit a report, by March 1, to the Legislature, with copies to the Superintendent of Public Instruction, the State Board of Education, the Department of Finance, and the State Allocation Board. (Education Code 17584.1)

The report shall include all of the following: (Education Code 17584.1)

1. A schedule of the complete school facilities deferred maintenance needs of the district for the current year, including a schedule of costs per school site and total costs
2. A detailed description of the district's spending priorities for the current year, and an explanation of why those priorities, or any other considerations, have prevented the district from setting aside sufficient local funds so as to permit it to fully fund its deferred maintenance program and, if eligible, to participate in the state deferred maintenance funding program as set forth in Education Code 17584
3. An explanation of how the Board plans to meet its current-year facilities deferred maintenance needs without setting aside the funds set forth in Education Code 17584

Copies of the report shall be made available at each school site and shall be provided to the public upon request. (Education Code 17584.1)

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

17565-17591 Property maintenance and control, especially:

17584 Deferred maintenance

17584.1 Deferred maintenance reports

Management Resources:

WEB SITES

Department of General Services, Office of Public School Construction: <http://www.dgs.ca.gov/opsc/>

Policy
adopted:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

BP 3210

LOCAL FUNDS/PARCEL TAX

The Board of Education shall be responsible for administering parcel taxes voted into law by the registered voters of the Albany Unified School District.

An exemption from assessment of the 1999 and 2005 Parcel Tax shall be made available to each property owner who will attain age 65 prior to July 1 of the assessment year, who owns a beneficial interest in the parcel, who uses the parcel as his/her principal place of residence, and who applies to the district for said exemption prior to May 1 of each applicable year. Any one application from a qualified applicant will provide an exemption for the parcel for the remaining term of the assessment so long as such applicant continues to use the parcel as his/her principal residence.

Beneficial interest means that the applicant has title in his/her name, or title is held for the applicant's benefit by a trustee or other fiduciary who acts on the applicant's behalf, such as a partner, corporation, lessor, obligee under a contract of sale, etc.

The Superintendent shall develop such application which requests only the minimum information required to establish eligibility for the exemption, review applications to determine if they meet eligibility criteria, and process all applications of eligible property owners. Each such exemption shall continue for each year the applicant remains eligible, without the need for reapplication.

Appeals may be addressed to the Board.

Business and Noninstructional Operations

AR 3210

LOCAL FUNDS/PARCEL TAX

Exemption Forms for eligible residents for the 1999 and 2005 Parcel Tax can be obtained from the Administrative Office of the Albany Unified School District, or will be mailed upon request.

Residents are considered eligible if:

- They have reached age 65 prior to July 1 of any applicable year
- They are an owner of record or the parcel or "beneficial owner" of the parcel
- The parcel is their principal place of residence
- The completed Exemption Form is returned to the Albany Unified School District Administrative Office by December 1 of any applicable year

If the eligible resident is a beneficial owner (a beneficial owner means that you have title in your name, or title may be held for your benefit by a trustee or other fiduciary who acts on your behalf, such as a partner, corporation, lessor, obligee under a contract of sale, etc.), a copy of the instrument or document under which you claim beneficial ownership must be provided, along with the parcel number.

By signing the Exemption Form, an eligible resident is declaring under penalty of perjury that the information they have provided is true and correct. Falsification of records is grounds for criminal action.

The Exemption Form needs to be completed only once by eligible residents. **An Exemption Form is not signed yearly.** Further, this Exemption Form is not a "deferment" or "postponement" of taxes; this form exempts the eligible resident from being assessed this specific parcel tax for as long as the resident remains eligible.

Upon determination by the Administrative Office of the district that a completed Exemption Form has been reviewed and accepted, a copy of the approved Exemption Form will be mailed to the applicant. If the Exemption Form is denied, a copy indicating denial will be sent to the applicant. The applicant can contact the Administrative Office of the district to discuss reasons for the denial. Appeals may be addressed to the Board of Education and may require additional information.

Residents with questions, or requiring assistance in completing the Exemption Form, may contact the Administrative Office of the district.

An application for Parcel Tax Exemption is attached herewith to the Administrative Regulations.

Regulation
approved: May 25, 1999

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

E 3210

LOCAL FUNDS/PARCEL TAX

PLEASE SEE DISTRICT MATERIAL IN THE DISTRICT OFFICE FOR SENIOR
CITIZENS APPLICATION FOR PARCEL TAX EXEMPTION

Business and Noninstructional Operations

BP 3260(a)

FEES AND CHARGES

The Board of Education desires to furnish books, materials and instructional equipment as needed for the educational program. Because the needs of the district must be met with limited available funds, the Board may charge fees when specifically authorized by law.

The district shall consider the student and parent/guardian's ability to pay when establishing fee schedules and granting exceptions.

(cf. 1321 - Solicitation of Funds from and by Students)
(cf. 3250 - Transportation Fees)
(cf. 3290 - Gifts, Grants and Bequests)
(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5143 - Insurance)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 9323.2 - Actions by the Board)

Legal Reference: (see next page)

FEES AND CHARGES (continued)*Legal Reference:*EDUCATION CODE

8263 Child care eligibility
 8760-8773 Outdoor science and conservation programs
 17551 Property fabricated by students
 19910-19911 Offenses against libraries
 32033 Eye protective devices
 32221 Insurance for athletic team member
 32390 Fingerprinting program
 35330-35332 Excursions and field trips
 35335 School camp programs
 38080-38085 Cafeteria establishment and use
 38119 Lease of personal property; caps and gowns
 38120 Use of school band equipment on excursions to foreign countries
 39807.5 Payment of transportation costs
 39837 Transportation of students to places of summer employment
 48050 Residents of adjoining states
 48052 Tuition for foreign residents
 48904 Liability of parent or guardian
 49066 Grades, effect of physical education class apparel
 49091.14 Prospectus of school curriculum
 51810-51815 Community service classes
 52612 Tuition for adult classes
 52613 Nonimmigrant aliens
 60410 Students in classes for adults

GOVERNMENT CODE

6253 Request for copy; fee

VEHICLE CODE

21113 Public grounds (parking)

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

UNITED STATES CODE, TITLE 8

1184 Foreign Students

COURT DECISIONS

Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513
Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251
Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739
Hartzell v. Connell (1984) 35 Cal. 3d 899
CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738

*Management Resources:*CDE MANAGEMENT ADVISORIES

1030.97 Fiscal Management Advisory 97-02: Fees Deposits and Other Charges

WEB SITES

CDE: <http://www.cde.ca.gov>

Policy
 adopted:

ALBANY UNIFIED SCHOOL DISTRICT
 Albany, California

Business and Noninstructional Operations

AR 3260(a)

FEES AND CHARGES

The district shall charge only those fees specifically authorized by law. (5 CCR 350)

The following fees and charges are permissible if approved by the Board of Education:

1. Insurance for athletic team members, with an exemption for financial hardship (Education Code 32221)

(cf. 5143 - Insurance)

2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)

3. Expenses of students' participation in a field trip or excursion to another state, the District of Columbia or a foreign country, as long as no student is prohibited from making the field trip due to lack of funds (Education Code 35330)

(cf. 6153 - School-Sponsored Trips)

4. Student fingerprinting program (Education Code 32390)

(cf. 5142.1 - Identification and Reporting of Missing Children)

5. School camp programs operated pursuant to Education Code 8760-8773 provided that the fee is not mandatory (Education Code 35335)

(cf. 6142.5 - Environmental Education)

6. Personal property of the district fabricated by students, as long as the cost of the property does not exceed the cost of the materials provided by the district (Education Code 17551)

7. Home-to-school transportation and transportation between school and regional occupational centers, programs or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student and so long as exemptions are made for indigent and disabled students (Education Code 39807.5)

(cf. 3250 - Transportation Fees)

8. Transportation to and from summer employment programs for youth (Education Code 39837)

9. Physical education uniforms

(cf. 6142.7 - Physical Education)

10. Rental or lease of personal property needed for district purposes, such as caps and gowns used by seniors in graduation ceremonies (Education Code 38119)

FEES AND CHARGES (continued)

(cf. 5127 - Graduation Ceremonies and Activities)

11. Deposit for band instruments, music, uniforms and other regalia which school band members take on excursions to foreign countries (Education Code 38120)
12. Fees for community service classes (Education Code 51815)
13. Eye safety devices, at a price not to exceed the district's actual costs (Education Code 32033)

(cf. 5142 - Safety)

14. Actual costs of duplication for copies of public records (Government Code 6253)

(cf. 1340 - Access to District Records)

15. Actual costs of duplication for reproduction of the prospectus of school curriculum (Education Code 49091.14)

(cf. 5020 - Parent Rights and Responsibilities)

16. Food sold at school subject to free and reduced price meal program eligibility and other restrictions specified in law (Education Code 38084)

(cf. 3551 - Food Service Operations/Cafeteria Funds)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3554 - Other Food Sales)

17. Fines or reimbursements for lost or damaged district property or damage to library property (Education Code 19910-19911, 48904)

(cf. 3515.4 - Recovery for Property Loss or Damage)

18. Tuition for out-of-state and out-of-country residents (Education Code 48050, 48052, 52613; 8 USC 1184)

(cf. 5111.1 - District Residency)

(cf. 5111.2 - Nonresident Foreign Students)

19. Adult education books, materials, and classes as specified in law (Education Code 52612, 60410)

(cf. 6200 - Adult Education)

AR 3260(c)

FEES AND CHARGES (continued)

20. Child care and development services (Education Code 8263)

(cf. 5148 - Child Care and Development)

21. Parking on school grounds (Vehicle Code 21113)

Regulation
approved:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

BP 3270

SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES

When district-owned books, equipment and supplies become unusable, obsolete, or no longer needed, the Superintendent or designee shall identify these items to the Board of Education, together with their estimated value and a recommendation that they be sold or disposed of by one of the methods prescribed in law and administrative regulations. With Board approval, the Superintendent or designee shall arrange for the sale or disposal of these items.

Instructional materials may be considered obsolete or unusable when they:

1. Contain information rendered inaccurate or incomplete by new discoveries or technologies
2. Have been replaced by more recent versions or editions of the same material and are of no foreseeable value in other instructional areas
3. Contain demeaning, stereotyping or patronizing references to either sex, members of racial, ethnic, religious, vocational or cultural groups, or persons with physical or mental disabilities
4. Have been inspected and discovered to be damaged beyond use or repair

The Superintendent or designee shall establish procedures to be used when selling equipment for which the federal government has a right to receive all or part of the proceeds. These procedures shall ensure a reasonable amount of competition so as to result in the highest possible revenue.

(cf. 3440 - Inventories)

Legal Reference:

EDUCATION CODE

17540-17542 Sale or lease of personal property by one district to another

17545-17555 Sale of personal property

42291.5 Temporary school bus designation

42303 School bus sale to another district

60500 Determination of obsolescence

60510-60511 Donation or sale

60520-60521 Disposition of sale proceeds

60530 Methods of destruction

GOVERNMENT CODE

25505 District property; disposition; proceeds

UNITED STATES CODE, TITLE 40

484 Surplus property

CODE OF FEDERAL REGULATIONS, TITLE 34

80.32 Equipment acquired under a grant or subgrant

Policy
adopted:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

AR 3270(a)

SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES

The Board of Education may dispose of personal property belonging to the district by any of the following methods:

1. If the Board members attending a meeting unanimously agree that the property is worth no more than \$2,500, the Board may designate any district employee to sell the property without advertising. (Education Code 17546)
2. The Board may advertise for bids and either sell the property to the highest responsible bidder or reject all bids. (Education Code 17545)

Notice for bids shall be posted in at least three public places in the district for at least two weeks or published at least once a week for at least two weeks in a newspaper having a general circulation in the district and, if possible, published within the district. (Education Code 17545)

Property for which no qualified bid has been received may be sold, without further advertising, by the Superintendent or designee. (Education Code 17546)

3. The Board may authorize the sale of the property by means of a public auction conducted by district employees, employees of other public agencies, or by contract with a private auction firm. Notice related to the auction shall be posted or published as described in item #2 above. (Education Code 17545)
4. Without advertising for bids, the Board may sell the property to agencies of federal, state or local government, to any other school district, or to any agency eligible under the federal surplus property law (40 USC 484(j)(3)). In such cases, the sale price shall equal the cost of the property plus estimated cost of purchasing, storing and handling. (Education Code 17540)
5. Without advertising for bids, the Board may sell or lease the property to agencies of federal, state or local government or to any other schooldistrict. In such cases, the price and terms of the sale or lease shall be fixed by the Board and approved by the County Superintendent of Schools. (Education Code 17542)
6. If the Board members attending a meeting unanimously find that the value of the property is insufficient to defray the costs of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the Board or may be disposed of by dumping. (Education Code 17546)

SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES (continued)

Money received from the sale of surplus property shall be either deposited in the district reserve or general fund or credited to the fund from which the original purchase was made. (Education Code 17547)

Instructional Materials

Surplus or undistributed obsolete instructional materials that are usable for educational purposes may be donated to any governing board, county free library or other state institution; any United States public agency or institution; any nonprofit charitable organization; or children or adults in California or foreign countries for the purpose of increasing literacy. They also may be sold to any organization that agrees to use the materials for educational purposes. (Education Code 60510)

Any organization, agency or institution receiving obsolete instructional materials from the district shall certify to the Board that it agrees to use the materials for educational purposes and make no charge to any persons to whom the materials are given or lent. (Education Code 60511)

At least 60 days before disposing of these instructional materials, the Board shall notify the public of its intention to do so through a public service announcement on a local television station, in a local newspaper, or by another means the Board believes will most effectively reach the entities described above. The Board shall also permit representatives of these entities and members of the public to address the Board regarding the distribution of these materials.

(cf. 9323 - Meeting Conduct)

Surplus or undistributed obsolete instructional materials which are unusable or which cannot be distributed as specified above may be disposed of by either of the following: (Education Code 60530)

1. By being mutilated so as not to be salable and sold for scrap at the highest obtainable price
2. By being destroyed by any economical means at least 30 days after the Board has given notice to all persons who have requested such notice

(cf. 9323.2 - Actions by the Board)

Regulation
approved:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

BP 3290

GIFTS, GRANTS AND BEQUESTS

The Board of Education may accept any bequest or gift of money or property on behalf of the district. While greatly appreciating suitable donations, the Board discourages any gifts which may directly or indirectly impair its commitment to providing equal educational opportunities for all district students.

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

Before accepting a gift, the Board shall consider whether the gift:

1. Has a purpose consistent with the district's vision and philosophy
2. Begins a program which the Board would be unable to continue when the donated funds are exhausted
3. Entails undesirable or excessive costs
4. Implies endorsement of any business or product

(cf. 1325 - Advertising and Promotion)

The Board shall carefully evaluate any conditions or restrictions imposed by the donor in light of district philosophy and operations. If the Board feels the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.

Gift books and instructional materials shall be accepted only if they meet regular district criteria.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

All gifts, grants and bequests shall become district property. Donors are encouraged to donate all gifts to the district rather than to a particular school. At the Superintendent or designee's discretion, a gift may be used at a particular school.

Legal Reference:

EDUCATION CODE

- 1834 Acquisition of materials and apparatus
- 35162 Power to sue, be sued, hold and convey property
- 41030 School district may invest surplus monies from bequest or gifts
- 41031 Special fund or account in county treasury
- 41032 Authority of school board to accept gift or bequest; investments; gift of land requirements
- 41035 Advisory committee
- 41036 Function of advisory committee
- 41037 Rules and regulations

Policy
adopted:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

BP 3300(a)

EXPENDITURES AND PURCHASES

The Board of Education recognizes its fiduciary responsibility to oversee the prudent expenditure of district funds. In order to best serve district interests, the Superintendent or designee shall develop and maintain effective purchasing procedures that are consistent with sound financial controls and that ensure the district receives maximum value for items purchased. He/she shall ensure that records of expenditures and purchases are maintained in accordance with law.

(cf. 3000 - Concepts and Roles)

(cf. 3100 - Budget)

(cf. 3350 - Travel Expenses)

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

(cf. 3460 - Financial Reports and Accountability)

(cf. 9270 - Conflict of Interest)

Expending Authority

The Superintendent or designee may purchase supplies, materials, apparatus, equipment, and services up to the amounts specified in Public Contract Code 20111, beyond which a competitive bidding process is required. The Board shall not recognize obligations incurred contrary to Board policy and administrative regulations.

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days. (Education Code 17605)

The Superintendent or designee may authorize an expenditure which exceeds the budget classification allowance against which the expenditure is the proper charge only if an amount sufficient to cover the purchase is available in the budget for transfer by the Board.

(cf. 3110 - Transfer of Funds)

District funds shall not be expended for the purchase of alcoholic beverages. (Education Code 32435)

Purchasing Procedures

Insofar as possible, goods and services purchased shall meet the needs of the person or department ordering them at the lowest price consistent with standard purchasing practices. Maintenance costs, replacement costs, and trade-in values shall be considered when determining the most economical purchase price. When price, fitness, and quality are equal, recycled products shall be preferred when procuring materials for use in district schools and buildings.

BP 3300(b)

EXPENDITURES AND PURCHASES (continued)*(cf. 3314.2 - Revolving Funds)**(cf. 3440 - Inventories)**(cf. 3511.1 - Integrated Waste Management)*

All purchases shall be made by formal contract or purchase order or shall be accompanied by a receipt. In order to eliminate the processing of numerous small purchase orders, the Superintendent or designee may create a "blanket" or "open" purchase order system for the purchase of minor items as needed from a vendor. He/she shall ensure that the "open" purchase order system details a maximum purchase amount, the types of items that can be purchased under this order, the individuals authorized to approve purchases, and the expiration date of the "open" order.

*Legal Reference:*EDUCATION CODE*17604 Delegation of powers to agents; approval or ratification of contracts by governing board**17605 Delegation of authority to purchase supplies and equipment**32370-32376 Recycling paper**32435 Prohibited use of public funds, alcoholic beverages**35010 Control of district; prescription and enforcement of rules**35035 Powers and duties of superintendent**35160 Authority of governing boards**35250 Duty to keep certain records and reports**38083 Purchase of perishable foodstuffs and seasonal commodities**41010 Accounting system**41014 Requirement of budgetary accounting*GOVERNMENT CODE*4330-4334 California made materials*PUBLIC CONTRACT CODE*3410 U.S. produce and processed foods**20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder**Management Resources:*CSBA PUBLICATIONS*Maximizing School Board Governance: Fiscal Accountability, 2006*WEB SITES*CSBA, Financial Services: <http://www.csba.org/fs>**California Association of School Business Officials: <http://www.casbo.org>**California Department of Education: <http://www.cde.ca.gov>*

Business and Noninstructional Operations

BP 3311(a)

BIDS

In order to ensure transparency and the prudent expenditure of public funds, the Board of Education shall award contracts in an objective manner and in accordance with law. District equipment, supplies, and services shall be purchased using competitive bidding when required by law or if the Board determines that it is in the best interest of the district to do so.

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

(cf. 3000 - Concepts and Roles)

(cf. 3300 - Expenditures and Purchases)

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law. (Public Contract Code 20118)

Bid specifications shall be carefully designed and shall describe in detail the quality, delivery, and service required.

To assist the district in determining whether bidders are responsible, the Board may require prequalification procedures as allowed by law and specified in administrative regulation.

(cf. 9270 - Conflict of Interest)

Legal Reference: (see next page)

BP 3311(b)

BIDS (continued)*Legal Reference:*EDUCATION CODE*17595 Purchases through Department of General Services**38083 Purchase of perishable foodstuffs and seasonable commodities**38110-38120 Apparatus and supplies**39802 Transportation services*GOVERNMENT CODE*4330-4334 Preference for California-made materials**6252 Definition of public record**53060 Special services and advice**54201-54205 Purchase of supplies and equipment by local agencies*PUBLIC CONTRACT CODE*1102 Emergencies**2001-2001 Responsive bidders**3400 Bids, specifications by brand or trade name not permitted**3410 United States produce and processed foods**6610 Bid visits**12200 Definitions, recycled goods, materials and supplies**20103.8 Award of contracts**20107 Bidder's security**20111-20118.4 Contracting by school districts**20189 Bidder's security, earthquake relief**22002 Definition of public project**22030-22045 Alternative procedures for public projects (UPCCAA)**22050 Alternative emergency procedures**22152 Recycled product procurement*COURT DECISIONS*Marshall v. Pasadena USD, (2004) 119 Cal.App.4th 1241**Konica Business Machines v. Regents of the University of California, (1988) 206**Cal.App.3d 449**City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court,**(1972) 7 Cal.3d 861*ATTORNEY GENERAL OPINIONS*89 Ops.Cal.Atty.Gen. 1 (2006)**Management Resources:*WEB SITES*CSBA: [http:// www.csba.org](http://www.csba.org)**California Association of School Business Officials: <http://www.casbo.org>*

Business and Noninstructional Operations

AR 3311(a)

BIDS**Advertised/Competitive Bids**

The district shall seek competitive bids through advertisement for contracts involving an expenditure of \$15,000 or more for a public project. *Public project* means construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, and repair work involving a district owned, leased, or operated facility. (Public Contract Code 20111, 22002)

The district shall also seek competitive bids through advertisement for contracts exceeding the amount specified in law, and as annually adjusted by the Superintendent of Public Instruction, for any of the following: (Public Contract Code 20111; Government Code 53060)

1. The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district
2. Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters
3. Repairs, including maintenance that is not a public project

Maintenance means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. *Maintenance* includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. This definition does not include, among other types of work, janitorial or custodial services and protection provided by security forces, nor does it include painting, repainting, or decorating other than touchup. (Public Contract Code 20115)

Unless otherwise authorized by law, contracts shall be let to the lowest responsible bidder who shall give such security as the Board of Education requires, or else all bids shall be rejected. (Public Contract Code 20111)

The Board shall secure bids pursuant to Public Contract Code 20111 and 20112 for any transportation service expenditure of more than \$10,000 when contemplating that such a contract may be made with a person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of students who are to be transported. The Board may let this contract to other than the lowest bidder. (Education Code 39802)

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements of Public Contract Code 20111-20118.4 for contracting after competitive bidding. (Public Contract Code 20116)

AR 3311(b)

BIDS (continued)

When letting a contract for the procurement and/or maintenance of electronic data processing systems and supporting software, the Board may contract with any one of the three lowest responsible bidders. (Public Contract Code 20118.1)

Instructions and Procedures for Advertised Bids

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such newspaper exists, then in some newspaper of general circulation, circulated in the county, and may post the notice on the district's web site or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and web site where bids will be opened. The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20112)

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting. The notice shall also detail when and where project documents, including final plan and specifications, are available. Any such mandatory visit or meeting shall not occur within a minimum of five calendar days of the publication of the initial notice. (Public Contract Code 6610)

Bid instructions and specifications shall include the following requirements and information:

1. All bidders shall certify the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)
2. All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security: (Public Contract Code 20107, 20111)
 - a. Cash
 - b. A cashier's check made payable to the district
 - c. A certified check made payable to the district
 - d. A bidder's bond executed by an admitted surety insurer and made payable to the district

The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111)

BIDS (continued)

3. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)
4. When two or more identical lowest or highest bids are received, the Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)
5. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #a below shall be used. (Public Contract Code 20103.8)
 - a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.
 - b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
 - c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined.
6. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.
7. After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for review pursuant to law, Board policy, and administrative regulation.

(cf. 1340 - Access to District Records)

AR 3311(d)

BIDS (continued)**Alternative Bid Procedures for Technological Supplies and Equipment**

Upon a finding by the Board that a particular procurement qualifies for the alternative procedure, the district may acquire computers, software, telecommunications equipment, microwave equipment, and other related electronic equipment and apparatus through competitive negotiation. This procedure shall not apply to contracts for construction or for the procurement of any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)

The competitive negotiation shall include, but not be limited to, the following requirements: (Public Contract Code 20118.1)

1. The Superintendent or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.
2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The district shall make every effort to generate the maximum feasible number of proposals from qualified sources and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.
4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.
5. The district shall provide reasonable procedures for the technical evaluation of the RFPs received, the identification of qualified sources, and the selection for the award of the contract.
6. An award shall be made to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the district with price and all other factors considered.
7. If an award is not made to the bidder whose proposal contains the lowest price, then the district shall make a finding setting forth the basis for the award.
8. The district, at its discretion, may reject all proposals and request new RFPs.
9. Provisions in any contract concerning utilization of small business enterprises, that are in accordance with the RFP, shall not be subject to negotiation with the successful proposer.

BIDS (continued)**Bids Not Required**

Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may authorize, by contract, lease, requisition, or purchase order, another public corporation or agency to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). (Public Contract Code 20118)

(cf. 3300 - Expenditures and Purchases)

Alternatively, if there is an existing contract between a public corporation or agency and a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor by contract, lease, requisition, or purchase order and make payment to the vendor under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount without taking estimates or advertising for bids. (Public Contract Code 20118.3)

Perishable commodities, such as foodstuffs, needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 20113)

(cf. 3517 - Facilities Inspection)

(cf. 9323.2 - Actions by the Board)

Bids shall also not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

AR 3311(f)

BIDS (continued)**Sole Sourcing**

Specifications for contracts for construction, alteration, or repair of school facilities may not limit bidding, either directly or indirectly, to any one specific concern. Specifications designating a specific material, product, thing, or particular brand name shall follow the description with the words "or equal" so that bidders may furnish any equal material, product, thing, or service. (Public Contract Code 3400)

However, specifications for such contracts may designate a product by brand or trade name (sole sourcing) if the Board has made a finding, described in the invitation for bids or RFP, that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)

1. To conduct a field test or experiment to determine its suitability for future use
2. To match others in use on a particular public improvement that has been completed or is in the course of completion
3. To obtain a necessary item that is only available from one source
4. To respond to the Board's declaration of an emergency, as long as the declaration has been approved by four-fifths of the Board when issuing the invitation for bid or RFP

Regulation
approved:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

BP 3312(a)

CONTRACTS

Whenever state law invests the Board of Education with the power to enter into contracts on behalf of the district, the Board may, by a majority vote, delegate this power to the Superintendent or designee. To be valid or to constitute an enforceable obligation against the district, all contracts must be approved and/or ratified by the Board. (Education Code 17604)

(cf. 3300 - Expenditures and Purchases)

(cf. 3314 - Payment for Goods and Services)

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

All contracts between the district and outside agencies shall conform to standards required by law and shall be prepared under the direction of the Superintendent or designee.

(cf. 2121- Superintendent's Contract)

(cf. 4312.1 - Contracts)

(cf. 9124 - Attorney)

When required by law, contracts and subcontracts made by the district for public works or for goods or services shall contain a nondiscrimination clause prohibiting discrimination by contractors or subcontractors. The nondiscrimination clause shall contain a provision requiring contractors and subcontractors to give written notice of their obligations to labor organizations with which they have a collective bargaining or other agreement. (Government Code 12990)

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

The district shall not enter into a contract that prohibits a school employee from disparaging the goods or services of the contracting party. (Education Code 35182.5)

Contracts for Electronic Products or Services

The Board shall not enter into a contract for electronic products or services that requires the dissemination of advertising to students, unless the Board: (Education Code 35182.5)

1. Enters into the contract at a noticed, public hearing of the Board.

(cf. 9320 - Meetings and Notices)

2. Makes a finding that the electronic product or service is or would be an integral component of the education of students.

(cf. 0440 - District Technology Plan)

3. Makes a finding that the district cannot afford to provide the electronic product or service unless it contracts to permit dissemination of advertising to students.

(cf. 1325 - Advertising and Promotion)

BP 3312(b)

CONTRACTS (continued)

4. As part of the district's normal, ongoing communication to parents/guardians, provides written notice that the advertising will be used in the classroom or other learning center.
5. Offers parents/guardians the opportunity to request in writing that their child not be exposed to the program that contains the advertising. Any request shall be honored for the school year in which it is submitted, or longer if specified, but may be withdrawn by the parents/guardians at any time.

*Legal Reference:*EDUCATION CODE*200-262.4 Prohibition of discrimination on the basis of sex**14505 Provisions required in contracts for audits**17595-17606 Contracts**35182.5 Contract prohibitions**45103.5 Contracts for management consulting service related to food service**49431-49431.5 Nutritional standards*CODE OF CIVIL PROCEDURE*685.010 Rate of interest*GOVERNMENT CODE*12990 Nondiscrimination and compliance employment programs**53260 Contract provision re maximum cash settlement**53262 Ratification of contracts with administrative officers*LABOR CODE*1775 Penalties for violations**1810-1813 Working hours*PUBLIC CONTRACT CODE*4100-4114 Subletting and subcontracting fair practices**7104 Contracts for excavations; discovery of hazardous waste**7106 Noncollusion affidavit**20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder**20104.50 Construction Progress Payments**22300 Performance retentions*UNITED STATES CODE, TITLE 20*1681-1688 Title IX, discrimination**Management Resources:*CSBA PUBLICATIONS*Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2005*WEB SITES*CSBA: <http://www.csba.org>**California Association of School Business Officials: <http://www.casbo.org>*

Business and Noninstructional Operations

BP 3312.2

EDUCATIONAL TRAVEL PROGRAM CONTRACTS

The Board of Education believes that field trips and other travel opportunities for students are a valuable tool in supporting classroom instruction and promoting students' awareness of places and events. In contracting with organizations to provide educational travel services, the Board desires to ensure a quality educational experience and the health, safety and welfare of each student traveler.

The Superintendent or designee shall contract only with educational travel organizations which adhere to state law and exhibit safe and reputable business practices.

(cf. 3312 - Contracts)

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 6153 - School-Sponsored Trips)

The Superintendent or designee shall establish procedures for selecting the highest quality vendor, taking into account student safety, quality of the program and fiscal integrity.

Legal Reference:

EDUCATION CODE

35160 Authority of boards

35160.1 Broad authority of school districts

BUSINESS AND PROFESSIONS CODE

17540 Travel promoters

17550-17550.9 Sellers of travel

17552-17556.5 Educational travel organizations

Business and Noninstructional Operations

AR 3312.2(a)

EDUCATIONAL TRAVEL PROGRAM CONTRACTS**Definitions**

Educational travel organization or organization means a person, partnership, corporation, or other entity which offers educational travel programs for students residing in California. (Business and Professions Code 17552)

Student traveler or student means a person who is enrolled in elementary or secondary school, grades kindergarten through grade 12, at the time an educational travel program is arranged with an educational travel organization. (Business and Professions Code 17552)

Educational travel program means travel services that are arranged through or offered to an elementary or secondary school in the state, and where the services are represented to include an educational program as a component. (Business and Professions Code 17552)

Owner means a person or organization which owns or controls 10 percent or more of the equity of, or otherwise has claim to 10 percent or more of the net income of, the educational travel organization. (Business and Professions Code 17554)

Principal means an owner, an officer of a corporation, a general partner of a partnership, or a sole proprietor of a sole proprietorship. (Business and Professions Code 17554)

Contract Requirements

The Superintendent or designee shall ensure that each written contract with an educational travel organization includes all of the following: (Business and Professions Code 17554)

1. The travel organization's name, trade or business name, business address, business telephone number and a 24-hour emergency contact number
2. An itemized statement which shall include but not be limited to:
 - a. Services to be provided as part of the program
 - b. Agreed cost for the services
 - c. A statement as to whether or not the educational travel organization maintains insurance that supplies coverage in the event of injury to any student traveler, including the type and amount of coverage, the policy number and issuer, and the name and telephone number of the person or organization which is able to verify coverage

EDUCATIONAL TRAVEL PROGRAM CONTRACTS (continued)

- d. Any additional costs to students
 - e. The qualifications, if any, for experience and training that are required to be met by the educational travel organization's staff who shall accompany students on the educational travel program
- 3. A written description of the educational program being contracted for, including a copy of all materials to be provided to students
 - 4. The number of times the educational travel program or a substantially similar educational travel program proposed by the contract has been conducted by the organization and the number of students who completed the program
 - 5. The length of time the organization has either been arranging or conducting educational travel programs and, at the option of the organization, other travel services with substantially similar components
 - 6. The name of each owner and principal of the organization
 - 7. A statement as to whether any owner or principal of the organization has had entered against him or her any judgment, including a stipulated judgment, order, made a plea of nolo contendere or been convicted of any criminal violation in connection with the sale of any travel services for a period of 10 years predating the contract

District staff shall inform all vendors representing educational travel organizations that they may not arrange a travel program before the district has first entered into a written contract with the organization.

Business and Noninstructional Operations

BP 3314(a)

PAYMENT FOR GOODS AND SERVICES

The Board of Education recognizes the importance of developing a system of internal control procedures in order to help fulfill its obligation to monitor and safeguard district resources. To facilitate warrant processing, the Superintendent or designee shall ensure that purchasing, receiving, and payment functions are kept separate. He/she shall also ensure that invoices are paid expeditiously so that the district may, to the extent possible, take advantage of available discounts and avoid finance charges.

(cf. 3300 - Expenditures and Purchases)

(cf. 3312 - Contracts)

(cf. 3314.2 - Revolving Funds)

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

(cf. 9320 - Meetings and Notices)

The Superintendent or designee shall sign all warrants and shall ensure that warrants have appropriate documentary support verifying that all goods and services to be paid for have been delivered or rendered in accordance with the purchase agreement.

The Board shall approve all warrants at a regularly scheduled Board meeting.

(cf. 9320 - Meetings and Notices)

The district shall not be responsible for unauthorized purchases.

Legal Reference: (see next page)

PAYMENT FOR GOODS AND SERVICES (continued)*Legal Reference:*EDUCATION CODE

17605 Delegation of authority for purchases

42630-42651 Orders, requisitions and warrants

42800-42806 Revolving cash fund

42810 Alternative revolving fund

42820 Prepayment funds

CODE OF CIVIL PROCEDURE

685.010 Rate of interest

GOVERNMENT CODE

16.5 Digital signatures

5500-5506 Uniform Facsimile Signatures of Public Officials Act

8111.2 Definition of public entity

PUBLIC CONTRACT CODE

7107 Retention proceeds; withholding; disbursement

9203 Payment for projects costing over \$5000

20104.50 Timely progress payments

CODE OF REGULATIONS, TITLE 2

22000-22005 Digital signatures

*Management Resources:*CSBA PUBLICATIONSMaximizing School Board Governance: Understanding California's Public School Finance System, 2006Maximizing School Board Governance: Budget Planning and Adoption, 2006Maximizing School Board Governance: Understanding District Budgets, 2006Maximizing School Board Governance: Fiscal Accountability, 2006

School Finance CD-ROM, 2005

WEB SITESCSBA: <http://www.csba.org>California Secretary of State, digital signatures: <http://www.sos.ca.gov/digsig/digsig.htm>Fiscal Crisis Management & Assistance Team: <http://www.fcmat.org>

Business and Noninstructional Operations

AR 3314

PAYMENT FOR GOODS AND SERVICES**Payments to Contractors**

The district shall make payment on any contract for the creation, construction, alteration, repair, or improvement of any public structure, building, or other improvement of any kind which costs over \$5,000 based on estimates of actual work completed that have been approved by the Board of Education. The district shall not make progress payments in excess of 95 percent of the actual work completed and may include 95 percent of the value of material delivered or stored but as yet unused. The district shall withhold at least five percent of the contract price until the final completion and acceptance of the project. However, any time after 50 percent of the work has been completed, the Board may make any of the remaining progress payments in full for actual work completed if the Board finds that satisfactory progress is being made. (Public Contract Code 9203)

The Superintendent or designee shall ensure that requests for progress payments related to contracts for public works are processed and paid within 30 days. Any improper request shall be returned to the contractor within seven days, together with a written statement of why the request is not proper. (Public Contract Code 20104.50)

(cf. 3312 - Contracts)

Retention proceeds withheld by the district from payments to contractors for public works contracts shall be released within 60 days after the construction or improvement is completed. In the event of a dispute between the district and the contractor, the district may withhold from the final payment an amount not to exceed 150 percent of the disputed amount. (Public Contract Code 7107)

Regulation
approved:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

BP 3314.2(a)

REVOLVING FUNDS**District Revolving Fund**

The Board of Education has established by resolution a revolving cash fund for use by the Superintendent or designee in paying for goods, services and other charges determined by the Board, including supplemental payments required to correct any payroll errors. (Education Code 42800-42806, 45167)

At the request of the Board, County Auditor or County Superintendent of Schools, the Superintendent or designee shall give an account of the fund. (Education Code 42804)

The funds shall be deposited in a bank doing business locally, whose deposits are insured by FDIC. The Superintendent or designee shall be responsible for all payments into the account as well as expenditures from the account subject to the restrictions established by the Board.

The Board shall review and revise fund usage as appropriate.

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

Additional Revolving Funds

The Board also may, by resolution, establish revolving cash funds for use by school principals and other administrative officials to pay for goods and services. The total amount of the funds shall not exceed three percent of the current year's instructional supply budget. (Education Code 42810)

No funds maintained in a revolving fund shall be used in an attempt to influence government decisions, for entertainment purposes, or for any other purpose not related to classroom instruction. (Education Code 42810)

The Board shall name the administrators who will have use and control of the funds. Officials so named shall be responsible for all payments into the accounts as well as expenditures from the accounts, subject to restrictions established by the Board.

The revolving cash fund for supplies shall be subject to the bonding provisions of Education Code 42801.

(cf. 3530 - Risk Management/Insurance)

The Board shall provide an audit of revolving funds on a regular basis. (Education Code 42810)

Legal Reference: (see next page)

BP 3314.2(b)

REVOLVING FUNDS (continued)*Legal Reference:*EDUCATION CODE*35160 Authority of governing boards**41020 Audits of all district funds**42238 Local taxation by school districts**42800-42806 Revolving cash fund**42810 Revolving cash funds; use; administrators**45167 Error in salary*

Policy
adopted:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

BP 3350

TRAVEL EXPENSES

The Board of Education shall authorize payment for actual and necessary expenses, including travel, incurred by any employee performing authorized services for the district.

The Superintendent or designee may approve employee requests to attend meetings in accordance with the adopted budget.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Expenses shall be reimbursed within limits approved by the Board. The Superintendent or designee shall establish procedures for the submission and verification of expense claims. He/she may authorize an advance of funds to cover necessary expenses.

The Board may establish an allowance on either a mileage or monthly basis to reimburse authorized employees for the use of their own vehicles in the performance of assigned duties.

All out-of-state travel for which reimbursement will be claimed shall have Board approval. Travel expenses not previously budgeted also shall be approved on an individual basis by the Board.

Authorized employees may use district credit cards while attending to district business. Under no circumstances may personal expenses be charged on district credit cards.

(cf. 9240 - Board Development)

(cf. 9250 - Remuneration, Reimbursement, and Other Benefits)

Legal Reference:

EDUCATION CODE

44016 Travel expense

44032 Travel expense payment

44033 Automobile allowance

44802 Student teacher's travel expense

Business and Noninstructional Operations

AR 3350(a)

TRAVEL EXPENSES**General**

Each site/unit may have budgeted money for meetings, workshops, mileage, conventions, and conferences. The administrator directly responsible for these funds will make the determination as to their disbursement.

Funds are to be budgeted on the basis of availability, and approval of a request will be established in terms of those requests deemed to be of greatest value and benefit to the district. The list must include the following information for each conference:

1. Location of meeting
2. Inclusive dates and days
3. Title(s) of staff member(s) attending-include number
4. Estimated expenses

Applications

Staff members will submit applications to their administrative head on the appropriate form. Forms are available in the principal's office or district business office. All applications must be approved by the administrative head.

Reimbursement for Expenses

Reimbursements for expenses for attendance at conferences or meetings are allowed within the financial limits of the school district and upon the approval of the school principal/designee or administrative head/designee for all personnel within the school or administrative unit.

Claims for reimbursement for actual and necessary expenses shall be submitted on the appropriate forms. (Employee Expense/Mileage Claim Form)

Receipts or vouchers shall be submitted for the following:

1. Lodging
2. Transportation when on public carrier
3. Registration

TRAVEL EXPENSES (continued)

4. All tolls and parking charges

Allowances

1. Actual cost involving meetings, workshops, etc.
2. Actual cost of room (maximum cost of single room only allowed).
3. Transportation:
 - a. Actual fare is allowed on public carriers when in conformity with published rates.

Mileage Reimbursement

The district mileage reimbursement rate shall be the same as the current Federal mileage reimbursement rate. Reimbursement shall be claimed on the appropriate form.

Meals

The district allows daily meals reimbursements at the Federal per diem allowance as set by the Federal Travel Regulation. This per diem allowance includes district pre-paid meals, which is also the maximum amount allowed for meal reimbursements. All actual receipts are required in order to submit for a meals reimbursement. No substitution of receipts is allowed, unless there is a short statement justifying the reimbursement claim.

If a meal should exceed the allowance, the claimant has the option of claiming the allowance amount, or requesting reimbursement of the actual higher amount with a short statement of justification attached to the reimbursement claim. This claim will be subject to approval by the site/department and business office.

Gratuities are included within the allowance for meal reimbursement. Expenses for alcoholic beverages shall not be reimbursed.

The following are automatically approved daily allowances for meals:

Meal Percent of Federal per diem meals allowance

Breakfast	20 percent
Lunch	30 percent
Dinner	50 percent

AR 3350(c)

TRAVEL EXPENSES (continued)

The individual has the option of claiming a portion of the meal as outlined on the percentages above or claiming a meal exceeding the percentage for each group, but not more than the total per diem allowance.

Federal Rates

As needed, the district Business Office will distribute a memo to staff with new rates as defined by the Federal government. Staff can also contact the district Business Office to verify rates.

Regulation
approved:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

BP 3400(a)

MANAGEMENT OF DISTRICT ASSETS/ACCOUNTS

The Board of Education recognizes its fiduciary responsibility to effectively manage and safeguard the district's assets and resources in order to help achieve the district's goals for student learning. The Superintendent or designee shall establish and maintain an accurate, efficient financial management system that enhances the district's ability to meet its fiscal obligations, produces reliable financial reports, and complies with laws, regulations, policies, and procedures. He/she shall ensure that the district's accounting system provides ongoing internal controls and meets generally accepted accounting standards.

(cf. 3000 - Concepts and Roles)

(cf. 3100 - Budget)

(cf. 3300 - Expenditures and Purchases)

(cf. 3312 - Contracts)

(cf. 3314 - Payment for Goods and Services)

(cf. 3460 - Financial Reports and Accountability)

Capital Assets

The Superintendent or designee shall develop a system to accurately identify and value district assets in order to help ensure financial accountability and to minimize the risk of loss or misuse. District assets with a useful life of more than one year and an initial acquisition cost of \$5,000 or more shall be considered capital assets. The Superintendent or designee shall determine the estimated useful life of each capital asset and shall calculate and report the estimated loss of value or depreciation during each accounting period for all capital assets.

(cf. 3440 - Inventories)

Internal Controls/Fraud Prevention

The Board expects Board members, employees, consultants, vendors, contractors, and other parties maintaining a business relationship with the district to act with integrity and due diligence in dealings involving the district's assets and fiscal resources.

The Superintendent or designee shall develop internal controls which aid in the prevention and detection of fraud, financial impropriety, or irregularity within the district. These internal controls may include, but are not limited to, segregating employee duties relating to authorization, custody of assets, and recording or reporting of transactions; providing detailed, written job descriptions explaining the segregation of functions; adopting an integrated financial system; conducting background checks on business office employees; and requiring continuous in-service training for business office staff on the importance of fraud prevention.

BP 3400(b)

MANAGEMENT OF DISTRICT ASSETS/ACCOUNTS (continued)

All employees shall be alert for any indication of fraud, financial impropriety, or irregularity within their area of responsibility. Any employee who suspects fraud, impropriety, or irregularity shall immediately report those suspicions to his/her immediate supervisor and/or the Superintendent or designee. In addition, the Superintendent or designee shall establish a method for employees and outside persons to anonymously report any suspected instances of fraud, impropriety, or irregularity.

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

The Superintendent or designee shall have primary responsibility for any necessary investigations of suspected fraud, impropriety, or irregularity, in coordination with legal counsel, the district's auditors, law enforcement agencies, or other governmental entities, as appropriate.

The Superintendent or designee shall provide regular reports to the Board on the status of the district's internal control procedures and recommend any necessary revisions to related Board policies or administrative regulations.

*Legal Reference:*EDUCATION CODE

14500-14508 Financial and compliance audits

35035 Powers and duties of superintendent

35250 Duty to keep certain records and reports

41010-41023 Accounting regulations, budget controls and audits

42600-42604 Control of expenditures

42647 Drawing of warrants by district on county treasurer; form; reports, statements and other data

GOVERNMENT CODE

53995-53997 Obligation of contract

*Management Resources:*CSBA PUBLICATIONS

Maximizing School Board Governance: Budget Planning and Adoption, 2006

Maximizing School Board Governance: Fiscal Accountability, 2006

School Finance CD-ROM, 2005

GOVERNMENTAL ACCOUNTING STANDARDS BOARD

Statement 34, Basic Financial Statements - and Management's Discussion and Analysis - For State and Local Governments, June 1999

WEB SITES

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

California Association of School Business Officials: <http://www.casbo.org>

California Department of Education, School Finance: <http://www.cde.ca.gov/fg>

California State Controller's Office: <http://www.sco.ca.gov>

Fiscal Crisis & Management Assistance Team: <http://www.fcmat.org>

Governmental Accounting Standards Board: <http://www.gasb.org>

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

Policy
adopted:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

AR 3400(a)

MANAGEMENT OF DISTRICT ASSETS/ACCOUNTS**Accounts**

The district's accounting system shall fully comply with the definitions, instructions and procedures set forth in the California Department of Education School Accounting Manual. (Education Code 41010)

The Superintendent or designee shall ensure that funds are encumbered in the district accounting records immediately after an expenditure is committed for subsequent payment.

(cf. 3110 - Transfer of Funds)

Fraud Prevention and Investigation

Fraud, financial improprieties or irregularities include but are not limited to:

1. Forgery or unauthorized alteration of any document or account belonging to the district
2. Forgery or unauthorized alteration of a check, bank draft or any other financial document
3. Misappropriation of funds, securities, supplies or other assets
4. Impropriety in the handling of money or reporting of financial transactions
5. Profiteering as a result of insider knowledge of district information or activities
6. Disclosing confidential and/or proprietary information to outside parties

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

7. Disclosing investment activities engaged in or contemplated by the district

(cf. 3430 - Investing)

8. Accepting or seeking anything of material value from contractors, vendors or persons providing services or materials to the district
9. Destroying, removing or inappropriately using of records, furniture, fixtures or equipment
10. Failing to provide financial records to authorized state or local entities
11. Any other dishonest or fraudulent act

AR 3400(b)

MANAGEMENT OF DISTRICT ASSETS/ACCOUNTS (continued)

The Superintendent or designee shall investigate reports of fraudulent activity in a manner that protects the confidentiality of the parties and the facts. All employees involved in the investigation shall be advised to keep information about the investigation confidential.

If an investigation substantiates the occurrence of a fraudulent activity, the Superintendent or designee shall issue a report to appropriate personnel and to the Board of Education. The final disposition of the matter and any decision to file a criminal complaint or refer the matter to the appropriate law enforcement and/or regulatory agency for independent investigation shall be made in consultation with legal counsel. The result of the investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate need to know.

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

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

Regulation
approved:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

AR 3440(a)

INVENTORIES

In order to provide for the proper control and conservation of district property, the Superintendent or designee shall maintain an inventory of equipment in accordance with law for the following:

1. All items currently valued in excess of \$500 (Education Code 35168)
2. All items purchased with federal funds that have a useful life of more than one year with an acquisition cost per unit of \$5,000 or more (34 CFR 80.3)

(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)

(cf. 3290 - Gifts, Grants and Bequests)

(cf. 3512 - Equipment)

The Superintendent or designee shall maintain an inventory of all property. The following information must be recorded: (Education Code 35168)

1. Name and description of the property
2. Name of titleholder
3. Serial number or other identification number
4. Cost of the property (a reasonable estimate may be used if original cost is unknown)
5. Acquisition date
6. Location of use
7. Any ultimate disposition data including the date and method of disposal and sale price

The following information must also be recorded for items acquired with federal funds: (34 CFR 80.32)

1. Source of the property (funding source)
2. Use and condition of property
3. Percentage of federal participation in the cost of the property

At least once every two years, a physical inventory shall be conducted and the results reconciled with the property records. (34 CFR 80.32)

AR 3440(b)

INVENTORIES (continued)

Each school shall maintain a copy of its inventory and provide a copy of this inventory to the district office. Copies of all district inventories shall be kept at the district office.

*Legal Reference:*EDUCATION CODE*35168 Inventory of equipment*CODE OF REGULATIONS, TITLE 5*3946 Control, safeguards, disposal of equipment purchased with state and federal consolidated application funds**16023 Class 1 - Permanent records**16035 Historical inventory of equipment*UNITED STATES CODE, TITLE 20*2301-2471 Carl D. Perkins Vocational Education Act*CODE OF FEDERAL REGULATIONS, TITLE 34*80.1-80.52 Uniform administration requirements for grants to state and local governments**Management Resources:*OFFICE OF MANAGEMENT AND BUDGET*Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, May 17, 1995*

Regulation
approved:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

BP 3452(a)

STUDENT ACTIVITY FUNDS

The Board of Education recognizes that student organizations can provide students with an opportunity to conduct worthwhile cocurricular activities beyond those provided by the district and can also help students learn about effective financial practices. To that end, student organizations may raise and spend funds to support activities that promote the general welfare, morale, and educational experiences of the student body.

(cf. 3260 - Fees and Charges)

(cf. 5000 - Concepts and Roles)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.5 - Student Organizations and Equal Access)

Fund-Raising Events

At the beginning of each school year, each principal or designee shall submit to the Superintendent or designee a list of the fund-raising events that each student organization proposes to hold that year. The Superintendent or designee shall review the proposed events and determine whether the events contribute to the educational experience and are not in conflict with or detract from the school's educational program. When reviewing proposed events, the Superintendent or designee shall consider the effects of the activities on student health and safety, evaluate the risk of liability to the district, and ensure that the proposed activities are in compliance with law, Board policy, and administrative regulation.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 3530 - Risk Management/Insurance)

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

(cf. 5142 - Safety)

(cf. 5143 - Insurance)

Management of Funds

Student body funds shall be managed in accordance with law and sound business procedures designed to encourage the largest possible educational return to students without sacrificing the security of funds.

The Superintendent or designee shall develop internal control procedures to safeguard the organization's assets, promote the success of fund-raising ventures, provide reliable financial information, and reduce the risk of fraud and abuse. These procedures shall detail the oversight of activities and funds including, but not limited to, the appropriate role and provision of training for staff and students, parameters for events on campus, appropriate and prohibited uses of funds, and accounting and record-keeping processes, including procedures for handling questionable expenditures.

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

BP 3452(b)

STUDENT ACTIVITY FUNDS (continued)

The principal or designee shall be responsible for the proper conduct of all student organization financial activities. The budget adopted by the student body organization should serve as the financial plan for the school year and shall be submitted to the Superintendent or designee at the beginning of each school year. The Superintendent or designee shall periodically review the organization's use of funds to ensure compliance with the district's internal control procedures.

Funds derived from the student body shall be disbursed according to procedures established by the student organization. All disbursements must be approved by a Board-designated official, the certificated employee who is the student organization advisor, and a student organization representative. (Education Code 48933)

The Board shall provide an annual audit of student accounts by a certified public accountant or licensed public accountant. The cost of the audit shall be paid from district funds. (Education Code 41020)

(cf. 3460 - *Financial Reports and Accountability*)

*Legal Reference:*EDUCATION CODE

35182.5 Non-nutritious foods and beverages, vending machines

35564 Funds, obligation of the student body

41020 Requirement for annual audit

48930-48938 Student body organization

49431 Sale of food and beverages, elementary school

49431.5 Sale of food and beverages, middle and high schools

51520 School premise, prohibited solicitations

51521 Fund-raising projects

CODE OF REGULATIONS, TITLE 5

15500 Food sales, elementary schools

15501 Food sales, middle and junior high schools

COURT DECISIONS

Prince v. Jacoby, (2002) 303 F.3d 1074

*Management Resources:*FISCAL CRISIS MANAGEMENT & ASSISTANCE TEAM PUBLICATIONS

Associated Student Body Accounting Manual & Desk Reference, 2005

WEB SITES

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

Fiscal Crisis Management & Assistance Team: <http://www.fcmat.org>

Business and Noninstructional Operations

BP 3460(a)

FINANCIAL REPORTS AND ACCOUNTABILITY

The Board of Education is committed to ensuring the fiscal health of the district and providing public accountability. The Board shall adopt sound fiscal policies, oversee the district's financial condition, and continually evaluate whether the district's budget and financial operations support the district's goals for student achievement.

(cf. 3100 - Budget)

(cf. 3110 - Transfer of Funds)

(cf. 3300 - Expenditures and Purchases)

(cf. 3430 - Investing)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 9000 - Role of the Board)

The Superintendent or designee shall provide the Board with financial reports throughout the year in accordance with law and as otherwise requested by the Board.

The Superintendent or designee shall ensure that all financial reports are prepared in accordance with law and in conformity with generally accepted accounting principles and financial reporting standards stipulated by the Governmental Accounting Standards Board and the California Department of Education. He/she shall establish a system of ongoing internal controls to ensure the reliability of financial reporting.

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

Based on financial reports provided by the Superintendent or designee and in accordance with law and administrative regulation, the Board shall:

1. Approve and file an annual statement of the district's receipts and expenditures for the preceding fiscal year (Education Code 42100)
2. Adopt a resolution identifying the district's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year (Education Code 42132; Government Code 7910)
3. Approve interim fiscal reports and certify whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and two subsequent fiscal years (Education Code 42130, 42131)
4. Provide for an annual audit, select an independent auditor, and review the audit report (Education Code 41020, 41020.3)

The independent auditor shall present the audit report to the Board at a public meeting and the Board shall have an opportunity to ask questions of the auditor and request further information about the audit findings.

BP 3460(b)

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)

The Board shall regularly communicate the district's financial position to the public and shall use financial reports to determine what actions and budget amendments, if any, are needed to ensure the district's financial stability.

If district conditions predict fiscal distress or indicate that the district might not be able to meet its fiscal obligations, the Board and Superintendent or designee shall act quickly to identify and resolve these conditions. The Board shall work cooperatively with the County Superintendent of Schools to improve the district's fiscal health and may contract with an external individual or organization to advise the district on fiscal matters.

*Legal Reference:*EDUCATION CODE

- 1240 Duties of County superintendent of schools
- 14500-14508 Financial and compliance audits
- 17150 Public disclosure of non-voter-approved debt
- 17170-17199.5 California School Finance Authority
- 33127 Standards and criteria for local budgets and expenditures
- 33128 Standards and criteria; inclusions
- 33129 Standards and criteria; use by local agencies
- 35035 Powers and duties of superintendent
- 41010-41023 Accounting system
- 41326 Emergency apportionment
- 41344 Repayment of apportionment significant audit exceptions
- 41344.1 Appeals of audit findings
- 41455 Examination of financial problems of local districts
- 42100-42105 Requirement to prepare and file annual statement
- 42120-42129 Budget requirements
- 42130-42134 Financial reports and certifications
- 42140-42142 Public disclosure of fiscal obligations
- 42637 County Superintendent review of district's financial and budgetary conditions
- 42652 Revocation or suspension of warrant authority

GOVERNMENT CODE

- 3540.2 School district; qualified or negative certification; proposed agreement review and comment
- 7900-7914 Appropriations limit
- 16429.1 Local agency investment fund
- 53646 Reports of investment policy and compliance

CODE OF REGULATIONS, TITLE 5

- 15060 Standardized account code structure
- 15070 Submission of reports using standardized account code structure
- 15440-15451 Criteria and standards for school district budgets
- 15453-15464 Criteria and standards for school district interim reports

Management Resources: (see next page)

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)*Management Resources:*CSBA PUBLICATIONS*Maximizing School Board Governance: Fiscal Accountability, 2006*CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS*New Financial Reporting Requirements for Postemployment Benefits Other than Pensions, February 26, 2007**1208.00 Audit Resolution Process: Repayment Plans*FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS*Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, September 2006*GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS*Statement 34, Basic Financial Statements and Management's Discussion and Analysis - For State and Local Governments, June 1999**Statement 45, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2004*U.S. GENERAL ACCOUNTING OFFICE AND PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY (PCIE) PUBLICATIONS*Financial Audit Manual, revised 2003*U.S. OFFICE OF MANAGEMENT AND BUDGET CIRCULARS*A-133 Audits of States, Local Governments, and Non-Profit Organizations*STATE CONTROLLER PUBLICATIONS*Standards and Procedures for Audits of California K-12 Local Educational Agencies (annual publication)*WEB SITES*CSBA: <http://www.csba.org>**California Association of School Business Officials: <http://www.casbo.org>**California County Superintendents Educational Services Association: <http://www.ccsesa.org>**California Department of Education, Finance and Grants: <http://www.cde.ca.gov/fg>**Education Audit Appeals Panel: <http://www.eaap.ca.gov>**Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>**Governmental Accounting Standards Board: <http://www.gasb.org>**School Services of California: <http://www.sscal.com>**State Controller's Office: <http://www.sco.ca.gov>**U.S. Government Accounting Office: <http://www.gao.gov>**U.S. Office of Management and Budget: <http://www.whitehouse.gov/omb>*

Business and Noninstructional Operations

AR 3460(a)

FINANCIAL REPORTS AND ACCOUNTABILITY**Unaudited Actual Receipts and Expenditures**

The Superintendent or designee shall prepare a statement of all unaudited actual receipts and expenditures of the district for the preceding fiscal year, using the state's standardized account code structure (SACS) as prescribed by the Superintendent of Public Instruction (SPI). On or before September 15, the Board of Education shall approve this statement and file it with the County Superintendent of Schools. (Education Code 42100)

Gann Appropriations Limit Resolution

The Board shall adopt a resolution by September 15 of each year to identify the estimated appropriations limit for the district for the current fiscal year and the actual appropriations limit of the district during the preceding year, as determined pursuant to Government Code 7900-7914. Documentation used to identify these limits shall be made available to the public on the day of the Board meeting. (Education Code 42132; Government Code 7910)

Interim Reports

The Superintendent or designee shall submit two interim fiscal reports to the Board, the first report covering the district's financial and budgetary status for the period ending October 31 and the second report covering the period ending January 31. The reports and supporting data shall also be made available by the district for public review. (Education Code 42130)

(cf. 1340 - Access to District Records)

The interim report shall include an assessment of the district budget as revised to reflect current information regarding the adopted state budget, district property tax revenues, if any, and ending balances for the preceding year. The review shall be based on criteria and standards adopted by the State Board of Education which address fund and cash balances, reserves, deficit spending, estimation of average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected revenue limit, salaries and benefits, other revenues and expenditures, and facilities maintenance. The review shall also consider supplemental information regarding contingent liabilities, use of one-time revenues for ongoing expenditures, contingent revenues, contributions, long-term commitments, unfunded liabilities, temporary interfund borrowings, the status of labor agreements, and the status of other funds. (Education Code 42130, 42131; 5 CCR 15453-15464)

Within 45 days after the close of the period reported, the Board shall approve the interim fiscal report and certify, on the basis of the interim report and any additional financial information known by the Board to exist at the time of certification, whether the district is able to meet its financial obligations for the remainder of the fiscal year and, based on current forecasts, for the subsequent fiscal year. The certification shall be classified as one of the following: (Education Code 42130, 42131)

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)

1. "Positive certification" indicating that the district will meet its financial obligations for the current fiscal year and two subsequent fiscal years
2. "Qualified certification" indicating that the district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years
3. "Negative certification" indicating that the district will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year

The Superintendent or designee shall submit a copy of the interim report and certification to the County Superintendent using the state's SACS, as prescribed by the SPI. (Education Code 42130, 42131)

If the district submits a positive certification that is subsequently changed by the County Superintendent to a qualified or negative certification, the district may appeal the decision to the SPI within five days of receiving the notice of change. (Education Code 42131)

Whenever the district receives a qualified or negative certification as determined by the Board or the County Superintendent, it shall cooperate in the implementation of any remedial actions taken by the County Superintendent under the authority granted to him/her pursuant to Education Code 42131.

Whenever the County Superintendent conducts a comprehensive review of the district's financial and budgetary conditions after determining that the district's budget does not comply with state standards and criteria for fiscal stability, the Board shall review the County Superintendent's recommendations at a public Board meeting. Within 15 days of receiving the report, the district shall notify the County Superintendent and the SPI of its proposed actions on the recommendations. (Education Code 42637)

If the second interim report of the fiscal year is accompanied by a qualified or negative certification as determined by the Board or the County Superintendent, the Superintendent or designee shall, no later than June 1, provide to the County Superintendent, the State Controller, and the SPI a financial statement that reports data for the period ending April 30 and projects the district's fund and cash balances as of June 30. (Education Code 42131)

Audit Report

By April 1 of each year, the Board shall provide for an audit of the district's books and accounts or the County Superintendent shall make arrangements to provide for that audit. (Education Code 41020)

The Superintendent or designee shall establish a timetable for the completion and review of the audit within the deadlines established by law.

AR 3460(c)

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)

To conduct the audit, the Board shall select a certified public accountant or public accountant licensed by the State Board of Accountancy from among those deemed qualified by the State Controller. (Education Code 41020, 41020.5)

The Board shall not select any public accounting firm to provide audit services if the lead audit partner or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for the district in each of the six previous fiscal years. (Education Code 41020)

While a firm is performing the audit of the district, it shall not provide any nonauditing, management, or other consulting services for the district except as provided in Government Accounting Standards, Amendment #3, published by the U.S. Government Accounting Office. (Education Code 41020)

The audit shall include an audit of income and expenditures by source of funds for all funds of the district, including the student body and cafeteria funds and accounts and any other funds under the control or jurisdiction of the district, as well as an audit of student attendance procedures. (Education Code 41020)

(cf. 3430 - Investing)

(cf. 3451 - Petty Cash Funds)

(cf. 3452 - Student Activity Funds)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

The district's audited financial report shall include:

1. Management's discussion and analysis, which shall introduce the basic financial statements and provide an analytical overview of the district's financial activities, including:
 - a. An objective and easily readable analysis of the district's financial activities based on currently known facts, decisions, and conditions
 - b. Comparisons of the current year to the prior year
 - c. An analysis of the district's overall financial position, enabling a determination as to whether that position has improved or deteriorated as a result of the year's activities
 - d. An analysis of significant changes that occur in funds and significant budget variances
 - e. A description of capital asset and long-term debt activity during the year

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)

- f. A description of currently known facts, decisions, and conditions that are expected to have a significant effect on the district's financial position
2. Basic financial statements, including:
 - a. Districtwide financial statements, consisting of a statement of net assets and a statement of activities which report all of the assets, liabilities, revenues, expenses, and gains and losses of the district
 - b. Fund financial statements, consisting of a series of statements that focus on information about the district's major governmental and enterprise funds, including its blended component units
 - c. Notes to the financial statements that are essential to a user's understanding of the basic financial statements
3. Supplementary information required by the Governmental Standards Accounting Board (GASB), including, but not limited to, budgetary comparison schedules

By January 31 of each year, the Board shall review, at an open meeting, the annual district audit for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or any issue raised in a management letter. (Education Code 41020.3)

(cf. 9322 - Agenda/Meeting Materials)

To the extent possible, the Board's review shall occur prior to December 15 to provide the Board and the community an opportunity to review the audit before it is submitted to local and state agencies.

No later than December 15, the Superintendent or designee shall file the report of the audit for the preceding fiscal year with the County Superintendent, the California Department of Education, and the State Controller. (Education Code 41020)

If an audit finding results in the district being required to repay an apportionment or pay a penalty, the district may appeal the finding to the Education Audit Appeals Panel by making an informal, summary appeal within 30 days of receiving the final audit report or initiating a formal appeal within 60 days of receiving the report. (Education Code 41344, 41344.1)

AR 3460(e)

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)**Negative Balance Report**

Whenever the district reports a negative unrestricted fund balance or a negative cash balance in its annual budget or annual audit report, it shall include in the budget a statement that identifies the reasons for the negative unrestricted fund balance or negative cash balance and the steps that have been taken to ensure that the negative balance will not occur at the end of the current fiscal year. (Education Code 42127.5)

Non-Voter-Approved Debt Report

Upon approval by the Board to proceed with the issuance of revenue bonds or any agreement for financing school construction pursuant to Education Code 17170-17199.5, the Superintendent or designee shall notify the County Superintendent and the county auditor. The Superintendent or designee shall provide the Board, the county auditor, the County Superintendent, and the public with related repayment schedules and evidence of the district's ability to repay the obligation. (Education Code 17150)

In the case of certificates of participation and other debt instruments that are secured by real property and do not require the approval of the voters of the district, notice shall be provided to the County Superintendent and county auditor no later than 30 days before the Board's approval to proceed with issuance. The Superintendent or designee shall provide the Board, the county auditor, the County Superintendent, and the public with information necessary to assess the anticipated effect of the debt issuance, including related repayment schedules, evidence of the district's ability to repay the obligation, and the issuance costs. (Education Code 17150.1)

Other Postemployment Benefits Report (GASB 45)

In accordance with GASB Statement 45, the district's financial statements shall report the annual expense of nonpension other postemployment benefits (OPEBs) on an accrual basis over the retiree's active working lifetime, as determined by a qualified actuary procured by the Superintendent or designee. To the extent that these OPEBs are not prefunded, the district shall report a liability on its financial statements.

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

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

The Superintendent or designee shall annually present the estimated accrued but unfunded cost of OPEBs and the actuarial report upon which those costs are based at a public meeting of the Board. (Education Code 42140)

The amount of the district's financial obligation for OPEBs shall be reevaluated every two or three years in accordance with GASB 45 depending on the number of members in the OPEB plan.

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)**Workers' Compensation Claims Report**

The Superintendent or designee shall annually provide the Board, at a public meeting, information and related actuarial reports showing the estimated accrued but unfunded cost of workers' compensation claims. The estimate of costs shall be based on an actuarial report completed at least every three years by a qualified actuary. (Education Code 42141)

Regulation
approved:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

BP 3511(a)

ENERGY AND WATER MANAGEMENT

The Board of Education recognizes the importance of minimizing the district's use of natural resources, providing a high-quality environment that promotes health and productivity, and effectively managing the district's fiscal resources. To that end, the Superintendent or designee shall develop a resource management program which includes strategies for implementing effective and sustainable resource practices, exploring renewable and clean energy technologies, reducing energy and water consumption, minimizing utility costs, reducing the amount of waste of consumable materials, encouraging recycling and green procurement practices, and promoting conservation principles.

(cf. 3100 - Budget)

(cf. 3300 - Expenditures and Purchases)

(cf. 3511.1 - Integrated Waste Management)

(cf. 3512 - Equipment)

(cf. 6142.5 - Environmental Education)

The Superintendent or designee shall regularly inspect district facilities and operations and make recommendations for maintenance and capital expenditures which may help the district reach its conservation and management goals.

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

Legal Reference: (see next page)

ENERGY AND WATER MANAGEMENT (continued)*Legal Reference:*EDUCATION CODE*41422 School term or session length, failure to comply due to disaster**46392 Emergency conditions; ADA estimate*PUBLIC RESOURCES CODE*25410-25421 Energy conservation assistance*WATER CODE*13383.5 Storm water discharge monitoring requirements*CODE OF REGULATIONS, TITLE 23*2200 Discharge permit fees*UNITED STATES CODE, TITLE 33*1342 National pollutant discharge elimination system*CODE OF FEDERAL REGULATIONS, TITLE 40*122.1-122.64 National pollutant discharge elimination system**Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT ADVISORIES*0118.01 California's Energy Challenge**0706.90 Water Conservation Advisory, 90-09**0222.90 Average Daily Attendance Credit During Periods of Emergency 90-01*WEB SITES*CSBA: <http://www.csba.org>**Alliance to Save Energy: <http://www.ase.org>**California Department of Education, Facilities: <http://www.cde.ca.gov/ls/fa>**California Energy Commission: <http://www.energy.ca.gov>**California State Water Resources Control Board: <http://www.swrcb.ca.gov>**Department of General Resources, Green California, Sustainable Schools:**<http://www.green.ca.gov/GreenBuildings/schools>*

Business and Noninstructional Operations

BP 3513.1

CELLULAR PHONE REIMBURSEMENT

The Board of Education understands that cellular phones and other mobile communications devices are an efficient and important method of conducting district business and can help to ensure the safety and security of staff, students, and others, as well as helping to protect district property.

(cf. 0450 - Comprehensive Safety Plan)
 (cf. 3515 - Campus Security)
 (cf. 3516 - Emergencies and Disaster Preparedness Plan)
 (cf. 4040 - Employee Use of Technology)
 (cf. 5131 - Conduct)

The Superintendent or designee shall determine, in accordance with administrative regulation, whether an employee needs a cell phone and/or other mobile communications device in order to perform his/her job responsibilities.

(cf. 3542 - School Bus Drivers)
 (cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

*Legal Reference:*EDUCATION CODE

35213 Reimbursement for loss or damage of personal property

44032 Travel expense payment

48901.5 Electronic signaling devices

VEHICLE CODE

23123 Wireless telephones in vehicles

23125 Wireless telephones in school buses

CODE OF FEDERAL REGULATIONS, TITLE 26

1.132-5 Working conditions fringe benefit

*Management Resources:*WEB SITESInternal Revenue Service: <http://www.irs.gov>

Business and Noninstructional Operations

AR 3513.1(a)

CELLULAR PHONE REIMBURSEMENT

The district may provide an allowance to an employee for the use of his/her personally owned cell phone or mobile communications device for district-related business. The allowance shall be based on the business requirements of the employee. The allowance shall be given to the employee, who shall be responsible for payments to the service provider.

The district may purchase cell phones or other mobile communications devices for use by employees for district-related business.

Employees who are not provided an allowance or district-owned mobile communications devices may be reimbursed for the actual expenses of business-related calls made on their personally owned equipment, in accordance with the district's expense reimbursement procedures.

The Superintendent or designee shall determine if an employee requires a cell phone or other mobile communications device for the efficient performance of his/her job responsibilities. Factors that will be considered include, but are not limited to, whether the employee's job responsibilities require:

1. An ability to communicate frequently and access to a district telephone is not readily available
2. An ability to communicate immediately to ensure the safety of district staff and students, or the security of district property
3. An ability to be accessible due to frequent travel or work outside of the office

The Superintendent or designee shall develop a uniform system for identifying employee cell phone or mobile communications device needs and the most cost effective method of providing necessary equipment to employees. He/she shall also develop a system for monitoring employee use and reimbursement of costs.

If an employee misuses the cell phone or other mobile communications device or leaves district employment, he/she shall be responsible for fees or charges associated with cancellation of the service contract.

If the Superintendent or designee determines that an employee no longer needs a cell phone or other mobile communications device to perform his/her job responsibilities, any fees or charges associated with cancellation of the service contract shall be the responsibility of the district.

(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

AR 3513.1(b)

CELLULAR PHONE REIMBURSEMENT (continued)**Documentation of Records for Tax Purposes**

When an employee receives a monthly allowance for the use of his/her personally owned cell phone or mobile communications device, the amount of the allowance shall be reported as taxable income by the district and the employee. (26 CFR 1.132-5)

If an employee receives a district-owned cell phone or mobile communications device, the fair market value of the device (one-time value) plus the ongoing, monthly services charges shall be reported as taxable income by the district and the employee. (26 CFR 1.132-5)

Regulation
approved:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

BP 3513.3

TOBACCO-FREE SCHOOLS

The Board of Education recognizes the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, and desires to provide a healthy environment for students and staff.

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

(cf. 5131.62 - Tobacco)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

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 instructional program, activity or athletic event.

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

LABOR CODE

6404.5 Occupational safety and health: use of tobacco products

UNITED STATES CODE, TITLE 20

6083 Nonsmoking policy for children's services

7111-7117 Safe and Drug Free Schools and Communities Act

PERB 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

CDE: <http://www.cde.ca.gov>

California Department of Health Services: <http://www.dhs.ca.gov>

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

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

Policy
adopted:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

AR 3513.3

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)

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

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.

(cf. 4118 - Suspension/Disciplinary Action)

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

(cf. 5144 - Discipline)

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

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)

Business and Noninstructional Operations

AR 3514.2(a)

INTEGRATED PEST MANAGEMENT**Definition**

Integrated Pest Management (IPM) means a strategy that focuses on long-term prevention or suppression of pest problems through a combination of techniques such as monitoring for pest presence and establishing treatment threshold levels, using nonchemical practices to make the habitat less conducive to pest development, improving sanitation, and employing mechanical and physical controls. Pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment are used only after careful monitoring indicates they are needed according to pre-established guidelines and treatment thresholds. (Food and Agricultural Code 13181)

Procedures

The Superintendent or designee shall designate a staff person to develop, implement, and coordinate an IPM program that incorporates effective, least toxic pest management practices. The district's program shall include the following elements:

1. Carefully monitoring and identifying the pest population levels and identifying practices that could affect pest populations. Strategies for managing the pest shall be influenced by the pest species and whether that species poses a threat to people, property, or the environment.
2. Setting action threshold levels to determine when pest populations or vegetation at a specific location might cause unacceptable health or economic hazard that would indicate corrective action should be taken.
3. Modifying or eliminating pest habitats to deter pest populations and minimize pest infestations.
4. Considering a full range of possible alternative treatments. Such alternative treatments may include taking no action or controlling the pest by physical, horticultural, or biological methods. Cost or staffing considerations alone will not be adequate justification for use of chemical control agents.
5. Selecting nonchemical pest management methods over chemical methods whenever such methods are effective in providing the desired control or, when it is determined that chemical methods must be used, giving preference to those chemicals that pose the least hazard to people and the environment.
6. Ensuring that persons applying pesticides follow label precautions and are trained in the principles and practices of IPM.

(cf. 4231 - Staff Development)

AR 3514.2(b)

INTEGRATED PEST MANAGEMENT (continued)

7. Limiting pesticide purchases to amounts needed for the year. Pesticides shall be stored at a secure location that is not accessible to students and unauthorized staff. They shall be stored and disposed of in accordance with state regulations and label directions registered with the U.S. Environmental Protection Agency (EPA) as well as any disposal requirements indicated on the product label.

(cf. 3514.1 - Hazardous Substances)

Prohibited Pesticides

The IPM Coordinator shall not use a pesticide on a school site if that pesticide has been granted a conditional or interim registration or an experimental use permit by the California Department of Pesticide Regulation (DPR) or if the pesticide is subject to an experimental registration issued by the EPA and either of the following conditions exists: (Education Code 17610.1)

1. The pesticide contains a new active ingredient.
2. The pesticide is for new use.

In addition, the IPM Coordinator shall not use a pesticide on a school site if DPR cancels or suspends registration or requires that the pesticide be phased out from use. (Education Code 17610.1)

Notifications

The IPM Coordinator shall annually notify staff and parents/guardians of students enrolled at a school site, in writing, regarding pesticide products expected to be applied at the school facility in the upcoming year. The notification shall include at least the following: (Education Code 17612)

1. The Internet address (<http://www.schoolipm.info>) used to access information on pesticides and pesticide use reduction developed by the DPR pursuant to Food and Agricultural Code 13184.
2. The name of each pesticide product expected to be applied in the upcoming year and the active ingredient(s) in it.
3. An opportunity for interested persons to register to receive notification of individual pesticide application at the school site. The IPM Coordinator shall notify such registered persons of individual pesticide applications at least 72 hours prior to the application. The notice shall include the product name, the active ingredient(s) in the product, and the intended date of application.

INTEGRATED PEST MANAGEMENT (continued)

4. Other information deemed necessary by the Superintendent or IPM Coordinator.

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3517 - Facilities Inspection)

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

(cf. 5145.6 - Parental Notifications)

If a pesticide product not included in the annual notification is subsequently intended for use at a school site, the IPM Coordinator shall provide written notification of its intended use to staff and parents/guardians of students enrolled at the school, at least 72 hours prior to the application. (Education Code 17612)

Whenever the IPM Coordinator deems that the immediate use of a pesticide is necessary to protect the health and safety of students, staff, or other persons at the school site, he/she shall make every effort to provide the required notifications prior to the application of the pesticide. (Education Code 17612)

(cf. 3514 - Environmental Safety)

Posting of Warning Signs

The IPM Coordinator shall post a warning sign at each area of the school site where pesticides will be applied that shall be visible to all persons entering the treated area. The sign shall be posted at least 24 hours prior to the application and until 72 hours after the application. The warning sign shall display the following information: (Education Code 17612)

1. The term "Warning/Pesticide Treated Area"
2. The product name, manufacturer's name, and the EPA's product registration number
3. Intended areas and dates of application
4. Reason for the pesticide application

When advance posting is not possible due to an emergency condition requiring immediate use of a pesticide, the warning sign shall be posted immediately upon application and shall remain posted until 72 hours after the application. (Education Code 17609, 17612)

AR 3514.2(d)

INTEGRATED PEST MANAGEMENT (continued)**Records**

Each school site shall maintain records of all pesticide use at the school for four years, and shall make the information available to the public, upon request, in accordance with the California Public Records Act. Such records may be maintained by retaining a copy of the warning sign posted for each pesticide application with a recording on that copy of the amount of the pesticide used. (Education Code 17611)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Legal Reference:EDUCATION CODE

17366 Legislative intent (fitness of buildings for occupancy)

17608-17613 Healthy Schools Act of 2000

48980 Notice at beginning of term

48980.3 Notification of pesticides

FOOD AND AGRICULTURAL CODE

11401-12408 Pest control operations and agricultural chemicals

13180-13188 Healthy Schools Act of 2000

GOVERNMENT CODE

3543.2 Scope of representation; right to negotiate safety conditions

6250-6270 California Public Records Act

CODE OF REGULATIONS, TITLE 8

340-340.2 Employer's obligation to provide safety information

UNITED STATES CODE, TITLE 7

136-136y Insecticide, Fungicide and Rodenticide Act

Management Resources:U.S. ENVIRONMENTAL PROTECTION AGENCY

Pest Control in the School Environment: Adopting Integrated Pest Management, 1993

WEB SITES

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

California Department of Pesticide Regulation, School IPM: <http://schoolipm.info>

U.S. Environmental Protection Agency, Integrated Pest Management at Schools:

<http://www.epa.gov/pesticides/ipm>

Business and Noninstructional Operations

BP 3515(a)

CAMPUS SECURITY

The Board of Education is committed to providing a school environment that promotes the safety of students, employees, and visitors to school grounds. The Board also recognizes the importance of protecting district property, facilities, and equipment from vandalism and theft.

The Superintendent or designee shall develop campus security procedures which are consistent with the goals and objectives of the district's comprehensive safety plan and site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

(cf. 0450 - Comprehensive Safety Plan)

Surveillance Systems

The Board believes that reasonable use of surveillance cameras will help the district achieve its goals for campus security. In consultation with the safety planning committee and relevant staff, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Any audio capability on the district's surveillance equipment shall be disabled so that sounds are not recorded.

(cf. 5131.1 - Bus Conduct)

(cf. 5145.12 - Search and Seizure)

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at conspicuous locations at affected school buildings and grounds. These signs shall inform students, staff, and visitors that surveillance may occur and shall state whether the district's system is actively monitored by school personnel. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the district's surveillance system, including the locations where surveillance may occur, explaining that the recordings may be used in disciplinary proceedings, and that matters captured by the camera may be referred to local law enforcement, as appropriate.

(cf. 5144 - Discipline)

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

To the extent that any images from the district's surveillance system create a student or personnel record, the Superintendent or designee shall ensure that the images are accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

BP 3515(b)

CAMPUS SECURITY (continued)

(cf. 4112.6/4212.6/4312.6 - Personnel Records)
 (cf. 5125 - Student Records)
 (cf. 5125.1 - Release of Directory Information)

Legal Reference:**EDUCATION CODE**

32020 Access gates
 32211 Threatened disruption or interference with classes
 32280-32288 School safety plans
 35160 Authority of governing boards
 35160.1 Broad authority of school districts
 38000-38005 Security patrols
 49050-49051 Searches by school employees
 49060-49079 Student records

PENAL CODE

469 Unauthorized making, duplicating or possession of key to public building
 626-626.10 Disruption of schools

CALIFORNIA CONSTITUTION

Article 1, Section 28(c) Right to Safe Schools

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

COURT DECISIONS

New Jersey v. T.L.O. (1985) 469 U.S. 325

ATTORNEY GENERAL OPINIONS

83 *Ops.Cal.Atty.Gen.* 257 (2000)

75 *Ops.Cal.Atty.Gen.* 155 (1992)

Management Resources:**CSBA PUBLICATIONS**

Protecting Our Schools: Board of Education Strategies to Combat School Violence, 1999

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS

The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies, 1999

WEB SITES

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

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ss>

National Institute of Justice: <http://www.ojp.usdoj.gov/nij>

Business and Noninstructional Operations

AR 3515(a)

CAMPUS SECURITY

The Superintendent or designee shall ensure that the district's campus security plan includes strategies to:

1. Secure the campus perimeter and school facilities in order to prevent criminal activity

These strategies include a risk management analysis of each campus' security system, lighting system, and fencing. Procedures to ensure unobstructed views and eliminate blind spots caused by doorways and landscaping shall also be considered. In addition, parking lot design may be studied, including methods to discourage through traffic.

2. Secure buildings from outsiders and discourage trespassing

These strategies may include requiring visitor registration, staff and student identification tags, and patrolling of places used for congregating and loitering.

(cf. 1250 - Visitors/Outsiders)
(cf. 3515.2 - Disruptions)
(cf. 5112.5 - Open/Closed Campus)

3. Discourage vandalism and graffiti

These strategies may include plans to immediately cover graffiti as well as campus beautification projects and shall also include students and the community in these projects.

(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5131.5 - Vandalism, Theft and Graffiti)
(cf. 5137 - Positive School Climate)

4. Control access to keys and other school inventory

(cf. 3440 - Inventories)

5. Detect and intervene with school crime

These strategies may include the creation of a school watch program, an anonymous crime reporting system, analysis of school crime incidents, and collaboration with local law enforcement agencies, including providing for law enforcement presence.

(cf. 3515.3 - District Police/Security Department)
(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5145.9 - Hate-Motivated Behavior)

AR 3515(b)

CAMPUS SECURITY (continued)

All staff shall receive training in building and grounds security procedures.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Keys

All keys used in a school shall be the responsibility of the principal or designee. Keys shall be issued only to those employees who regularly need a key in order to carry out normal activities of their position.

The principal or designee shall create a key control system with a record of each key assigned and room(s) or building(s) which the key opens.

Keys shall be used only by authorized employees and shall never be loaned to students. The master key shall not be loaned.

The person issued a key shall be responsible for its safekeeping. The duplication of school keys is prohibited. If a key is lost, the person responsible shall immediately report the loss to the principal or designee and shall pay for a replacement key.

Loss of a master key may result in the re-keying of a building/site. This cost may be charged to the person responsible for the loss of the key(s).

Business and Noninstructional Operations

BP 3515.4

RECOVERY FOR PROPERTY LOSS OR DAMAGE

The Board of Education shall seek reimbursement of damages and rewards from any individual or from the custodial parent/guardian of any minor who commits any act of theft or vandalism.

(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

(cf. 4158/4258/4358 - Employee Security)

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

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 5136 - Gangs)

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

Rewards

If law enforcement officials are unable to fix responsibility for the theft or vandalism, the Board may authorize a reward in any amount it deems appropriate for information leading to the identification and apprehension of the guilty party.

A reward shall be paid only when the guilt of the person responsible for the crime has been established by a criminal conviction or other appropriate judicial procedures.

*Legal Reference:*EDUCATION CODE

19910 Libraries, malicious cutting, tearing, defacing, breaking or injuring

19911 Libraries, willful detention of property

44810 Willful interference with classroom conduct

48904 Liability of parent or guardian for willful misconduct; withholding of grades, diplomas and transcripts

CIVIL CODE

1714.1 Liability of parent or guardian for act of willful misconduct by a minor

GOVERNMENT CODE

53069.5 Reward for information concerning person causing death, injury, or property damage; liability for reward

53069.6 Actions to recover damages

54951 Local agency, definition

61601.1 Graffiti abatement district 3541.2

PENAL CODE

484 Theft defined

594 Vandalism

594.1 Aerosol paint and etching cream

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti

Business and Noninstructional Operations

AR 3515.4

RECOVERY FOR PROPERTY LOSS OR DAMAGE**Reports**

District employees shall report all damage or loss of school property to the principal or designee immediately after such damage or loss is discovered. In those instances in which insurance reimbursement may be involved, the principal or designee shall contact the appropriate district official.

(cf. 3530 - Risk Management/Insurance)

(cf. 5131.5 - Vandalism, Theft and Graffiti)

Investigation

The Superintendent or designee shall ensure that a complete investigation is conducted at the site where the vandalism occurred.

The principal or designee shall conduct a complete investigation of any instance of damage or loss of school property. The investigation shall be carried out in cooperation with law enforcement officials when appropriate.

(cf. 3515.3 - District Police/Security Department)

Recovery of Damages

When the person causing the damage or loss has been identified and the costs of repair, replacement or cleanup determined, the Superintendent or designee shall take all practical and reasonable steps to recover these costs, including consulting district's legal counsel if necessary. Reasonable steps may include the filing of a civil complaint in a court of competent jurisdiction to recover damages from the responsible person.

If the responsible person is a minor, recovery may be sought from the minor's custodial parent/guardian in accordance with Education Code 48904.

Damages may include the cost of repair or replacement of the property, the payment of any reward, interest, court costs and all other damages as provided by law.

Payment of Reward

When authorized according to Board of Education policy, the reward shall be paid to the party who provides information sufficient to identify and apprehend the person or persons subsequently found responsible for the damage or loss. If more than one informant provides information, the reward shall be divided among the informants. The Superintendent or designee shall determine who is entitled to what portion of the reward. The identity of the informant shall be considered confidential and shall not be made public by the district.

Regulation
approved:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

BP 3516(a)

EMERGENCIES AND DISASTER PREPAREDNESS PLAN

The Board of Education recognizes that all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster.

The Superintendent or designee shall develop and maintain a disaster preparedness plan which details provisions for handling emergencies and disasters and which shall be included in the district's comprehensive school safety plan. (Education Code 32282)

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516.3 - Earthquake Emergency Procedure System)

The Superintendent or designee shall also develop and maintain emergency plans for each school site.

In developing the district and school emergency plans, the Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators.

The Superintendent or designee shall use state-approved Standardized Emergency Management System guidelines and the National Incident Command System when updating district and site-level emergency and disaster preparedness plans.

The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services they deem necessary to meet the community's needs. (Education Code 32282)

(cf. 1330 - Use of School Facilities)

School employees are considered disaster service workers and are subject to disaster service activities assigned to them. (Government Code 3100)

(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)
(cf. 4119.3/4219.3/4319.3 - Duties of Personnel)

Legal Reference: (see next page)

BP 3516(b)

EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)*Legal Reference:*EDUCATION CODE

32001 Fire alarms and drills

32040 Duty to equip school with first aid kit

32280-32289 School safety plans

32290 Safety devices

39834 Operating overloaded bus

46390-46392 Emergency average daily attendance in case of disaster

49505 Natural disaster; meals for homeless students; reimbursement

GOVERNMENT CODE

3100 Public employees as disaster service workers

8607 Standardized emergency management system

CODE OF REGULATIONS, TITLE 5

550 Fire drills

560 Civil defense and disaster preparedness plans

CODE OF REGULATIONS, TITLE 19

2400-2450 Standardized emergency management system

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

*Management Resources:*CSBA PUBLICATIONS*Avian Influenza, Governance and Policy Services Fact Sheet, April 2006**911! A Manual for Schools and the Media During a Campus Crisis, 2001*CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS*Pandemic Influenza Planning Checklist, 2006*CONTRA COSTA COUNTY OFFICE OF EDUCATION*Pandemic Flu School Action Kit, June 2006*GOVERNOR'S OFFICE OF EMERGENCY SERVICES*School Emergency Response: Using SEMS at Districts and Sites, June 1998*U.S. DEPARTMENT OF EDUCATION PUBLICATIONS*Practical Information on Crisis Planning: A Guide for Schools and Communities, May 2003*WEB SITESCSBA: <http://www.csba.org>American Red Cross: <http://www.redcross.org>California Department of Education, Crisis Preparedness: <http://www.cde.ca.gov/ls/ss/cp>California Office of Emergency Services: <http://www.oes.ca.gov>California Seismic Safety Commission: <http://www.seismic.ca.gov>Centers for Disease Control and Prevention: <http://www.cdc.gov>

Contra Costa County Office of Education, Pandemic influenza resources:

http://www.cccoe.k12.ca.us/about/flu/resources_flu_action_kitFederal Emergency Management Agency: <http://www.fema.gov>

U.S. Department of Education, Emergency Planning:

<http://www.ed.gov/admins/lead/safety/emergencyplan>U.S. Department of Homeland Security: <http://www.dhs.gov>

Business and Noninstructional Operations

AR 3516(a)

EMERGENCIES AND DISASTER PREPAREDNESS PLAN**Components of the Plan**

The Superintendent or designee shall ensure that district and school site plans address, at a minimum, the following types of emergencies and disasters:

1. Fire on or off school grounds which endangers students and staff

(cf. 3516.1 - Fire Drills and Fires)

2. Earthquake or other natural disasters

(cf. 3516.3 - Earthquake Emergency Procedure System)

3. Environmental hazards

(cf. 3514 - Environmental Safety)

(cf. 3514.2 - Integrated Pest Management)

4. Attack or disturbance, or threat of attack or disturbance, by an individual or group

(cf. 3515 - Campus Security)

(cf. 3515.2 - Disruptions)

(cf. 5131.4 - Student Disturbances)

5. Bomb threat or actual detonation

(cf. 3516.2 - Bomb Threats)

6. Biological, radiological, chemical, and other activities, or heightened warning of such activities

7. Medical emergencies and quarantines, such as a pandemic influenza outbreak

(cf. 5141.22 - Infectious Diseases)

The Superintendent or designee shall ensure that the district's procedures include strategies and actions for prevention/mitigation, preparedness, response, and recovery, including, but not limited to, the following:

1. Regular inspection of school facilities and equipment and identification of risks

(cf. 3530 - Risk Management/Insurance)

2. Instruction and practice for students and employees regarding emergency plans, including:

AR 3516(b)

EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

- a. Training of staff in first aid and cardiopulmonary resuscitation
- b. Regular practice of emergency procedures by students and staff

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

- 3. Specific determination of roles and responsibilities of staff during a disaster or other emergency, including determination of:
 - a. The appropriate chain of command at the district and, if communication between the district and site is not possible, at each site
 - b. Individuals responsible for specific duties
 - c. Designation of the principal for the overall control and supervision of activities at each school during the emergency, including authorization to use his/her discretion in situations which do not permit execution of prearranged plans
 - d. Identification of at least one person at each site who holds a valid certificate in first aid and cardiopulmonary resuscitation
 - e. Assignment of responsibility for identification of injured persons and administration of first aid
- 4. Personal safety and security, including:
 - a. Identification of areas of responsibility for supervision of students
 - b. Procedures for evacuation of students and staff, including posting of evacuation routes
 - c. Procedures for release of students, including a procedure to release students when reference to the emergency card is not feasible

*(cf. 5141 - Health Care and Emergencies)**(cf. 5142 - Safety)*

- d. Identification of transportation needs, including a plan which allows bus seating capacity limits to be exceeded when a disaster or hazard requires students to be moved immediately to ensure their safety

EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

(cf. 3543 - Transportation Safety and Emergencies)

- e. Provision of a first aid kit to each classroom
- f. Arrangements for students and staff with special needs

(cf. 4032 - Reasonable Accommodation)

(cf. 6159 - Individualized Education Program)

- g. Upon notification that a pandemic situation exists, adjustment of attendance policies for students and sick leave policies for staff with known or suspected pandemic influenza or other infectious disease

(cf. 4161.1/4361.1 - Personal Illness/ Injury Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

(cf. 5113 - Absences and Excuses)

(cf. 6183 - Home and Hospital Instruction)

5. Closure of schools, including an analysis of:

- a. The impact on student learning and methods to ensure continuity of instruction
- b. How to provide for continuity of operations for essential central office functions, such as payroll and ongoing communication with students and parents/guardians

(cf. 3516.5 - Emergency Schedules)

6. Communication among staff, parents/guardians, the Board of Education, other governmental agencies, and the media during an emergency, including:

- a. Identification of spokesperson(s)

(cf. 1112 - Media Relations)

- b. Development and testing of communication platforms, such as hotlines, telephone trees, and web sites

(cf. 1113 - District and School Web Sites)

- c. Development of methods to ensure that communications are, to the extent practicable, in a language and format that is easy for parents/guardians to understand

AR 3516(d)

EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

- d. Distribution of information about district and school site emergency procedures to staff, students, and parents/guardians
- 7. Cooperation with other state and local agencies, including:
 - a. Development of guidelines for law enforcement involvement and intervention
 - b. Collaboration with the local health department, including development of a tracking system to alert the local health department to a substantial increase of student or staff absenteeism as indicative of a potential outbreak of an infectious disease

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

- 8. Steps to be taken after the disaster or emergency, including:
 - a. Inspection of school facilities
 - b. Provision of mental health services for students and staff, as needed

(cf. 6164.2 - Guidance/Counseling Services)

Business and Noninstructional Operations

BP 3516.5

EMERGENCY SCHEDULES

In order to provide for the safety of students and staff, the Board of Education authorizes the Superintendent or designee to close a school site, to change the regular school day schedule, or to take any necessary action when adverse weather conditions or other emergencies warrant.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 5142 - Safety)
(cf. 6112 - School Day)

The Superintendent or designee shall establish a system for informing students and parents/guardians when school buses are not operating or when the school day schedule is changed or the school is closed.

(cf. 3542 - School Bus Drivers)
(cf. 3543 - Transportation Safety and Emergencies)

In the event that students arrive at school when the school day schedule changes or the schedule changes after school has begun, the Superintendent or designee shall ensure that supervision is provided in accordance with the procedures specified in the district's emergency and disaster preparedness plan.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3516.1 - Fire Drills and Fires)
(cf. 3516.2 - Bomb Threats)
(cf. 3516.3 - Earthquake Emergency Procedure System)

The Superintendent or designee may provide a means to compensate for lost instructional time later during the year. Students and parents/guardians shall receive timely advanced notice of any resulting changes in the school calendar or school day schedule.

(cf. 6111 - School Calendar)

*Legal Reference:*EDUCATION CODE

41422 Schools not maintained for 175 days
 46010 Total days of attendance
 46100-46192 Attendance; maximum credit; minimum day
 46390 Calculation of ADA in emergency
 46392 Decreased attendance in emergency situation

VEHICLE CODE

34501.6 School buses; reduced visibility

Policy
 adopted:

ALBANY UNIFIED SCHOOL DISTRICT
 Albany, California

Business and Noninstructional Operations

BP 3530(a)

RISK MANAGEMENT/INSURANCE

The Board of Education strongly supports a risk management program that protects district resources and promotes the safety of students, staff and the public.

The Superintendent or designee shall establish a risk management program that uses effective safety and loss control practices. The district shall strive to keep its liability at a minimum and its insurance premiums as low as possible while maintaining adequate protection. To determine the most economical means of insuring the district consistent with required services, the Superintendent or designee shall annually review the district's options for obtaining coverage, including qualified insurance agents, a joint powers agency, self-insurance or a combination of these means.

The Board reserves the right to remove an insurance agent-of-record or a participating agent whenever, in the judgment of the Board, such action becomes desirable for the best interests of the district.

To attempt to minimize the district's exposure to liability, the Board shall adopt clear policies related to discrimination, harassment, safety procedures, and the timely handling of claims. The Superintendent or designee shall ensure that these policies and related procedures are enforced fairly and consistently.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3320 - Claims and Actions Against the District)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4119.11/4219.11/4319.11- Sexual Harassment)
(cf. 4132/4232/4332- Publication or Creation of Materials)
(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)
(cf. 4158/4258/4358- Employee Security)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 6162.6 - Use of Copyrighted Materials)
(cf. 9260 - Legal Protection)

The Superintendent or designee shall report to the Board twice a year on the district's risk management activities.

Legal Reference: (see next page)

RISK MANAGEMENT/INSURANCE (continued)*Legal Reference:*EDUCATION CODE*17029.5 Contract funding; board liability**17565-17592 Board duties re property maintenance and control**32350 Liability on equipment loaned to district**35162 Power to sue, be sued, hold and convey property**35200-35214 Liabilities, especially:**35208 Liability insurance**35211 Driver training civil liability insurance**35213 Reimbursement for loss, destruction or damage of personal property**35214 Liability self-insurance**35331 Medical or hospital service for students on field trip**39837 Transportation of pupils to places of summer employment**41021 Requirement for employees' indemnity bonds**44873 Qualifications for physician (liability coverage)**49470-49474 District medical services and insurance*GOVERNMENT CODE*820.9 Board members not vicariously liable for injuries caused by district**989-991.2 Local public entity insurance*LABOR CODE*3200-4855 Workers' compensation*

Business and Noninstructional Operations

AR 3541.1(a)

TRANSPORTATION FOR SCHOOL-RELATED TRIPS

The district may provide transportation for students, employees, and other individuals for field trips and other school-related trips approved according to Board policy and administrative regulation.

(cf. 3312.2 - Educational Travel Program Contracts)

(cf. 3540 - Transportation)

(cf. 3541 - Transportation Routes and Services)

(cf. 6153 - School-Sponsored Trips)

The Superintendent or designee shall determine the most appropriate and cost-effective mode of transportation for each approved trip.

When district transportation is provided, students may be released from using district transportation only with the advance written permission of their parents/guardians.

School-related organizations requesting transportation shall be fully responsible for the costs of their trips unless funding has been approved by the Board of Education.

(cf. 1230 - School-Connected Organizations)

The Superintendent or designee shall ensure that the district has sufficient liability insurance when field trips or excursions involve either transportation by district vehicles or travel to and from a foreign country. When a trip to a foreign country is authorized, liability insurance shall be secured from a carrier licensed to transact insurance business in that country. (Education Code 35330)

(cf. 3530 - Risk Management/Insurance)

Transportation by Private Vehicle

The Superintendent or designee may authorize the transportation of students by private vehicle when the vehicle is driven by an adult age 21 or older who possesses a valid California driver's license or, if he/she is a nonresident on active military duty in California, possesses a valid license from his/her state of residence. To be approved, a driver shall have a good driving record and possess at least the minimum insurance required by law. Any person providing transportation to district students in a private vehicle shall register with the district for such purposes.

(cf. 1240 - Volunteer Assistance)

Drivers shall receive safety and emergency instructions which shall be kept in their vehicle.

All student passengers shall submit permission slips signed by their parents/guardians. Teachers shall ensure that each driver has a copy of the permission slip for each student riding in his/her vehicle.

TRANSPORTATION FOR SCHOOL-RELATED TRIPS (continued)

The number of passengers, including the driver, shall not exceed the capacity for which the vehicle was designed. Motor trucks may not transport more persons than can safely sit in the passenger compartment. The driver shall ensure that the manufacturer's recommendations for his/her vehicle are followed regarding the seating of children in seats equipped with airbags.

The driver or any other person shall not smoke or have in his/her immediate possession a lighted pipe, cigar, or cigarette containing tobacco or any other plant when there is a minor in the motor vehicle, whether the motor vehicle is in motion or at rest. (Health and Safety Code 118948)

Passenger Restraint Systems

All drivers shall wear safety belts in accordance with law. In addition, drivers shall ensure that: (Vehicle Code 27315, 27360, 27360.5, 27363)

1. A child who is under age 6 or under 60 pounds, unless exempted in accordance with Vehicle Code 27360 or 27363, is properly secured in a rear seat in an appropriate child passenger restraint system meeting federal safety standards.
2. All other children are properly secured in either a child passenger restraint system or safety belt.
3. All other passengers wear seat belts.

Legal Reference: (see next page)

AR 3541.1(c)

TRANSPORTATION FOR SCHOOL-RELATED TRIPS (continued)*Legal Reference:*EDUCATION CODE*35330 Excursions and field trips**35332 Transportation by air**39830 School bus**39830.1 School pupil activity bus**39860 Transportation to special activities by district**44808 Liability when students not on school property*HEALTH AND SAFETY CODE*118947-118949 Prohibition against smoking in motor vehicle with minor*VEHICLE CODE*12814.6 Limitations of provisional driver's license**27315 Mandatory use of seat belts in private passenger vehicles**27360-27360.5 Child passenger restraint systems**27363 Child passenger restraint systems, exemptions**Management Resources:*WEB SITES*California Department of Motor Vehicles: <http://www.dmv.ca.gov>**California Highway Patrol: <http://www.chp.ca.gov>**California Office of Traffic Safety: <http://www.ots.ca.gov>**National Highway Traffic Safety Administration: <http://www.nhtsa.dot.gov>*

Business and Noninstructional Operations

E(1) 3541.1

TRANSPORTATION FOR SCHOOL-RELATED TRIPS**SCHOOL DRIVER REGISTRATION FORM****DRIVER INFORMATION**

Driver (circle one): Employee Parent/Guardian Volunteer

Name: _____ Date of Birth: _____

Address: _____

Telephone: () _____ Cell Phone: () _____

Driver's License No.: _____ Expiration Date: _____

VEHICLE INFORMATION

Name of Owner: _____

Address: _____

Make: _____ Year: _____ License Plate No.: _____

Registration Expiration: _____ Seating Capacity: _____

INSURANCE INFORMATION

Insurance Company: _____ Telephone: () _____

Policy No.: _____ Expiration Date: _____

Liability Limits of Policy: _____

DRIVER STATEMENT

I certify that I have not been convicted of reckless driving or driving under the influence of drugs or alcohol within the past five years and that the information given above is true and correct. I understand that if an accident occurs, my insurance coverage shall bear primary responsibility for any losses or claims for damages.

I certify that I have received and will abide by the driver instructions provided by the district.

Name: _____ Date: _____

Business and Noninstructional Operations

E(2) 3541.1

TRANSPORTATION FOR SCHOOL-RELATED TRIPS**DRIVER INSTRUCTIONS**

When using your vehicle to transport students on field trips or other school activity trips:

1. Be sure that you have registered with the district for such purposes and have a valid driver's license and current liability insurance at or above the minimum amount required by law for each occurrence.
2. Check the safety of your vehicle: tires, brakes, lights, horn, suspension, etc.
3. Carry only the number of passengers for which your vehicle was designed. If you have a pickup truck, carry only as many as can safely sit in the passenger compartment.
4. Require each passenger to use an appropriate child passenger restraint system (child car seat or booster seat) or safety belt in accordance with law.
5. Do not smoke a pipe, cigar, or cigarette while there are minors in the vehicle, as required by law.
6. Obey all traffic laws.
7. Take the most direct route to the destination or event without unnecessary stops.

In case of emergency, keep all students together and call 911 and the district office.

Business and Noninstructional Operations

BP 3541.2(a)

TRANSPORTATION FOR STUDENTS WITH DISABILITIES

The Board of Education shall ensure that appropriate transportation services are provided for students with disabilities as specified in their individualized education program (IEP) or accommodation plan. The district shall make home-to-school transportation available for students at no cost to parents/guardians as specified in the student's IEP. Home-to-school transportation is limited to pick-up and drop off at student's Albany residence or an after school care program within three miles from the district attendance boundaries.

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 3250 - Transportation Fees)

(cf. 6159 - Individualized Education Program (IEP))

(cf. 6159.2 - Nonpublic Nonsectarian School and Agency Services for Special Education)

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

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

The Superintendent or designee shall arrange transportation schedules so that students with disabilities do not spend an excessive amount of time on buses compared to other students. Arrivals and departures shall not reduce the length of the school day for these students except as may be prescribed on an individual basis.

(cf. 3541 - Transportation Routes and Services)

Legal Reference: (see next page)

BP 3541.2(b)

TRANSPORTATION FOR STUDENTS WITH DISABILITIES (continued)*Legal Reference:*EDUCATION CODE39807.5 *Payment of transportation cost*39839 *Guide dogs, signal dogs and service dogs on bus*41850-41854 *Allowances for transportation*48300-48315 *Alternative interdistrict attendance program*48915.5 *Expulsion of students with exceptional needs*56195.8 *Adoption of policies*56327 *Assessment for special education and related services*56345 *Individualized education program*56366 *Nonpublic nonsectarian schools or agencies*56366.1 *Waiver of requirements under section 56365 and 56366*CODE OF REGULATIONS, TITLE 515050 *Transfer of funds to child development fund and development center for handicapped pupils fund*15243 *Physically handicapped minors*15271 *Exclusion from report*UNITED STATES CODE, TITLE 201400-1482 *Individuals with Disabilities Education Act*UNITED STATES CODE, TITLE 29794 *Section 504 of the Rehabilitation Act of 1973*CODE OF FEDERAL REGULATIONS, TITLE 34104.4 *Equal opportunity under the Rehabilitation Act of 1973, Section 504*CODE OF FEDERAL REGULATIONS, TITLE 49571.222 *Federal requirements for bus securement systems**Management Resources:*CDE MANAGEMENT ADVISORIES0500.92 *Implementation of Special Education Transportation Apportionment (#92-02)*CDE PROGRAM ADVISORIES0609.95 *School transportation fee exemption for handicapped children and pupils whose parents or guardians are indigent (LO: 2-95)*

Business and Noninstructional Operations

AR 3541.2

TRANSPORTATION FOR STUDENTS WITH DISABILITIES

Transportation for students with disabilities shall be provided in accordance with a student's Individualized Education Program (IEP) or Section 504 accommodation plan.

(cf. 3540 - Transportation)

(cf. 6159 - Individualized Education Program (IEP))

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

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

If a disabled student is excluded from school bus transportation, the district shall provide alternative transportation at no cost to the student or parent/guardian provided that transportation is specified in the student's IEP. (Education Code 48915.5)

(cf. 5131.1 - Bus Conduct)

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

Guide dogs, signal dogs and service dogs trained to provide assistance to disabled persons may be transported in a school bus when accompanied by disabled students, disabled teachers or persons training the dogs. (Education Code 39839)

Business and Noninstructional Operations

AR 3542(a)

SCHOOL TRANSPORTATION DRIVERS**Authority**

Students transported in a school bus or in a student activity bus shall be under the authority of, and responsible directly to, the driver of the school transportation vehicle. The driver shall be held responsible for the orderly conduct of the students while they are on the transportation vehicle. (5 CCR 14103)

(cf. 3540 - Transportation)

A driver shall have the authority to discontinue the operation of a school vehicle whenever he/she determines that it is unsafe to continue.

Administrative regulations related to school vehicle driver authority shall be made available to parents/guardians, students, teachers and other interested parties. (5 CCR 14103)

(cf. 3516.5 - Emergency Schedules)

(cf. 3543 - Transportation Safety and Emergencies)

(cf. 5131.1 - Bus Conduct)

Qualifications, Training and Monitoring

All drivers employed to operate school transportation vehicles or student activity vehicles shall possess a valid driver's license for the appropriate class of vehicle to be driven.

(cf. 4211 - Recruitment and Selection)

The Superintendent or designee may use an electronic fingerprinting system, managed by the California Department of Justice, to fingerprint an applicant for an original certificate to drive a school transportation vehicle or student activity vehicle. (Vehicle Code 12517.3)

(cf. 4212.5 - Criminal Record Check)

The Superintendent or designee shall ensure that school vehicle drivers receive training which includes:

1. First aid practices (Vehicle Code 12522)
2. The proper actions to be taken in the event that a school vehicle is hijacked (Education Code 39831)
3. The proper installation of mobile seating devices in the vehicle securement systems (Education Code 56195.8)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4231 - Staff Development)

SCHOOL TRANSPORTATION DRIVERS (continued)

School transportation drivers shall be subject to drug and alcohol testing in accordance with Board of Education policy and the requirements of federal law.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

Responsibilities

The school driver's primary responsibility is to safely transport students to and from school and school activities. He/she shall follow procedures contained in the district's transportation safety plan.

The driver shall not require any student to leave the vehicle en route between home and school or other destinations. (5 CCR 14103)

The driver shall stop to load or unload students only at stops designated by the Superintendent or designee, or authorized by the Superintendent or designee for school activity trips. (Vehicle Code 22112)

(cf. 3541 - Transportation Routes and Services)

The driver shall immediately report all school vehicle accidents to the California Highway Patrol, the Superintendent or designee, and the driver's employer. (13 CCR 1219)

The driver also shall report the following to the Superintendent or designee:

1. Recurring and serious student misbehavior
2. Parental and student complaints
3. Traffic violations
4. Consistently late school dismissals which cause transportation delays
5. Mechanical or other problems with buses and equipment

Legal Reference: (see next page)

AR 3542(c)

SCHOOL TRANSPORTATION DRIVERS (continued)*Legal Reference:*EDUCATION CODE

39830-39842 School buses

40080-40090.5 Training required to obtain or renew bus driver certificate

45125.1 Criminal background checks for contractors

56195.8 Training in installation of mobile seating devices

PENAL CODE

241.3 Assault against school bus driver

243.3 Battery against school bus driver

VEHICLE CODE

1808.8 Dismissal for safety-related cause

2570-2575 Transportation of students

12517-12517.4 Certification requirements

12522 First aid training for school bus drivers

13376 Driver certificates; revocation or suspension; sex offense prosecution

22112 School bus signals; roadway crossings

25257 School bus; flashing light signal system

25257.2 School bus used for transportation of developmentally disabled person

34501.6 School buses; reduced visibility

34508.5 Investigation of accidents

CODE OF REGULATIONS, TITLE 5

14103 Authority of the driver

14104 School bus driver instructor

CODE OF REGULATIONS, TITLE 13

1200-1228 General provisions, school bus regulations

CODE OF FEDERAL REGULATIONS, TITLE 49

571.222 Federal motor vehicle safety standard #222

*Management Resources:*WEB SITESCalifornia Highway Patrol: <http://www.chp.ca.gov>California Department of Motor Vehicles: <http://www.dmv.ca.gov>California Department of Justice: <http://caag.state.ca.us>Regulation
approved:**ALBANY UNIFIED SCHOOL DISTRICT**
Albany, California

Business and Noninstructional Operations

BP 3550(a)

FOOD SERVICE/CHILD NUTRITION PROGRAM

The Board of Education recognizes that students need adequate, nourishing food in order to grow, learn, and maintain good health. Foods and beverages available through the district's food service program shall:

1. Be carefully selected so as to contribute to students' nutritional well-being and the prevention of disease

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

2. Meet or exceed nutritional standards specified in law and administrative regulation

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 6300 - Preschool/Early Childhood Education)

3. Be prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits

(cf. 6142.8 - Comprehensive Health Education)

4. Be served in age-appropriate portions

5. Be sold at reasonable prices

(cf. 3551 - Food Service Operations/Cafeteria Fund)

(cf. 3553 - Free and Reduced Price Meals)

The district's food service program shall give priority to serving unprocessed foods and fresh fruits and vegetables that are not deep fried.

The Superintendent or designee shall encourage the participation of students and parents/guardians in the selection of foods of good nutritional quality for school menus.

The Board desires to provide students with adequate time and space to eat meals. To the extent possible, school, recess, and transportation schedules shall be designed to encourage participation in school meal programs.

The Superintendent or designee shall periodically review the adequacy of school facilities for cafeteria eating and food preparation.

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3517- Facilities Inspection)

(cf. 7110 - Facilities Master Plan)

BP 3550(b)

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

In accordance with law, the Superintendent or designee shall develop and maintain a food safety program in order to reduce the risk of foodborne hazards at each step of the food preparation process, from receiving to service.

The Superintendent or designee shall annually report to the Board regarding the district's compliance with state and federal nutritional standards for foods and beverages.

(cf. 0500 - Accountability)

*Legal Reference:*EDUCATION CODE

35182.5 *Contracts, non-nutritious beverages*
 38080-38103 *Cafeteria, establishment and use*
 45103.5 *Contracts for management consulting services; restrictions*
 49430-49436 *Pupil Nutrition, Health, and Achievement Act of 2001*
 49490-49494 *School breakfast and lunch programs*
 49500-49505 *School meals*
 49510-49520 *Nutrition*
 49530-49536 *Child Nutrition Act*
 49540-49546 *Child care food program*
 49547-49548.3 *Comprehensive nutrition services*
 49550-49561 *Meals for needy students*
 49565-49565.8 *California Fresh Start pilot program*
 49570 *National School Lunch Act*

HEALTH AND SAFETY CODE

113700-114437 *California Retail Food Code*
CODE OF REGULATIONS, TITLE 5
 15510 *Mandatory meals for needy students*
 15530-15535 *Nutrition education*
 15550-15565 *School lunch and breakfast programs*
 15566-15568 *California Fresh Start Program*
 15575-15578 *Requirements for foods and beverages outside federal meals program*

UNITED STATES CODE, TITLE 42

1751-1769h *School lunch programs, including:*

1751 *Note Local wellness policy*

1771-1791 *Child nutrition, especially:*

1773 *School breakfast program*

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 *National School Lunch Program*

220.1-220.21 *National School Breakfast Program*

Management Resources: (see next page)

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)*Management Resources:*CSBA PUBLICATIONS*Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007**Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007**Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006*CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS*06-110 Restrictions on Food and Beverage Sales Outside of the School Meal Program, August 2006*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*Healthy Children Ready to Learn, January 2005*CALIFORNIA PROJECT LEAN PUBLICATIONS*Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006*U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS*Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005**Dietary Guidelines for Americans, 2005*WEB SITESCSBA: <http://www.csba.org>California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>California Department of Public Health: <http://www.cdph.ca.gov>California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>California School Nutrition Association: <http://www.calsna.org>Centers for Disease Control and Prevention: <http://www.cdc.gov>National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>National Association of State Boards of Education: <http://www.nasbe.org>School Nutrition Association: <http://www.schoolnutrition.org>U.S. Department of Agriculture, Food and Nutrition Information Center: <http://www.nal.usda.gov/fnic>

Business and Noninstructional Operations

AR 3550(a)

FOOD SERVICE/CHILD NUTRITION PROGRAM**Nutritional Standards for Elementary Schools**

At each elementary school, the only foods that may be sold to a student during the school day are either: (Education Code 49431)

1. Full meals, defined by Education Code 49430 as a combination of food items that meet National School Lunch or Breakfast Program meal pattern requirements or the state's menu planning options of Shaping Health as Partners in Education (SHAPE); or
2. Individually sold portions of nuts, nut butters, seeds, eggs, cheese packaged for individual sale, fruit, vegetables that have not been deep fried, and legumes

Nutritional Standards for National School Lunch and Breakfast Program

Any school participating in the National School Lunch Program and/or School Breakfast Program pursuant to 42 USC 1751-1769h and 1771-1791 shall serve meals that, on average over each school week: (Education Code 49531; 42 USC 1758, 1773; 7 CFR 210.10, 220.8)

1. Meet the nutrient levels and calorie requirements appropriate for the ages/grade levels served and the menu planning approach used, as specified in 7 CFR 210.10 or 220.8
2. Provide one-fourth (breakfast) or one-third (lunch) of the Recommended Dietary Allowances for protein, calcium, iron, vitamin A, and vitamin C appropriate for the ages/grade levels served and the menu planning approach used
3. Comply with applicable Dietary Guidelines for Americans which recommend:
 - a. Limiting the percentage of calories from saturated fat to less than 10 percent of total calories offered
 - b. Limiting the percentage of calories from total fat to 30 percent of total calories offered
 - c. Reducing sodium and cholesterol levels
 - d. Increasing the level of dietary fiber

(cf. 5030 - Student Wellness)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)**Nutritional Standards for Free and Reduced-Price Meals Program**

Any school that has students who meet federal eligibility criteria for free or reduced-price meals shall: (Education Code 49430.7)

1. Ensure that meals meet National School Lunch and/or Breakfast Program nutritional guidelines or the state's menu planning options of SHAPE
2. Not sell or serve a food item that the district or school has deep fried, par fried, or flash fried, as defined in Education Code 49430, or that has been deep fried, par fried, or flash fried as part of the manufacturing process in an oil or fat prohibited by Education Code 49430.7
3. Not sell or serve a food item containing artificial trans fat, including vegetable shortening, margarine, or any kind of hydrogenated or partially hydrogenated vegetable oil unless the manufacturer's documentation or label lists the trans fat content as less than 0.5 gram per serving

(cf. 3533 - Free and Reduced Price Meals)

Nutritional Standards for Foods Outside the National School Lunch or Breakfast Program

For food items that are not sold as part of the National School Lunch or Breakfast Program, the following nutritional standards shall apply:

1. At each elementary school, an individually sold dairy or whole grain food item may be served to students if it meets all of the following standards: (Education Code 49431)
 - a. Not more than 35 percent of its total calories is from fat.
 - b. Not more than 10 percent of its total calories is from saturated fat.
 - c. Not more than 35 percent of its total weight is composed of sugar, including naturally occurring and added sugar.
 - d. Its total calories do not exceed 175 calories.

(cf. 3554 - Other Food Sales)

2. For foods sold to students in middle, junior high, and high schools: (Education Code 49430, 49431.2)

AR 3550(c)

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

- a. Each entree item shall:
 - (1) Not exceed 400 calories
 - (2) Contain no more than four grams of fat per 100 calories
 - (3) Be categorized as an entree item in the National School Lunch or Breakfast Program
- b. For each snack item that supplements a meal:
 - (1) Not more than 35 percent of its total calories shall be from fat, excluding nuts, nut butters, seeds, eggs, cheese packaged for individual sale, fruits, vegetables that have not been deep fried, or legumes.
 - (2) Not more than 10 percent of its total calories shall be from saturated fat, excluding eggs or cheese packaged for individual sale.
 - (3) Not more than 35 percent of its total weight shall be composed of sugar, including naturally occurring and added sugar, excluding fruits or vegetables that have not been deep fried.
 - (4) Its total calories shall not exceed 250 calories.
- 3. Beginning July 1, 2009, any food provided to K-12 students during school hours and within one-half hour before and after school shall not contain or have been prepared with artificial trans fat, including vegetable shortening, margarine, or any kind of partially hydrogenated vegetable oil, unless the manufacturer's documentation or label lists the trans fat content as less than 0.5 grams per serving. (Education Code 49431.7)

Nutritional Standards for Beverages

The only beverages that may be sold to elementary students, regardless of the time of day, are: (Education Code 49431.5)

- 1. Fruit-based drinks that are composed of no less than 50 percent fruit juice and have no added sweetener
- 2. Vegetable-based drinks that are composed of no less than 50 percent vegetable juice and have no added sweetener

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

3. Drinking water with no added sweetener
4. Milk that is 1 percent fat, 2 percent fat, or nonfat; soy milk, rice milk, or other similar nondairy milk

The only beverages that may be sold to middle school or junior high school students from one-half hour before the start of the school day until one-half hour after the end of the school day are: (Education Code 49431.5)

1. Fruit-based drinks that are composed of no less than 50 percent fruit juice and have no added sweetener
2. Vegetable-based drinks that are composed of no less than 50 percent vegetable juice and have no added sweetener
3. Drinking water with no added sweetener
4. Milk that is 1 percent fat, 2 percent fat, or nonfat; soy milk, rice milk, or other similar nondairy milk
5. Electrolyte replacement beverages that contain no more than 42 grams of added sweetener per 20 ounce serving

At least 50 percent of the beverages sold to high school students from one-half hour before the start of the school day until one-half hour after the end of the school day shall be those specified in items #1-5 above. Beginning July 1, 2009, all of the beverages sold to high school students from one-half hour before the start of the school day until one-half hour after the end of the school day shall meet the standards specified in items #1-5 above. (Education Code 49431.5)

Food Safety

The Superintendent or designee shall ensure that the district's food service program meets the sanitation and safety requirements of the California Retail Food Code as set forth in Health and Safety Code 113700-114437.

For all district schools participating in the National School Lunch and/or School Breakfast Program, the Superintendent or designee shall implement a school food safety program for the preparation and service of school meals which complies with the national Hazard Analysis and Critical Control Point (HACCP) principles. (42 USC 1758)

AR 3550(e)

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

The district's HACCP plan shall be in writing and shall address the components specified in Health and Safety Code 114419.1 including, but not limited to, methods for determining control measures needed to prevent hazards at each stage of food production, monitoring of the implementation of the food safety program, establishment of corrective actions to be taken if the proper time or temperature range is not met, training of food service employees and supervisors on food safety issues, recordkeeping, and periodic review of the food safety program.

The Superintendent or designee shall designate at least one staff member to be responsible for verification of the HACCP plan and shall provide the designated staff member with training in HACCP principles and the contents of the plan. Records of the training shall be retained for the duration of employment or a period of not less than two years, whichever is greater. In addition, the Superintendent or designee shall provide applicable HACCP training to food service employees who work in food preparation and shall document the date, trainer, and subject of the training. (Health and Safety Code 114419.2)

(cf. 4231 - Staff Development)

All food preparation and service areas shall be inspected in accordance with Health and Safety Code 113725-113725.1 and county regulations.

Each school participating in the National School Lunch and/or Breakfast Program shall, during each school year, obtain a minimum of two food safety inspections conducted by the county environmental health agency. (42 USC 1758; 7 CFR 210.13, 220.7)

All schools shall post a notice indicating that the most recent inspection report is available to any interested person upon request. (42 USC 1758; 7 CFR 210.13, 220.7; Health and Safety Code 113725.1)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Regulation
approved:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

BP 3551(a)

FOOD SERVICE OPERATIONS/CAFETERIA FUND

The Board of Education intends that, insofar as possible, school food services shall be a self-supporting, nonprofit program. To increase cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of food and supplies, the planning of menus, and the auditing of all food service accounts for the district.

(cf. 3100 - Budget)

(cf. 3300 - Expenditures and Purchases)

(cf. 3311 - Bids)

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

Meals may be sold to students, district employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)

In addition, meals may be sold to other individuals and organizations who are on campus during meal times for a legitimate purpose, such as classroom volunteers, parents/guardians, or student siblings.

The Superintendent or designee shall recommend meal prices for students and nonstudents for approval by the Board. Students who are enrolled in the free or reduced-price meal programs shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation.

(cf. 3553 - Free and Reduced Price Meals)

Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture commodities.

Program financial reports shall be presented regularly to the Board.

(cf. 3460 - Financial Reports and Accountability)

Cafeteria Fund

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

Contracts with Outside Services/Providers

With Board approval, the district may enter into a contract for management consulting services related to food service.

BP 3551(b)

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)*(cf. 3600 - Consultants)**Legal Reference:*EDUCATION CODE

38080-38085 Cafeteria, establishment and use

38090-38095 Cafeterias, funds and accounts

38100-38103 Cafeterias, allocation of charges

42646 Alternate payroll procedure

45103.5 Contracts for management consulting services; restrictions

49490-49493 School breakfast and lunch programs

49500-49505 School meals

HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

UNITED STATES CODE, TITLE 42

1751-1769h School lunch programs

1771-1791 Child nutrition, including:

1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

*Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT ADVISORIES

0701.00 Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, No. 00-111

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONSCalifornia School Accounting ManualWEB SITESCalifornia Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>California School Nutrition Association: <http://www.calsna.org>U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>

Business and Noninstructional Operations

AR 3551

FOOD SERVICE OPERATIONS/CAFETERIA FUND**Payments**

With the exception of students who are eligible to receive meals at no cost, students or their parents/guardians may pay on a per-meal basis or may submit payments in advance. The Superintendent or designee shall maintain an account indicating payments received from each student or his/her parents/guardians for the purchase of school meals.

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

(cf. 3553 - Free and Reduced Price Meals)

Students and their parents/guardians shall be notified whenever their account has a zero balance.

Meal charges are not allowed but students with a zero balance shall be provided an "alternative meal."

Cafeteria Fund

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. The income and expenditures of any cafeteria revolving account established by the Board of Education shall be recorded as income and expenditures of the cafeteria fund. (Education Code 38090, 38091, 38092)

(cf. 3100 - Budget)

(cf. 3300 - Expenditures and Purchases)

The cafeteria fund shall be used only for Board-authorized expenditures necessary for the operation of school cafeterias as defined in the California School Accounting Manual or appropriately reported to the California Department of Education. (Education Code 38091, 38101)

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of the expenditure's purpose and basis. (Education Code 38101)

(cf. 3110 - Transfer of Funds)

Regulation
approved:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

BP 3553(a)

FREE AND REDUCED PRICE MEALS

The Board of Education recognizes that adequate nutrition is essential to the development, health, and learning of all students. The Superintendent or designee shall facilitate and encourage the participation of students from low-income families in the district's food service program.

The district shall provide at least one nutritionally adequate meal each school day, free of charge or at a reduced price, for students whose families meet federal eligibility criteria. (Education Code 49550, 49552)

(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 6177 - Summer School)
(cf. 6300 - Preschool/Early Childhood Education)

The Superintendent or designee shall ensure that meals provided through the free and reduced-price meal program meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulation.

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)

The Board shall approve, and shall submit to the California Department of Education for approval, a plan that ensures that students eligible to receive free or reduced-price meals and milk are not treated differently from other students. (Education Code 49557)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)

Confidentiality/Release of Records

All applications and records related to eligibility for the free and reduced-price meal program shall be confidential except as provided by law. (Education Code 49558)

The Board authorizes designated employees to use individual records pertaining to student eligibility for any free and reduced-price meal program for the purposes of: (Education Code 49558)

1. Disaggregation of academic achievement data
2. In any school identified for program improvement under Title I of the No Child Left Behind Act, identification of students eligible for school choice and supplemental educational services

(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 5125 - Student Records)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6171 - Title I Programs)

FREE AND REDUCED PRICE MEALS (continued)*Legal Reference:*EDUCATION CODE

48980 Notice at beginning of term
 49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001
 49490-49494 School breakfast and lunch programs
 49500-49505 School meals
 49510-49520 Nutrition
 49530-49536 Child Nutrition Act of 1974
 49547-49548.3 Comprehensive nutrition service
 49550-49561 Meals for needy students

CODE OF REGULATIONS, TITLE 5

15510 Mandatory meals for needy students
 15530-15535 Nutrition education
 15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 20

1232g Federal Educational Rights and Privacy Act
 6301-6514 Title I programs

UNITED STATES CODE, TITLE 42

1751-1769h School lunch program
 1771-1791 Child nutrition, especially:
 1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program
 220.10-220.21 National School Breakfast Program
 245.1-245.13 Determination of eligibility for free and reduced-price meals and free milk

*Management Resources:*CSBA PUBLICATIONS

Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, October 2007
Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007
Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS

06-103 Conditions for Summer School Meal Waivers and Saturday School Meal Criteria, January 2006

04-103 Implementation of Final Rule on Verification of Applications for Free and Reduced-Price Meals, August 2004

98-101 Confidentiality of Free and Reduced-Price Eligibility Information, February 1998

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Feed More Kids, Improve Program Participation

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002

Eligibility Guidance for School Meals Manual, August 2001

WEB SITES

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

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>

Business and Noninstructional Operations

AR 3553(a)

FREE AND REDUCED PRICE MEALS**Nondiscrimination Plan**

The district's plan for students receiving free or reduced-price meals shall ensure the following: (Education Code 49557)

1. The names of the students shall not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast Programs, unless otherwise provided by law.
2. There shall be no overt identification of any of the students by the use of special tokens or tickets or by any other means.
3. The students shall not be required to work for their meals or for milk.
4. The students shall not be required to use a separate dining area, go through a separate serving line or entrance, or consume their meals or milk at a different time.

When more than one lunch, breakfast, or type of milk is offered, the students shall have the same choice of meals or milk as is available to those students who pay the full price. (Education Code 49557; 7 CFR 245.8)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)

Applications

An application form for free or reduced-price meals shall be distributed to all parents/guardians at the beginning of each school year, together with information about eligibility standards, application procedures, and appeal procedures. This form and information shall also be provided whenever a new student is enrolled. (Education Code 48980, 49520; 7 CFR 245.5)

(cf. 5145.6 - Parental Notifications)

Applications for the free and reduced-price meal program shall be available to students at all times during the regular school day and shall contain the following statements: (Education Code 49557; 7 CFR 245.5)

1. Applications may be submitted at any time during the school day.
2. Students participating in the National School Lunch and/or School Breakfast Programs will not be overtly identified by the use of special tokens, special tickets, special serving lines, separate entrances, separate dining areas, or by any other means.

FREE AND REDUCED PRICE MEALS (continued)**Eligibility**

The Superintendent or designee shall determine students' eligibility for the free and reduced-price meal program based on the criteria specified in 42 USC 1758 and 1773 and 7 CFR 245.1-245.13 and made available by the California Department of Education.

When authorized by law, participants in other federal or state programs may be directly certified for enrollment in the free and reduced-price meal program. (Education Code 49561)

Confidentiality/Release of Records

The Superintendent designates the following district employee(s) to use individual records pertaining to student participation in the free and reduced-price meal program for the purpose of disaggregation of academic achievement data or for the identification of students in any program improvement school eligible for school choice and supplemental educational services pursuant to 20 USC 6316:

Director of Curriculum and Instruction
Executive Chef
Student Data Systems Manager

In using the records for such purposes, the following conditions shall be satisfied: (Education Code 49558)

1. No individual indicators of participation in the free and reduced-price meal program shall be maintained in the permanent records of any student if not otherwise allowed by law.

(cf. 5125 - Student Records)

2. Information regarding individual student participation in the free and reduced-price meal program shall not be publicly released.

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

3. All other confidentiality provisions required by law shall be met.
4. Information collected regarding individual students certified to participate in the free and reduced-price meal program shall be destroyed when no longer needed for its intended purpose.

Regulation
approved:

ALBANY UNIFIED SCHOOL DISTRICT
Albany, California

Business and Noninstructional Operations

BP 3554(a)

OTHER FOOD SALES

The Board of Education believes that sales of foods and beverages at school during the school day should be aligned with the district's goals to promote student wellness. Any food sales conducted outside the district's food service program shall meet nutritional standards specified in law, Board policy, and administrative regulation and shall not reduce student participation in the district's food service program.

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5030 - Student Wellness)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

The Board authorizes the Superintendent or designee to approve the sale of foods and beverages outside the district's food service program, including sales by student or school-connected organizations, sales through vending machines, and/or sales at secondary school student stores for fundraising purposes.

(cf. 1230 - School-Connected Organizations)
(cf. 1321 - Solicitations of Funds from and by Students)

When vending machines are sponsored by the district or a student or adult organization, the Superintendent or designee shall determine how and where vending machines may be placed at school sites, district offices, or other school facilities.

(cf. 3312 - Contracts)

Legal Reference: (see next page)

OTHER FOOD SALES (continued)*Legal Reference:*EDUCATION CODE35182.5 *Contracts, non-nutritious beverages*48931 *Authorization and sale of food*49430-49436 *Pupil Nutrition, Health, and Achievement Act of 2001*51520 *School premises; prohibited solicitations*CODE OF REGULATIONS, TITLE 515500 *Food sales in elementary schools*15501 *Sales in high schools and junior high schools*15575-15578 *Requirements for foods and beverages outside federal meals program*HEALTH AND SAFETY CODE113700-114437 *California Retail Food Code*UNITED STATES CODE, TITLE 421751-1769h *National School Lunch Act, including:*1751 *Note Local wellness policy*1771-1791 *Child nutrition, School Breakfast Program*CODE OF FEDERAL REGULATIONS, TITLE 7210.1-210.31 *National School Lunch Program*220.1-220.21 *National School Breakfast Program**Management Resources:*CSBA PUBLICATIONS*Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007**Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007**Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006*CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS06-110 *Restrictions on Food and Beverage Sales Outside of the School Meal Program, August 2006*FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS*Associated Student Body Accounting Manual and Desk Reference, 2002*NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS*Fit, Healthy and Ready to Learn, 2000*WEB SITESCSBA: <http://www.csba.org>California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>California Department of Public Health: <http://www.cdph.ca.gov>California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>Centers for Disease Control and Prevention: <http://www.cdc.gov>Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>National Association of State Boards of Education (NASBE): <http://www.nasbe.org>U.S. Dept. of Agriculture, Food and Nutrition Information Center: <http://www.nal.usda.gov/fnic>

Business and Noninstructional Operations

AR 3554(a)

OTHER FOOD SALES**Nutritional Standards for Foods and Beverages**

Food and beverage sales outside the district's food service program shall comply with applicable nutritional standards specified in Education Code 49431, 49431.2, 49431.5, and 49431.7 and 5 CCR 15575-15578.

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

(cf. 5030 - Student Wellness)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

At an elementary school, the sale of foods or beverages that do not comply with the standards in Education Code 49431 and 49431.5 may be permitted, as part of a fundraising event, only when the items are sold by students of the school and the sale meets either of the following conditions: (Education Code 49431, 49431.5)

1. It takes place off and away from school premises.
2. It takes place at least one-half hour after the end of the school day.

(cf. 1230 - School-Connected Organizations)

(cf. 1321 - Solicitations of Funds from and by Students)

At a middle, junior high, or high school, the sale of food items that do not comply with the standards in Education Code 49431.2 may be permitted in any of the following circumstances: (Education Code 49431.2)

1. The sale takes place off and away from school premises.
2. The sale takes place on school premises at least one-half hour after the end of the school day.
3. The sale occurs during a school-sponsored student activity after the end of the school day.

(cf. 6145 - Extracurricular and Cocurricular Activities)

Beverage sales that do not comply with the standards in Education Code 49431.5 may be permitted at a middle or junior high school as part of a school event under either of the following circumstances: (Education Code 49431.5)

1. The sale occurs during a school-sponsored event and takes place at the location of the event at least one-half hour after the end of the school day.
2. Vending machines, student stores, and cafeterias are used later than one-half hour after the end of the school day.

OTHER FOOD SALES (continued)**Additional Requirements for Schools Participating in the National School Lunch or Breakfast Program**

The sale of foods outside of the district's food service program during meal periods in food service areas shall be allowed only if all income from the sale, including the sale of approved foods or drinks from vending machines, accrues to the benefit of the school, the school food service program, or the student organization(s) sponsoring the sale. (7 CFR 210.11, 220.12)

No foods of minimal nutritional value, as listed in 7 CFR 210, Appendix B, and 7 CFR 220, Appendix B, shall be sold in food service areas during breakfast and lunch periods. (7 CFR 210.11, 220.12)

In a school with any of grades K-8 that is participating in the National School Lunch and/or Breakfast Program, the Superintendent or designee shall not permit the sale of foods by a student organization except when all of the following conditions are met: (5 CCR 15500)

1. The student organization shall sell only one food item per sale.
2. The specific nutritious food item is approved by the Superintendent or designee.
3. The sale does not begin until after the close of the regularly scheduled midday food service period.
4. The sale during the regular school day is not of food items prepared on the premises.
5. There are no more than four such sales per year per school.
6. The food sold is a dessert-type food, such as pastry, ice cream, or fruit.
7. The food sold is not one sold in the district's food service program at that school during that school day.

In junior high and high schools, a student organization may be approved to sell food items during or after the school day if all of the following conditions are met: (5 CCR 15501)

1. Only one student organization conducts a food sale on a given school day and the organization sells no more than three types of food or beverage items, except that up to four days during the school year may be designated on which any number of organizations may conduct the sale of any food items.
2. The specific nutritious food items are approved by the Superintendent or designee.
3. Food items sold during the regular school day are not prepared on the premises.

AR 3554(c)

OTHER FOOD SALES (continued)

4. The food items sold are not those sold in the district's food service program at that school during that school day.

Vending Machines

The district shall exercise control over all vending machines on its property including vendors, locations, contents, and appearance.

No vending machines will be located on elementary or middle school campuses.

All vending machines located on high school campuses may sell:

- Fruit-based drinks (juice-water blend) that are composed of no less than 50 percent fruit juice and have no added sweetener (added sweetener is any additive that enhances the sweetness of the beverage, including added sugar, but does not include the natural sugar contained within the fruit juice). No caffeine or herbal supplements. Maximum serving size is 12 ounces
- Vegetable-based drinks that are composed of no less than 50 percent vegetable juice and have no added sweetener
- Drinking water with no added sweetener; (natural or artificial, including sucralose and aspartame); no added vitamins, caffeine, or herbal supplements. Essences that are pure flavor and aroma products with a maximum dilution of 0.5 to 1.0 per 1000 are allowed and/or
- Two-percent-fat milk, one-percent-fat milk, nonfat milk, soy milk, rice milk, and other similar nondairy milk products. Flavored milk may contain no more than 40 grams of sugar total per 12 ounce (27 grams of sugar total per eight ounces), including both naturally-occurring and added sweetener; no artificial sweeteners; no added caffeine; no herbal supplements. Preferably no Bovine Growth Hormone. Rice, soy or nut milks must be enriched with calcium to at least 30 percent of the RDA per eight ounce serving, or 40 percent of the RDA per 11 ounce serving. Maximum serving size 12 ounces.

Healthy food choices are recommended for all parent-run food sales.

Sale of food at events which are not school-related (for example: an outside agency rents the school property and holds an event featuring a food sale) is not subject to district nutrition policy.

OTHER FOOD SALES (continued)

District nutrition standards apply only to food sold, not food served. Food provided free as refreshments for potlucks, parties, picnics, teacher appreciation luncheons or breakfasts, etc. is not subject to district nutrition standards. Healthy food choices are highly recommended.

Sales of candy or other food outside of school as a fundraiser, such as catalog order sales, are at the discretion of the principal. All other sale of candy at school is prohibited, except as outlined in above sections. However, healthy food choices or non-food based fundraising are highly recommended.

The NPAAC will identify/develop/enhance the list of non-food based fundraising ideas to be distributed to schools. The NPAAC will assume the leadership role and involve middle and elementary school students.

Business and Noninstructional Operations

BP 3580(a)

DISTRICT RECORDS

District records shall be developed, maintained, and disposed of in accordance with law and California Department of Education regulations.

(cf. 1340 - Access to District Records)
(cf. 3440 - Inventories)
(cf. 4040 - Employee Use of Technology)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)

The Superintendent or designee shall establish regulations that define records which are permanent, optional, and disposable and specify how each type of record is to be maintained or destroyed. Any photographic, microfilm, or electronic copies of original records shall be permanently retained.

All public records of the district, as defined by Board policy, shall be open to the inspection of any citizen during business hours. Any citizen of the State who has an interest in the public records of this Board may inspect and copy them by hand during the regular business hours of the district. Any citizen may purchase copies of the public records of this district upon payment of a fee as follows:

1. Single sheets-15 cents per copy
2. Bound volumes, e.g., district administrative code, Board policy manuals, curriculum materials, special reports, etc. at actual cost

The Superintendent or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage or loss.

Safe at Home Program

District public records shall not include the actual addresses of students, parents/guardians, or employees when a substitute address is designated by the Secretary of State pursuant to the Safe at Home program. (Government Code 6206, 6207)

When a substitute address card is provided pursuant to this program, the confidential, actual address may be used only to establish district residency requirements for enrollment and for school emergency purposes.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 5111.1 - District Residency)

Legal Reference: (see next page)

DISTRICT RECORDS (continued)

Legal Reference:

EDUCATION CODE

35145 *Public meetings*

35163 *Official actions, minutes and journal*

35250-35255 *Records and reports*

44031 *Personnel file contents and inspection*

49065 *Reasonable charge for transcripts*

GOVERNMENT CODE

6205-6211 *Confidentiality of addresses for victims of domestic violence, sexual assault or stalking*

6252-6265 *Inspection of public records*

12946 *Retention of employment applications and records for two years*

PENAL CODE

11170 *Retention of child abuse reports*

CODE OF REGULATIONS, TITLE 5

432 *Varieties of pupil records*

16020-16022 *Records-general provisions*

16023-16027 *Retention of records*

Management Resources:

SECRETARY OF STATE PUBLICATIONS

Letter re: California Confidential Address Program Implementation (SB 489), August 27, 1999

WEB SITES

California Secretary of State: <http://www.ss.ca.gov/safeathome>

Business and Noninstructional Operations

AR 3580(a)

DISTRICT RECORDS

The Superintendent or designee shall ensure that appropriate computer software is used to safeguard any data stored on computers, including computers connected to networks. To further prevent the damage or theft of data, computers and related equipment, he/she shall maintain complete and accurate inventories, specify user responsibilities for damages, and provide appropriate supervision in areas where computers are used.

Classification of Records

Before January 1, the Superintendent or designee shall review documents and papers originating during the prior school year and classify them as Class 1 (Permanent), Class 2 (Optional), or Class 3 (Disposable). Records of continuing nature (active and useful for administrative, legal, fiscal or other purposes over a period of years) shall not be classified until such usefulness has ceased. A student's cumulative record is a continuing record until the student ceases to be enrolled in the district. (5 CCR 16022)

Class 1 - Permanent Record (5 CCR 16023)

The original of each of the following records, or one exact copy of it when the original is required by law to be filed with another agency, is a Class 1 (Permanent) Record and shall be retained indefinitely unless microfilmed in accordance with 5 CCR 16022:

1. Annual Reports
 - a. Official budget
 - b. Financial reports of all funds, including cafeteria and student body funds
 - c. Audit of all funds
 - d. Average daily attendance, including Period 1 and Period 2 reports
 - e. Other major annual reports, including:
 - (1) Those containing information relating to property, activities, financial condition or transactions
 - (2) Those declared by Board of Education minutes to be permanent
2. Official Actions
 - a. Minutes of the Board or Board committees, including the text of rules, regulations, policies or resolutions included by reference only

DISTRICT RECORDS (continued)

- b. The call for and the result of any elections called, conducted or canvassed by the Board
 - c. Records transmitted by another agency pertaining to its action with respect to district reorganization
3. Personnel Records

a. Employees

All detailed records relating to employment, assignment, amounts and dates of service rendered, termination or dismissal of an employee in any position, sick leave record, rate of compensation, salaries or wages paid, deductions or withholdings made and the person or agency to whom such amounts were paid. In lieu of the detailed records, a complete proven summary payroll record for each employee containing the same data may be classified as Class 1 (Permanent), and the detailed records may then be classified as Class 3 (Disposable).

Information of a derogatory nature as defined in Education Code 44031 shall be Class 1 (Permanent) only when the time for filing a grievance has passed or the document has been sustained by the grievance process.

b. Students

The records of enrollment and scholarship for each student required by 5 CCR 432, and all records pertaining to any accident or injury involving a minor for which a claim for damages had been filed as required by law. This includes any related policy of liability insurance except that these records cease to be Class 1 (Permanent) one year after the claim has been settled or the statute of limitations has run.

4. Property Records

All detailed records relating to land, buildings, and equipment. In lieu of detailed records, a complete property ledger may be classified as Class 1 (Permanent). The detailed records may then be classified as Class 3 (Disposable) if the property ledger includes all fixed assets, an equipment inventory and, for each piece of property, the date of acquisition, name of previous owner, a legal description, the amount paid, and comparable data if the unit is disposed of.

AR 3580(c)

DISTRICT RECORDS (continued)**Class 2 - Optional Records (5 CCR 16024)**

Any record considered worth keeping, but which is not a Class 1 record, may be classified as Class 2 (Optional) and shall be retained until it is reclassified as Class 3 (Disposable). If by agreement of the Board and Superintendent or designee, classification of the prior year records has not been made before January 1, all records of the prior year may be classified Class 2 (Optional) until they are classified as required by 5 CCR 16022. Such classification must occur within one year.

Class 3 - Disposable Records (5 CCR 16025, 16026, 16027)

All records not classified as Class 1 (Permanent) or as Class 2 (Optional) shall be classified as Class 3 (Disposable). These include but are not limited to: detailed records basic to audit, including those relating to attendance, average daily attendance, or business or financial transactions; detailed records used in preparing another report; teachers' registers if all information required by 5 CCR 432 is retained in other records or if the General Records pages are removed from the register and classified as Class 1 (Permanent); and periodic reports, including daily, weekly and monthly reports, bulletins and instructions.

Class 3 (Disposable) records shall be destroyed during the third school year after the later of the following:

1. The completion of any legally required audit
2. The retention period required by any agency other than the State of California
3. The school year in which the records originated

Business and Noninstructional Operations

BP 3600(a)

CONSULTANTS

The Board of Education authorizes the use of consultants to provide expert professional advice or specialized technical or training services which are not needed on a continuing basis and which cannot be provided by district staff because of limitations of time, experience or knowledge. Individuals, firms or organizations employed as consultants may assist management with decisions and/or project development related to financial, economic, accounting, engineering, legal, administrative, instructional or other matters.

As part of the contract process, the Superintendent or designee shall determine, in accordance with Internal Revenue Service guidelines, that the consultant is properly classified as an independent contractor. District employees who perform extra-duty consultant services shall not be retained as independent contractors. They shall be considered employees for all purposes, even if the additional services are not related to their regular duties.

All consultant contracts shall be brought to the Board for approval.

(cf. 3312 - Contracts)

The district shall not contract for consulting services that can be performed without charge by a public agency or official unless these services are unavailable from the public source for reasons beyond the district's control.

All qualified firms or resource persons shall be accorded equal opportunity for consultant contracts regardless of race, creed, color, gender, national or ethnic origin, age or disability.

(cf. 3311 - Bids)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

(cf. 4030 - Nondiscrimination in Employment)

When employees of a public university, county office of education or other public agency serve as consultant or resource persons for the district, they shall certify as part of the consultant agreement that they will not receive salary or remuneration other than vacation pay from any other public agency for the specific days when they work for this district.

Legal Reference: (see next page)

BP 3600(b)

CONSULTANTS (continued)*Legal Reference:*EDUCATION CODE*10400-10407 Cooperative improvement programs**17596 Limit on continuing contracts**35010 Control of districts; prescription and enforcement of rules**35172(a) Promotional activities**35204 Contract with attorney**44925 Part-time readers employed as independent contractors**45103 Classified service in districts not incorporating the merit system**45103.5 Contracts for food service consulting services**45134-45135 Employment of retired classified employee**45256 Merit system districts; classified service; positions established for professional experts on a temporary basis*GOVERNMENT CODE*53060 Contract for special services and advice**Management Resources:*INTERNAL REVENUE SERVICE PUBLICATIONS*15-A Employer's Supplemental Tax Guide*

