

## TACMO Board Meeting-February 2021 Agenda

**DATE:** Thu February 18th, 2021

**TIME:** 6:30pm - 8:30pm PST

**LOCATION:** Zoom **GROUPS:** Board

**REMOTE:** https://us02web.zoom.us/j/83778165355

#### Attendance and Public Comment Changes Due to COVID-19

The Academies CMO Board of Directors will be conducting its Board meeting on February 18, 2021. Given the current Shelter-in-Place Order covering Tulare County and the Social Distance Guidelines issued by Federal, State, and Local Authorities, The Academies CMO is implementing the following changes for attendance and public comment.

The Academies CMO Board meeting to be held on February 18, 2021 at 6:30 p.m. will **only be accessible via Zoom.** The meeting may be viewed through the following options:

Zoom: <a href="https://us02web.zoom.us/j/83778165355">https://us02web.zoom.us/j/83778165355</a>

The Academies CMO will also provide links to the streaming option on the TACMO website and on its Facebook page.

Unfortunately, physical attendance by the public cannot be accommodated given the current circumstances and the need to ensure the health and safety of The Academies CMO Board, The Academies CMO staff, and the public as a whole.

If you wish to make a general public comment or public comment on a particular item on the agenda, *you must submit your public comments by e-mail to*: dball@theacademiescharters.org. In the subject line of the e-mail, please state your name and the item you are commenting on. If you wish to submit a public comment on more than one agenda item, please send a separate e-mail for each item you are commenting on. Please be aware that written public comments, including your name, may become public information. Additional requirements for submitting public comments by e-mail are provided below.

#### General Public Comments & Comments on District Board Business Items

For general public comments and comments regarding specific CMO Board Business Items, all public comments must be received by e-mail no later than 12:00 p.m. on February 18, 2021. Comments received by this time will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within the normal three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions. If a general public comment or comment on a business item is received after 12:00 p.m., efforts will be made to read your comment into the record. However, staff cannot guarantee that written comments received after 12:00 p.m. will be read. All written comments that are not read into the record will be made part of the meeting minutes, provided that such comments are received prior to the end of The Academies CMO Board meeting.

## \*Please be aware that any public comments received that do not specify a particular agenda item will be read aloud during the general public comment portion of the agenda.\*

The Academies CMO thanks you for your cooperation in advance. Our community's health and safety is our highest priority.

Here is quick summary of the basics:

- No public attendance. Public may only observe online.
- All public comments must be submitted by email: <a href="mailto:dball@theacademiescharters.org">dball@theacademiescharters.org</a>
- Subject line of the email should state the commenter's name and the item they are commenting on.
- All general comments or comments on business items must be received by 12:00 p.m.
- Comments will be read aloud by staff (up to 3 minutes) if received on time.

If not timely but received by the end of the end of the meeting, comments will at least be included as part of the minutes for the meeting.

#### 1 OPENING BUSINESS

#### 1.1 CALL PUBLIC SESSION TO ORDER

#### 1.2 ADA ACCOMMODATIONS

- 1.2.1 This meeting is held in an area accessible to the disabled. In compliance with the American Disabilities Act, if you need special assistance to participate in meetings, call (559) 730-7422 at BOA forty-eight (48) hours in advance of the meeting. Persons who are in need of disability-related modification or accommodation in order to participate in the Board meeting may make a request to Donya Ball at PO Box 1189, Visalia, CA 93279 or (559) 730-7422. Such a request should be in writing if possible or may be made in person or by telephone. The request should specify the nature of the accommodation or modification requested, including any auxiliary aids or services requested, and the name, address, and telephone number of the person making the request.
- 1.2.2 If documents are distributed to Board members concerning an agenda item within 72 hours of a regular Board meeting, at the same time the documents will be made available for public inspection. Interested members of the public may request to see the same documents by emailing the Superintendent (dball@theacademiescharters.org), and the complete packet will be shared electronically.

#### 1.3 IDENTIFY CLOSED SESSION TOPICS OF DISCUSSION

#### 1.4 PUBLIC COMMENT ON CLOSED SESSION TOPICS

1.4.1 General public comment on any closed session item will be heard. The Board may limit individual comments to no more than 3 minutes and individual topics to 20 minutes. Please begin your comments by stating your name.

#### 1.5 ADJOURN TO CLOSED SESSION

#### **2 CLOSED SESSION**

2.1 PERSONNEL (Government Code § 54957). It is the intention of this governing body to meet in closed-session to consider public employee

# appointment/employment for the position of: After School Program Aide

#### 3 REGULAR SESSION RECONVENED

- 3.1 CALL PUBLIC SESSION TO ORDER
- 3.2 REPORT ACTION TAKEN IN CLOSED SESSION (if any)
- 3.3 General public comment on any school related topic may be heard at this time. The Board asks that any public comment on an item listed on tonight's agenda be addressed at the time the item comes up for discussion by the Board. Pursuant to Board Policy, the Board may limit individual comments to no more than 3 minutes and individual topics to 20 minutes. Please begin your comments by stating your name.

#### 4 CONSENT AGENDA

#### 4.1 **ADMINISTRATIVE SERVICES**

4.1.1 Board Student Policy: SP 12-002 Student Freedom of Speech and Expression (revised) (Enc. No. 1)

SP 12-002 Student Freedom of Speech and Expression Policy (YMC DRAFT)

4.1.2 Board Student Policy: SP 21-001 Education on Foster and Mobile Youth Policy (new) (Enc. No. 2)

SP 21-001 Education of Foster and Mobile Youth Policy (YMC DRAFT)

4.1.3 Board Student Policy: SP 21-002 Section 504 (new) (Enc. No. 3)

SP 21-002 Section 504 - Policy, Procedures, and Parent Rights (YMC DRAFT)

4.1.4 Board Student Policy: SP 21-003 Special Education Policy (new) (Enc. No. 4)

SP 21-003 Special Education Policy (YMC DRAFT)

4.1.5 Board Policy: BP 13-001 Title IX, Harassment, Intimidation, Discrimination and Bullying Policy (revised) (Enc. No. 5)

BP 13-001 Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy (YMC redline)

#### 4.2 **SUPERINTENDENT'S OFFICE**

4.2.1 Approval of Minutes of the board meetings on January 19, 2021 and January 21, 2021 (Enc. No. 6)

TACMO BOD 011921 DRAFT Meeting Minutes .pdf

TACMO BOD 012121 DRAFT Meeting Minutes.pdf

4.2.2 Approval of the January 2021 Check Register Reports (Enc. No. 7)

TACMO January 2021 Combined Board Check Register

4.2.3 Donation Recognition (Enc. No. 8)

Donations Feb 2021.pdf

4.2.4 Monthly Attendance Reports for BOA and SVA (Enc. No. 9)

Month 6 Attendance Report BOA.pdf

Month 6 Attendance Report SVA.pdf

## 5 PUBLIC RECOGNITION/PROCLAMATIONS/ACTION

5.1 There are no Public Recognition/Proclamation/Action items to include this evening.

#### 6 PROGRAM UPDATE & BOARD DEVELOPMENT

Presentation/Public Hearing/Public Comment/Board Discussion

#### 6.1 **Program Update**

6.1.1 Admissions for 2021-2022

## 6.2 **Board Development**

6.2.1 Form 700 Statement of Economic Interests (Enc. No. 10)

Form 700 Reference Pamphlet 2020-2021

Form 700 2020-2021

Conflict of Interest Code-see Appendix A for who files a Form 700

#### 7 COMMUNITY REPORTS

Presentation/Public Hearing/Public Comment/Board Discussion

#### 7.1 **Board Member Report**

- 7.1.1 Board Nominating Committee
- 7.1.2 Ad Hoc Committee-Community Leadership

## 7.2 Superintendent Report

- 7.2.1 Charter Renewal Update
- 7.2.2 Update on TACMO Potential Growth Projects (Independent Study & Preschool)
- 7.2.3 ACSA Superintendent Symposium

#### 7.3 **Principal Report**

- 7.3.1 Informational New Parent Meetings for 21-22 BOA & SVA Enrollment
- 7.3.2 Annual Charter Oversight Focus Group Interviews for BOA & SVA

- 7.4 Operations Director Report
  - 7.4.1 **Operations Update**
- 7.5 **Teacher Representative Report** 
  - 7.5.1 Curriculum & Instruction Update

## 8 ADMINISTRATIVE PANEL RECOMMENDATIONS/ACTIONS

Review/Public Hearing/Public Input/Board Discussion/ACTION (as applicable)

8.1 There are no Administrative Panel items to discuss this evening.

### 9 **GENERAL AGENDA**

Review/Public Hearing/Public Input/Board Discussion/ACTION (as applicable)

9.1 Monthly Financials Presentation (Enc. No. 11) ACTION

TACMO Feb Board Presentation

9.2 Purchase of Miracle Play Systems shade structures for Sycamore Valley Academy (Enc. No. 12) ACTION

Shade Structure SVA.pdf

9.3 Reopening of School Guidelines from California Department of Health (Enc. No. 13) ACTION

Revised Reopening of Schools Guidelines.pdf

Consolidated\_Schools\_Guidance.pdf

9.4 Independent Auditor Selection for FY 2020-21 (Enc. No. 14) ACTION

- 🔼 Audit Proposal 1.pdf

Audit Proposal 2.pdf

Audit Proposal 3.pdf

9.5 Commercial Lease Agreement for CMO Office (Enc. No. 15) ACTION

The Academies Charter Management Organization.docx.pdf

## 10 ADJOURNMENT

- 10.1 Request for future Board Agenda items
- 10.2 The next The Academies CMO board meeting: March 18, 2021 at 6:30 PM via Zoom.

#### THE ACADEMIES CHARTER MANAGEMENT ORGANIZATION

#### STUDENT FREEDOM OF SPEECH AND EXPRESSION POLICY

The Board of Directors of the Academies Charter Management Organization ("TACMO" or the "Charter School") respects students' rights to express ideas and opinions, take stands, and support causes, whether controversial or not, through their speech, writing, printed materials, including the right of expression in official publications, and/or the wearing of buttons, badges and other insignia.

#### **Definitions**

- 1. "Obscenity": when the (1) average person applying current community standards finds the work as a whole appeals to the prurient interest, (2) the work is patently offensive, and (3) the work lacks serious literary, artistic, political, or scientific value. Examples include pornography or sexually explicit material.
- 2. "Defamation": Libel (written defamation) and Slander (oral defamation), which includes but is not limited to inaccurately attributing a statement to another, either on purpose for public officials (which includes Charter School staff) or by mistake for private officials, that mischaracterizes the statement.
- 3. "Discriminatory Material": material that demeans a person or group because of the person/group's disability, pregnancy, gender, gender identity, gender expression, nationality, ancestry, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, childbirth or related medical conditions, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by federal, state, local law, ordinance or regulation that has the purpose of humiliating, offending, or provoking a person/group.
- 4. "Harassment (including sexual harassment), Intimidation and/or Bullying": severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act. Bullying includes one or more acts committed by a student or group of students that may constitute sexual harassment, hate violence, or creates an intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following: (1) placing a reasonable student or students in fear of harm to that student's or those students' person or property, (2) causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health, (3) causing a reasonable student to experience a substantial interference with his or her academic performance, (4) causing a reasonable student to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

- 5. "Fighting Words": words likely to cause (1) the average person to fight or (2) the creation of a clear and present danger of violence, unlawful acts in violation of lawful school regulations, or the substantial disruption of school.
- 6. "Vulgarity and/or Profanity": the continual use of curse words by a student, even after warning.
- 7. "Violating Privacy": publicizing or distributing confidential or private material without permission.

#### **On-Campus Expression**

Student free speech rights include, but are not limited to, the use of bulletin boards, the distribution of printed materials or petitions, the wearing of buttons, badges, and other insignia, and the right of expression in official publications, whether or not the publications or other means of expression are supported financially by the school or by use of school facilities. Student expression on the Charter School website and online media shall generally be afforded the same protections as print media within the Policy.

Student freedom of expression shall be limited only as allowed by state and federal law in order to maintain an orderly school environment and to protect the rights, health, and safety of all members of the school community. Unprotected Expression includes the following: obscenity; defamation; discriminatory material; harassment (including sexual harassment), intimidation and/or bullying; fighting words; vulgarity and/or profanity; or violating privacy as defined above.

## A. <u>Distribution of Circulars, Un-Official Newspapers, and Other Printed Matter</u>

Free inquiry and exchange of ideas are essential parts of a democratic education. Students shall be allowed to distribute circulars, leaflets, newspapers, and pictorial or other printed matter, and to circulate petitions, subject to the following specific limitations:

1. Leaflets, pictorial and other printed matter to be distributed shall be submitted to the Charter School Superintendent or designee at least one (1) school day prior to distribution. The Charter School Superintendent or designee shall review material submitted in a reasonable amount of time and shall allow the approved material to be distributed according to the time and manner established by this Policy. Any student may appeal the decision of the Charter School Superintendent or designee to the Board who shall render a decision within a reasonable period of time after receipt of the appeal. The appeal by the student must be made within five (5) school days from the time the unsatisfactory decision was rendered.

- 2. Distribution, free or for a fee, may take place before school, after school, and/or during lunch provided there is no substantial disruption in the school programs (as determined by the Charter School Superintendent). Distribution may not occur during instructional time and should not occur in locations that disrupt the normal flow of traffic within the school or at school entrances.
- 3. The manner of distribution shall be such that coercion is not used to induce students to accept the printed matter or to sign petitions.
- 4. The solicitation of signatures must not take place in instructional classes or school offices, nor be substantially disruptive to the school program (as determined by the Charter School Superintendent or designee).

The Charter School Superintendent or designee shall work with student government representatives in the development of these procedures. Student responsibilities shall be emphasized.

## B. Official School Publications

Student editors of official school publications shall be responsible for assigning and editing the news, editorial, and feature content of their publications subject to the limitations of this Policy. However, it shall be the responsibility of the journalism staff adviser(s) of student publications to supervise the production of the student staff, to maintain professional standards of English and journalism, and to maintain the provisions of this Policy. The journalism staff adviser(s) shall help the student editors judge the literary value, newsworthiness and propriety of materials submitted for publication.

There shall be no prior restraint of material prepared for official school publications except insofar as it violates this Policy. TACMO officials shall have the burden of showing justification without undue delay prior to a limitation of student expression under this Policy. If the journalism staff adviser(s) consider material submitted for publication to violate this Policy, he or she will notify the student without undue delay and give specific reasons why the submitted material may not be published. The student should be given the opportunity to modify the material or appeal the decision of the journalism staff adviser to the Charter School Superintendent.

## C. <u>Buttons, Badges, and Other Insignia of Symbolic Expression</u>

Students shall be permitted to wear buttons, badges, armbands, and other insignia as a form of expression, subject to the prohibitions enumerated in this Policy.

<sup>&</sup>lt;sup>1</sup> "Official school publications" refers to material produced by students in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee.

### D. <u>Use of Bulletin Boards</u>

Students will be provided with bulletin boards, upon request and subject to availability, for use in posting student materials on campus locations convenient to student use. Where feasible, the location and quantity of such bulletin boards shall be by mutual agreement of student government representatives and TACMO administration. Posted material must be in compliance with other sections of this Policy, particularly regarding the distribution of materials and prohibited speech. Students may not post or distribute materials regarding the meetings of non-curricular student-initiated groups.

### E. Organized Demonstrations

Students have the right to lawful organized on-campus demonstrations, subject to the provisions of this Policy and applicable law. Demonstrations that incite students to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or demonstrations that substantially disrupt the orderly operation of the school are prohibited.

No individual student may demonstrate in the name of the Charter School or as an official school group at any time unless authorized by the Charter School to participate in the activity.

No student may participate in an organized demonstration that occurs during the hours of mandatory school attendance unless sanctioned by the Charter School and supervised by a designated Charter School employee. Missing school to attend an organized demonstration is not an excused absence. The Charter School will follow its Attendance Policy when determining consequences for students which may include but are not limited to detention, a low grade for a missed test, or receiving a truancy letter. The Charter School will follow its Suspension and Expulsion Policy when determining consequences for students if Charter School policy is violated.

## F. Student Speeches

If a student is selected to speak at a Charter School sponsored event, including but not limited to graduation or school assemblies, Charter School has the right to review the pre-prepared speech to ensure that unprotected speech is not included. If unprotected speech is included, the student will be given the opportunity to revise the speech or deliver a modified speech. If not revised or removed, the student will not be permitted to speak at the Charter School sponsored event.

### **Off-Campus Expression**

Off-campus student expression, including but not limited to student expression on off-campus internet web sites, is generally constitutionally protected but shall be subject to discipline when such expression poses a threat to the safety of other students, staff, or Charter School property, or substantially disrupts the educational program. The Charter School Superintendent or

designee shall document the impact the expression had or could be expected to have on the educational program.

## **Enforcement**

- 1. Upon learning that students are considering actions in the areas covered by this Policy they will be informed of the possible consequences of their action under each specific circumstance. The Charter School Superintendent shall ensure that due process is followed when resolving disputes regarding student freedom of expression.
- This Policy does not prohibit or prevent the TACMO Governing Board from adopting otherwise valid rules and regulations relating to oral communications by students upon the TACMO campus.
- 3. No TACMO employee shall be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student engaged in the conduct authorized under this Policy, or refusing to infringe upon conduct that is authorized under this Policy, the First Amendment to the United States Constitution, or Section 2 of Article I of the California Constitution.
- 4. TACMO shall not make or enforce a rule subjecting a student to disciplinary sanctions solely on the basis of conduct that is speech or other communication that, when engaged in outside of the campus, is protected from governmental restriction by the First Amendment to the United States Constitution or Section 2 of Article I of the California Constitution.

## Complaints

A student who feels their freedom of expression was unconstitutionally limited and/or limited on the basis of discrimination may file a complaint with TACMO through following the Charter School's General Complaint Policies and Procedures.

This policy was formally adopted at a meeting of The Academies Cl	narter Management
Organization Board of Directors on	•
 Alex Tietjen, Board Secretary	
ruex riegen, board secretary	

Revision Date:

#### THE ACADEMIED CHARTER MANANGEMENT ORGNAIZATION

#### **EDUCATION FOR FOSTER AND MOBILE YOUTH POLICY**

#### <u>Introduction</u>

The Governing Board of The Academies Charter Management Organization ("TACMO" or the "Charter School") recognizes that Foster and Mobile Youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. To enable such students to achieve state and charter school academic standards, the Charter School shall provide them with full access to the Charter School's educational program and implement strategies identified as required by law and necessary for the improvement of the academic achievement of foster youth in the Charter School's local control and accountability plan ("LCAP").

#### **Definitions**

- "Foster youth" means a child who has been removed from their home pursuant to California Welfare and Institutions Code section 309 and/or is the subject of a petition filed under Welfare and Institutions Code section 300 or 602. This includes children who are the subject of cases in dependency court and juvenile justice court.
- "Former juvenile court school pupil" means a pupil who, upon completion of the pupil's second year of high school, transfers from a juvenile court school to the Charter School.
- "Child of a military family" refers to a student who resides in the household of an active duty military member.
- "Currently Migratory Child" refers to a child who, within the last 12-months, has moved with a parent, guardian, or other person having custody to the Charter School from another Local Educational Agency ("LEA"), either within California or from another state, so that the child or a member of the child's immediate family might secure temporary or seasonal employment in an agricultural or fishing activity, and whose parents or guardians have been informed of the child's eligibility for migrant education services. "Currently Migratory Child" includes a child who, without the parent/guardian, has continued to migrate annually to secure temporary or seasonal employment in an agricultural or fishing activity.
- "Pupil participating in a newcomer program" means a pupil who is participating in a program
  designed to meet the academic and transitional needs of newly arrived immigrant pupils
  that has as a primary objective the development of English language proficiency.
- "Educational Rights Holder" ("ERH") means a parent, guardian, responsible adult appointed by a court to make educational decisions for a minor pursuant to Welfare and Institutions Code sections 319, 361 or 726, or a person holding the right to make educational decisions for the pupil pursuant to Education Code section 56055.

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"School of origin" means the school that the foster youth attended when permanently housed or the school in which the foster youth was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the foster youth attended within the immediately preceding 15 months, the Charter School liaison for foster youth, in consultation with and with the agreement of the foster youth and the ERH for the youth, shall determine, in the best interests of the foster youth, the school that shall be deemed the school of origin.

"Best interests" means that, in making educational and school placement decisions for a
foster youth, consideration is given to, among other factors, the opportunity to be educated
in the least restrictive educational program and the foster youth's access to academic
resources, services, and extracurricular and enrichment activities that are available to all
Charter School students.

Within this Policy, foster/juvenile court youth, former juvenile court school pupils, a child of a military family, a currently migratory child, and a pupil participating in the newcomer program will be referred to collectively as "Foster and Mobile Youth."

### **Foster and Mobile Youth Liaison**

In order to help facilitate the enrollment, placement, and transfer of Foster and Mobile Youth to the Charter School, the Governing Board shall designate a Foster and Mobile Youth liaison. The Governing Board designates the following position as the Charter School's liaison for Foster and Mobile Youth:

[INSERT CONTACT INFO]
Donya Ball, Ed.D.
Superintendent
PO Box 1189
Visalia, CA 93279
(559) 730-7422

The Foster and Mobile Youth Liaison shall be responsible for the following:

- 1. Ensure and facilitate the proper educational placement, enrollment in the Charter School, and checkout from the Charter School of Foster and Mobile Youth.
- 2. Ensure proper transfer of credits, records, and grades when Foster and Mobile Youth transfer to or from the Charter School.
- 3. When a foster youth is enrolling in the Charter School, the Foster and Mobile Youth Liaison

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shall contact the school last attended by the student within two (2) business days to obtain all academic and other records. The last school attended by the foster youth shall provide all required records to the new school regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended. When a foster youth is transferring to a new school, the Foster and Mobile Youth Liaison shall provide the student's records to the new school within two (2) business days of receiving the new school's request, regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the Charter School.

- 4. When required by law, notify the foster youth's attorney and the appropriate representative of the county child welfare agency at least ten (10) calendar days preceding the date of the following:
  - a. An expulsion hearing for a discretionary act under the Charter School's charter.
  - b. Any meeting to extend a suspension until an expulsion decision is rendered if the decision to recommend expulsion is a discretionary act under the Charter School's charter. The foster youth's attorney and the agency representative will be invited to participate.
  - c. A manifestation determination meeting prior to a change in the foster youth's placement if the change in placement is due to an act for which the recommendation for expulsion is discretionary and the student is a student with a disability under state and federal special education laws. The foster youth's attorney and the agency representative will be invited to participate.
- 5. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973.
- 6. As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and after-school services.
- 7. Develop protocols and procedures for creating awareness for Charter School staff, including but not limited to principals, deans, and attendance clerks, of the requirements for the proper enrollment, placement, and transfer of foster youth.
- 8. Collaborate with the county placing agency, social services, probation officers, juvenile court officers, and other appropriate agencies to help coordinate services for the Charter School's foster youth.
- 9. Monitor the educational progress of foster youth and provide reports to the Executive

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Director Superintendent or designee and the Governing Board based on indicators identified in the Charter School's local control and accountability plan.

This Policy does not grant the Foster and Mobile Youth Liaison authority that supersedes the authority granted under state and federal law to a parent or legal guardian retaining educational rights, a responsible person appointed by the court to represent the child pursuant to Welfare and Institutions Code sections 319, 361 or 726, a surrogate parent, or a foster parent exercising authority under Education Code section 56055. The role of the Foster and Mobile Youth Liaison is advisory with respect to placement options and determination of the school of origin.

## **School Stability and Enrollment**

The Charter School will work with foster youth and their ERH to ensure that each foster youth is placed in the least restrictive educational programs and has access to the academic resources, services, and extracurricular and enrichment activities that are available to all students, including, but not limited to, interscholastic sports. All decisions regarding a foster youth's education and placement will be based on the best interest of the child and shall consider, among other factors, educational stability and the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress.

Foster youth, currently migratory children, and children of military families have the right to remain in their school of origin if it is their best interest. The Charter School will immediately enroll a foster youth, a currently migratory child, or child of a military family seeking reenrollment in the Charter School as their school of origin.

A foster youth, currently migratory child, or child of a military family who seeks to transfer to the Charter School will be immediately enrolled (subject to the Charter School's capacity, if the Charter School is not the student's school of origin, and pursuant to the procedures stated in the Charter School's charter and Board policy) even if the student has outstanding fees, fines, textbooks, or other items or monies due to the school last attended or is unable to meet normal enrollment documentation or school uniform requirements (e.g. producing medical records or academic records from a previous school).

At the initial detention or placement, or any subsequent change in placement, a foster youth may continue in their school of origin for the duration of the court's jurisdiction. A currently migratory child or child of a military family may continue in their school of origin as long as the student meets the definition of a currently migratory child or child of a military family as described above. Foster youth, currently migratory children, and children of military families have the right to remain in their school of origin following the termination of the court's jurisdiction or termination of the child's status as a currently migratory child or child of a military family, as follows:

1. For students in Kindergarten through eighth grade, inclusive, the student will be allowed to continue in the school of origin through the duration of the academic year in which the student's status changed.

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2. For students enrolled in high school, the student will be allowed to continue in the school of origin through graduation.

If the foster youth, currently migratory child or child of a military family is transitioning between school grade levels, the youth shall be allowed to continue in the district of origin in the same attendance area to provide the youth the benefit of matriculating with their peers in accordance with the established feeder patterns of school districts. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

The Foster and Mobile Youth Liaison may, in consultation with and with the agreement of the foster youth and the ERH for the foster youth, recommend that the foster youth's right to attend the school of origin be waived and the student be enrolled in any district school that the student would otherwise be eligible to attend as a resident of the school district or in the Charter School consistent with current enrollment procedures. All decisions shall be made in accordance with the foster youth's best interests.

Prior to making any recommendation to move a foster youth from their school of origin, the Foster and Mobile Youth Liaison shall provide the foster youth and the foster youth's ERH with a written explanation of the basis for the recommendation and how the recommendation serves the foster youth's best interests.

If any dispute arises regarding a foster youth's request to remain in the Charter School as the foster youth's school of origin, the foster youth has the right to remain in the Charter School pending resolution of the dispute. The dispute shall be resolved in accordance with the existing Charter School dispute resolution process.

#### **Transportation**

The Charter School shall not be responsible for providing transportation to allow a foster youth to attend school, unless there is an agreement with a local child welfare agency that the Charter School assumes part or all of the transportation costs in accordance with Section 6312(c)(5) of Title 20 of the United States Code, or unless required by federal law. The Charter School is not prohibited from providing transportation, at its discretion, to allow a foster youth to attend school.

In accordance with Section 6312(c)(5) of Title 20 of the United States Code, the Charter School shall collaborate with local child welfare agencies to develop and implement clear written procedures to address the transportation needs of foster youth to maintain them in their school of origin, when it is in the best interest of the youth.

For any student who has an individualized education program ("IEP"), the student's IEP team will determine if the student requires special education transportation as a related service regardless of the student's status.

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## **Effect of Absences on Grades**

The grades of a foster youth shall not be lowered for any absence from the Charter School that is due to either of the following circumstances:

- a. A decision by a court or placement agency to change the student's placement, in which case the student's grades shall be calculated as of the date the student left school.
- b. A verified court appearance or related court-ordered activity.

#### **Transfer of Coursework and Credits**

The Charter School shall accept coursework satisfactorily completed by a Foster and Mobile Youth while attending another public school<sup>1</sup>, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school or agency even if the student did not complete the entire course and shall issue that student full or partial credit for the coursework completed.

If the Foster and Mobile Youth did not complete the entire course, the student shall be issued partial credit for the coursework completed and shall not be required to retake the portion of the course that the student completed at another school unless the Charter School, in consultation with the student's ERH, finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a Foster and Mobile Youth in any particular course, the student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course.

In no event shall the Charter School prevent a Foster and Mobile Youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California.

## **Applicability of Graduation Requirements**

To obtain a high school diploma from the Charter School, a student must complete all courses required by the Charter School and fulfill any additional graduation requirements prescribed by the Board. However, Foster and Mobile Youth who transfer to the Charter School any time after the completion of their second year of high school, and pupils participating in a newcomer program who are in their third or fourth year of high school, shall be exempt from any of the Charter School's graduation requirements that are in excess of the California minimum graduation requirements specified in Education Code section 51225.3 ("additional graduation requirements") unless the Charter School makes a finding that the student is reasonably able to complete the Charter School's graduation requirements by the end of the student's fourth year of high school.

<sup>&</sup>lt;sup>1</sup> For purposes of coursework completed by a student who is a child of a military family, "public school" includes schools operated by the United States Department of Defense.

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To determine whether a Foster and Mobile Youth is in their third or fourth year of high school, either the number of credits the student has earned to the date of transfer or the length of the student's school enrollment may be used, whichever will qualify the student for the exemption. For a pupil participating in a newcomer program, enrollment in grade 11 or 12 may be used to determine whether the student is in their third or fourth year of high school.

Within thirty (30) calendar days of the date that a student who may qualify for exemption under the above requirements transfers into the Charter School, the Charter School shall notify the student, the ERH, and where applicable, the student's social worker or probation officer, of the availability of the exemption and whether the student qualifies for the exemption. If the Charter School fails to provide timely notice of the availability of the exemption, the Foster and Mobile Youth shall be eligible for the exemption from the additional graduation requirements once notified, even if that notification occurs after the termination of the court's jurisdiction over the student, if the foster youth otherwise qualifies for the exemption.

If a student is exempted from the Charter School's additional graduation requirements pursuant to this Policy and completes the statewide coursework requirements specified in Educational Code section 51225.3 before the end of their fourth year of high school and that student would otherwise be entitled to remain in attendance at the Charter School, the Charter School shall not require or request that the student graduate before the end of their fourth year of high school.

The Executive Director Superintendent or designee shall notify a Foster and Mobile Youth and their ERH if the Charter School grants an exemption from the additional graduation requirements, how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution, and shall provide information about transfer opportunities available through the California Community Colleges.

A Foster and Mobile Youth who would otherwise be entitled to remain in attendance at the Charter School shall not be required to accept the exemption from additional graduation requirements or be denied enrollment in, or the ability to complete, courses for which the student is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether those courses are required for statewide graduation requirements.

If an eligible student is not exempted from additional graduation requirements or has previously declined the exemption pursuant to this Policy, the Charter School shall exempt the student at any time if an exemption is requested by the youth and the youth qualifies for the exemption. Likewise, if the youth is exempted, the Charter School may not revoke the exemption.

If a Foster and Mobile Youth is exempted from additional graduation requirements pursuant to this section, the exemption shall continue to apply after the termination of the court's jurisdiction over the student or after the termination of circumstances which make the Student eligible while he or she is enrolled in school or if the student transfers to another school, including a charter

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school, or school district.

The Charter School shall not require or request a Foster and Mobile Youth to transfer schools in order to qualify for an exemption from additional graduation requirements, and no Foster and Mobile Youth or any person acting on behalf of a Foster and Mobile Youth may request a transfer solely to qualify for an exemption from the Charter School's additional graduation requirements.

Upon making a finding that a Foster and Mobile Youth is reasonably able to complete the Charter School's graduation requirements within the student's fifth year of high school, the **Executive Director Superintendent** or designee shall:

- 1. Inform the student and the student's ERH of the student's option to remain in school for a fifth year to complete the Charter School's graduation requirements, consistent with the laws regarding continuous enrollment and satisfactory progress for Charter School students over age 19.
- 2. Inform the student and the student's ERH how remaining in school for a fifth year will affect the student's ability to gain admission to a postsecondary educational institution.
- 3. Provide information to the student about transfer opportunities available through the California Community Colleges.
- 4. Upon agreement with the student or, if the student is under 18 years of age, the ERH, permit the student to stay in school for a fifth year to complete the Charter School's graduation requirements.

If a juvenile court youth satisfies the requirements for high school graduation while enrolled at a juvenile court school but has elected to decline the issuance of the diploma for the purpose of taking additional coursework, the Charter School will not prevent the juvenile court youth from enrolling in the Charter School and pursuing additional coursework if requested by the youth or by the youth's ERH.

#### **Eligibility for Extracurricular Activities**

A student who is in foster care whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities.

## **Waiver of Fees for Afterschool Programs**

The Charter School shall not charge any student who the Charter School knows is currently in foster care any family fees associated with an After-School Education and Safety ("ASES") Program operated by the Charter School.

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#### **Student Records**

When the Charter School receives a transfer request and/or student records request for the educational information and records of a foster youth from a new LEA, the Charter School shall provide these student records within two (2) business days. The Charter School shall compile the complete educational record of the student, including but not limited to a determination of seat time, full or partial credits earned, current classes and grades, immunization and other records, and, if applicable, a copy of the student's special education records including assessments, IEPs, and/or 504 plans. All requests for student records will be shared with the Foster and Mobile Youth Liaison, who shall be aware of the specific educational record keeping needs of Foster and Mobile Youth.

In accordance with the Charter School's Educational Records and Student Information Policy, under limited circumstances, the Charter School may disclose student records or personally identifiable information contained in those records to certain requesting parties including but not limited to a foster family agency and state and local authorities within a juvenile justice system, without parental consent.

### **Complaints of Noncompliance**

Complaints of noncompliance with this Policy shall be governed by the Charter School's Uniform Complaint Procedures. A copy of the Uniform Complaint Policy and Procedures is available upon request at the main office.

This policy was formally adopted at a mee	eting of The Academies Charter Management
Organization Board of Directors on	·
Alex Tietjen, Board Secretary	<del></del>

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#### THE ACADEMIES CHARTER MANAGEMENT ORGANIZATION

## SECTION 504: POLICY, PROCEDURES, AND PARENT RIGHTS REGARDING IDENTIFICATION, EVALUATION AND EDUCATION

#### **A. SECTION 504 POLICY**

The Board of Directors of The Academies Charter Management Organization ("TACMO" or the "Charter School") recognizes the need to identify and evaluate students with disabilities in order to provide them with a free, appropriate public education and its legal responsibility to ensure that "no qualified person with a disability shall, solely by reason of their disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." This Policy and the related administrative regulation has been developed to ensure the implementation of Section 504 of the Rehabilitation Act of 1973 ("Section 504"), and its implementing regulations as amended, which pertains to public schools. The intent is to ensure that all students with disabilities, who are eligible under Section 504, are identified and evaluated and have access to a free, appropriate public education ("FAPE").

Under Section 504, individuals with physical or mental impairments that substantially limit one or more major life activities, including learning, are entitled to receive regular or special education and/or related aids and services designed to meet their individual needs as adequately as the needs of nondisabled students are met. Major Life Activities include functions such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working, as well as the operation of a major bodily functions, including functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. Students may be disabled and entitled to services under Section 504 even though they are not eligible for services pursuant to the Individuals with Disabilities Education Act Improvement Act of 2004 ("IDEA").

The Charter School's Superintendent or designee shall ensure that this policy and set of procedures is implemented and followed. Whenever there is reason to believe that, because of a disability, a student needs regular or special education and/or related aids and services (and the student has not been found eligible under IDEA) that student will be evaluated under this policy's corresponding procedures.

A Section 504 Team will be convened to determine the student's need for regular or special education and/or related aids and services. The 504 Team will include persons knowledgeable about the Section 504 standards, the student's individual needs and school history, the meaning of evaluation data, and placement options. The student's parent/guardian shall be invited to participate in this 504 Team and shall receive notice of procedural safeguards guaranteed by law.

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If TACMO does not assess a student after a parent has requested an assessment, the Charter School shall provide notice of the parent's/guardian's procedural safeguards. TACMO shall not retaliate in any way against parents/guardians or students who exercise any rights under the procedural safeguards and/or Section 504.

If the student, due to disability, is found to require regular or special education and/or related aids and services under Section 504, the Section 504 Team shall develop a 504 plan for the provision of such services to the student. The student shall be educated with nondisabled students to the maximum extent appropriate to the student's individual needs. The student's parent/guardian shall be provided a copy of the 504 plan and shall receive notice of procedural safeguards guaranteed by law. TACMO shall periodically review the student's progress and placement.

The Charter School does not discriminate on the basis of disability or any other characteristic protected under law. TACMO will implement this policy through its corresponding procedures.

#### **B. SECTION 504 PROCEDURES**

#### A. Definitions

- Academic Setting the regular, educational environment operated by TACMO.
- 2. **Individual with a Disability under Section 504** An individual who:
  - a. has a physical or mental impairment that substantially limits one or more major life activities;
  - b. has a record of such an impairment; or
  - c. is regarded as having such an impairment.
- 3. **Evaluation** procedures used to determine whether a student has a disability as defined within these Procedures, and the nature and extent of the services that the student needs. The term means procedures used selectively with an individual student and does not include basic tests administered to, or procedures used with, all students in a school, grade or class.
- 4. **504 Plan** is a plan developed to identify and document the student's needs for regular or special education and related aids and services for participation in educational programs, activities, and school–sponsored events.
- 5. **Free Appropriate Public Education ("FAPE")** the provision of regular or special education and related aids and services that are designed to meet the individual needs of persons with disabilities as adequately as the needs of persons without disabilities are met.

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6. Major Life Activities - Functions such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions.

## 7. Physical or Mental Impairment –

- a. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine; or
- Any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
- 8. **504 Coordinator** The Principal shall serve as the Charter School's Section 504 Coordinator. The parents or guardians may request a Section 504 due process hearing from or direct any questions or concerns to the Section 504 Coordinator.
- 9. **Has a record of such an impairment** means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

## 10. **Is regarded as having an impairment** - means

- a. An individual meets the requirement of 'being regarded as having such an impairment' if the individual establishes that they have been subjected to an action prohibited under this Act because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.
- b. Being regarded as having an impairment shall not apply to impairments that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of 6 months or less.
- B. Referral, Assessment and Evaluation Procedures
  - 1. TACMO will evaluate any student who, because of disability, needs or is believed

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to need regular or special education and/or related aids and services.

- 2. A student may be referred by anyone, including a parent/guardian, teacher, other school employee or community agency, for consideration as to whether the student qualifies as a student with disabilities under Section 504. Requests for evaluation shall be made in writing, and a copy of said request will remain in the student's file regardless of the final determination. This referral should be made to the Section 504 Coordinator who will convene a 504 Team. Any requests made to another Charter School employee will be forwarded to the Section 504 Coordinator.
- 3. The Charter School has the responsibility to ensure that students with disabilities are evaluated. Therefore, it is important that students who have or may have a disability are referred to the Section 504 Coordinator so that the assessment process is initiated.
- 4. The 504 Team convened by the Section 504 Coordinator will be composed of the student's parents/guardians and other persons knowledgeable about the student (such as the student's regular education teachers), the student's school history, the student's individual needs (such as a person knowledgeable about the student's disabling condition), the meaning of evaluation data, the options for placement and services, and the legal requirements for least restrictive environment and comparable facilities.
- 5. The 504 Team shall promptly consider the referral and determine what assessments are needed in all suspected areas of disability to evaluate whether the student is a student with a disability under Section 504 and what special needs the student may have. The decision regarding what assessments shall be undertaken shall be based on a review of the student's school records (including academic, social and behavioral records), any relevant medical records, and the student's needs. Students requiring assessment shall be provided appropriate assessments administered by qualified assessment specialists.
- 6. The 504 Team will consider the following information in its evaluation of the student:
  - Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel;
  - b. Tests and other evaluation materials including those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and

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- c. Tests are selected and administered so as to best ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure.)
- 7. The evaluation of the student must be sufficient for the 504 Team to accurately and completely describe: (a) the nature and extent of the disabilities; (b) the student's special needs; (c) the impact upon the student's education; and (d) what regular or special education and/or related aids and services are appropriate to ensure that the student receives a free appropriate public education. All significant factors relating to the learning process for that student, including adaptive behavior and cultural and language background, must be considered. The evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the student's teachers and parent/guardian.
- 8. Mitigating measures cannot be considered when evaluating whether or not a student has a substantially limiting impairment. Mitigating measures could include medications, prosthetic devices, assistive devices, or learned behavioral or adaptive neurological modifications a student uses to eliminate or reduce the effects of an impairment.
- 9. The parents/guardians shall be given an opportunity in advance of 504 Team meetings to examine assessment results and all other relevant records.
- 10. If a request for evaluation is denied, the 504 Team shall inform the parents/guardians in writing of this decision and of their procedural rights as described below.

## C. 504 Plan

- 1. When a student is identified as having a disability within the meaning of Section 504, the 504 Team shall determine what, if any, services are needed to ensure that the student receives a FAPE.
- 2. The 504 Team responsible for making the placement decision shall include the parents/guardians and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.
- 3. For each identified eligible student, the 504 Team will develop a 504 Plan describing the student's disability and the regular or special education and/or

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related aids and services needed. The Plan will specify how the special education and/or related aids and services will be provided to the eligible student and by whom. The 504 Plan will also identify the person responsible for ensuring that all the components of the Plan are implemented.

- 4. The student's teacher and any other staff who are to provide services to the student or who are to make modifications in the classroom for the student shall be informed of the services or modifications necessary for the student and, if appropriate, provided a copy of the 504 Plan. A copy of this plan shall be kept in the student's cumulative file in a manner that limits access to those persons involved in the 504 process and/or the provision of services and modifications.
- 5. The eligible student shall be placed in the regular education environment unless it is demonstrated that the student's needs cannot be met in the regular education environment with supplementary aids and services. The student shall be educated with students who are not disabled to the maximum extent appropriate to their individual needs.
- 6. The referral, assessment, evaluation and placement process will be completed within a reasonable time. It is generally not reasonable to exceed fifty (50) school days in completing this process.
- 7. The parents/guardians shall be notified in writing of the final decision concerning the student's identification as a person with disabilities, the educational program and services to be provided, if any, and of the Section 504 procedural safeguards, as described below, including the right to an impartial hearing to challenge the decision.
- 8. If the 504 Team determines that the student has a disability but that no special services are necessary for the student, the 504 Plan shall reflect the identification of the student as a person with a disability under Section 504 and shall state the basis for the decision that no special services are presently needed.
- The 504 Plan shall include a schedule for annual review of the student's needs and indicate that this review may occur more frequently at the request of the parent/guardian or school staff.
- 10. TACMO shall immediately implement a student's prior 504 Plan, when a student enrolls at the Charter School. Within thirty (30) calendar days of starting school, TACMO shall schedule a 504 Team meeting to review the existing 504 Plan. TACMO shall request a copy of the prior 504 plan from both the prior school and the parent/guardian.
- D. Review of the Student's Progress
  - 1. The 504 Team shall monitor the progress of the eligible student and the

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effectiveness of the student's 504 Plan. According to the review schedule set out in the student's 504 Plan, the 504 Team shall annually determine whether the services and modifications are appropriate.

2. A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement.

## E. Procedural Safeguards

- 1. Parents/guardians shall be notified in writing of all decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their rights to:
  - Examine relevant records
  - Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel
  - Have the right to file a Uniform Complaint pursuant to Charter School policy
  - Seek review in federal court if the parents/guardians disagree with the hearing decision.
- 2. Notifications shall also set forth the procedures for requesting an impartial hearing. Requests shall be made to the following:

Principal, 504 Coordinator c/o The Academies CMO PO Box 1189 Visalia, CA 93279

Notifications shall also advise that reimbursement for attorney's fees is available only as authorized by law.

- 3. The Superintendent or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with TACMO or any district within the Visalia Unified School District or the Tulare County Office of Education in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.
- 4. If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, the parent/guardian

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may request a hearing to initiate due process procedures. The parent/guardian shall set forth in writing their request for a hearing. A request for hearing should include:

- The specific decision or action with which the parent/guardian disagrees.
- The changes to the 504 Plan the parent/guardian seeks.
- Any other information the parent/guardian believes is pertinent.
- 5. Within five (5) calendar days of receiving the parent/guardian's request for a hearing, the Charter School may offer the parent/guardian an optional alternative dispute resolution process. However, the timeline for the hearing shall remain in effect unless it is extended by mutual written agreement of the parent/guardian and the Charter School. Alternative dispute resolution options include:
  - Mediation by a neutral third party.
  - Review of the 504 Plan by the Superintendent or designee.
- 6. Within ten (10) calendar days of receiving the parent/guardian's request, the Superintendent or designee shall select an impartial hearing officer. These 10 days may be extended for good cause or by mutual agreement of the parent/guardian and Superintendent.
- 7. Within thirty-five (35) calendar days of the selection of the hearing officer, the due process hearing shall be conducted. These thirty-five (35) calendar days may be extended for good cause or by mutual agreement of the parent/guardian and Superintendent.
- 8. The parent/guardian and the School shall be afforded the rights to:
  - Be accompanied and advised by counsel and by individuals with special knowledge or training related to the individual needs of students who are qualified as having a disability under Section 504.
  - Present written and oral evidence.
  - Question and cross-examine witnesses.
  - Receive written findings by the hearing officer.
- 9. The hearing officer shall issue a written decision within ten (10) calendar days of

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the hearing.

- 10. If desired, either party may seek a review of the hearing officer's decision by a federal court. The decision shall be implemented unless the decision is stayed, modified or overturned by a court.
- 11. TACMO shall not retaliate in any way against parents/guardians or students who exercise any rights under the procedural safeguards and/or Section 504.
- F. Suspension and Expulsion, Special Procedures for Students with Disabilities

TACMO shall follow the suspension and expulsion policy and procedures as set forth in the charter. A student who is qualified for services under Section 504 of the Rehabilitation Act of 1973 is subject to the same grounds for disciplinary action, including suspension and expulsion, and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. TACMO will follow Section 504 and all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students. The following procedures shall be followed when a student with a disability is considered for suspension or expulsion. These procedures will be updated if there is a change in the law.

## 1. <u>Services During Suspension</u>

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's 504 Plan; and receive, as appropriate, a functional behavioral assessment ("FBA") and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

## 2. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, TACMO, the parent, and relevant members of the 504 Team shall review all relevant information in the student's file, including the child's 504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

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- a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b. If the conduct in question was the direct result of the local educational agency's failure to implement the 504 Plan.

If TACMO, the parent, and relevant members of the 504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If TACMO, the parent, and relevant members of the 504 Team make the determination that the conduct was a manifestation of the child's disability, the 504 Team shall:

- a. Conduct an FBA and implement a behavioral intervention plan ("BIP") for such child, provided that TACMO had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b. If the child has a BIP, review the BIP and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent and TACMO agree to a change of placement as part of the modification of the BIP.

If TACMO, the parent, and relevant members of the 504 team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the 504 Plan, then TACMO may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

## 3. Appeals

The parent/guardian of a child with a disability under a 504 Plan who disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, either party may request to utilize the appeal process outlined in the Procedural Safeguards section of these Procedures.

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When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or TACMO, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and TACMO agree otherwise.

## 4. <u>Special Circumstances</u>

TACMO personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

The Superintendent or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

- a. Carries or possesses a weapon, as defined in 18 U.S.C. § 930, to or at school, on school premises, or to or at a school function;
- b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c. Has inflicted serious bodily injury, as defined by 20 U.S.C. § 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

## 5. <u>Interim Alternative Educational Setting</u>

The student's interim alternative educational setting shall be determined by the student's 504 Team.

## 6. <u>Procedures for Students Not Yet Eligible for Special Education Services</u>

A student who has not been identified as an individual with disabilities pursuant to the IDEA 2004 and who has violated TACMO's disciplinary procedures may assert the procedural safeguards granted under these Procedures only if TACMO had knowledge that the student had a disability before the behavior occurred.

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TACMO shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

- a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to TACMO supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b. The parent has requested an evaluation of the child.
- c. The child's teacher, or other TACMO personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the Director of Special Education or to other TACMO supervisory personnel.

If TACMO knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEA 2004-eligible children with disabilities, including the right to stay-put.

If TACMO had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. TACMO shall conduct an expedited evaluation if requested by the parent/guardian; however, the student shall remain in the education placement determined by TACMO pending the results of the evaluation.

TACMO shall not be deemed to have knowledge of that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

## C. PARENT/STUDENT RIGHTS IN IDENTIFICATION, EVALUATION, ACCOMMODATION AND PLACEMENT

The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. Please keep this explanation for future reference.

You have the right to:

1. Have your child take part in and receive benefits from public education programs without discrimination because of their disabling condition.

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- 2. Have TACMO advise you of your rights under federal law.
- 3. Receive notice with respect to Section 504 identification, evaluation and/or placement of your child.
- 4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have TACMO make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
- 5. Have your child educated in facilities and receive services comparable to those provided to non-disabled students.
- Have your child receive special education and related services if your child is found to be eligible under the Individuals with Disabilities Education Improvement Act (IDEA 2004).
- 7. Have an evaluation, educational recommendation, and placement decision developed by a team of persons who are knowledgeable of the student, the assessment data, and any placement options. This includes the right to an evaluation before the initial placement of the student and before any subsequent significant change in placement.
- 8. Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by TACMO.
- 9. Examine all relevant records relating to decisions regarding your child's Section 504 identification, evaluation, educational program, and placement.
- 10. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
- 11. Obtain a response from TACMO to reasonable requests for explanations and interpretations of your child's records.
- 12. Request an amendment of your child's educational records if there is reasonable cause to believe they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If TACMO refuses this request for amendment, the Charter School shall notify you within a reasonable time and advise you of your right to an impartial hearing.
- 13. Request mediation or file a grievance in accordance with Charter School's Section 504 mediation grievance and hearing procedures, outlined above.
- 14. Request an impartial hearing regarding the Section 504 identification, evaluation, or placement of your child. You and the student may take part in the hearing and have an attorney represent you.

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- 15. File a formal complaint pursuant to the Charter School's Uniform Complaint Policy and Procedures. Please ask the Superintendent for a copy of the Charter School's Uniform Complaint Policy and Procedures if you need one.
- 16. File a formal complaint with the U.S. Department of Education.

Office for Civil Rights, U.S. Department of Education
San Francisco Office
50 United Nations Plaza
San Francisco, CA 94102
(415) 486-5555 PHONE
(415) 486-5570 FAX

Email: OCR.SanFrancisco@ed.gov

17. Be free from any retaliation from TACMO for exercising any of these rights.

Please contact the Principal, 504 Coordinator, c/o The Academies CMO, PO Box 1189, Visalia, CA 93279 with any questions regarding the information contained herein.

This policy was formally adopted at a meeting of The Academies Charter Management
Organization Board of Directors on
Alex Tietjen, Board Secretary

**Revision Date:** 

#### THE ACADEMIES CHARTER MANAGEMENT ORGANIZATION

#### **SPECIAL EDUCTION POLICY**

The Board of Directors of The Academies Charter Management Organization ("TACMO" or the "Charter School") recognizes the need to identify, evaluate, and serve students with disabilities in order to provide them with a free appropriate public education ("FAPE") in the least restrictive environment. Accordingly, this Policy has been adopted consistent with Education Code section 56195.8.

## Identification, Referral, and Evaluation for Special Education

TACMO shall follow applicable state and federal law and regulations and Tulare County Office of Education ("SELPA") policy with respect to the identification, referral, and assessments of students for special education and related services.

### <u>Individualized Education Program ("IEP") Team Meetings</u>

TACMO shall convene IEP team meetings with the legally required composition within all legally applicable timelines, in accordance with state and federal law and regulations and SELPA policy.

TACMO shall also review, at the request of a student's general or special education teacher, the student's assignment to their class. A mandatory IEP meeting shall be convened if the review indicates a change to the student's placement, instruction, related services, or any combination thereof may be required. The Director of Special Education shall be responsible for completing the review within fifteen (15) school days of the teacher's request.

## **Procedural Safeguards**

Parents/guardians shall receive written notice of their rights in accordance with state and federal law and regulation, and SELPA policy at each IEP meeting. If an additional copy is desired it may be obtained from the students case manager or the Director of Special Education.

## **Nonpublic, Nonsectarian Services**

TACMO may contract with state-certified nonpublic, nonsectarian schools or agencies to provide special education services or facilities when an appropriate public education program at TACMO is not available in accordance with Education Code section 56366 and Section 3062 of Title 5 of the California Code of Regulations. When entering into agreements with nonpublic, nonsectarian

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schools ("NPSs") or agencies ("NPAs"), TACMO shall consider the needs of the individual student and the recommendations of the IEP team. The IEP team shall remain accountable for monitoring the progress of students placed in nonpublic, nonsectarian programs towards the goals identified in each student's IEP.

In accordance with Education Code section 56366.1, when entering into a Master Contract with an NPS where TACMO has not previously placed a student, the Charter School shall conduct an onsite visit to the NPS at the time of placement. TACMO shall also conduct at least one onsite monitoring visit to the NPA during each school year in which the Charter School has a student attending pursuant to a Master Contract. The monitoring visit shall include the following:

- A review of services provided to the student through the individual service agreement between TACMO and the NPS;
- A review of progress the student is making toward the student's IEP goals;
- A review of progress the student is making toward the goals set forth in the student's behavior intervention plan;
- If applicable, an observation of the student during instruction;
- A walkthrough of the facility; and
- Any other reviews and/or observations deemed necessary by TACMO.

TACMO shall follow state and federal law and regulations and SELPA policy when contracting with nonpublic, nonsectarian schools or agencies.

#### **Special Education Program**

TACMO shall employ or contract with certificated education specialists or resource specialists to provide services for students with disabilities which shall include, but not be limited to:

- Providing instruction and services to students whose needs have been identified in an IEP developed by the IEP team and who are assigned to regular classroom teachers for a majority of the school day. Students shall not be enrolled in an environment away from their general education peers for the majority of the school day without approval of the IEP team.
- 2. Providing information and assistance to students with disabilities and their parents/guardians.
- 3. Providing consultation, resource information, and material regarding students with disabilities to their parents/guardians and regular education staff members.

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4. Coordinating special education services with the general education programs for each student with disabilities enrolled in the special education program.

- 5. Monitoring student progress on a regular basis, participating in the review and revision of IEPs as appropriate, and referring students who do not demonstrate appropriate progress to the IEP team.
- 6. Education specialists shall not simultaneously be assigned to serve as providers of special education services and to teach regular classes.
- 7. Evaluate student needs and when exceptional needs exist that are outside of what TACMO can serve to the fullest the Director of Special Education will be consulted and a memorandum of understanding (MOU) with another school/program within Tulare County may be explored.

TACMO's special education program shall be under the direction of education specialist or resource specialist who possesses:

- 1. A two-level special education teaching credential or approved waiver or internship permit.
- 2. Qualifications to teach students within the following disability categories: specific learning disabilities; mild to moderate intellectual disabilities; other health impairments; serious emotional disturbance.
- 3. Demonstration of competencies required for an education specialist credential as established by the Commission on Teacher Credentialing.

The Director of Special Education shall ensure that caseloads for special education teachers are within the maximum caseloads established by law, collective bargaining agreement, and/or SELPA policy. No resource specialist shall have a caseload which exceeds twenty-eight (28) students, unless a valid waiver is obtained through the State Board of Education, consistent with Title 5, California Code of Regulations, section 3100.

## **Transportation**

TACMO shall ensure appropriate, no cost transportation services are provided for students with disabilities as specified in their IEP as a related service when required. The specific needs of the

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student shall be the primary consideration when an IEP team is determining the student's transportation needs. Considerations may include, but are not limited to, the student's health needs, travel distances, physical accessibility and safety of streets and sidewalks, accessibility of public transportation systems, midday or other transportation needs, extended-year services, and, as necessary, implementation of a behavioral intervention plan.

When transportation services are required, the Director of Special Education 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.

When contracting with a nonpublic, nonsectarian school or agency to provide special education services, the Director of Special Education or designee shall ensure that the contract includes general administrative and financial agreements related to the provision of transportation services if specified in the student's IEP.

Guide dogs, signal dogs and service dogs trained to provide assistance to persons with disabilities may be transported in a school bus when accompanied by students with disabilities, teachers with disabilities, or persons training the dogs.

TACMO shall ensure that all school buses, school student activity buses, youth buses and childcare motor vehicles, whenever they may be used, are equipped with an operational child safety alert system. TACMO shall ensure that all buses are equipped with a passenger restraint system or system supported through memorandum of understanding with local transportation provider.

Mobile seating devices, when used, shall be compatible with the securement systems required by Federal Motor Vehicle Safety Standard No. 222 (49 C.F.R. § 571.222). TACMO shall ensure school bus drivers are trained in the proper installation of mobile seating devices in the securement systems.

#### <u>Information on the Number of Individuals with Exceptional Needs</u>

Information regarding the number of individuals with exceptional needs who are being provided special education and related services shall be provided in accordance with state and federal law and regulation and SELPA policy.

#### **Independent Educational Evaluations**

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#### A. <u>IEE at Parent Expense</u>

TACMO acknowledges that a parent/guardian has the right to obtain an independent educational evaluation(s) ("IEE") at their own expense at any time. In these circumstances, the Director of Special Education or designee(s) shall ensure that the student's IEP team shall consider the results of the IEE when determining an offer of a FAPE for the student. However, the results of an IEE will not dictate the IEP team's determinations.

If a parent/guardian requests reimbursement for an IEE assessment obtained by the parent/guardian at their own expense, the Director of Special Education or designee(s) shall ensure that the unilaterally obtained IEE meets the following criteria:

- 1. The parent disagreed with the Charter School's evaluation and the Charter School received a request within a reasonable time after receipt of the results of the evaluation.
- 2. The parent timely and upon request provided Charter School with written consent to exchange information with the examiner.
- 3. The private evaluation meets all criteria contained in this Policy.
- 4. The parent timely provided a copy of the written evaluation report and all other documents\tests related to the report.
- 5. The examiner attends the relevant IEP team meeting by phone or in person to discuss their findings and provides protocols of all assessments to Charter School.

The reimbursement will be in an amount no greater than the actual cost to the parents. Parents may only be reimbursed for one (1) IEE for each assessment area or discipline with which they disagree.

In all cases, if Charter School initiates a due process hearing to show that Charter School's evaluation is appropriate, no reimbursement shall be made unless ordered by a Hearing Officer.

#### B. IEE at Public Expense

**TACMO** recognizes that federal and state laws provide parents/guardians of students with disabilities with the right to obtain an IEE, at public expense, when the parent/guardian disagrees with an assessment conducted by **TACMO** within the last two (2) years. Parents may only receive one (1) IEE for each assessment area or discipline with which they disagree.

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The Director of Special Education or designee(s) shall ensure that when a parent/guardian requests an IEE at public expense, TACMO shall provide the parent/guardian with a copy of their Procedural Safeguards and, without unnecessary delay, either:

- 1. Initiate a due process hearing to show that the evaluation, completed by TACMO, is appropriate; or
- 2. Provide the parent/guardian with information about where an IEE may be obtained, TACMO's criteria applicable for IEEs, and ensure that an IEE is provided at public expense.

Should the TACMO grant the parent's request for an IEE, the Director of Special Education or designee(s) shall ensure the following:

- 1. The criteria under which the IEE is obtained at public expense, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that TACMO uses when it initiates an evaluation.
- 2. TACMO does not impose conditions or timelines related to obtaining an IEE at public expense.
- 3. All assessments shall be completed by persons competent to perform the assessment as determined by TACMO. Parent has the right to choose the examiner.
- 4. If the original evaluation completed by TACMO or their contracted related service providers included in-class observation of the student, an equivalent opportunity shall apply to an independent educational assessment of the student in the student's current educational placement and setting.
- 5. A parent/guardian shall have the opportunity to demonstrate that unique circumstances justify a waiver of any of the criteria listed above as defined by TACMO.
- 6. The evaluator must prepare and sign a full evaluation report containing:
  - a. A list of all information/data reviewed.
  - b. A clear explanation of the testing and assessment results.
  - c. A complete summary of all test scores, including, for all standardized testing administered, all applicable full scale or battery scores, domain or composite scores, and sub-test scores reported in standard, scaled or T-score format.
  - d. A complete summary of all information obtained or reviewed from sources other than testing conducted by the evaluator.
  - e. Recommendations for IEP team consideration for educational programming and, if appropriate, placement that is educationally relevant and realistic within a public educational setting.

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The cost determination for an IEE shall be comparable to the costs incurred by Charter School when it uses its own employees or contractors to complete an assessment, whenever possible and shall reflect reasonable and customary rates for such services in the area. As a result, the Director of Special Education or designee(s) shall provide a parent/guardian with a recommended cost ceiling. The cost ceiling shall be updated (*once every three (3) years*) and determined by averaging the cost of the following three factors:

- 1. The cost of an assessment provided by a Charter School employee.
- 2. The cost of an assessment provided by a neighboring local educational agency.
- 3. The cost of an assessment provided by a private service provider, with appropriate qualification, within 40 miles from the Charter School.

The Director of Special Education or designee(s) shall ensure a parent/guardian may demonstrate that unique circumstances, related to the student's education need(s), justify a financial waiver of any for the cost as defined by Charter School.

The Director of Special Education or designee(s) shall ensure a parent/guardian voluntarily have their private health insurance pay the costs of the IEE if covered by their insurance. However, Charter School recognizes that federal and state laws specify that parents/guardians are not required to have private insurance cover the costs of an IEE if the process would result in a financial cost to the parent/guardian including but not limited to:

- 1. A decrease in available lifetime coverage or any other benefit under an insurance policy
- 2. An increase in premiums or the discontinuance of the policy
- 3. An out-of-pocket expense such as payment of a deductible amount incurred in filing a claim

This policy was formally adopted at a meeting of The Acad	demies Charter Management
Organization Board of Directors on	·
	_
Alex Tietjen, Board Secretary	

Adopted/Ratified: [INSERT] April 18, 2013

Revision Date: May 16, 2019

Revision Date: [INSERT] February 18, 2021

#### **The Academies Charter Management Organization**

**Board Policy 13-001** 

#### TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION, AND BULLYING

The Academies Charter Management Organization ("TACMO") believes all students have the right to a safe and civil learning environment. Discrimination, <u>sexual harassment</u>, harassment, intimidation, and bullying are all disruptive behaviors which interfere with students' ability to learn, negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, TACMO prohibits any acts of discrimination, <u>sexual harassment</u>, harassment, intimidation, and bullying <u>related to school activity or school attendancealtogether</u>. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means, <u>consistent with this policy</u>.

As used in this policy, "discrimination, harassment, intimidation, and bullying" describe-are described as the intentional conduct, including verbal, physical, written communication, or cyberbullying, including cyber-sexual bullying, that is based on the actual or perceived characteristics of mental or physical disability, sex (including pregnancy and related conditions, and parental status, sexual orientation, gender, gender identity, gender expression, immigration status, nationality including national origin, country origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twist), religion, sexual orientation (including agnosticism and atheism), religious affiliation, medical condition, genetic information, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics, or based on any other characteristic protected under applicable state or federal law or local ordinance. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."—In addition, bullying encompasses any conduct described in the definitions set forth in this policy.

To the extent possible, TACMO will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated and/or bullied, and will take action to investigate, respond, and address any reports of address and report on such behaviors in a timely manner. TACMO staff who witness acts of discrimination, harassment, intimidation, and bullying misconduct prohibited by this Policy will take immediate steps to intervene, so long as when it is safe to do so.

Moreover, the Charter School will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with whom TACMO does

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business, or any other individual, student, or volunteer. This Policy applies to all employees, students, or volunteer actions and relationships, regardless of position or gender. TACMO will promptly and thoroughly investigate and respond to any complaint of misconduct prohibited by this Policy in a manner that is not deliberately indifferent and will take appropriate corrective action, if warranted. TACMO complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this Policy.

# <u>Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator</u> ("Coordinator"):

[INSERT NAME]Donya Ball, Ed.D.

[INSERT TITLE]Superintendent

INSERT CONTACT INFO, INCLUDING OFFICE ADDRESS, PHONE NUMBER AND EMAIL

ADDRESS]PO Box 1189, Visalia, CA 93279

dball@theacademiescharters.org

(559) 730-7422

#### **Definitions**

#### **Prohibited Unlawful Harassment**

- Verbal conduct such as epithets, derogatory jokes or comments or slurs.
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work or school because of sex, race or any other protected basis.
- Retaliation for reporting or threatening to report harassment.
- Deferential or preferential treatment based on any of the protected characteristics listed above.

#### **Prohibited Unlawful Harassment under Title IX**

Title IX (20 U.S.C. § 1681 et seq.; 34 C.F.R. § 106.1 et seq.) and California state law prohibit discrimination and harassment on the basis of sex. In accordance with these existing laws, discrimination and harassment on the basis of sex in education institutions, including in the education institution's admissions and employment practices, is prohibited. All persons, regardless of sex, are afforded equal rights and opportunities and freedom from unlawful discrimination and harassment in education programs or activities conducted by TACMO.

TACMO is committed to providing a work and educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action. Inquiries about the application of Title IX and 34 C.F.R. Part 106 may be

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referred to the Coordinator, the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

Sexual harassment consists of conduct on the basis of sex, including but not limited to unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct on the basis of sex, regardless of whether or not the conduct is motivated by sexual desire, when: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, education, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of employment, educational or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

It is also unlawful to retaliate in any way against an individual who has articulated a good faith concern about sexual harassment against themselves or against another individual.

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
  - o Rape, sexual battery, molestation or attempts to commit these assaults.
  - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
  - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.
  - O Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
  - Subjecting or threats of subjecting a student or employee to unwelcome sexual attention or conduct or intentionally making the student's or employee's performance more difficult because of the student's or the employee's sex.

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 Sexual or discriminatory displays or publications anywhere in the work or educational environment, such as:

- Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view in the work or educational environment.
- Reading publicly or otherwise publicizing in the work or educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic.
- Displaying signs or other materials purporting to segregate an individual by sex in an area of the work or educational environment (other than restrooms or similar rooms).

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this Policy.

#### **Definitions**

#### **Prohibited Bullying**

**Bullying** is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students that constitutes may constitute sexual harassment, hate violence or creates an intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- A. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
- B. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- C. Causing a reasonable pupil to experience a substantial interference with his or her academic performance.
- D. Causing a reasonable pupil to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by The Academies Charter Management Organization.

Reasonable pupil is defined as a pupil, including, but not limited to, an exceptional needs pupil, who exercises care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

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**Cyberbullying** is an electronic act that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Electronic act is-means the creation and transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager.

- 1. A message, text, sound, video, or image.
- 2. A post on a pupil, social network Internet Web site including, but not limited to:
  - a. Posting to or creating a burn page. A "burn page" means an exceptional needs pupil, Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above.
  - b. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who exercises care, skill, and judgment in was impersonated.
  - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
- 3. An act of "Cyber sexual bullying" including, but not limited to:
  - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of "bullying," above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

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b. "Cyber sexual bullying" does not include a depiction, portrayal, or image that
 has any serious literary, artistic, educational, political, or scientific value or
 that involves athletic events or school-sanctioned activities.

4. Notwithstanding the definitions of "bullying" and "electronic act" above, an electronic act shall not constitute pervasive conduct for solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

Formal Complaint of Sexual Harassment means a written document filed and signed by a complainant who is participating in or attempting to participate in TACMO's education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that TACMO investigate the allegation of sexual harassment.

**Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

#### **Bullying and Cyberbullying Prevention Procedures**

TACMO has adopted the following procedures for preventing acts of bullying, including cyberbullying.

#### 1. Cyberbullying Prevention Procedures

#### **TACMO** advises students:

- a. To never share passwords, personal data, or private photos online.
- b. To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- c. That personal information revealed on social media can be shared with anyone including parents, teachers, administrators, and potential employers. Students should never reveal information that would make them uncomfortable if the world had access to it.
- d. To consider how it would feel receiving such comments before making comments about others online.

TACMO informs Charter School employees, students, and parents/guardians of TACMO's policies regarding the use of technology in and out of the classroom. TACMO encourages parents/guardians to discuss these policies with their children to ensure their children understand and comply with such policies.

#### 2. Education

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TACMO employees cannot always be present when bullying incidents occur, so educating students about bullying is a key prevention technique to limit bullying from happening. TACMO advises students that hateful and/or demeaning behavior is inappropriate and unacceptable in our society and at TACMO and encourages students to practice compassion and respect each other.

Charter School educates students to accept all student peers regardless of protected characteristics (including but not limited to actual or perceived sexual orientation, gender identification, physical or cognitive disabilities, race, ethnicity, religion, and immigration status) and about the negative impact of bullying other students based on protected characteristics.

TACMO's bullying prevention education also discusses the differences between appropriate and inappropriate behaviors and includes sample situations to help students learn and practice appropriate behavior and to develop techniques and strategies to respond in a non-aggressive way to bullying-type behaviors. Students will also develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

TACMO informs TACMO employees, students, and parents/guardians of this Policy and encourages parents/guardians to discuss this Policy with their children to ensure their children understand and comply with this Policy.

#### 3. Professional Development

TACMO annually makes available the online training module developed by the California Department of Education pursuant Education Code section 32283.5(a) to its certificated employees and all other TACMO employees who have regular interaction with students.

TACMO informs certificated employees about the common signs that a student is a target of bullying including:

- Physical cuts or injuries
- Lost or broken personal items
- Fear of going to school/practice/games
- Loss of interest in school, activities, or friends
- Trouble sleeping or eating
- Anxious/sick/nervous behavior or distracted appearance
- Self-destructiveness or displays of odd behavior
- Decreased self-esteem

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Charter School also informs certificated employees about the groups of students determined by TACMO, and available research, to be at elevated risk for bullying. These groups include but are not limited to:

- Students who are lesbian, gay, bisexual, transgender, or questioning youth ("LGBTQ") and those youth perceived as LGBTQ; and
- Students with physical or learning disabilities.

TACMO encourages its employees to demonstrate effective problem-solving, anger management, and self-confidence skills for TACMO's students.

#### **Grievance Procedures**

#### 1. Scope of Grievance Procedures

TACMO will comply with its Uniform Complaint Procedures ("UCP") policy when investigating and responding to complaints alleging unlawful harassment, discrimination, intimidation or bullying against a protected group or on the basis of a person's association with a person of his or her age, or for a person of his or her age with his or her exceptional needs.or group with one or more of the protected characteristics set forth in the UCP that:

- a. Are written and signed;
- b. Filed by an individual who alleges that that individual has personally suffered unlawful discrimination, harassment, intimidation or bullying, or by one who believes any specific class of individuals has been subjected to discrimination, harassment, intimidation or bullying prohibited by this part, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and
- c. Submitted to the TACMO UCP Compliance Officer not later than six (6) months from the date the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

The following grievance procedures shall be utilized for reports of misconduct prohibited by this Policy that do not comply with the writing, timeline, or other formal filing requirements of a uniform complaint. For formal complaints of sexual harassment, TACMO will utilize the following grievance procedures in addition to its UCP when applicable.

Reasonable pupil is defined as a pupil, including, but not limited to, an exceptional needs pupil, who exercises care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

#### Reporting

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All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of discrimination, intimidation, harassment, or bullyingmisconduct prohibited by this Policy, to intervene as soon as it iswhen safe to do so, call for assistance, and report such incidents. The Board requires staff to follow the procedures in this policy for reporting alleged acts of bullyingmisconduct prohibited by this Policy.

Any student who believes they have been subject to misconduct prohibited by this Policy or has witnessed such prohibited misconduct is encouraged to immediately report such misconduct to the Coordinator:

[INSERT NAME]Donya Ball, Ed.D.

[INSERT TITLE]Superintendent

INSERT CONTACT INFO, INCLUDING OFFICE ADDRESS, PHONE NUMBER AND EMAIL

ADDRESS]PO Box 1189, Visalia, CA 93279

dball@theacademiescharters.org

(559) 730-7422

Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights. Civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders may also be available to complainants. All other members of the school community, including students, parents/guardians, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy to the Executive Director Superintendent or designee.

While submission of a written report is not required, the reporting party is encouraged to use the report form available in the Main Officesubmit a written report to the Coordinator. However, oral reports shall also be considered. TACMO will investigate and respond to all oral and written reports of misconduct prohibited by this Policy in a manner that is not deliberately indifferent. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous reportinformation.

Students are expected to report all incidents of discrimination, intimidation, harassment, bullying, teasingmisconduct prohibited by this Policy, or other verbal or physical abuses. Any student who feels she/hethey are is a target of such behavior should immediately contact a teacher, counselor, principal, Coordinator or staff person so that she/hethe student can get assistance in resolving the issue in a manner that is consistent with this pPolicy.

The Academies Charter Management Organization acknowledges and respects every individual's rights to privacy. To that end, consistent with legal requirements, aAII reports

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shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process to the greatest extent possible. This includes keeping the identity of the reporter confidential, as appropriate, except to the extent necessary to comply with the law, carry out the investigation and/or to resolve the issue, as determined by the Coordinator or administrative designee on a case-by-case basis.

TACMO prohibits any form of retaliation against any reporter in the reporting process, including but not limited to a reporter's filing of a individual who files a report or complaint, testifies, assists, participates, or refuses to participate in any investigation or proceeding related to misconduct prohibited by this Policy or the reporting of violations of this policy. Such participation or lack of participation shall not in any way affect the status, grades or work assignments of the individual reporter.

Individuals alleging retaliation in violation of this Policy may file a grievance using the procedures set forth in this Policy. Knowingly making false statements or knowingly submitting false information during the grievance process is prohibited and may result in disciplinary action.

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All staff, and any individual designated as a coordinator, investigator or decision-maker will receive sexual harassment training and/or instruction concerning sexual harassment as required by law.

#### **Supportive Measures**

Upon the receipt of an informal or formal complaint of sexual harassment, the Coordinator will promptly contact the complainant to discuss the availability of supportive measures. The Coordinator will consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint of sexual harassment, and explain the process for filing a formal complaint of sexual harassment.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint of sexual harassment or where no formal complaint of sexual harassment has been filed. Such measures are designed to restore or preserve equal access to TACMO's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or TACMO's educational environment, or deter sexual harassment. Supportive measures available to complainants and respondents may include but are not limited to

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counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. TACMO will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of TACMO to provide the supportive measures.

#### **Investigation and Response**

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of TACMO, the Coordinator (or administrative designee) will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the Coordinator (or administrative designee) determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the Coordinator (or administrative designee) will inform the complainant of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

At the conclusion of the investigation, the Coordinator (or administrative designee) will meet with the complainant and, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, the Coordinator (or administrative designee) will not reveal confidential information related to other students or employees.

For investigations of and responses to formal complaints of sexual harassment, the following grievance procedures will apply:

- Notice of the Allegations
  - Oupon receipt of a formal complaint of sexual harassment, the Coordinator will give all known parties written notice of its grievance process, including any voluntary informal resolution process. The notice will include:
    - A description of the allegations of sexual harassment at issue and to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;
    - A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
    - A statement that the parties may have an advisor of their choice, who
       may be an attorney, and may inspect and review evidence; and

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 A statement that TACMO prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.

#### Emergency Removal

- TACMO may place a non-student employee respondent on administrative leave during the pendency of a formal complaint of sexual harassment grievance process in accordance with TACMO's policies.
- TACMO may remove a respondent from TACMO's education program or activity on an emergency basis, in accordance with TACMO's policies, provided that TACMO undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.
- This provision may not be construed to modify any rights under the IDEA,
   Section 504, or the ADA.

#### Informal Resolution

- o If a formal complaint of sexual harassment is filed, TACMO may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If TACMO offers such a process, it will do the following:
  - Provide the parties with advance written notice of:
    - The allegations;
    - The requirements of the voluntary informal resolution process including the circumstances under which the parties are precluded from resuming a formal complaint of sexual harassment arising from the same allegations;
    - The parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and
    - Any consequences resulting from participating in the voluntary informal resolution process, including the records that will be maintained or could be shared; and
  - Obtain the parties' advance voluntary, written consent to the informal resolution process.
- TACMO will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.
- Investigation Process
  - The decision-maker will not be the same person(s) as the Coordinator or the investigator. TACMO shall ensure that all decision-makers and investigators

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- do not have a conflict of interest or bias for or against complainants or respondents.
- O In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the investigator determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the investigator will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.
- The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised, and to have an advisor present during any investigative meeting or interview.
- The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
- O A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and purpose of the meeting or interview with sufficient time for the party to prepare to participate.
- Prior to completion of the investigative report, TACMO will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.
- The investigator will complete an investigation report that fairly summarizes relevant evidence and send a copy of the report to each party and the party's advisor, if any, at least ten (10) days prior to the determination of responsibility.
- Dismissal of a Formal Complaint of Sexual Harassment
  - O If the investigation reveals that the alleged harassment did not occur in TACMO's educational program in the United States or would not constitute sexual harassment even if proved, the formal complaint with regard to that conduct must be dismissed. However, such a dismissal does not preclude action under another applicable TACMO policy.
  - TACMO may dismiss a formal complaint of sexual harassment if:
    - The complainant provides a written withdrawal of the complaint to the Coordinator;
    - The respondent is no longer employed or enrolled at TACMO; or
    - The specific circumstances prevent TACMO from gathering evidence sufficient to reach a decision on the formal complaint or the allegations therein.

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- o If a formal complaint of sexual harassment or any of the claims therein are dismissed, TACMO will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.
- Determination of Responsibility
  - The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
  - TACMO will send a written decision on the formal complaint to the complainant and respondent simultaneously that describes:
    - The allegations in the formal complaint of sexual harassment;
    - All procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
    - The findings of facts supporting the determination;
    - The conclusions about the application of TACMO's code of conduct to the facts;
    - The decision and rationale for each allegation;
    - Any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
    - The procedures and permissible bases for appeals.

#### Consequences

Students or employees who engage in misconduct prohibited by this Policy, knowingly make false statements or knowingly submit false information during the grievance process may be subject to disciplinary action up to and including expulsion from TACMO or termination of employment. The Coordinator is responsible for effective implementation of any remedies ordered by TACMO in response to a formal complaint of sexual harassment.

#### Right of Appeal

Should the reporting individual find TACMO's resolution unsatisfactory, the reporting individual may, within five (5) business days of notice of TACMO's decision or resolution, submit a written appeal to the President of the TACMO Board, who will review the investigation and render a final decision.

The following appeal rights and procedures will also apply to formal complaints of sexual harassment:

 The complainant and the respondent shall have the same appeal rights and TACMO will implement appeal procedures equally for both parties.

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- TACMO will notify the other party in writing when an appeal is filed.
- The decision-maker for the appeal will give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome; issue a written decision describing the result of the appeal and the rationale for the result; and provide the written decision simultaneously to both parties.

#### Recordkeeping

All records related to any investigation of complaints under this Policy are maintained in a secure location.

TACMO will maintain the following records for at least seven (7) years:

- Records of each sexual harassment investigation, including any determination of responsibility; any audio or audiovisual recording or transcript; any disciplinary sanctions imposed on the respondent; and any remedies provided to the complainant.
- Records of any appeal of a formal sexual harassment complaint and the results of that appeal.
- Records of any informal resolution of a sexual harassment complaint and the results of that informal resolution.
- All materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

Upon receipt of a report of harassment, intimidation, or bullying from a student, staff member, parent, volunteer, visitor or affiliate of The Academies Charter Management Organization, the Executive DirectorSuperintendent or designee will promptly initiate an investigation. At the conclusion of the investigation, the Executive DirectorSuperintendent or designee will notify the complainant of the outcome of the investigation. However, in no case may the Executive DirectorSuperintendent or designee reveal confidential student information related to other students, including the type and extent of discipline issued against such students.

Complaints shall be investigated and resolved within thirty (30) school days, unless circumstances reasonably require additional time.

All records related to any investigation of discrimination, harassment, intimidation or bullying will remain in a secure location in the Main Office of The Academies Charter Management Organization.

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In those instances when the complaint filed under this policy also requires investigation under the Uniform Complaint Procedures, such investigation will be undertaken concurrently.

#### **Appeal**

Should the Complainant find the Executive DirectorSuperintendent or designee resolution unsatisfactory, he/she may within five (5) school days of the date of resolution, file an appeal with the Designated Appeals Committee. In such cases, at least three (3) certificated School employees who are unfamiliar with the case and who have been previously designated and trained for this purpose shall be assembled to conduct a confidential review of the Complainant's appeal and render a final disposition.

#### Consequences

Students who engage in discrimination, harassment, intimidation or bullying may be subject to disciplinary action, up to and including suspension and/or expulsion, as outlined in the Student Discipline Policy of The Academies Charter Management Organization.

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#### **HARASSMENT, INTIMIDATION, DISCRIMINATION & BULLYING COMPLAINT FORM**

Your Name:	Date:	
Date of Alleged Incident(s):	<del></del>	
Name of Person(s) you have a complain	nt against:	
List any witnesses that were present:		
Where did the incident(s) occur?		
much factual detail as possible (i.e. sp	t that are the basis of your complaint by provocation statements; what, if any, physical contact did you do to avoid the situation, etc.)	tact was
information I have provided as it find certify that the information I have p complete to the best of my knowled	Charter Management Organization to discluds necessary in pursuing its investigation. It provided in this complaint is true and confige and belief. I further understand providing result in disciplinary action up to and in	I hereby rect and ing false
Signature of Complainant	Date:	
<u> </u>		
Print Name	<del></del>	

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Received by:	Date:	
Follow up Meeting with Compla	nant held on:	
This policy was formally adopted	at a mosting of the TACMO	Doord of Director
This policy was formally adopted	at a meeting of the TACMO	<del>- board of Director</del>



The Academies Charter Management Organization Special Meeting: January 19, 2021, 5:00 PM Meeting held via live remote video conferencing.

Board Members Present: Erin Andersen, Michelle Phillips, Harold Rollin, Alex Tietjen, Craig Wheaton, Lily Wachter

Board Members Absent: Majority Present: yes

Others Present:

Donya Ball, Superintendent

Claudia Van Groningen, Ops

Shauna Dolin, HR

Katie Cordell, Boardable John Alvarez, TCOE

#### 1. OPENING BUSINESS

- 1.1 CALL PUBLIC SESSION TO ORDER Rollin called the meeting to order at 5:00PM
- 1.2 ADA ACCOMMODATIONS
  - a. This meeting is held in an area accessible to the disabled. In compliance with the American Disabilities Act, if you need special assistance to participate in meetings, call (559) 730-7422 at BOA forty-eight (48) hours in advance of the meeting. Persons who are in need of disability-related modification or accommodation in order to participate in the Board meeting may make a request to Donya Ball at PO Box 1189, Visalia, CA 93279 or (559) 730-7422. Such a request should be in writing if possible or may be made in person or by telephone. The request should specify the nature of the accommodation or modification requested, including any auxiliary aids or services requested, and the name, address, and telephone number of the person making the request.
  - b. If documents are distributed to Board members concerning an agenda item within 72 hours of a regular Board meeting, at the same time the documents will be made available for public inspection. Interested members of the public may request to see the same documents by emailing the Superintendent (dball@theacademiescharters.org), and the complete packet will be shared electronically.
- 1.3 IDENTIFY CLOSED SESSION TOPICS OF DISCUSSION
- 1.4 PUBLIC COMMENT ON CLOSED SESSION TOPICS

General public comment on any closed session item will be heard. The Board may limit individual comments to no more than 3 minutes and individual topics to 20 minutes. Please begin your comments by stating your name.

- 1.5 ADJOURN TO CLOSED SESSION
- 2. <u>CLOSED SESSION</u> (May reconvene after the public meeting, if necessary)
  - 2.1 There are no Closed Session items to include this evening.

#### 3. REGULAR SESSION RECONVENED

- 3.1 CALL PUBLIC SESSION TO ORDER
- 3.2 NO CLOSED SESSION ACTION TO REPORT
- 3.3 GENERAL PUBLIC COMMENT ON ANY SCHOOL RELATED TOPIC

#### 4. CONSENT AGENDA

4.1 ADMINISTRATIVE SERVICES

There are no Administrative Services items to include this evening.

# DRAFT

#### 4.2 SUPERINTENDENT'S OFFICE

There are no Superintendent's Office items to include this evening.

#### 5. PUBLIC RECOGNITION/PROCLAMATIONS/ACTION

5.1 There are no public recognition/proclamations this evening.

#### 6. PROGRAM UPDATE & BOARD DEVELOPMENT

Presentation/Public Hearing/Public Comment/Board Discussion

- 6.1 Program Update: There is no Program Update to include this evening.
- 6.2 Board Development: Boardable Training
  Katie Cordell of Boardable presented the software training.

#### 7. COMMUNITY REPORTS

Presentation/Public Hearing/Public Comment/Board Discussion

7.1 There are no Community Reports to include this evening.

#### 8. ADMINISTRATIVE PANEL RECOMMENDATIONS/ACTIONS

Review / Public Hearing / Public Input / Board Discussion / ACTION (as applicable)

8.1 There are no Administrative Panel items to discuss this evening.

#### 9. GENERAL AGENDA

Review / Public Hearing / Public Input / Board Discussion / ACTION (as applicable)

9.1 There are no general agenda items this evening.

#### 10. ADJOURNMENT

10.1 Rollin adjourned the meeting at 5:27PM.

The next The Academies CMO board meeting: January 21, 2021 at 6:30 PM via Zoom web conferencing.

Respectfully submitted by Claudia Van Groningen.



# **Minutes**

# **TACMO Board Meeting-January 2021**

- Thu January 21st, 2021
- O 6:30pm 8:30pm PST
- **♀** Zoom
- In Attendance

Claudia Van Groningen

#### 1 OPENING BUSINESS

Board members in attendance: Lily Wachter, Michelle Phillips, Harold Rollin, Erin Andersen, and Craig Wheaton

Others present: Donya Ball, Amita Parikh, Claudia Van Groningen, Cristina Johnson, Allan Benton, Dana Stinson, John Alvarez, Julia Reese, Chelsea Halsted, Christina Brewer, Elyse Reveles, Emilio Montti, Estefany Alcazar, Felicia Wilcox, Jenn Graham, Jessica Bennett, Jessica Rodriguez, Jordan Jones, Nahma Alfara, Holly Denniston-Sheets

#### 1.1 CALL PUBLIC SESSION TO ORDER

Rollin called the meeting to order at 6:30PM.

#### 1.2 ADA ACCOMMODATIONS

1.2.1 This meeting is held in an area accessible to the disabled. In compliance with the American Disabilities Act, if you need special assistance to participate in meetings, call (559) 730-7422 at BOA forty-eight (48) hours in advance of the meeting. Persons who are in need of disability-related modification or accommodation in order to participate in the Board meeting may make a request to Donya Ball at PO Box 1189, Visalia, CA 93279 or (559) 730-7422. Such a request should be in writing if possible or may be made in person or by telephone. The request should specify the nature of the accommodation or modification requested, including any

auxiliary aids or services requested, and the name, address, and telephone number of the person making the request.

1.2.2 If documents are distributed to Board members concerning an agenda item within 72 hours of a regular Board meeting, at the same time the documents will be made available for public inspection. Interested members of the public may request to see the same documents by emailing the Superintendent (dball@theacademiescharters.org), and the complete packet will be shared electronically.

#### 1.3 IDENTIFY CLOSED SESSION TOPICS OF DISCUSSION

There are no closed session items this evening.

#### 1.4 PUBLIC COMMENT ON CLOSED SESSION TOPICS

1.4.1 General public comment on any closed session item will be heard. The Board may limit individual comments to no more than 3 minutes and individual topics to 20 minutes. Please begin your comments by stating your name.

No public comment this evening.

#### 1.5 ADJOURN TO CLOSED SESSION

#### 2 CLOSED SESSION

2.1 There are no Closed Session Items to include this evening.

#### 3 REGULAR SESSION RECONVENED

- 3.1 CALL PUBLIC SESSION TO ORDER
- 3.2 REPORT ACTION TAKEN IN CLOSED SESSION (if any)
- 3.3 General public comment on any school related topic may be heard at this time. The Board asks that any public comment on an item listed on tonight's agenda be addressed at the time the item comes up for discussion by the Board. Pursuant to Board Policy, the Board may limit individual comments to no more than 3 minutes and individual topics to 20 minutes. Please begin your comments by stating your name.

#### 4 CONSENT AGENDA

#### 4.1 **ADMINISTRATIVE SERVICES**

4.1.1 There are no Administrative Services items to include this evening.

#### 4.2 SUPERINTENDENT'S OFFICE

- 4.2.1 Approval of Minutes of the board meeting on December 10, 2020 (Enc. No. 1)
- 4.2.2 Approval of the November 2020 and December 2020 Check Register Reports (Enc. No. 2)
- 4.2.3 **Donation Recognition (Enc. No. 3)**
- 4.2.4 **Monthly Attendance Reports for BOA and SVA (Enc. No. 4)**Rollin invited the board to remove items from the consent agenda, there were no items removed, the consent agenda was deemed approved.

#### 5 PUBLIC RECOGNITION/PROCLAMATIONS/ACTION

5.1 Recognition of Small Group Cohort and Day Camp Staff for Facilitating Instructional Support and Student Supervision during COVID-19 pandemic

Rollin offered thanks first, followed by Supt. Ball, and then Andersen.

#### 6 PROGRAM UPDATE & BOARD DEVELOPMENT

Presentation/Public Hearing/Public Comment/Board Discussion

- 6.1 **Program Update** 
  - 6.1.1 There is no Program Update to include this evening.
- 6.2 **Board Development** 
  - 6.2.1 Results of Board Self Evaluation (Enc. No. 5)

Supt. Ball presented the results of the board self evaluation. Rollin requested a meeting with Ball to review the results more thoroughly so that the board can work toward improvement on the areas it is needed.

#### 7 COMMUNITY REPORTS

Presentation/Public Hearing/Public Comment/Board Discussion

#### 7.1 **Board Member Report**

#### 7.1.1 **Board Nominating Committee**

Andersen reported on the ongoing work of the committee noting that they are still seeking candidates.

Wachter reported that she will be leaving Visalia in the spring to accept a new position in North Carolina and will be leaving the board.

Wheaton apologized for arriving late to the meeting and stated that Lily will be missed by the board.

Rollin thanked Lily for her contributions to the board.

#### 7.2 **Superintendent Report**

#### 7.2.1 **Charter Renewal Update**

Supt. Ball provided a brief update on charter renewal.

#### 7.2.2 California's Safe Schools for All Plan (Enc. No. 6)

Supt. Ball provided clarification about the plan, noting that it is not a mandate for schools to reopen and that it has not yet passed the legislature. The plan as it has been presented as of now would require the schools to provide testing of students every two weeks. She also noted that the plan requires the per capita case rate to be 28 or fewer.

# 7.2.3 Covid-19 and Reopening In-Person Instruction Framework & Public Health Guidance for K-12 Schools in California, 2020-2021 School Year (Enc. No. 7)

Supt. Ball explained that this document is a mandate for schools when they open. She noted that the waiver process has been halted at this time and some schools with waivers are being asked to close due to county COVID metrics.

Supt. Ball explained federal COVID leave and the ramifications for employers. Federal leave expired December 31. Legal counsel advised schools of two options. Option 1, to first have employees use their allotted paid sick leave, the employer is required to pay additional days beyond that. Option 2, the board can resolve to allocate additional leave days for all employees, which would not require documentation the leave was COVID related.

## 7.3 **Principal Report**

## 7.4 Operations Director Report

## 7.4.1 Operations Update (Enc. No. 8)

Van Groningen reported on the charter renewal process and shared a proposed revised mission statement, vision statement, and motto. She also went over the growth plan for Blue Oak Academy.

# 7.5 **Teacher Representative Report**

# 7.5.1 **Curriculum & Instruction Update**

Johnson reported. Presidential Inauguration theme in classrooms this week; SVA classrooms are experimenting with using a deployment model; spelling bees at each school will send winners to the county bee; school wide goal setting is happening at BOA.

### 8 ADMINISTRATIVE PANEL RECOMMENDATIONS/ACTIONS

Review/Public Hearing/Public Input/Board Discussion/ACTION (as applicable)

## 8.1 There are no Administrative Panel items to discuss this evening.

#### 9 **GENERAL AGENDA**

Review/Public Hearing/Public Input/Board Discussion/ACTION (as applicable)

## 9.1 Monthly Financials Presentation (Enc. No. 9) ACTION

Amita Parikh presented. Wachter moved to approve the financials as presented, Andersen seconded, approved 5-0.

# 9.2 Resolution 21-001 Approval to Apply for Paycheck Protection Program Loan Forgiveness (Enc. No. 10) ACTION

Supt. Ball presented, Wachter asked a clarifying question about the language in the document. Wachter moved to approve the resolution on the PPP loan forgiveness with the qualification that the word "return" will be changed to "repay" in the sentence at the top of page two. Wachter seconded, approved 5-0.

# 9.3 **2020** School Accountability Report Card (SARC) for Blue Oak Academy (Enc. No. 11) ACTION

Action taken together with item 9.4.

# 9.4 2020 School Accountability Report Card (SARC) for Sycamore Valley Academy (Enc. No. 12) ACTION

Supt. Ball presented and solicited questions from the board for the Principals. Andersen asked about who is responsible for the facility repairs listed in the document. Andersen moved to approve the Blue Oak Academy and Sycamore Valley Academy SARCs, Wheaton seconded, approved 5-0.

## 9.5 **2021-22 Academic Calendar (Enc. No. 13) ACTION**

Supt. Ball presented, highlighting the changes including the addition of observing Indigenous Peoples Day. Wachter moved to approve the 2021-22 Academic Calendar, Phillips seconded, approved 5-0.

# 9.6 **2021-22 Calculation of Instructional Minutes (Enc. No. 14) ACTION**Supt. Ball presented the changes. Andersen moved to approve the calculation of instructional minutes for the 21-22 school year, Phillips seconded, approved 5-0.

# 9.7 **Annual TACMO Governing Board Election (Enc. No. 15) ACTION**Rollin presented the list of directors and their term expirations. Andersen moved to renew Phillip's term through June 30, 2023, Wheaton seconded, approved 5-0.

# 9.8 Resolution 21-002 Annual Reorganization of Board Offices (Enc. No. 16) ACTION

The slate of officers proposed:

Rollin - Chair

Andersen - Vice Chair

Tietjen - Secretary

Phillips - Treasurer

Wachter - Member

Wheaton - Member

Wheaton moved to approve the slate of officers as proposed, Wachter seconded, approved 5-0.

# 9.9 Resolution 21-003 Authorizing Superintendent to Apply for Grants in 2021 (Enc. No. 17) ACTION

Wheaton moved to approve, Phillips seconded, approved 5-0. Rollin left the meeting at 8:03PM and turned it over to Andersen.

# 9.10 Commercial Lease Agreement between Robert & Stacy Leal and The Academies Charter Management Organization for CMO Office (Enc. No. 18) ACTION

Supt. Ball presented, reviewing the cost for different options. Wachter had to leave the meeting unexpectedly, so no action was taken. The vote for the item was moved to February or a special meeting will be called if necessary. Andersen requested comparable properties be presented.

## **10 ADJOURNMENT**

## 10.1 Request for future Board Agenda items

Andersen called for requests for future items.

10.2 The next The Academies CMO board meeting: February 18, 2021 at 6:30 PM via Zoom.

Andersen adjourned the meeting at 8:38PM.

Combined B	oard Check F	Register			edteć-
School:	TACMO				Ediec
Month:	January 202	21			
				Total Paid By Check:	\$126,093.74
				Total Paid By Credit Card:	\$1,223.19
	Check #/CC		Transactio	n	
<b>Payment Type</b>	Account	Vendor	Date	Description Void	Amount
		Self-Insured Schools of			
Check	6336	California	1/13/2021	Bill #January 2021Billing Period: January 2021	47,759.60
Check	6337	Dietra Ward	1/13/2021	Bill #011221Refund of overpayment on ASP account	121.60
Check	6338	SYNCB/Amazon	1/20/2021	Bill #121020Statement Closing Date: 12/10/20	669.28
		Law Offices of Young,			
Check	6339	Minney & Corr, LLP	1/20/2021	Bill #68941Legal Svcs thru: 12/31/20	2,253.20
				Bill #142964629002Office Supplies	
				Bill #141854873001Supplies	
				Bill #140967267001Supplies	
				Bill #139161527001Supplies	
				Bill #141926437001Supplies	
				Bill #142964629001Office Supplies	
				Bill #2455439862Office Supplies	
				Bill #140884057001Supplies	
				Bill #143213480001Office Supplies	
				Bill #141039111001Office Supplies	
				Bill #141039110001Office Supplies	
				Bill #143213480003Office Supplies	
				Bill #142992509001Office Supplies	
Check	6340	Office Depot	1/20/2021	Bill #142964629003Office Supplies	1,052.47
				Bill #121620Reimb: Incentives for Meal App & Holiday	
				Cards - culture building	
				Bill #121620AReimb: Incentives for Meal App	
				Bill #121620CReimb: Incentives for Meal App	
				Bill #121620DReimb: Incentives for Meal App	
Check	6341	Dana Stinson	1/20/2021	Bill #121620BReimb: Incentives for Meal App	579.75

	Check #/CC		Transaction		
Payment Type	Account	Vendor	Date	Description Void	Amount
Check	6342	Visalia Unified School District	1/20/2021	Bill #331Transportation Charges: Feb - Apr 2020	27,192.40
				Journal #SVAC2721	
				Bill #D25259612/01 - 12/31/20 Flex Plan Liability	
Check	6343	American Fidelity Assurance	1/20/2021	Coverage Voided	0.00
01 1	00.4.4	Association of California	4/00/0004	Bill #INV20437Superintendent Symposium 2021	005.00
Check	6344	School Administrators	1/20/2021	Registration ACSA Member	325.00
Ob a alc	0045	CALCTRO	4/00/0004	Bill #166513Monthly Administration Fees: December	24.00
Check	6345	CALSTRS	1/20/2021	120	34.00
Check	6346	CliftonLarsonAllen LLP Cline's Business Equipment,	1/20/2021	Bill #2693969Final Billing for Audit Svcs YE: 06/30/20	1,050.00
Check	6347	Inc.	1/20/2021	Bill #172339Contract overage charge: 11/12 - 12/11/20	216.16
Check	6348	Glatfelter Public Practices	1/20/2021	Bill #186249120Policy Premium Due on 01/31/21	1,666.85
Official	0040	Clatieitei i ublic i ractices	1/20/2021		1,000.00
				Bill #11392068Konica Copier Systems due by 01/19/21	
				+ Late Fee	
Check	6349	LEAF	1/20/2021	Bill #11379194Konica Copier Systems due by 01/16/21	552.09
OTIOOK	0010		1/20/2021	Bill #20521UPS Postage Charge	002.00
Check	6350	EdTec	1/20/2021	Bill #20643Monthly Data Service	14,617.08
_ <del>-</del>				Bill #D25259612/01 - 12/31/20 Flex Plan Liability	,
Check	6351	American Fidelity Assurance	1/20/2021	Coverage	4,840.98
		•			,
Check	6352	American Fidelity Assurance	1/20/2021	Bill #1944503A09/30/2021 Flex Plan Liability Coverage	1,027.18
		Association of California			
Check	6353	School Administrators	1/26/2021	Bill #110182ACSA - Payroll Period: 01/01 - 01/31/21	447.70
Check	6354	COMPanion Corportation	1/26/2021	Bill #122920Books & Supplies	1,103.00
				Bill #012021-00562021 Spring CUE Conference	
Check	6355	CUE	1/26/2021	Registration	179.00
				Bill #3173Class Creator Annual Subscription due by	
Check	6356	Class Creator	1/26/2021	01/30/21	325.00
				Bill #172624Standard Min Charge	
		Olinada Busina E		Bill #172917Contract overage charge: 12/01 - 12/31/20	
	0057	Cline's Business Equipment,	4/00/0004	Bill #172622Standard Min Charge	100.00
Check	6357	Inc.	1/26/2021	Bill #172623Standard Min Charge	199.60
Check	6358	Glatfelter Public Practices	1/26/2021	Bill #186250120Policy Premium Due on 03/03/21	1,666.85
Check	6359	Liminex, Inc.	1/26/2021	Bill #INV30406GG-TCR1Y-000001	744.60

	Check #/CC		Transaction			
Payment Type	Account	Vendor	Date	Description	Void	Amount
				ВIII #143/21260001Опісе Supplies		
				Bill #145239030001Supplies		
				Bill #147951222001Supplies		
				Bill #145277869001Supplies		
				Bill #143718035001Supplies		
Check	6360	Office Depot	1/26/2021	Bill #143721257001Supplies		378.14
				Bill #INV38255SLP Svcs: Assessment Evaluation		
				Coordination Collaboration with School Staff Direct		
				Svcs Documentation Planning IEP Meeting & Student		
Check	6361	PresenceLearning, Inc.	1/26/2021	Absence - December 2020		4,117.58
		Savvas Learning Company				
Check	6362	LLC	1/26/2021	Bill #4026266924Books & Supplies		2,697.97
		Waste Management/USA				
Check	6363	Waste	1/26/2021	Bill #4486634-0165-2Waste Svc: January 2021		384.02
		Enerspect Medical Solutions,				
Check	6364	LLC	1/26/2021	Bill #55232AED Total Solutions		65.00
Check	6365	G2BB, LLC	1/26/2021	Bill #1039Educational Software: January 2021		341.00
				Bill #011421Reimb: He Teacher Credibility nd		
Check	6366	Dana Stinson	1/26/2021	Collective efficacy playbook Grades & Pop up table		91.05
Check	6367	Visalia Unified School District	1/26/2021	Bill #770Custodial Supplies: Oct - Dec 2020		1,199.48
Check	6368	Visalia Unified School District	1/26/2021	Bill #771Custodial Supplies: 10/01 - 12/31/2010		511.16
- CHOCK		Tiedila Ciliica Celicei Biedila	1,20,2021	Bill #771Custodial Supplies: 10/01 - 12/31/2010 Bill #INV63956819Educational Annual - Proration:		311110
				01/19 - 07/16/21		
		Zoom Video		Bill #INV63954411Educational Annual - Proration:		
Check	6369	Communications, Inc.	1/26/2021	01/19 - 07/16/21		88.27
- CHOCK			1,20,2021	DB011121 - Worker's Comp 12/15/20 payroll & 12/31/20		00.2.
Check	DB011121	Markel	1/11/2021	payroll premium & installment fee		3,723.46
Check	DB011921	Cardmember Service	1/19/2021	DB011921 - January 2021 credit card bill paid		1,223.19
<b>5</b>			.,	DB012521 - Worker's Comp 1/15/21 payroll premium &		.,
Check	DB012521	Markel	1/25/2021	installment fee		2,130.03
		CALIFORNIA				,
		DEPARTMENT OF TAX				
		AND FEE				
		ADMINISTRATIONCALIFOR				
		NIA DEPARTMENT TAX				
Check	DB012921	FEE	1/29/2021	DB012921 - 2020 Qtr 4 Use Tax amount due		520.00
Credit Card	9515-8054	USPS PO	1/14/2021	12/16 - USPS PO - PO Box 1189 Annual Renewal fee		277.00

	Check #/CC		Transaction		
Payment Type	Account	Vendor	Date	Description Voice	l Amount
		San Joaquin County Office of		01/06 - San Joaquin County Office of Education - Staff	
Credit Card	9515-8054	Education	1/14/2021	recruitment website; 1 year term 12/17 - Canva - EOY Fundraising Campaign invitation	750.00
Credit Card	9515-8054	Canva	1/14/2021	cards	60.00
	0545 0054		4/4/4/0004	12/18 - Costco - Postage for EOY Fundraising Campaign	F 4 7 F
Credit Card	9515-8054	Costco	1/14/2021	cards 01/04 - EIG *Constant Contact - Monthly renewal fee for	54.75
Cradit Card	0515 0054	EIG *Constant Contact	1/14/2021		50.00
Credit Card Credit Card	9515-8054 9515-8054	Amazon Mktp us	1/14/2021 1/14/2021	email subscription 01/13 - Amazon Mktp us - Batteries	50.00 31.44
Credit Card	9515-6054	Amazon wikip us	1/14/2021	01/13 - Amazon wkip us - batteries	31.44



PO BOX 1189, VISALIA CA 93279 · 559.622.3236



# Thank you so much for your donation!

Gifts like yours help us further our Mission and ensure the vitality of this exciting educational option in our community. On behalf of the entire team of founders, The Academies Board of Directors, and our students, who are the beneficiaries of your generosity, we extend our warm thanks for your support.

DONOR'S NAME: Robert and Jill Barnier

AMOUNT DONATED: \$100.00

No goods or services were provided in return for this gift.

Shoul you full.

January 10, 2021

Received by

Or Danya Ball Superintendent

The Academies Charter Management Organization Tax ID #: 37-1638700

The mission of our schools is to provide a rich, meaningful education in a nurturing environment, where students are continually challenged and their natural curiosity, creativity, and talents can thrive. Our school is a collaborative community of educators and families working together to help our students grow into virtuous, courageous, and intelligent citizens, equipped with a love of learning and a love of life, and eager to contribute to a better world.

The Academies charter schools model transformative change in education by elevating expectations of learning and growth. With grit, tenacity, and empathy, we improve the world around us by embracing challenges as problem-solvers. We create an inclusive community with access to rigorous and enriching educational experiences that challenge and support individuals to achieve their personal best and realize new opportunities.



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DONOR'S NAME: Rachele Berglund

AMOUNT DONATED: \$250.00

No goods or services were provided in return for this gift.

Thank you this Rachele she very devation is so very much approvated!

Received by January 25, 2021
Di Donya Ball, Superintendent

The Academies Charter Management Organization Tax ID #: 37-1638700

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#### Thank you so much for your donation!

Gifts like yours help us further our Mission and ensure the vitality of this exciting educational option in our community. On behalf of the entire team of founders, The Academies Board of Directors, and our students, who are the beneficiaries of your generosity, we extend our warm thanks for your support.

DONOR'S NAME: Cristina Johnson

AMOUNT DONATED: \$20.00

No goods or services were provided in return for this gift.

Thunk yours.

Received by\_

Dr. Dopya Ball, Superintendent

\_February 2, 2021

The Academies Charter Management Organization Tax ID #: 37-1638700

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## **Attendance Summary By Grade**

#### Blue Oak Academy Charter School 179

Run Date/Time: 2/5/21 12:14 PM

12/28/2020 to 01/22/2021 = 10 days

Grade Level	Carry Fwd	Gain	Loss	Ending	Actual Days	OffTrack	Days N/E	Days Ineligible	Days Absent	Days Attd	ADA	ADA %
0	58	3	0	61	610	0	2	0	25.00	583.00	58.30	95.89%
SubTotal	58	3	0	61	610	0	2	0	25.00	583.00	58.30	95.89%
1	42	0	0	42	420	0	0	0	10.00	410.00	41.00	97.62%
2	45	0	0	45	450	0	0	0	22.00	428.00	42.80	95.11%
3	44	0	1	43	440	0	2	0	9.00	429.00	42.90	97.95%
SubTotal	131	0	1	130	1310	0	2	0	41.00	1267.00	126.70	96.87%
4	42	0	0	42	420	0	0	0	11.00	409.00	40.90	97.38%
5	48	0	0	48	480	0	0	0	3.00	477.00	47.70	99.38%
SubTotal	90	0	0	90	900	0	0	0	14.00	886.00	88.60	98.44%
<b>Grand Total</b>	279	3	1	281	2820	0	4	0	80.00	2736.00	273.60	97.16%

To the best of my knowledge,

the above attendance information is correct.

Signed

\_ .

**Report Calculations** 

(( Carry Fwd + Gain ) X School Days ) = Actual Days

Actual Days - ( Off Track + Days N/E + Days Ineligible + Days Absent ) = Days Attd

[ Days Attd / (Actual Days - Off Track - Days N/E - Days Ineligible )] X 100 = ADA%

#### **Attendance Summary By Grade**

#### Sycamore Valley Academy Charter School 178

Run Date/Time: 1/29/21 2:33 PM

12/28/2020 to 01/22/2021 = 10 days

				-				/				
Grade Level	Carry Fwd	Gain	Loss	Ending	Actual Days	OffTrack	Days N/E	Days Ineligible	Days Absent	Days Attd	ADA	ADA %
0	51	3	0	54	540	0	11	0	11.00	518.00	51.80	97.92%
SubTotal	51	3	0	54	540	0	11	0	11.00	518.00	51.80	97.92%
1	40	1	0	41	410	0	1	0	2.00	407.00	40.70	99.51%
2	42	1	0	43	430	0	1	0	5.00	424.00	42.40	98.83%
3	43	0	0	43	430	0	0	0	0.00	430.00	43.00	100.00%
SubTotal	125	2	0	127	1270	0	2	0	7.00	1261.00	126.10	99.45%
4	43	0	0	43	430	0	0	0	0.00	430.00	43.00	100.00%
5	40	1	1	40	410	0	11	0	9.00	390.00	39.00	97.74%
6	48	0	0	48	480	0	0	0	1.00	479.00	47.90	99.79%
SubTotal	131	1	1	131	1320	0	11	0	10.00	1299.00	129.90	99.24%
7	40	0	0	40	400	0	0	0	10.00	390.00	39.00	97.50%
8	36	0	0	36	360	0	0	0	2.00	358.00	35.80	99.44%
SubTotal	76	0	0	76	760	0	0	0	12.00	748.00	74.80	98.42%
<b>Grand Total</b>	383	6	1	388	3890	0	24	0	40.00	3826.00	382.60	98.97%

To the best of my knowledge, the above attendance information is correct.

Signed <u>Yay G. 679</u>
Date 1/29/21

#### **Report Calculations**

(( Carry Fwd + Gain ) X School Days ) = Actual Days

Actual Days - ( Off Track + Days N/E + Days Ineligible + Days Absent ) = Days Attd

[ Days Attd / (Actual Days - Off Track - Days N/E - Days Ineligible )] X 100 = ADA%

## 2020/2021 Form 700 Statement of Economic Interests



## Reference Pamphlet

#### **California Fair Political Practices Commission**

1102 Q Street, Suite 3000 • Sacramento, CA 95811

Email advice: advice@fppc.ca.gov

Toll-free advice line: 1 (866) ASK-FPPC • (866) 275-3772 Telephone: (916) 322-5660 • Website: www.fppc.ca.gov

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•	Where to File	. Page 5
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#### Who Must File

#### 1. Officials and Candidates Specified in Gov. Code Section 87200 and Members of Boards and Commissions of Newly Created Agencies

The Act requires the following individuals to fully disclose their personal assets and income described in Form 700, Statement of Economic Interests:

#### State Offices

- Governor
- · Lieutenant Governor
- Attorney General
- Controller
- · Insurance Commissioner
- Secretary of State
- Treasurer
- · Members of the State Legislature
- Superintendent of Public Instruction
- State Board of Equalization Members
- Public Utilities Commissioners
- State Energy Resources Conservation and Development Commissioners
- · State Coastal Commissioners
- Fair Political Practices Commissioners
- State public officials (including employees and consultants) who manage public investments
- Elected members of and candidates for the Board of Administration of the California Public Employees' Retirement System
- Elected members of and candidates for the Teachers' Retirement Board
- · Members of the High Speed Rail Authority

Other officials and employees of state boards, commissions, agencies, and departments file Form 700 as described in Part 2 on this page.

#### **Judicial Offices**

- Supreme, Appellate, and Superior Court Judges
- · Court Commissioners
- Retired Judges, Pro-Tem Judges, and part-time Court Commissioners who serve or expect to serve 30 days or more in a calendar year

#### County and City Offices

- · Members of Boards of Supervisors
- · Mayors and Members of City Councils
- Chief Administrative Officers
- District Attorneys
- County Counsels
- City Attorneys
- · City Managers
- Planning Commissioners
- · County and City Treasurers
- County and city public officials (including employees and consultants) who manage public investments

#### Members of Boards and Commissions of Newly Created Agencies

Members must fully disclose their investments, interests in real property, business positions, and income (including loans, gifts, and travel payments) until the positions are covered under a conflict of interest code.

## 2. State and Local Officials, Employees, Candidates, and Consultants Designated in a Conflict of Interest Code ("Code Filers")

The Act requires every state and local government agency to adopt a unique conflict of interest code. The code lists each position within the agency filled by individuals who make or participate in making governmental decisions that could affect their personal economic interests.

The code requires individuals holding those positions to periodically file Form 700 disclosing certain personal economic interests as determined by the code's "disclosure categories." These individuals are called "designated employees" or "code filers."

Obtain your disclosure categories from your agency – they are not contained in the Form 700. Persons with broad decisionmaking authority must disclose more interests than those in positions with limited discretion. For example, you may be required to disclose only investments and business positions in or income (including loans, gifts, and travel payments) from businesses of the type that contract with your agency, or you may not be required to disclose real property interests.

In addition, certain consultants to public agencies may qualify as public officials because they make, participate in making, or act in a staff capacity for governmental decisions. Agencies determine who is a consultant and the level of disclosure and may use Form 805.

Note: An official who holds a position specified in Gov. Code Section 87200 is not required to file statements under the conflict of interest code of any agency that has the same or a smaller jurisdiction (for example, a state legislator who also sits on a state or local board or commission).

## Employees in Newly Created Positions of Existing Agencies

An individual hired for a position not yet covered under an agency's conflict of interest code must file Form 700 if the individual serves in a position that makes or participates in making governmental decisions. These individuals must file under the agency's broadest disclosure category until the code is amended to include the new position unless the agency has provided in writing a limited disclosure requirement. The Form 804 may be used to satisfy this requirement.

#### Types of Form 700 Filings

#### **Assuming Office Statement:**

If you are a newly appointed official or are newly employed in a position designated, or that will be designated, in a state or local agency's conflict of interest code, your assuming office date is the date you were sworn in or otherwise authorized to serve in the position. If you are a newly elected official, your assuming office date is the date you were sworn in.

 Report: Investments, interests in real property, and business positions held on the date you assumed the office or position must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date you assumed the office or position.

For positions subject to confirmation by the State Senate or the Commission on Judicial Appointments, your assuming office date is the date you were appointed or nominated to the position.

Example: Maria Lopez was nominated by the Governor
to serve on a state agency board that is subject to state
Senate confirmation. The assuming office date is the
date Maria's nomination is submitted to the Senate.
Maria must report investments, interests in real
property, and business positions she holds on that date,
and income (including loans, gifts, and travel payments)
received during the 12 months prior to that date.

If your office or position has been added to a newly adopted or newly amended conflict of interest code, use the effective date of the code or amendment, whichever is applicable.

 Report: Investments, interests in real property, and business positions held on the effective date of the code or amendment must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the effective date of the code or amendment.

#### **Annual Statement:**

Generally, the period covered is January 1, 2020, through December 31, 2020. If the period covered by the statement is different than January 1, 2020, through December 31, 2020, (for example, you assumed office between October 1, 2019, and December 31, 2019 or you are combining statements), you must specify the period covered.

 Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement must be reported. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur in 2020.  If your disclosure category changes during a reporting period, disclose under the old category until the effective date of the conflict of interest code amendment and disclose under the new disclosure category through the end of the reporting period.

#### **Leaving Office Statement:**

Generally, the period covered is January 1, 2020, through the date you stopped performing the duties of your position. If the period covered differs from January 1, 2020, through the date you stopped performing the duties of your position (for example, you assumed office between October 1, 2019, and December 31, 2019, or you are combining statements), the period covered must be specified. The reporting period can cover parts of two calendar years.

 Report: Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur in 2020.

#### **Candidate Statement:**

If you are filing a statement in connection with your candidacy for state or local office, investments, interests in real property, and business positions held on the date of filing your declaration of candidacy must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months <u>prior to</u> the date of filing your declaration of candidacy is reportable. Do not change the preprinted dates on Schedules A-1, A-2, and B.

Candidates running for local elective offices (e.g., county sheriffs, city clerks, school board trustees, or water district board members) must file candidate statements, as required by the conflict of interest code for the elected position. The code may be obtained from the agency of the elected position.

#### **Amendments:**

If you discover errors or omissions on any statement, file an amendment as soon as possible. You are only required to amend the schedule that needs to be revised; it is not necessary to refile the entire form. Obtain amendment schedules from the FPPC website at www.fppc.ca.gov.

#### Where to File

## 1. Officials Specified in Gov. Code Section 87200 (See Reference Pamphlet, page 3):

In most cases, the filing officials listed below will retain a copy of your statement and forward the original to the FPPC.

Filers	Where to File
87200 Filers	
State offices	Your agency
Judicial offices	The clerk of your court
Retired Judges	Directly with FPPC
County offices	Your county filing official
City offices	Your city clerk
Multi-County offices	Your agency
87200 Candidates	
State offices Judicial offices Multi-County offices	County elections official with whom you file your declaration of candidacy
County offices	County elections official
City offices	City Clerk
Public Employees' Retirement System (CalPERS)	CalPERS
State Teachers' Retirement Board (CalSTRS)	CalSTRS

**Note:** Individuals that invest public funds for a city or county agency must file Form 700 with the agency. Unlike most other 87200 filers, the original statement will **not** be forwarded to the FPPC pursuant to Regulation 18753.

## 2. Code Filers — State and Local Officials, Employees, Candidates, and Consultants Designated in a Conflict of interest Code:

File with your agency, board, or commission unless otherwise specified in your agency's conflict of interest code. In most cases, the agency, board, or commission will retain the statements.

Candidates for local elective offices designated in a conflict of interest code file with the elections office where the declaration of candidacy or other nomination documents are filed.

## 3. Members of Boards and Commissions of Newly Created Agencies:

File with your newly created agency or with your agency's code reviewing body as provided by your code reviewing body.

State Senate and Assembly staff members file statements directly with the FPPC.

#### Exceptions:

- Elected state officers are not required to file statements under any agency's conflict of interest code.
- Filers listed in Section 87200 are not required to file statements under any agency's conflict of interest code in the same jurisdiction. For example, a county supervisor who is appointed to serve in an agency with jurisdiction in the same county has no additional filing obligations.

## 4. Positions Not Yet Covered Under a Conflict of interest Code

An individual hired for a position not yet covered under an agency's conflict of interest code must file Form 700 if the individual serves in a position that makes or participates in making governmental decisions. These individuals must file under the broadest disclosure category until the code is amended to include the new position unless the agency has provided in writing a limited disclosure requirement. Agencies may use FPPC Form 804 for this disclosure. Such individuals are referred to as "code filers." See Regulation 18734.

#### When to File

#### **Assuming Office Statements:**

•	
Filer	Deadline
Elected officials	<b>30 days</b> after assuming office
Appointed positions specified in Gov. Code Section 87200	30 days after assuming office
<u>or</u>	<u>or</u>
Newly created board and commission members not covered by a conflict of interest code	10 days after appointment or nomination if subject to Senate or judicial confirmation
Other appointed positions (including those held by newly- hired employees) that are or will be designated in a conflict of interest code	<b>30 days</b> after assuming office (30 days after appointment or nomination if subject to Senate confirmation)
Positions newly added to a new or amended conflict of interest code	30 days after the effective date of the code or code amendment

#### **Exceptions:**

- Elected state officers who assume office in December or January are not required to file an assuming office statement, but will file the next annual statement due.
- If you complete a term of office and, within 30 days, begin a new term of the same office (for example, you are reelected or reappointed), you are not required to file an assuming office statement. Instead, you will simply file the next annual statement due.
- If you leave an office specified in Gov. Code Section 87200 and, within 45 days, you assume another office or position specified in Section 87200 that has the same jurisdiction (for example, a city planning commissioner elected as mayor), you are not required to file an assuming office statement. Instead, you will simply file the next annual statement due.
- If you transfer from one designated position to another designated position within the same agency, contact your filing officer or the FPPC to determine your filing obligations.

Late statements are subject to a late fine of \$10 per day per position up to \$100 for each day the statement is late.

#### **Annual Statements:**

 Elected state officers (including members of the state legislature, members elected to the Board of Administration of the California Public Employees' Retirement System and members elected to the Teachers' Retirement Board);

Judges and court commissioners; and

Members of state boards and commissions specified in Gov. Code Section 87200:

File no later than Monday, March 1, 2021.

County and city officials specified in Gov. Code Section 87200:

File no later than Wednesday, April 1, 2021.

3. Multi-County officials:

File no later than Wednesday, April 1, 2021.

4. State and local officials and employees designated in a conflict of interest code:

File on the date prescribed in the code (April 1 for most filers).

#### Exception:

If you assumed office between October 1, 2020, and December 31, 2020, and filed an assuming office statement, you are not required to file an annual statement until March 1, 2022, or April 1, 2022, whichever is applicable. The annual statement will cover the day after you assumed office through December 31, 2021.

Incumbent officeholders who file candidate statements also must file annual statements by the specified deadlines.

#### When to File - (continued)

#### **Leaving Office Statements:**

Leaving office statements must be filed no later than 30 days after leaving the office or position.

#### Exceptions:

- If you complete a term of office and, within 30 days, begin a new term of the same office (for example, you are reelected or reappointed), you are not required to file a leaving office statement. Instead, you will simply file the next annual statement due.
- If you leave an office specified in Gov. Code Section 87200 and, within 45 days, you assume another office or position specified in Section 87200 that has the same jurisdiction (for example, a city planning commissioner elected as mayor), you are not required to file a leaving office statement. Instead, you will simply file the next annual statement due.
- If you transfer from one designated position to another designated position within the same agency, contact your filing officer or the FPPC to determine your filing obligations.

#### **Candidate Statements:**

All candidates (including incumbents) for offices specified in Gov. Code Section 87200 must file statements no later than the final filing date for their declaration of candidacy.

Candidates seeking a position designated in a conflict of interest code must file no later than the final filing date for the declaration of candidacy or other nomination documents.

#### Exception:

A candidate statement is not required if you filed an assuming office or annual statement for the same jurisdiction within 60 days before filing a declaration of candidacy or other nomination documents.

#### Late Statements:

Late statements should be submitted as soon as possible after the filing deadline, in the same manner and place as a timely filed statement.

The filing officer who retains originally-signed or electronically filed statements of economic interests may impose on an individual a fine for any statement that is filed late. The fine is \$10 per day up to a maximum of \$100. Late filing penalties may be reduced or waived under certain circumstances.

Persons who fail to timely file their Form 700 may be referred to the FPPC's Enforcement Division (and, in some cases, to the Attorney General or District Attorney) for investigation and possible prosecution. In addition to the late filing penalties from the filing officer, a fine of up to \$5,000 per violation may be imposed.

#### **Terms & Definitions**

The instructions located on the back of each schedule describe the types of interests that must be reported. The purpose of this section is to explain other terms used in Form 700 that are not defined in the instructions to the schedules or elsewhere.

Blind Trust: See Trusts, Reference Pamphlet, page 16.

**Business Entity**: Any organization or enterprise operated for profit, including a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation, or association. This would include a business for which you take business deductions for tax purposes (for example, a small business operated in your home).

**Code Filer:** An individual who has been designated in a state or local agency's conflict of interest code to file statements of economic interests.

An individual hired on or after January 1, 2020 for a position not yet covered under an agency's conflict of interest code must file Form 700 if the individual serves in a position that makes or participates in making governmental decisions. These individuals must file under the broadest disclosure category until the code is amended to include the new position unless the agency has provided in writing a limited disclosure requirement. Agencies may use FPPC Form 804 for such disclosure. See Regulation 18734.

Commission Income: "Commission income" means gross payments of \$500 or more received during the period covered by the statement as a broker, agent, or salesperson, including insurance brokers or agents, real estate brokers or agents, travel agents or salespersons, stockbrokers, and retail or wholesale salespersons, among others.

In addition, you may be required to disclose the names of sources of commission income if your pro rata share of the gross income was \$10,000 or more from a single source during the reporting period. If your spouse or registered domestic partner received commission income, you would disclose your community property share (50%) of that income (that is, the names of sources of \$20,000 or more in gross commission income received by your spouse or registered domestic partner).

Report commission income as follows:

- If the income was received through a business entity in which you and your spouse or registered domestic partner had a 10% or greater ownership interest (or if you receive commission income on a regular basis as an independent contractor or agent), use Schedule A-2.
- If the income was received through a business entity in which you or your spouse or registered domestic partner did not receive commission income on a regular basis or you had a less than 10% ownership interest, use Schedule C.

The "source" of commission income generally includes all parties to a transaction, and each is attributed the full value of the commission.

#### Examples:

- You are a partner in Jameson and Mulligan Insurance Company and have a 50% ownership interest in the company. You sold two Businessmen's Insurance Company policies to XYZ Company during the reporting period. You received commission income of \$5,000 from the first transaction and \$6,000 from the second. On Schedule A-2, report your partnership interest in and income received from Jameson and Mulligan Insurance Company in Parts 1 and 2. In Part 3, list both Businessmen's Insurance Company and XYZ Company as sources of \$10,000 or more in commission income.
- You are a stockbroker for Prince Investments, but you have no ownership interest in the firm. You receive commission income on a regular basis through the sale of stock to clients. Your total gross income from your employment with Prince Investments was over \$100,000 during the reporting period. On Schedule A-2, report your name as the name of the business entity in Part 1 and the gross income you have received in Part 2. (Because you are an employee of Prince Investments, you do not need to complete the information in the box in Part 1 indicating the general description of business activity, fair market value, or nature of investment.) In Part 3, list Prince Investments and the names of any clients who were sources of \$10,000 or more in commission income to you.
- You are a real estate agent and an independent contractor under Super Realty. On Schedule A-2, Part 1, in addition to your name or business name, complete the business entity description box. In Part 2, identify your gross income. In Part 3, for each transaction that resulted in commission income to you of \$10,000 or more, you must identify the brokerage entity, each person you represented, and any person who received a finder's or other referral fee for referring a party to the transaction to the broker.

Note: If your pro rata share of commission income from a single source is \$500 or more, you may be required to disqualify yourself from decisions affecting that source of income, even though you are not required to report the income. (See Reference Pamphlet, page 12.)

**Conflict of Interest:** A public official or employee has a conflict of interest under the Act when all of the following occur:

- The official makes, participates in making, or uses his or her official position to influence a governmental decision;
- It is reasonably foreseeable that the decision will affect the official's economic interest:
- The effect of the decision on the official's economic interest will be material; and
- The effect of the decision on the official's economic interest will be different than its effect on the public generally.

**Conflict of Interest Code:** The Act requires every state and local government agency to adopt a conflict of interest code. The code may be contained in a regulation, policy statement, or a city or county ordinance, resolution, or other document.

An agency's conflict of interest code must designate all officials and employees of, and consultants to, the agency who make or participate in making governmental decisions that could cause conflicts of interest. These individuals are required by the code to file statements of economic interests and to disqualify themselves when conflicts of interest occur.

The disclosure required under a conflict of interest code for a particular designated official or employee should include only the kinds of personal economic interests he or she could significantly affect through the exercise of his or her official duties. For example, an employee whose duties are limited to reviewing contracts for supplies, equipment, materials, or services provided to the agency should be required to report only those interests he or she holds that are likely to be affected by the agency's contracts for supplies, equipment, materials, or services.

Consultant: An individual who contracts with or whose employer contracts with state or local government agencies and who makes, participates in making, or acts in a staff capacity for making governmental decisions. The agency determines who is a consultant. Consultants may be required to file Form 700. Such consultants would file under full disclosure unless the agency provides in writing a limited disclosure requirement. Agencies may use FPPC Form 805 to assign such disclosure. The obligation to file Form 700 is always imposed on the individual who is providing services to the agency, not on the business or firm that employs the individual.

FPPC Regulation 18700.3 defines "consultant" as an individual who makes a governmental decision whether to:

- · Approve a rate, rule, or regulation
- Adopt or enforce a law
- Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement
- Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval
- Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract
- Grant agency approval to a plan, design, report, study, or similar item
- Adopt, or grant agency approval of, policies, standards, or guidelines for the agency or for any of its subdivisions

A consultant also is an individual who serves in a staff capacity with the agency and:

- participates in making a governmental decision; or
- performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's conflict of interest code.

**Designated Employee:** An official or employee of a state or local government agency whose position has been designated in the agency's conflict of interest code to file statements of economic interests or whose position has not yet been listed in the code but makes or participates in making governmental decisions. Individuals who contract with government agencies (consultants) may also be designated in a conflict of interest code.

A federal officer or employee serving in an official federal capacity on a state or local government agency is not a designated employee.

**Disclosure Categories:** The section of an agency's conflict of interest code that specifies the types of personal economic interests officials and employees of the agency must disclose on their statements of economic interests. Disclosure categories are usually contained in an appendix or attachment to the conflict of interest code. Contact your agency to obtain a copy of your disclosure categories.

Diversified Mutual Fund: Diversified portfolios of stocks, bonds, or money market instruments that are managed by investment companies whose business is pooling the money of many individuals and investing it to seek a common investment goal. Mutual funds are managed by trained professionals who buy and sell securities. A typical mutual fund will own between 75 to 100 separate securities at any given time so they also provide instant diversification. Only diversified mutual funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 are exempt from disclosure. In addition, Regulation 18237 provides an exception from reporting other funds that are similar to diversified mutual funds. (See Reference Pamphlet, page 13.)

Elected State Officer: Elected state officers include the Governor, Lieutenant Governor, Attorney General, Insurance Commissioner, State Controller, Secretary of State, State Treasurer, Superintendent of Public Instruction, members of the State Legislature, members of the State Board of Equalization, elected members of the Board of Administration of the California Public Employees' Retirement System and members elected to the Teachers' Retirement Board.

**Enforcement:** The FPPC investigates suspected violations of the Act. Other law enforcement agencies (the Attorney General or district attorney) also may initiate investigations under certain circumstances. If violations are found, the Commission may initiate administrative enforcement proceedings that could result in fines of up to \$5,000 per violation.

Instead of administrative prosecution, a civil action may be brought for negligent or intentional violations by the appropriate civil prosecutor (the Commission, Attorney General, or district attorney), or a private party residing within the jurisdiction. In civil actions, the measure of damages is up to the amount or value not properly reported.

Persons who violate the conflict of interest disclosure provisions of the Act also may be subject to agency discipline, including dismissal.

Finally, a knowing or willful violation of any provision of the Act is a misdemeanor. Persons convicted of a misdemeanor may be disqualified for four years from the date of the conviction from serving as a lobbyist or running for elective office, in addition to other penalties that may be imposed. The Act also provides for numerous civil penalties, including monetary penalties and damages, and injunctive relief from the courts.

**Expanded Statement:** Some officials or employees may have multiple filing obligations (for example, a city council member who also holds a designated position with a county agency, board, or commission). Such officials or employees may complete one expanded statement covering the disclosure requirements for all positions and file a complete, originally signed copy with each agency.

Fair Market Value: When reporting the value of an investment, interest in real property, or gift, you must disclose the fair market value – the price at which the item would sell for on the open market. This is particularly important when valuing gifts, because the fair market value of a gift may be different from the amount it cost the donor to provide the gift. For example, the wholesale cost of a bouquet of flowers may be \$10, but the fair market value may be \$25 or more. In addition, there are special rules for valuing free tickets and passes. Call or email the FPPC for assistance.

## Gift and Honoraria Prohibitions Gifts:

State and local officials who are listed in Gov. Code Section 87200 (except judges – see below), candidates for these elective offices (including judicial candidates), and officials and employees of state and local government agencies who are designated in a conflict of interest code were prohibited from accepting a gift or gifts totaling more than \$500 in a calendar year from a single source in 2019-2020. The gift limit is \$520 in 2021 and 2022.

In addition, elected <u>state</u> officers, candidates for elective <u>state</u> offices, and officials and employees of <u>state</u> agencies are subject to a \$10 per calendar month limit on gifts from lobbyists and lobbying firms registered with the Secretary of State.

#### Honoraria:

State and local officials who are listed in Gov. Code Section 87200 (except judges – see below), candidates for these elective offices (including judicial candidates), and employees of state and local government agencies who are designated in a conflict of interest code are prohibited from accepting honoraria for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering.

Exceptions:

- Some gifts are not reportable or subject to the gift and honoraria prohibitions, and other gifts may not be subject to the prohibitions, but are reportable. For detailed information, see the FPPC fact sheet entitled "Limitations and Restrictions on Gifts, Honoraria, Travel, and Loans," which can be obtained from your filing officer or the FPPC website (www.fppc.ca.gov).
- The gift limit and the honorarium prohibitions do not apply to a part-time member of the governing board of a public institution of higher education, unless the member is also an elected official.
- If you are designated in a state or local government agency's conflict of interest code, the gift limit and honorarium prohibition are applicable only to sources you would otherwise be required to report on your statement of economic interests. However, this exception is not applicable if you also hold a position listed in Gov. Code Section 87200 (See Reference Pamphlet, page 3.)
- For state agency officials and employees, the \$10 lobbyist/lobbying firm gift limit is applicable only to lobbyists and lobbying firms registered to lobby your agency. This exception is not applicable if you are an elected state officer or a member or employee of the State Legislature.
- Payments for articles published as part of the practice
  of a bona fide business, trade, or profession, such as
  teaching, are not considered honoraria. A payment for
  an "article published" that is customarily provided in
  connection with teaching includes text book royalties
  and payments for academic tenure review letters. An
  official is presumed to be engaged in the bona fide
  profession of teaching if he or she is employed to teach
  at an accredited university.

#### Judges:

Section 170.9 of the Code of Civil Procedure imposes gift limits on judges and prohibits judges from accepting any honorarium. Section 170.9 is enforced by the Commission on Judicial Performance. The FPPC has no authority to interpret or enforce the Code of Civil Procedure. Court commissioners are subject to the gift limit under the Political Reform Act.

**Income Reporting:** Reporting income under the Act is different than reporting income for tax purposes. The Act requires **gross** income (the amount received before deducting losses, expenses, or taxes, as well as income reinvested in a business entity) to be reported.

<u>Pro Rata Share</u>: The instructions for reporting income refer to your pro rata share of the income received. Your pro rata share is normally based on your ownership interest in the entity or property. For example, if you are a sole proprietor, you must disclose 100% of the gross

income to the business entity on Schedule A-2. If you own 25% of a piece of rental property, you must report 25% of the gross rental income received. When reporting your community property interest in your spouse's or registered domestic partner's income, your pro rata share is 50% of his or her income.

<u>Separate Property Agreement:</u> Generally, a public official is required to disclose his or her community property share of his or her spouse's income. But, when a public official and his or her spouse have a legally separate property agreement (e.g., prenuptial agreement), the official is not required to report the spouse's community property share of income, unless the funds are commingled with community funds or used to pay for community expenses or to produce or enhance the separate income of the official.

**Note:** This reporting exception does not apply to investments and interests in real property. Even if a public official and his or her spouse have a separate property agreement, the spouse's investments and interests in real property must still be disclosed because the definitions of reportable investments and interests in real property include those held by the official's immediate family (spouse, registered domestic partner, and dependent children). These definitions are not dependent on community property law.

Income to a Business Entity: When you are required to report sources of income to a business entity, sources of rental income, or sources of commission income, you are only required to disclose individual sources of income of \$10,000 or more. However, you may be required to disqualify yourself from decisions affecting sources of \$500 or more in income, even though you are not required to report them.

#### Examples:

- Alice Ruiz is a partner in a business entity. She has a 25% interest. On Schedule A-2, she must disclose 25% of the fair market value of the business entity; 25% of the gross income to the business entity (even though all of the income received was reinvested in the business and she did not personally receive any income from the business); and the name of each source of \$40,000 or more to the business.
- Pat and Mark Johnson, a married couple, own Classic Autos. Income to this business was \$200,000. In

determining the amount to report for income on Schedule A-2, Part 2, Mark must include his 50% share (\$100,000) and 50% of his spouse's share (\$50,000). Thus, his reportable income would be \$150,000 and he will check the box indicating \$100,001-\$1,000,000. (See Reference Pamphlet, page 13, for an example of how to calculate the value of this investment and interest in real property.)

#### You are not required to report:

- Salary, reimbursement for expenses or per diem, social security, disability, or other similar benefit payments received by you or your spouse or registered domestic partner from a federal, state, or local government agency
- A travel payment that was received from a nonprofit entity exempt from taxation under Internal Revenue Code Section 501(c)(3) for which you provided equal or greater consideration, such as reimbursement for travel on business for a 501(c)(3) organization for which you are a board member.
- · Campaign contributions
- · A cash bequest or cash inheritance
- Returns on a security registered with the Securities and Exchange Commission, including dividends, interest, or proceeds from a sale of stocks or bonds unless the purchaser can be identified.
- Redemption of a mutual fund
- Payments received under an insurance policy, including an annuity
- Interest, dividends, or premiums on a time or demand deposit in a financial institution, shares in a credit union, an insurance policy, or a bond or other debt instrument issued by a government agency
- Your spouse's or registered domestic partner's income that is legally "separate" income so long as the funds are not commingled with community funds or used to pay community expenses
- · Income of dependent children
- · Automobile trade-in allowances from dealers
- Loans and loan repayments received from your spouse or registered domestic partner, child, parent, grandparent, grandchild, brother, sister, parent-inlaw, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin unless he or she was acting as an intermediary or agent for any person not covered by this provision
- · Alimony or child support payments
- Payments received under a defined benefit pension plan qualified under Internal Revenue Code Section 401(a)
- Any loan from a commercial lending institution made in the lender's regular course of business on terms

- available to the public without regard to your official status
- Any retail installment or credit card debts incurred in the creditor's regular course of business on terms available to the public without regard to your official status
- Loans made to others. However, repayments may be reportable on Schedule C
- A loan you co-signed for another person unless you made payments on the loan during the reporting period

Incentive Compensation: "Incentive compensation" means income over and above salary that is either ongoing or cumulative, or both, as sales or purchases of goods or services accumulate. Incentive compensation is calculated by a predetermined formula set by the official's employer which correlates to the conduct of the purchaser in direct response to the effort of the official.

Incentive compensation does not include:

- Salary
- Commission income (For information regarding disclosure of "commission income," see Reference Pamphlet, page 8.)
- Bonuses for activity not related to sales or marketing, the amount of which is based solely on merit or hours worked over and above a predetermined minimum
- Executive incentive plans based on company performance, provided that the formula for determining the amount of the executive's incentive income does not include a correlation between that amount and increased profits derived from increased business with specific and identifiable clients or customers of the company
- Payments for personal services which are not marketing or sales

The purchaser is a source of income to the official if all three of the following apply:

- the official's employment responsibilities include directing sales or marketing activity toward the purchaser; and
- there is direct personal contact between the official and the purchaser intended by the official to generate sales or business; and
- there is a direct relationship between the purchasing activity of the purchaser and the amount of the incentive compensation received by the official.

Report incentive compensation as follows:

In addition to salary, reimbursement of expenses, and

other income received from your employer, separately report on Schedule C the name of each person who purchased products or services sold, marketed or represented by you if you received incentive compensation of \$500 or more attributable to the purchaser during the period covered by the statement.

 If incentive compensation is paid by your employer in a lump sum, without allocation of amounts to specific customers, you must determine the amount of incentive compensation attributable to each of your customers. This may be based on the volume of sales to those customers.

(See Regulations 18700.1 and 18728.5 for more information.)

Investment Funds: The term "investment" no longer includes certain exchange traded funds, closed-end funds, or funds held in an Internal Revenue Code qualified plan. These non-reportable investment funds (1) must be bona fide investment funds that pool money from more than 100 investors, (2) must hold securities of more than 15 issuers, and (3) cannot have a stated policy of concentrating their holdings in the same industry or business ("sector funds"). In addition, the filer may not influence or control the decision to purchase or sell the specific fund on behalf of his or her agency during the reporting period or influence or control the selection of any specific investment purchased or sold by the fund. (Regulation 18237)

Investments and Interests in Real Property: When disclosing investments on Schedules A-1 or A-2 and interests in real property on Schedules A-2 or B, you must include investments and interests in real property held by your spouse or registered domestic partner, and those held by your dependent children, as if you held them directly.

#### Examples:

- Julia Pearson, husband, and two dependent children each own \$600 in stock in General Motors. Because the total value of their holdings is \$2,400, Julia must disclose the stock as an investment on Schedule A-1.
- Pat and Mark Johnson, a married couple, jointly own Classic Autos. Mark must disclose Classic Autos as an investment on Schedule A-2. To determine the reportable value of the investment, Mark will aggregate the value of his 50% interest and Pat's 50% interest. Thus, if the total value of the business entity is \$150,000, he will check the box \$100,001 - \$1,000,000 in Part 1 of Schedule A-2. (Also see Reference Pamphlet, page 11, for an example of how to calculate reportable income.)

The Johnsons also own the property where Classic Autos is located. To determine the reportable value of the real property, Mark will again aggregate the value

- of his 50% interest and Pat's 50% interest to determine the amount to report in Part 4 of Schedule A-2.
- Katie Lee rents out a room in her home. She receives \$6,000 a year in rental income. Katie will report the fair market value of the rental portion of her residence and the income received on Schedule B.

**Jurisdiction:** Report disclosable investments and sources of income (including loans, gifts, and travel payments) that are either located in or doing business in your agency's jurisdiction, are planning to do business in your agency's jurisdiction, or have done business during the previous two years in your agency's jurisdiction, and interests in real property located in your agency's jurisdiction.

A business entity is doing business in your agency's jurisdiction if the entity has business contacts on a regular or substantial basis with a person who maintains a physical presence in your jurisdiction.

Business contacts include, but are not limited to, manufacturing, distributing, selling, purchasing, or providing services or goods. Business contacts do not include marketing via the Internet, telephone, television, radio, or printed media.

The same criteria are used to determine whether an individual, organization, or other entity is doing business in your jurisdiction.

#### Exception:

Gifts are reportable regardless of the location of the donor. For example, a state agency official with full disclosure must report gifts from sources located outside of California. (Designated employees/code filers should consult their disclosure categories to determine if the donor of a gift is of the type that must be disclosed.)

When reporting interests in real property, if your jurisdiction is the state, you must disclose real property located within the state of California unless your agency's conflict of interest code specifies otherwise.

For local agencies, an interest in real property is located in your jurisdiction if any part of the property is located in, or within two miles of, the region, city, county, district, or other geographical area in which the agency has jurisdiction, or if the property is located within two miles of any land owned or used by the agency.

See the following explanations to determine what your jurisdiction is:

State Offices and All Courts: Your jurisdiction is the state if you are an elected state officer, a state legislator, or a candidate for one of these offices. Judges, judicial candidates, and court commissioners also have statewide jurisdiction. (*In re Baty* (1979) 5 FPPC Ops. 10) If you are an official or employee of, or a consultant to, a state board, commission, or agency, or of any court or the State Legislature, your jurisdiction is the state.

<u>County Offices</u>: Your jurisdiction is the county if you are an elected county officer, a candidate for county office, or if you are an official or employee of, or a consultant to, a county agency or any agency with jurisdiction solely within a single county.

<u>City Offices</u>: Your jurisdiction is the city if you are an elected city officer, a candidate for city office, or you are an official or employee of, or a consultant to, a city agency or any agency with jurisdiction solely within a single city.

Multi-County Offices: If you are an elected officer, candidate, official or employee of, or a consultant to a multi-county agency, your jurisdiction is the region, district, or other geographical area in which the agency has jurisdiction. (Example: A water district has jurisdiction in a portion of two counties. Members of the board are only required to report interests located or doing business in that portion of each county in which the agency has jurisdiction.)

Other (for example, school districts, special districts and <u>JPAs</u>): If you are an elected officer, candidate, official or employee of, or a consultant to an agency not covered above, your jurisdiction is the region, district, or other geographical area in which the agency has jurisdiction. See the multi-county example above.

**Leasehold Interest:** The term "interest in real property" includes leasehold interests. An interest in a lease on real property is reportable if the value of the leasehold interest is \$2,000 or more. The value of the interest is the total amount of rent owed by you during the reporting period or, for a candidate or assuming office statement, during the prior 12 months.

You are not required to disclose a leasehold interest with a value of less than \$2,000 or a month-to-month tenancy.

**Loan Reporting:** Filers are not required to report loans from commercial lending institutions or any indebtedness created as part of retail installment or credit card transactions that are made in the lender's regular course of business, without regard to official status, on terms available to members of the public.

**Loan Restrictions:** State and local elected and appointed public officials are prohibited from receiving any personal loan totaling more than \$250 from an official, employee, or

consultant of their government agencies or any government agency over which the official or the official's agency has direction or control. In addition, loans of more than \$250 from any person who has a contract with the official's agency or an agency under the official's control are prohibited unless the loan is from a commercial lending institution or part of a retail installment or credit card transaction made in the regular course of business on terms available to members of the public.

State and local elected officials are also prohibited from receiving any personal loan of \$500 or more unless the loan agreement is in writing and clearly states the terms of the loan, including the parties to the loan agreement, the date, amount, and term of the loan, the date or dates when payments are due, the amount of the payments, and the interest rate on the loan.

Campaign loans and loans from family members are not subject to the \$250 and \$500 loan prohibitions.

A personal loan made to a public official that is not being repaid or is being repaid below certain amounts will become a gift to the official under certain circumstances. Contact the FPPC for further information, or see the FPPC fact sheet entitled "Limitations and Restrictions on Gifts, Honoraria, Travel, and Loans," which can be obtained from your filing officer or the FPPC website (www.fppc.ca.gov).

Privileged Information: FPPC Regulation 18740 sets out specific procedures that must be followed in order to withhold the name of a source of income. Under this regulation, you are not required to disclose on Schedule A-2, Part 3, the name of a person who paid fees or made payments to a business entity if disclosure of the name would violate a legally recognized privilege under California or Federal law. However, you must provide an explanation for nondisclosure, separately stating for each undisclosed person: the legal basis for the assertion of the privilege, facts demonstrating why the privilege is applicable, and that to the best of your knowledge you have not and will not make, participate in making, or use your official position to influence a governmental decision affecting the undisclosed person in violation of Government Code Section 87100. This explanation may be included with, or attached to, the public official's Form 700.

We note that the name of a source of income is privileged only to a limited extent under California law. For example, a name is protected by attorney-client privilege only when facts concerning an attorney's representation of an anonymous client are not publicly known and those facts.

when coupled with disclosure of the client's identity, might expose the client to an official investigation or to

civil or criminal liability. A patient's name is protected by physician-patient privilege only when disclosure of the patient's name would also reveal the nature of the treatment received by the patient. A patient's name is also protected if the disclosure of the patient's name would constitute a violation by an entity covered under the Federal Health Insurance Portability and Accountability Act (also known as HIPAA).

# Public Officials Who Manage Public Investments: Individuals who invest public funds in revenue-producing programs must file Form 700. This includes individuals who direct or approve investment transactions, formulate or approve investment policies, and establish guidelines for asset allocations. FPPC Regulation 18700.3 defines "public officials who manage public investments" to include the following:

- Members of boards and commissions, including pension and retirement boards or commissions, and committees thereof, who exercise responsibility for the management of public investments;
- High-level officers and employees of public agencies who exercise primary responsibility for the management of public investments (for example, chief or principal investment officers or chief financial managers); and
- Individuals who, pursuant to a contract with a state or local government agency, perform the same or substantially all the same functions described above.

**Registered Domestic Partners:** Filers must report investments and interests in real property held by, and sources of income to, registered domestic partners. (See Regulation 18229.)

Retirement Accounts (for example, deferred compensation and individual retirement accounts (IRAs)): Assets held in retirement accounts must be disclosed if the assets are reportable items, such as common stock (investments) or real estate (interests in real property). For help in determining whether your investments and real property are reportable, see the instructions to Schedules A-1, A-2, and B.

If your retirement account holds reportable assets, disclose only the assets held in the account, not the account itself. You may have to contact your account manager to determine the assets contained in your account.

Schedule A-1: Report any business entity in which the value of your investment interest was \$2,000 or more during the reporting period. (Use Schedule A-2 if you have a 10% or greater ownership interest in the business entity.)

<u>Schedule B</u>: Report any piece of real property in which the value of your interest was \$2,000 or more during the reporting period.

#### Examples:

- Anaya Tiwari deposits \$500 per month into her employer's deferred compensation program. She has chosen to purchase shares in two diversified mutual funds registered with the Securities and Exchange Commission. Because her funds are invested solely in non-reportable mutual funds (see Schedule A-1 instructions), Anaya has no disclosure requirements with regard to the deferred compensation program.
- Earl James Jones has \$6,000 in an individual retirement account with an investment firm. The account contains stock in several companies doing business in his jurisdiction. One of his stock holdings, Misac Computers, reached a value of \$2,500 during the reporting period. The value of his investment in each of the other companies was less than \$2,000. Earl must report Misac Computers as an investment on Schedule A-1 because the value of his stock in that company was \$2,000 or more.
- Adriane Fisher has \$5,000 in a retirement fund that invests in real property located in her jurisdiction. The value of her interest in each piece of real property held in the fund was less than \$2,000 during the reporting period. Although her retirement fund holds reportable assets, she has no disclosure requirement because she did not have a \$2,000 or greater interest in any single piece of real property. If, in the future, the value of her interest in a single piece of real property reaches or exceeds \$2,000, she will be required to disclose the real property on Schedule B for that reporting period.

**Trusts:** Investments and interests in real property held and income received by a trust (including a living trust) are reported on Schedule A-2 if you, your spouse or registered domestic partner, and your dependent children together had a 10% or greater interest in the trust and your pro rata share of a single investment or interest in real property was \$2,000 or more.

You have an interest in a trust if you are a trustor and:

- · Can revoke or terminate the trust;
- Have retained or reserved any rights to the income or principal of the trust or retained any reversionary or remainder interest; or
- Have retained any power of appointment, including the power to change the trustee or the beneficiaries.

#### Or you are a beneficiary and:

- Presently receive income (see Gov. Code Section 82030); or
- Have an irrevocable future right to receive income or principal. (See FPPC Regulation 18234 for more information.)

#### Examples:

- Sarah Murphy has set up a living trust that holds her principal residence, stock in several companies that do business in her jurisdiction, and a rental home in her agency's jurisdiction. Since Sarah is the trustor and can revoke or terminate the trust, she must disclose any stock worth \$2,000 or more and the rental home on Schedule A-2. Sarah's residence is not reportable because it is used exclusively as her personal residence.
- Chao Yee is listed as a beneficiary in his grandparents' trust. However, Chao does not presently receive income from the trust, nor does he have an irrevocable future right to receive income or principal. Therefore, Chao is not required to disclose any assets contained in his grandparents' trust.

#### **Blind Trusts:**

A blind trust is a trust managed by a disinterested trustee who has complete discretion to purchase and sell assets held by the trust. If you have a direct, indirect, or beneficial interest in a blind trust, you may not be required to disclose your pro rata share of the trust's assets or income. However, the trust must meet the standards set out in FPPC Regulation 18235, and you must disclose reportable assets originally transferred into the blind trust and income

from those original assets on Schedule A-2 until they have been disposed of by the trustee.

#### Trustees:

If you are only a trustee, you do not have a reportable interest in the trust. However, you may be required to report the income you received from the trust for performing trustee services.

Wedding Gifts: Wedding gifts must be disclosed if they were received from a reportable source during the period covered by the statement. Gifts valued at \$50 or more are reportable; however, a wedding gift is considered a gift to both spouses equally. Therefore, you would count one-half of the value of a wedding gift to determine if it is reportable and need only report individual gifts with a total value of \$100 or more.

For example, you receive a place setting of china valued at \$150 from a reportable source as a wedding gift. Because the value to you is \$50 or more, you must report the gift on Schedule D, but may state its value as \$75.

Wedding gifts are not subject to the \$500 gift limit (\$520 in 2021-2022), but they are subject to the \$10 lobbyist/lobbying firm gift limit for state officials.

#### **Privacy Information Notice**

Information requested on all FPPC forms is used by the FPPC to administer and enforce the Political Reform Act (Gov. Code Sections 81000-91014 and California Code of Regulations Sections 18110-18997). All information required by these forms is mandated by the Political Reform Act. Failure to provide all of the information required by the Act is a violation subject to administrative, criminal, or civil prosecution. All reports and statements provided are public records open for public inspection and reproduction.

If you have any questions regarding this Privacy Notice or how to access your personal information, please contact the FPPC at:

General Counsel Fair Political Practices Commission 1102 Q Street, Suite 3000 Sacramento, CA 95811 (916) 322-5660 (866) 275-3772

# 2020-2021 Statement of Economic Interests



## **Form 700**

#### A Public Document

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#### **Helpful Resources**

- Video Tutorials
- Reference Pamphlet
- Excel Version
- FAQs
- Gift and Travel Fact Sheet for State and Local Officials

#### **California Fair Political Practices Commission**

1102 Q Street, Suite 3000 • Sacramento, CA 95811

Email Advice: advice@fppc.ca.gov

Toll-free advice line: 1 (866) ASK-FPPC • 1 (866) 275-3772 Telephone: (916) 322-5660 • Website: www.fppc.ca.gov

#### **Quick Start Guide**

Detailed instructions begin on page 3.

#### WHEN IS THE ANNUAL STATEMENT DUE?

- March 1 Elected State Officers, Judges and Court Commissioners, State Board and Commission members listed in Government Code Section 87200
- April 1 Most other filers

#### WHERE DO I FILE?

Most people file the Form 700 with their agency. If you're not sure where to file your Form 700, contact your filing officer or the person who asked you to complete it.

#### **ITEMS TO NOTE!**

- · The Form 700 is a public document.
- Only filers serving in active military duty may receive an extension on the filing deadline.
- You must also report interests held by your spouse or registered domestic partner.
- Your agency's conflict of interest code will help you to complete the Form 700. You are encouraged to get your conflict of interest code from the person who asked you to complete the Form 700.

#### **NOTHING TO REPORT?**

Mark the "No reportable interests" box on Part 4 of the Cover Page, and submit only the signed Cover Page. Please review each schedule carefully!

Schedule	Common Reportable Interests	Common Non-Reportable Interests
A-1: Investments	Stocks, including those held in an IRA or 401K. Each stock must be listed.	Insurance policies, government bonds, diversified mutual funds, funds similar to diversified mutual funds.
A-2: Business Entitites/Trusts	Business entities, sole proprietorships, partnerships, LLCs, corporations and trusts. (e.g., Form 1099 filers).	Savings and checking accounts, and annuities.
B: Real Property	Rental property in filer's jurisdiction, or within two miles of the boundaries of the jurisdiction.	A residence used exclusively as a personal residence (such as a home or vacation property).
C: Income	Non-governmental salaries. Note that filers are required to report only half of their spouse's or partner's salary.	Governmental salary (from school district, for example).
D: Gifts	Gifts from businesses, vendors, or other contractors (meals, tickets, etc.).	Gifts from family members.
E: Travel Payments	Travel payments from third parties (not your employer).	Travel paid by your government agency.

*Note:* Like reportable interests, non-reportable interests may also create conflicts of interest and could be grounds for disqualification from certain decisions.

#### **QUESTIONS?**

- advice@fppc.ca.gov
- (866) 275-3772 Mon-Thurs, 9-11:30 a.m.

#### E-FILING ISSUES?

- If using your agency's system, please contact technical support at your agency.
- If using FPPC's e-filing system, write to form700@fppc.ca.gov.

#### What's New

#### **Gift Limit Increase**

The gift limit increased to \$520 for calendar years 2021 and 2022. The gift limit in 2020 was \$500.

#### Who must file:

- Elected and appointed officials and candidates listed in Government Code Section 87200
- Employees, appointed officials, and consultants filing pursuant to a conflict of interest code ("code filers").
   Obtain your disclosure categories, which describe the interests you must report, from your agency; they are not part of the Form 700
- Candidates running for local elective offices that are designated in a conflict of interest code (e.g., county sheriffs, city clerks, school board trustees, and water board members)

#### Exception:

- Candidates for a county central committee are not required to file the Form 700.
- Members of newly created boards and commissions not yet covered under a conflict of interest code
- Employees in newly created positions of existing agencies

For more information, see Reference Pamphlet, page 3, at www.fppc.ca.gov.

#### Where to file:

#### **87200 Filers**

State offices

Judicial offices

Retired Judges

County offices

Your agency

The clerk of your court

Directly with FPPC

Your county filing official

## Code Filers — State and Local Officials, Employees, and Consultants Designated in a Conflict of Interest

**Code:** File with your agency, board, or commission unless otherwise specified in your agency's code (e.g., Legislative staff files directly with FPPC). In most cases, the agency, board, or commission will retain the statements.

Members of Boards and Commissions of Newly Created Agencies: File with your newly created agency or with your agency's code reviewing body.

Employees in Newly Created Positions of Existing Agencies: File with your agency or with your agency's code reviewing body. (See Reference Pamphlet, page 3.)

Candidates: File with your local elections office.

#### How to file:

The Form 700 is available at www.fppc.ca.gov. Form 700 schedules are also available in Excel format. All

statements must have an original "wet" signature or be duly authorized by your filing officer to file electronically under Government Code Section 87500.2.

#### When to file:

#### **Annual Statements**

#### **○** March 1, 2021

- Elected State Officers
- Judges and Court Commissioners
- State Board and State Commission Members listed in Government Code Section 87200

#### ⇒ April 1, 2021

- Most other filers

Individuals filing under conflict of interest codes in city and county jurisdictions should verify the annual filing date with their local filing officers.

Statements postmarked by the filing deadline are considered filed on time.

Statements of 30 pages or less may be emailed or faxed by the deadline as long as the originally signed paper version is sent by first class mail to the filing official within 24 hours.

#### **Assuming Office and Leaving Office Statements**

Most filers file within 30 days of assuming or leaving office or within 30 days of the effective date of a newly adopted or amended conflict of interest code.

#### Exception:

If you assumed office between October 1, 2020, and December 31, 2020, and filed an assuming office statement, you are not required to file an annual statement until March 1, 2022, or April 1, 2022, whichever is applicable. The annual statement will cover the day after you assumed office through December 31, 2021. (See Reference Pamphlet, page 6, for additional exceptions.

#### **Candidate Statements**

File no later than the final filing date for the declaration of candidacy or nomination documents. A candidate statement is not required if you filed an assuming office or annual statement for the same jurisdiction within 60 days before filing a declaration of candidacy or other nomination documents.

#### **Late Statements**

There is no provision for filing deadline extensions unless the filer is serving in active military duty. (See page 19 for information on penalties and fines.)

#### **Amendments**

Statements may be amended at any time. You are only required to amend the schedule that needs to be revised. It is not necessary to amend the entire filed form. Obtain amendment schedules at www.fppc.ca.gov.

#### **Types of Statements**

#### **Assuming Office Statement:**

If you are a newly appointed official or are newly employed in a position designated, or that will be designated, in a state or local agency's conflict of interest code, your assuming office date is the date you were sworn in or otherwise authorized to serve in the position. If you are a newly elected official, your assuming office date is the date you were sworn in.

 Report: Investments, interests in real property, and business positions held on the date you assumed the office or position must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date you assumed the office or position.

For positions subject to confirmation by the State Senate or the Commission on Judicial Appointments, your assuming office date is the date you were appointed or nominated to the position.

Example: Maria Lopez was nominated by the Governor
to serve on a state agency board that is subject to state
Senate confirmation. The assuming office date is the
date Maria's nomination is submitted to the Senate.
Maria must report investments, interests in real
property, and business positions she holds on that date,
and income (including loans, gifts, and travel payments)
received during the 12 months prior to that date.

If your office or position has been added to a newly adopted or newly amended conflict of interest code, use the effective date of the code or amendment, whichever is applicable.

 Report: Investments, interests in real property, and business positions held on the effective date of the code or amendment must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the effective date of the code or amendment.

#### **Annual Statement:**

Generally, the period covered is January 1, 2020, through December 31, 2020. If the period covered by the statement is different than January 1, 2020, through December 31, 2020, (for example, you assumed office between October 1, 2019, and December 31, 2019 or you are combining statements), you must specify the period covered.

 Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement must be reported. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur in 2020.  If your disclosure category changes during a reporting period, disclose under the old category until the effective date of the conflict of interest code amendment and disclose under the new disclosure category through the end of the reporting period.

#### **Leaving Office Statement:**

Generally, the period covered is January 1, 2020, through the date you stopped performing the duties of your position. If the period covered differs from January 1, 2020, through the date you stopped performing the duties of your position (for example, you assumed office between October 1, 2019, and December 31, 2019, or you are combining statements), the period covered must be specified. The reporting period can cover parts of two calendar years.

 Report: Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur in 2020.

#### **Candidate Statement:**

If you are filing a statement in connection with your candidacy for state or local office, investments, interests in real property, and business positions held on the date of filing your declaration of candidacy must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months <u>prior to</u> the date of filing your declaration of candidacy is reportable. Do not change the preprinted dates on Schedules A-1, A-2, and B.

Candidates running for local elective offices (e.g., county sheriffs, city clerks, school board trustees, or water district board members) must file candidate statements, as required by the conflict of interest code for the elected position. The code may be obtained from the agency of the elected position.

#### **Amendments:**

If you discover errors or omissions on any statement, file an amendment as soon as possible. You are only required to amend the schedule that needs to be revised; it is not necessary to refile the entire form. Obtain amendment schedules from the FPPC website at www.fppc.ca.gov.

*Note:* Once you file your statement, you may not withdraw it. All changes must be noted on amendment schedules.

## STATEMENT OF ECONOMIC INTERESTS COVER PAGE

A PUBLIC DOCUMENT

Date Initial Filing Received
Filing Official Use Only

Please type or print in ink.

	AF OF FILED. (LACT)	(FIDOT)	(MIDDLE)
NΑN	ME OF FILER (LAST)	(FIRST)	(MIDDLE)
1.	Office, Agency, or Court		
	Agency Name (Do not use acronyms)		
	Division, Board, Department, District, if application	able	Your Position
	▶ If filing for multiple positions, list below or	on an attachment. (Do not use	e acronyms)
	Agency:		Position:
2.	Jurisdiction of Office (Check at lea	st one box)	
	State		☐ Judge, Retired Judge, Pro Tem Judge, or Court Commissioner (Statewide Jurisdiction)
	Multi-County		County of
	City of		Other
3.	Type of Statement (Check at least of	one box)	
	Annual: The period covered is January December 31, 2020.	1, <b>2020,</b> through	Leaving Office: Date Left//
	The period covered is/_ December 31, <b>2020</b> .	, through	<ul> <li>The period covered is January 1, 2020, through the date of leaving office.</li> <li>-or-</li> </ul>
	Assuming Office: Date assumed		The period covered is/, through the date of leaving office.
	Candidate: Date of Election	and office sought,	if different than Part 1:
4.	Schedule Summary (must comp	olete) > Total number	of pages including this cover page:
	Schedules attached	,	- pro
	Schedule A-1 - Investments – schedu	ule attached	Schedule C - Income, Loans, & Business Positions – schedule attached
	Schedule A-2 - Investments - schedu		Schedule D - Income - Gifts - schedule attached
	Schedule B - Real Property – schedu	_	Schedule E - Income - Gifts - Travel Payments - schedule attached
-(	or- 🗌 None - No reportable interes	ts on any schedule	
5.	Verification		
	MAILING ADDRESS STREET (Business or Agency Address Recommended - Public Doc	CITY cument)	STATE ZIP CODE
	DAYTIME TELEPHONE NUMBER		EMAIL ADDRESS
	( )		
	I have used all reasonable diligence in prepar herein and in any attached schedules is true		wed this statement and to the best of my knowledge the information contained this is a public document.
	I certify under penalty of perjury under the	e laws of the State of Californ	nia that the foregoing is true and correct.
	Date Signed	S	ignature  (File the originally signed paper statement with your filing official.)
	(month, day, year)		(гле иле опутналу signed paper statement with your filing official.)

## Instructions Cover Page

Enter your name, mailing address, and daytime telephone number in the spaces provided. Because the Form 700 is a public document, you may list your business/office address instead of your home address.

#### Part 1. Office, Agency, or Court

- Enter the name of the office sought or held, or the agency or court. Consultants must enter the public agency name rather than their private firm's name. (Examples: State Assembly; Board of Supervisors; Office of the Mayor; Department of Finance; Hope County Superior Court)
- Indicate the name of your division, board, or district, if applicable. (Examples: Division of Waste Management; Board of Accountancy; District 45). Do not use acronyms.
- Enter your position title. (Examples: Director; Chief Counsel; City Council Member; Staff Services Analyst)
- If you hold multiple positions (i.e., a city council member who also is a member of a county board or commission), you may be required to file statements with each agency.
   To simplify your filing obligations, you may complete an expanded statement.
  - To do this, enter the name of the other agency(ies) with which you are required to file and your position title(s) in the space provided. Do not use acronyms. Attach an additional sheet if necessary. Complete one statement covering the disclosure requirements for all positions. Each copy must contain an original signature. Therefore, before signing the statement, make a copy for each agency. Sign each copy with an original signature and file with each agency.

If you assume or leave a position after a filing deadline, you must complete a separate statement. For example, a city council member who assumes a position with a county special district after the April annual filing deadline must file a separate assuming office statement. In subsequent years, the city council member may expand his or her annual filing to include both positions.

#### Example:

Brian Bourne is a city council member for the City of Lincoln and a board member for the Camp Far West Irrigation District – a multi-county agency that covers Placer and Yuba counties. Brian will complete one Form 700 using full disclosure (as required for the city position) and covering interests in both Placer and Yuba counties (as required for the multi-county position) and list both positions on the Cover Page. Before signing the statement, Brian will make a copy and sign both statements. One statement will be filed with City of Lincoln and the other will be filed with Camp Far West Irrigation District. Both will contain an original signature.

#### Part 2. Jurisdiction of Office

 Check the box indicating the jurisdiction of your agency and, if applicable, identify the jurisdiction. Judges, judicial candidates, and court commissioners have statewide jurisdiction. All other filers should review the Reference Pamphlet, page 13, to determine their jurisdiction.

- If your agency is a multi-county office, list each county in which your agency has jurisdiction.
- office, or multi-county office (e.g., school districts, special districts and JPAs), check the "other" box and enter the county or city in which the agency has jurisdiction.

#### Example:

This filer is a member of a water district board with jurisdiction in portions of Yuba and Sutter Counties.

1. Office, Agency, or Court	
Agency Name (Do not use acronyms)	
Feather River Irrigation District	
Division, Board, Department, District, if applicable	Your Position
N/A	Board Member
Agency: N/A  2. Jurisdiction of Office (Check at least one box)	Position:
State	Judge or Court Commissioner (Statewide Jurisdiction)
Multi-County Yuba & Sutter Counties	County of
City of	Other

#### Part 3. Type of Statement

Check at least one box. The period covered by a statement is determined by the type of statement you are filing. If you are completing a 2020 annual statement, **do not** change the pre-printed dates to reflect 2021. Your annual statement is used for reporting the **previous year's** economic interests. Economic interests for your annual filing covering January 1, 2021, through December 31, 2021, will be disclosed on your statement filed in 2022. See Reference Pamphlet, page 4.

Combining Statements: Certain types of statements may be combined. For example, if you leave office after January 1, but before the deadline for filing your annual statement, you may combine your annual and leaving office statements. File by the earliest deadline. Consult your filing officer or the FPPC.

#### Part 4. Schedule Summary

- Complete the Schedule Summary after you have reviewed each schedule to determine if you have reportable interests.
- Enter the total number of completed pages including the cover page and either check the box for each schedule you use to disclose interests; or if you have nothing to disclose on any schedule, check the "No reportable interests" box.
   Please do not attach any blank schedules.

#### Part 5. Verification

penalties.

Complete the verification by signing the statement and entering the date signed. All statements must have an original "wet" signature or be duly authorized by your filing officer to file electronically under Government Code Section 87500.2. When you sign your statement, you are stating, under penalty of perjury, that it is true and correct. Only the filer has authority to sign the statement. An unsigned statement

is not considered filed and you may be subject to late filing

#### **SCHEDULE A-1 Investments**

## Stocks, Bonds, and Other Interests (Ownership Interest is Less Than 10%)

Investments must be itemized. Do not attach brokerage or financial statements.

	CALIFORNIA FORM 700 FAIR POLITICAL PRACTICES COMMISSION
•	Name

•	NAME OF BUSINESS ENTITY	► NAME OF BUSIN	NESS ENTIT	Y
	GENERAL DESCRIPTION OF THIS BUSINESS	GENERAL DESC	CRIPTION O	THIS BUSINESS
	FAIR MARKET VALUE  \$2,000 - \$10,000  \$10,001 - \$100,000  \$100,001 - \$1,000,000  Over \$1,000,000	FAIR MARKET V.  \$2,000 - \$10,0  \$100,001 - \$1	,000,000	\$10,001 - \$100,000 Over \$1,000,000
	Stock Other (Describe)  Partnership Income Received of \$0 - \$499 Income Received of \$500 or More (Report on Schedule C)		-	(Describe) ceived of \$0 - \$499 ceived of \$500 or More (Report on Schedule C)
	IF APPLICABLE, LIST DATE:	IF APPLICABLE,	LIST DATE:	
	// <b>20</b>	// <b>20</b> ACQUIRED	<u> </u>	_// <b>20</b> DISPOSED
<u> </u>	NAME OF BUSINESS ENTITY	► NAME OF BUSIN	NESS ENTIT	Υ
	GENERAL DESCRIPTION OF THIS BUSINESS	GENERAL DESC	CRIPTION O	THIS BUSINESS
	FAIR MARKET VALUE  \$2,000 - \$10,000		000 ,000,000 /ESTMENT Other ◯ Income Re	\$10,001 - \$100,000   Over \$1,000,000   (Describe)   ceived of \$0 - \$499   ceived of \$500 or More (Report on Schedule C)
	IF APPLICABLE, LIST DATE:	IF APPLICABLE,	LIST DATE:	
	//20//20 ACQUIRED DISPOSED	// <b>20</b> ACQUIRED		_// <b>20</b> DISPOSED
<u> </u>	NAME OF BUSINESS ENTITY	► NAME OF BUSIN	NESS ENTIT	Y
	GENERAL DESCRIPTION OF THIS BUSINESS	GENERAL DESC	CRIPTION O	THIS BUSINESS
	FAIR MARKET VALUE  \$2,000 - \$10,000  \$10,001 - \$100,000  \$100,001 - \$1,000,000  Over \$1,000,000	FAIR MARKET V.  \$2,000 - \$10,0  \$100,001 - \$1	000	\$10,001 - \$100,000 Over \$1,000,000
	NATURE OF INVESTMENT  Stock Other (Describe)	NATURE OF INV	ESTMENT Other	(Describe)
	Partnership O Income Received of \$0 - \$499 O Income Received of \$500 or More (Report on Schedule C)		~	ceived of \$0 - \$499 ceived of \$500 or More (Report on Schedule C)
	IF APPLICABLE, LIST DATE:	IF APPLICABLE,	LIST DATE:	
	// <b>20</b>	// <b>20</b> ACQUIRED	<u> </u>	_// <b>20</b> DISPOSED

Comments: \_

## Instructions – Schedules A-1 and A-2 Investments

"Investment" means a financial interest in any business entity (including a consulting business or other independent contracting business) that is located in, doing business in, planning to do business in, or that has done business during the previous two years in your agency's jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling \$2,000 or more at any time during the reporting period. (See Reference Pamphlet, page 13.)

#### Reportable investments include:

- Stocks, bonds, warrants, and options, including those held in margin or brokerage accounts and managed investment funds (See Reference Pamphlet, page 13.)
- Sole proprietorships
- Your own business or your spouse's or registered domestic partner's business (See Reference Pamphlet, page 8, for the definition of "business entity.")
- Your spouse's or registered domestic partner's investments even if they are legally separate property
- Partnerships (e.g., a law firm or family farm)
- Investments in reportable business entities held in a retirement account (See Reference Pamphlet, page 15.)
- If you, your spouse or registered domestic partner, and dependent children together had a 10% or greater ownership interest in a business entity or trust (including a living trust), you must disclose investments held by the business entity or trust. (See Reference Pamphlet, page 16, for more information on disclosing trusts.)
- · Business trusts

#### You are not required to disclose:

- Government bonds, diversified mutual funds, certain funds similar to diversified mutual funds (such as exchange traded funds) and investments held in certain retirement accounts. (See Reference Pamphlet, page 13.) (Regulation 18237)
- Bank accounts, savings accounts, money market accounts and certificates of deposits
- · Insurance policies
- Annuities
- Commodities
- · Shares in a credit union
- · Government bonds (including municipal bonds)
- Retirement accounts invested in non-reportable interests (e.g., insurance policies, mutual funds, or government bonds) (See Reference Pamphlet, page 15.)

#### Reminders

- Do you know your agency's jurisdiction?
- Did you hold investments at any time during the period covered by this statement?
- Code filers your disclosure categories may only require disclosure of specific investments.

- Government defined-benefit pension plans (such as CalPERS and CalSTRS plans)
- Certain interests held in a blind trust (See Reference Pamphlet, page 16.)

**Use Schedule A-1** to report ownership of less than 10% (e.g., stock). Schedule C (Income) may also be required if the investment is not a stock or corporate bond. (See second example below.)

**Use Schedule A-2** to report ownership of 10% or greater (e.g., a sole proprietorship).

#### To Complete Schedule A-1:

Do not attach brokerage or financial statements.

- · Disclose the name of the business entity.
- Provide a general description of the business activity of the entity (e.g., pharmaceuticals, computers, automobile manufacturing, or communications).
- Check the box indicating the highest fair market value of your investment during the reporting period. If you are filing a candidate or an assuming office statement, indicate the fair market value on the filing date or the date you took office, respectively. (See page 20 for more information.)
- Identify the nature of your investment (e.g., stocks, warrants, options, or bonds).
- An acquired or disposed of date is only required if you initially acquired or entirely disposed of the investment interest during the reporting period. The date of a stock dividend reinvestment or partial disposal is not required. Generally, these dates will not apply if you are filing a candidate or an assuming office statement.

#### Examples:

Frank Byrd holds a state agency position. His conflict of interest code requires full disclosure of investments. Frank must disclose his stock holdings of \$2,000 or more in any company that is located in or does business in California, as well as those stocks held by his spouse or registered domestic partner and dependent children.

Alice Lance is a city council member. She has a 4% interest, worth \$5,000, in a limited partnership located in the city. Alice must disclose the partnership on Schedule A-1 and income of \$500 or more received from the partnership on Schedule C.

#### SCHEDULE A-2 Investments, Income, and Assets of Business Entities/Trusts

CALIFORNIA FORM 700 FAIR POLITICAL PRACTICES COMMISSION
Name

(Ownership Interest is 10% or Greater)

► 1. BUSINESS ENTITY OR TRUST	► 1. BUSINESS ENTITY OR TRUST
Name	Name
Address (Business Address Acceptable)  Check one  Trust, go to 2  Business Entity, complete the box, then go to 2  GENERAL DESCRIPTION OF THIS BUSINESS	Address (Business Address Acceptable)  Check one  Trust, go to 2  Business Entity, complete the box, then go to 2  GENERAL DESCRIPTION OF THIS BUSINESS
FAIR MARKET VALUE   IF APPLICABLE, LIST DATE:   \$0 - \$1,999   \$2,000 - \$10,000   J_20   J_20   J_20   S10,001 - \$100,000   ACQUIRED   DISPOSED   DISPOSED   Over \$1,000,000   Over \$1,000,000   NATURE OF INVESTMENT	FAIR MARKET VALUE   IF APPLICABLE, LIST DATE:   \$0 - \$1,999   \$2,000 - \$10,000   ACQUIRED   DISPOSED   \$100,001 - \$1,000,000   Over \$1,000,000   NATURE OF INVESTMENT
Partnership Sole Proprietorship Other  YOUR BUSINESS POSITION	Partnership Sole Proprietorship Other  YOUR BUSINESS POSITION
➤ 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA	> 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA
SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)  \$0 - \$499	SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)  \$0 - \$499  \$10,001 - \$100,000  \$500 - \$1,000  OVER \$100,000  \$1,001 - \$10,000  ▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF
INCOME OF \$10,000 OR MORE (Attach a separate sheet if necessary.)  None or Names listed below	INCOME OF \$10,000 OR MORE (Attach a separate sheet if necessary.)  None or Names listed below
► 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR  LEASED BY THE BUSINESS ENTITY OR TRUST  Check one box:  INVESTMENT REAL PROPERTY	➤ 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST  Check one box:  INVESTMENT REAL PROPERTY
Name of Business Entity, if Investment, <u>or</u> Assessor's Parcel Number or Street Address of Real Property	Name of Business Entity, if Investment, <u>or</u> Assessor's Parcel Number or Street Address of Real Property
Description of Business Activity <u>or</u> City or Other Precise Location of Real Property	Description of Business Activity <u>or</u> City or Other Precise Location of Real Property
FAIR MARKET VALUE   IF APPLICABLE, LIST DATE:   \$2,000 - \$10,000   \$10,001 - \$100,000   J_20   DISPOSED   Over \$1,000,000	FAIR MARKET VALUE   IF APPLICABLE, LIST DATE:   \$2,000 - \$10,000   \$10,001 - \$100,000   \$100,001 - \$1,000,000   ACQUIRED   DISPOSED   Over \$1,000,000
NATURE OF INTEREST Property Ownership/Deed of Trust Stock Partnership	NATURE OF INTEREST Property Ownership/Deed of Trust Stock Partnership
Leasehold Other	Leasehold Other
Check box if additional schedules reporting investments or real property are attached	Check box if additional schedules reporting investments or real property are attached

Comments: \_

## Instructions – Schedule A-2 Investments, Income, and Assets of Business Entities/Trusts

Use Schedule A-2 to report investments in a business entity (including a consulting business or other independent contracting business) or trust (including a living trust) in which you, your spouse or registered domestic partner, and your dependent children, together or separately, had a 10% or greater interest, totaling \$2,000 or more, during the reporting period and which is located in, doing business in, planning to do business in, or which has done business during the previous two years in your agency's jurisdiction. (See Reference Pamphlet, page 13.) A trust located outside your agency's jurisdiction is reportable if it holds assets that are located in or doing business in the jurisdiction. Do not report a trust that contains non-reportable interests. For example, a trust containing only your personal residence not used in whole or in part as a business, your savings account, and some municipal bonds, is not reportable.

Also report on Schedule A-2 investments and real property held by that entity or trust if your pro rata share of the investment or real property interest was \$2,000 or more during the reporting period.

#### To Complete Schedule A-2:

**Part 1.** Disclose the name and address of the business entity or trust. If you are reporting an interest in a business entity, check "Business Entity" and complete the box as follows:

- Provide a general description of the business activity of the entity.
- Check the box indicating the highest fair market value of your investment during the reporting period.
- If you initially acquired or entirely disposed of this interest during the reporting period, enter the date acquired or disposed.
- · Identify the nature of your investment.
- Disclose the job title or business position you held with the entity, if any (i.e., if you were a director, officer, partner, trustee, employee, or held any position of management). A business position held by your spouse is not reportable.

**Part 2.** Check the box indicating **your pro rata** share of the **gross** income received **by** the business entity or trust. This amount includes your pro rata share of the **gross** income **from** the business entity or trust, as well as your community property interest in your spouse's or registered domestic partner's share. Gross income is the total amount of income before deducting expenses, losses, or taxes.

**Part 3.** Disclose the name of each source of income that is located in, doing business in, planning to do business in, or that has done business during the previous two years in your agency's jurisdiction, as follows:

Disclose each source of income and outstanding loan to the business entity or trust identified in Part 1 if your pro rata share of the gross income (including your community property interest in your spouse's or registered domestic partner's share) to the business entity or trust from that source was \$10,000 or more during the reporting

period. (See Reference Pamphlet, page 11, for examples.) Income from governmental sources may be reportable if not considered salary. See Regulation 18232. Loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are not reportable.

 Disclose each individual or entity that was a source of commission income of \$10,000 or more during the reporting period through the business entity identified in Part 1. (See Reference Pamphlet, page 8.)

You may be required to disclose sources of income located outside your jurisdiction. For example, you may have a client who resides outside your jurisdiction who does business on a regular basis with you. Such a client, if a reportable source of \$10,000 or more, must be disclosed.

Mark "None" if you do not have any reportable \$10,000 sources of income to disclose. Phrases such as "various clients" or "not disclosing sources pursuant to attorney-client privilege" are not adequate disclosure. (See Reference Pamphlet, page 14, for information on procedures to request an exemption from disclosing privileged information.)

**Part 4.** Report any investments or interests in real property held or leased by the entity or trust identified in Part 1 if your pro rata share of the interest held was \$2,000 or more during the reporting period. Attach additional schedules or use FPPC's Form 700 Excel spreadsheet if needed.

- Check the applicable box identifying the interest held as real property or an investment.
- If investment, provide the name and description of the business entity.
- If real property, report the precise location (e.g., an assessor's parcel number or address).
- Check the box indicating the highest fair market value of your interest in the real property or investment during the reporting period. (Report the fair market value of the portion of your residence claimed as a tax deduction if you are utilizing your residence for business purposes.)
- · Identify the nature of your interest.
- Enter the date acquired or disposed only if you initially acquired or entirely disposed of your interest in the property or investment during the reporting period.

## **SCHEDULE B** Interests in Real Property (Including Rental Income)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION Name

ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS	ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS
CITY	CITY
FAIR MARKET VALUE   IF APPLICABLE, LIST DATE:   \$2,000 - \$10,000   \$10,001 - \$100,000   ACQUIRED   DISPOSED   DISPOSED	\$100,001 - \$1,000,000   ACQUIRED DISPOSED     \$100,001 - \$1,000,000   ACQUIRED DISPOSED     Over \$1,000,000   NATURE OF INTEREST   Easement     Leasehold   Other     If RENTAL PROPERTY, GROSS INCOME RECEIVED     \$0 - \$499   \$500 - \$1,000   \$1,001 - \$10,000     \$10,001 - \$100,000   OVER \$100,000     SOURCES OF RENTAL INCOME: If you own a 10% or greater
☐ None	None
You are not required to report loans from a comme	rcial lending institution made in the lender's regular course of lic without regard to your official status. Personal loans and
You are not required to report loans from a comme business on terms available to members of the pub	rcial lending institution made in the lender's regular course of lic without regard to your official status. Personal loans and
You are not required to report loans from a comme business on terms available to members of the put loans received not in a lender's regular course of b	rcial lending institution made in the lender's regular course of lic without regard to your official status. Personal loans and usiness must be disclosed as follows:
You are not required to report loans from a comme business on terms available to members of the publicans received not in a lender's regular course of b	rcial lending institution made in the lender's regular course of lic without regard to your official status. Personal loans and usiness must be disclosed as follows:
You are not required to report loans from a comme business on terms available to members of the publicans received not in a lender's regular course of business (Business Address Acceptable)	rcial lending institution made in the lender's regular course of dic without regard to your official status. Personal loans and usiness must be disclosed as follows:  NAME OF LENDER*  ADDRESS (Business Address Acceptable)
You are not required to report loans from a comme business on terms available to members of the put loans received not in a lender's regular course of b  NAME OF LENDER*  ADDRESS (Business Address Acceptable)  BUSINESS ACTIVITY, IF ANY, OF LENDER	rcial lending institution made in the lender's regular course of lic without regard to your official status. Personal loans and usiness must be disclosed as follows:  NAME OF LENDER*  ADDRESS (Business Address Acceptable)  BUSINESS ACTIVITY, IF ANY, OF LENDER
You are not required to report loans from a comme business on terms available to members of the put loans received not in a lender's regular course of business of Lender*  ADDRESS (Business Address Acceptable)  BUSINESS ACTIVITY, IF ANY, OF LENDER  INTEREST RATE  TERM (Months/Years)	rcial lending institution made in the lender's regular course o dic without regard to your official status. Personal loans and usiness must be disclosed as follows:  NAME OF LENDER*  ADDRESS (Business Address Acceptable)  BUSINESS ACTIVITY, IF ANY, OF LENDER  INTEREST RATE  TERM (Months/Years)
You are not required to report loans from a comme business on terms available to members of the put loans received not in a lender's regular course of business Address Acceptable)  BUSINESS (Business Address Acceptable)  BUSINESS ACTIVITY, IF ANY, OF LENDER  INTEREST RATE  Whone	rcial lending institution made in the lender's regular course of slic without regard to your official status. Personal loans and usiness must be disclosed as follows:    NAME OF LENDER*   ADDRESS (Business Address Acceptable)
You are not required to report loans from a comme business on terms available to members of the put loans received not in a lender's regular course of business received not in a lender's regular course of business (Business Address Acceptable)  BUSINESS (Business Address Acceptable)  BUSINESS ACTIVITY, IF ANY, OF LENDER  INTEREST RATE  TERM (Months/Years)  HIGHEST BALANCE DURING REPORTING PERIOD	rcial lending institution made in the lender's regular course of lic without regard to your official status. Personal loans and usiness must be disclosed as follows:  NAME OF LENDER*  ADDRESS (Business Address Acceptable)  BUSINESS ACTIVITY, IF ANY, OF LENDER  INTEREST RATE  TERM (Months/Years)  HIGHEST BALANCE DURING REPORTING PERIOD

## Instructions – Schedule B Interests in Real Property

Report interests in real property located in your agency's jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling \$2,000 or more any time during the reporting period. Real property is also considered to be "within the jurisdiction" of a local government agency if the property or any part of it is located within two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the local government agency. (See Reference Pamphlet, page 13.)

#### Interests in real property include:

- An ownership interest (including a beneficial ownership interest)
- A deed of trust, easement, or option to acquire property
- A leasehold interest (See Reference Pamphlet, page 14.)
- · A mining lease
- An interest in real property held in a retirement account (See Reference Pamphlet, page 15.)
- An interest in real property held by a business entity or trust in which you, your spouse or registered domestic partner, and your dependent children together had a 10% or greater ownership interest (Report on Schedule A-2.)
- Your spouse's or registered domestic partner's interests in real property that are legally held separately by him or her

#### You are <u>not</u> required to report:

- A residence, such as a home or vacation cabin, used exclusively as a personal residence (However, a residence in which you rent out a room or for which you claim a business deduction may be reportable. If reportable, report the fair market value of the portion claimed as a tax deduction.)
- Some interests in real property held through a blind trust (See Reference Pamphlet, page 16.)
  - Please note: A non-reportable property can still be grounds for a conflict of interest and may be disqualifying.

#### To Complete Schedule B:

- Report the precise location (e.g., an assessor's parcel number or address) of the real property.
- Check the box indicating the fair market value of your interest in the property (regardless of what you owe on the property).
- Enter the date acquired or disposed only if you initially acquired or entirely disposed of your interest in the property during the reporting period.
- · Identify the nature of your interest. If it is a leasehold,

#### Reminders

- Income and loans already reported on Schedule B are not also required to be reported on Schedule C.
- Real property already reported on Schedule A-2, Part 4 is not also required to be reported on Schedule B.
- Code filers do your disclosure categories require disclosure of real property?

- disclose the number of years remaining on the lease.
- If you received rental income, check the box indicating the gross amount you received.
- If you had a 10% or greater interest in real property and received rental income, list the name of the source(s) if your pro rata share of the gross income from any single tenant was \$10,000 or more during the reporting period. If you received a total of \$10,000 or more from two or more tenants acting in concert (in most cases, this will apply to married couples), disclose the name of each tenant. Otherwise, mark "None."
- Loans from a private lender that total \$500 or more and are secured by real property may be reportable. Loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are not reportable.

When reporting a loan:

- Provide the name and address of the lender.
- Describe the lender's business activity.
- Disclose the interest rate and term of the loan. For variable interest rate loans, disclose the conditions of the loan (e.g., Prime + 2) or the average interest rate paid during the reporting period. The term of a loan is the total number of months or years given for repayment of the loan at the time the loan was established.
- Check the box indicating the highest balance of the loan during the reporting period.

Identify a guarantor, if applicable.

If you have more than one reportable loan on a single piece of real property, report the additional loan(s) on Schedule C.

#### Example:

Allison Gande is a city planning commissioner. During the reporting period, she received rental income of \$12,000, from a single tenant who rented property she owned in the city's jurisdiction. If Allison received \$6,000 each from two tenants, the tenants' names would not be required because no single tenant paid her \$10,000 or more. A married couple is considered a single tenant.

•	
ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS	
4600 24th Street	
CITY Sacramento	
FAIR MARKET VALUE IF APPLICABLE, LIST DATE:  \$2,000 - \$10,000	
☐ \$10,001 - \$100,000	
Over \$1,000,000	
NATURE OF INTEREST	
Ownership/Deed of Trust Easement	
Leasehold Other	
IF RENTAL PROPERTY, GROSS INCOME RECEIVED	
\$0 - \$499 \$500 - \$1,000 \$1,001 - \$10,000	
▼ \$10,001 - \$100,000 □ OVER \$100,000	
SOURCES OF RENTAL INCOME: If you own a 10% or greater	
interest, list the name of each tenant that is a single source of income of \$10,000 or more.	
None	
Henry Wells	
NAME OF LENDER*	
Sophia Petroillo	
ADDRESS (Business Address Acceptable)	
2121 Blue Sky Parkway, Sacramento	
BUSINESS ACTIVITY, IF ANY, OF LENDER	
Restaurant Owner	
INTEREST RATE TERM (Months/Years)	
8 15 Years	
HIGHEST BALANCE DURING REPORTING PERIOD	
\$500 - \$1,000 \$1,001 - \$10,000	
X \$10,001 - \$100,000 ☐ OVER \$100,000	
Guarantor, if applicable	
Comments:	

## SCHEDULE C Income, Loans, & Business **Positions**(Other than Gifts and Travel Payments)

CALIFORNIA FORM 700 FAIR POLITICAL PRACTICES COMMISSION
Name

► 1. INCOME RECEIVED
NAME OF SOURCE OF INCOME
ADDRESS (Business Address Acceptable)
BUSINESS ACTIVITY, IF ANY, OF SOURCE
YOUR BUSINESS POSITION
GROSS INCOME RECEIVED No Income - Business Position On \$500 - \$1,000 \$10,001 - \$100,000 OVER \$100,000  CONSIDERATION FOR WHICH INCOME WAS RECEIVED Salary Spouse's or registered domestic partner's income (For self-employed use Schedule A-2.)  Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)  Sale of (Real property, car, boat, etc.)  Loan repayment Other (Describe)  Other (Describe)  PERIOD  al lending institution, or any indebtedness created as part of
the lender's regular course of business on terms available al status. Personal loans and loans received not in a lender ws:
INTEREST RATE TERM (Months/Years)
% None
None Personal residence
Real PropertyStreet address
City
_
Other(Describe)
1

#### Instructions – Schedule C Income, Loans, & Business Positions (Income Other Than Gifts and Travel Payments)

#### Reporting Income:

Report the source and amount of gross income of \$500 or more you received during the reporting period. Gross income is the total amount of income before deducting expenses, losses, or taxes and includes loans other than loans from a commercial lending institution. (See Reference Pamphlet, page 11.) You must also report the source of income to your spouse or registered domestic partner if your community property share was \$500 or more during the reporting period.

The source and income must be reported only if the source is located in, doing business in, planning to do business in, or has done business during the previous two years in your agency's jurisdiction. (See Reference Pamphlet, page 13.) Reportable sources of income may be further limited by your disclosure category located in your agency's conflict of interest code.

#### **Reporting Business Positions:**

You must report your job title with each reportable business entity even if you received no income during the reporting period. Use the comments section to indicate that no income was received.

#### Commonly reportable income and loans include:

- Salary/wages, per diem, and reimbursement for expenses including travel payments provided by your employer
- Community property interest (50%) in your spouse's or registered domestic partner's income - report the employer's name and all other required information
- Income from investment interests, such as partnerships, reported on Schedule A-1
- Commission income not required to be reported on Schedule A-2 (See Reference Pamphlet, page 8.)
- Gross income from any sale, including the sale of a house or car (Report your pro rata share of the total sale price.)
- · Rental income not required to be reported on Schedule B
- Prizes or awards not disclosed as gifts
- Payments received on loans you made to others
- An honorarium received prior to becoming a public official (See Reference Pamphlet, page 10.)
- Incentive compensation (See Reference Pamphlet, page 12.)

#### Reminders

- Code filers your disclosure categories may not require disclosure of all sources of income.
- If you or your spouse or registered domestic partner are self-employed, report the business entity on Schedule A-2.
- Do not disclose on Schedule C income, loans, or business positions already reported on Schedules A-2 or B.

#### You are not required to report:

- Salary, reimbursement for expenses or per diem, or social security, disability, or other similar benefit payments received by you or your spouse or registered domestic partner from a federal, state, or local government agency.
- Stock dividends and income from the sale of stock unless the source can be identified.
- · Income from a PERS retirement account.

(See Reference Pamphlet, page 12.)

#### To Complete Schedule C:

#### Part 1. Income Received/Business Position Disclosure

- Disclose the name and address of each source of income or each business entity with which you held a business position.
- Provide a general description of the business activity if the source is a business entity.
- Check the box indicating the amount of gross income received.
- Identify the consideration for which the income was received.
- For income from commission sales, check the box indicating the gross income received and list the name of each source of commission income of \$10,000 or more. (See Reference Pamphlet, page 8.) Note: If you receive commission income on a regular basis or have an ownership interest of 10% or more, you must disclose the business entity and the income on Schedule A-2.
- Disclose the job title or business position, if any, that you held with the business entity, even if you did not receive income during the reporting period.

## Part 2. Loans Received or Outstanding During the Reporting Period

- · Provide the name and address of the lender.
- Provide a general description of the business activity if the lender is a business entity.
- Check the box indicating the highest balance of the loan during the reporting period.
- Disclose the interest rate and the term of the loan.
  - For variable interest rate loans, disclose the conditions of the loan (e.g., Prime + 2) or the average interest rate paid during the reporting period.
  - The term of the loan is the total number of months or years given for repayment of the loan at the time the loan was entered into.
- · Identify the security, if any, for the loan.

## SCHEDULE D Income - Gifts



► NAME OF SOURCE (Not an Acronym)	► NAME OF SOURCE (Not an Acronym)
ADDRESS (Business Address Acceptable)	ADDRESS (Business Address Acceptable)
BUSINESS ACTIVITY, IF ANY, OF SOURCE	BUSINESS ACTIVITY, IF ANY, OF SOURCE
DATE (mm/dd/yy) VALUE DESCRIPTION OF GIFT(S)	DATE (mm/dd/yy) VALUE DESCRIPTION OF GIFT(S)
	\$
NAME OF SOURCE (Not an Acronym)	► NAME OF SOURCE (Not an Acronym)
ADDRESS (Business Address Acceptable)	ADDRESS (Business Address Acceptable)
BUSINESS ACTIVITY, IF ANY, OF SOURCE	BUSINESS ACTIVITY, IF ANY, OF SOURCE
DATE (mm/dd/yy) VALUE DESCRIPTION OF GIFT(S)	DATE (mm/dd/yy) VALUE DESCRIPTION OF GIFT(S)
	\$
	\$
	\$
NAME OF SOURCE (Not an Acronym)	► NAME OF SOURCE (Not an Acronym)
ADDRESS (Business Address Acceptable)	ADDRESS (Business Address Acceptable)
BUSINESS ACTIVITY, IF ANY, OF SOURCE	BUSINESS ACTIVITY, IF ANY, OF SOURCE
DATE (mm/dd/yy) VALUE DESCRIPTION OF GIFT(S)	DATE (mm/dd/yy) VALUE DESCRIPTION OF GIFT(S)
	\$
	<b>  </b>
Comments:	

#### Instructions – Schedule D Income – Gifts

A gift is anything of value for which you have not provided equal or greater consideration to the donor. A gift is reportable if its fair market value is \$50 or more. In addition, multiple gifts totaling \$50 or more received during the reporting period from a single source must be reported.

It is the acceptance of a gift, not the ultimate use to which it is put, that imposes your reporting obligation. Except as noted below, you must report a gift even if you never used it or if you gave it away to another person.

If the exact amount of a gift is unknown, you must make a good faith estimate of the item's fair market value. Listing the value of a gift as "over \$50" or "value unknown" is not adequate disclosure. In addition, if you received a gift through an intermediary, you must disclose the name, address, and business activity of both the donor and the intermediary. You may indicate an intermediary either in the "source" field after the name or in the "comments" section at the bottom of Schedule D.

#### Commonly reportable gifts include:

- Tickets/passes to sporting or entertainment events
- · Tickets/passes to amusement parks
- Parking passes not used for official agency business
- Food, beverages, and accommodations, including those provided in direct connection with your attendance at a convention, conference, meeting, social event, meal, or like gathering
- Rebates/discounts not made in the regular course of business to members of the public without regard to official status
- Wedding gifts (See Reference Pamphlet, page 16)
- An honorarium received prior to assuming office (You may report an honorarium as income on Schedule C, rather than as a gift on Schedule D, if you provided services of equal or greater value than the payment received. See Reference Pamphlet, page 10.)
- Transportation and lodging (See Schedule E.)
- · Forgiveness of a loan received by you

#### Reminders

- Gifts from a single source are subject to a \$500 limit in 2020. (See Reference Pamphlet, page 10.)
- Code filers you only need to report gifts from reportable sources.

#### Gift Tracking Mobile Application

 FPPC has created a gift tracking app for mobile devices that helps filers track gifts and provides a quick and easy way to upload the information to the Form 700. Visit FPPC's website to download the app.

#### You are not required to disclose:

- Gifts that were not used and that, within 30 days after receipt, were returned to the donor or delivered to a charitable organization or government agency without being claimed by you as a charitable contribution for tax purposes
- Gifts from your spouse or registered domestic partner, child, parent, grandparent, grandchild, brother, sister, and certain other family members (See Regulation 18942 for a complete list.). The exception does not apply if the donor was acting as an agent or intermediary for a reportable source who was the true donor.
- Gifts of similar value exchanged between you and an individual, other than a lobbyist registered to lobby your state agency, on holidays, birthdays, or similar occasions
- Gifts of informational material provided to assist you in the performance of your official duties (e.g., books, pamphlets, reports, calendars, periodicals, or educational seminars)
- A monetary bequest or inheritance (However, inherited investments or real property may be reportable on other schedules.)
- Personalized plaques or trophies with an individual value of less than \$250
- Campaign contributions
- Up to two tickets, for your own use, to attend a fundraiser for a campaign committee or candidate, or to a fundraiser for an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. The ticket must be received from the organization or committee holding the fundraiser.
- Gifts given to members of your immediate family if the source has an established relationship with the family member and there is no evidence to suggest the donor had a purpose to influence you. (See Regulation 18943.)
- Free admission, food, and nominal items (such as a pen, pencil, mouse pad, note pad or similar item) available to all attendees, at the event at which the official makes a speech (as defined in Regulation 18950(b)(2)), so long as the admission is provided by the person who organizes the event.
- Any other payment not identified above, that would otherwise meet the definition of gift, where the payment is made by an individual who is not a lobbyist registered to lobby the official's state agency, where it is clear that the gift was made because of an existing personal or business relationship unrelated to the official's position and there is no evidence whatsoever at the time the gift is made to suggest the donor had a purpose to influence you.

#### To Complete Schedule D:

- Disclose the full name (not an acronym), address, and, if a business entity, the business activity of the source.
- Provide the date (month, day, and year) of receipt, and disclose the fair market value and description of the gift.

## SCHEDULE E Income – Gifts Travel Payments, Advances, and Reimbursements

CALIFORNIA FORM 700 FAIR POLITICAL PRACTICES COMMISSION
Name

- Mark either the gift or income box.
- Mark the "501(c)(3)" box for a travel payment received from a nonprofit 501(c)(3) organization or the "Speech" box if you made a speech or participated in a panel. Per Government Code Section 89506, these payments may not be subject to the gift limit. However, they may result in a disqualifying conflict of interest.
- · For gifts of travel, provide the travel destination.

► NAME OF SOURCE (Not an Acronym)	► NAME OF SOURCE (Not an Acronym)
ADDRESS (Business Address Acceptable)	ADDRESS (Business Address Acceptable)
CITY AND STATE	CITY AND STATE
501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE	501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE
DATE(S):// AMT: \$	DATE(S):/
MUST CHECK ONE: Gift -or- Income	► MUST CHECK ONE: ☐ Gift -or- ☐ Income
Made a Speech/Participated in a Panel	Made a Speech/Participated in a Panel
Other - Provide Description	Other - Provide Description
If Gift, Provide Travel Destination	► If Gift, Provide Travel Destination
NAME OF SOURCE (Not an Acronym)	► NAME OF SOURCE (Not an Acronym)
ADDRESS (Business Address Acceptable)	ADDRESS (Business Address Acceptable)
CITY AND STATE	CITY AND STATE
501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE	501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE
DATE(S):// AMT: \$	DATE(S):////AMT: \$
MUST CHECK ONE: Gift -or- Income	► MUST CHECK ONE: ☐ Gift -or- ☐ Income
Made a Speech/Participated in a Panel	Made a Speech/Participated in a Panel
Other - Provide Description	Other - Provide Description
If Gift, Provide Travel Destination	► If Gift, Provide Travel Destination
Comments:	

#### Instructions – Schedule E Travel Payments, Advances, and Reimbursements

Travel payments reportable on Schedule E include advances and reimbursements for travel and related expenses, including lodging and meals.

Gifts of travel may be subject to the gift limit. In addition, certain travel payments are reportable gifts, but are not subject to the gift limit. To avoid possible misinterpretation or the perception that you have received a gift in excess of the gift limit, you may wish to provide a specific description of the purpose of your travel. (See the FPPC fact sheet entitled "Limitations and Restrictions on Gifts, Honoraria, Travel, and Loans" to read about travel payments under section 89506(a).)

#### You are not required to disclose:

- Travel payments received from any state, local, or federal government agency for which you provided services equal or greater in value than the payments received, such as reimbursement for travel on agency business from your government agency employer.
- A payment for travel from another local, state, or federal government agency and related per diem expenses when the travel is for education, training or other inter-agency programs or purposes.
- Travel payments received from your employer in the normal course of your employment that are included in the income reported on Schedule C.
- A travel payment that was received from a nonprofit entity exempt from taxation under Internal Revenue Code Section 501(c)(3) for which you provided equal or greater consideration, such as reimbursement for travel on business for a 501(c)(3) organization for which you are a board member.

Note: Certain travel payments may not be reportable if reported via email on Form 801 by your agency.

#### To Complete Schedule E:

- Disclose the full name (not an acronym) and address of the source of the travel payment.
- Identify the business activity if the source is a business entity.
- Check the box to identify the payment as a gift or income, report the amount, and disclose the date(s).
  - Travel payments are gifts if you did not provide services that were equal to or greater in value than the payments received. You must disclose gifts totaling \$50 or more from a single source during the period covered by the statement.

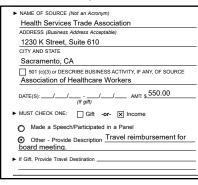
When reporting travel payments that are gifts, you must provide a description of the gift, the **date(s)** received, and the **travel destination**.

 Travel payments are income if you provided services that were equal to or greater in value than the payments received. You must disclose income totaling \$500 or more from a single source during the period covered by the statement. You have the burden of proving the payments are income rather than gifts. When reporting travel payments as income, you must describe the services you provided in exchange for the payment. You are not required to disclose the date(s) for travel payments that are income.

#### **Example:**

City council member MaryClaire Chandler is the chair of a 501(c)(6) trade association, and the association pays for her travel to attend its meetings. Because MaryClaire is deemed

to be providing equal or greater consideration for the travel payment by virtue of serving on the board, this payment may be reported as income. Payments for MaryClaire to attend other events for which she is not providing services are likely considered gifts. Note that the same payment from a



501(c)(3) would NOT be reportable.

#### Example:

Mayor Kim travels to China on a trip organized by China Silicon Valley Business Development, a California nonprofit, 501(c)(6) organization. The Chengdu Municipal People's Government pays for Mayor Kim's airfare and travel costs,

as well as his meals and lodging during the trip. The trip's agenda shows that the trip's purpose is to promote job creation and economic activity in China and in Silicon Valley, so the trip is reasonably related to a governmental purpose. Thus, Mayor Kim must report the gift of travel.

,
► NAME OF SOURCE (Not an Acronym)
Chengdu Municipal People's Government
ADDRESS (Business Address Acceptable)
2 Caoshi St, CaoShiJie, Qingyang Qu, Chengdu Shi,
CITY AND STATE
Sichuan Sheng, China, 610000
501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE
DATE(S): 09 / 04 / XX - 09 / 08 / XX AMT: \$ 3,874.38
► MUST CHECK ONE: 🗵 Gift -or- 🗌 Income
Made a Speech/Participated in a Panel
Other - Provide Description Travel reimbursement for trip to China.
► If Gift, Provide Travel Destination Sichuan Sheng, China

but the gift is exempt from the gift limit. In this case, the travel payments are not subject to the gift limit because the source is a foreign government and because the travel is reasonably related to a governmental purpose. (Section 89506(a)(2).) Note that Mayor Kim could be disqualified from participating in or making decisions about The Chengdu Municipal People's Government for 12 months. Also note that if China Silicon Valley Business Development (a 501(c)(6) organization) paid for the travel costs rather than the governmental organization, the payments would be subject to the gift limits. (See the FPPC fact sheet, Limitations and Restrictions on Gifts, Honoraria, Travel and Loans, at www.fppc.ca.gov.)

#### **Restrictions and Prohibitions**

The Political Reform Act (Gov. Code Sections 81000-91014) requires most state and local government officials and employees to publicly disclose their personal assets and income. They also must disqualify themselves from participating in decisions that may affect their personal economic interests. The Fair Political Practices Commission (FPPC) is the state agency responsible for issuing the attached Statement of Economic Interests, Form 700, and for interpreting the law's provisions.

#### Gift Prohibition

Gifts received by most state and local officials, employees, and candidates are subject to a limit. In 2021-2022, the gift limit increased to \$520 from a single source during a calendar year. In 2019 and 2020, the gift limit was \$500 from a single source during a calendar year.

Additionally, state officials, state candidates, and certain state employees are subject to a \$10 limit per calendar month on gifts from lobbyists and lobbying firms registered with the Secretary of State. See Reference Pamphlet, page 10.

State and local officials and employees should check with their agency to determine if other restrictions apply.

#### Disqualification

Public officials are, under certain circumstances, required to disqualify themselves from making, participating in, or attempting to influence governmental decisions that will affect their economic interests. This may include interests they are not required to disclose. For example, a personal residence is often not reportable, but may be grounds for disqualification. Specific disqualification requirements apply to 87200 filers (e.g., city councilmembers, members of boards of supervisors, planning commissioners, etc.). These officials must publicly identify the economic interest that creates a conflict of interest and leave the room before a discussion or vote takes place at a public meeting. For more information, consult Government Code Section 87105, Regulation 18707, and the Guide to Recognizing Conflicts of Interest page at www.fppc.ca.gov.

#### **Honorarium Ban**

Most state and local officials, employees, and candidates are prohibited from accepting an honorarium for any speech given, article published, or attendance at a conference, convention, meeting, or like gathering. (See Reference Pamphlet, page 10.)

#### **Loan Restrictions**

Certain state and local officials are subject to restrictions

on loans. (See Reference Pamphlet, page 14.)

#### **Post-Governmental Employment**

There are restrictions on representing clients or employers before former agencies. The provisions apply to elected state officials, most state employees, local elected officials, county chief administrative officers, city managers, including the chief administrator of a city, and general managers or chief administrators of local special districts and JPAs. The FPPC website has fact sheets explaining the provisions.

#### Late Filing

The filing officer who retains originally-signed or electronically filed statements of economic interests may impose on an individual a fine for any statement that is filed late. The fine is \$10 per day up to a maximum of \$100. Late filing penalties may be reduced or waived under certain circumstances.

Persons who fail to timely file their Form 700 may be referred to the FPPC's Enforcement Division (and, in some cases, to the Attorney General or district attorney) for investigation and possible prosecution. In addition to the late filing penalties, a fine of up to \$5,000 per violation may be imposed.

**For assistance** concerning reporting, prohibitions, and restrictions under the Act:

- Email questions to advice@fppc.ca.gov.
- Call the FPPC toll-free at (866) 275-3772.

## Form 700 is a Public Document Public Access Must Be Provided

Statements of Economic Interests are public documents. The filing officer must permit any member of the public to inspect and receive a copy of any statement.

- Statements must be available as soon as possible during the agency's regular business hours, but in any event not later than the second business day after the statement is received. Access to the Form 700 is not subject to the Public Records Act procedures.
- No conditions may be placed on persons seeking access to the forms.
- No information or identification may be required from persons seeking access.
- Reproduction fees of no more than 10 cents per page may be charged.

#### **Questions and Answers**

#### General

- Q. What is the reporting period for disclosing interests on an assuming office statement or a candidate statement?
- A. On an assuming office statement, disclose all reportable investments, interests in real property, and business positions held on the date you assumed office. In addition, you must disclose income (including loans, gifts and travel payments) received during the 12 months prior to the date you assumed office.
  - On a candidate statement, disclose all reportable investments, interests in real property, and business positions held on the date you file your declaration of candidacy. You must also disclose income (including loans, gifts and travel payments) received during the 12 months prior to the date you file your declaration of candidacy.
- Q. I hold two other board positions in addition to my position with the county. Must I file three statements of economic interests?
- A. Yes, three are required. However, you may complete one statement listing the county and the two boards on the Cover Page or an attachment as the agencies for which you will be filing. Report your economic interests using the largest jurisdiction and highest disclosure requirements assigned to you by the three agencies. Make two copies of the entire statement before signing it, sign each copy with an original signature, and distribute one original to the county and to each of the two boards. Remember to complete separate statements for positions that you leave or assume during the year.
- Q. I am a department head who recently began acting as city manager. Should I file as the city manager?
- A. Yes. File an assuming office statement as city manager. Persons serving as "acting," "interim," or "alternate" must file as if they hold the position because they are or may be performing the duties of the position.
- Q. My spouse and I are currently separated and in the process of obtaining a divorce. Must I still report my spouse's income, investments, and interests in real property?
- A. Yes. A public official must continue to report a spouse's economic interests until such time as dissolution of marriage proceedings is final. However, if a separate property agreement has been reached prior to that time, your estranged spouse's income may not have to be reported. Contact the FPPC for more information.

- Q. As a designated employee, I left one state agency to work for another state agency. Must I file a leaving office statement?
- A. Yes. You may also need to file an assuming office statement for the new agency.

#### **Investment Disclosure**

- Q. I have an investment interest in shares of stock in a company that does not have an office in my jurisdiction. Must I still disclose my investment interest in this company?
- A. Probably. The definition of "doing business in the jurisdiction" is not limited to whether the business has an office or physical location in your jurisdiction. (See Reference Pamphlet, page 13.)
- Q. My spouse and I have a living trust. The trust holds rental property in my jurisdiction, our primary residence, and investments in diversified mutual funds. I have full disclosure. How is this trust disclosed?
- A. Disclose the name of the trust, the rental property and its income on Schedule A-2. Your primary residence and investments in diversified mutual funds registered with the SEC are not reportable.
- Q. I am required to report all investments. I have an IRA that contains stocks through an account managed by a brokerage firm. Must I disclose these stocks even though they are held in an IRA and I did not decide which stocks to purchase?
- A. Yes. Disclose on Schedule A-1 or A-2 any stock worth \$2,000 or more in a business entity located in or doing business in your jurisdiction.
- Q. The value of my stock changed during the reporting period. How do I report the value of the stock?
- A. You are required to report the highest value that the stock reached during the reporting period. You may use your monthly statements to determine the highest value. You may also use the entity's website to determine the highest value. You are encouraged to keep a record of where you found the reported value. Note that for an assuming office statement, you must report the value of the stock on the date you assumed office.

#### Questions and Answers Continued

- Q. I am the sole owner of my business, an S-Corporation. I believe that the nature of the business is such that it cannot be said to have any "fair market value" because it has no assets. I operate the corporation under an agreement with a large insurance company. My contract does not have resale value because of its nature as a personal services contract. Must I report the fair market value for my business on Schedule A-2 of the Form 700?
- A. Yes. Even if there are no *tangible* assets, intangible assets, such as relationships with companies and clients are commonly sold to qualified professionals. The "fair market value" is often quantified for other purposes, such as marital dissolutions or estate planning. In addition, the IRS presumes that "personal services corporations" have a fair market value. A professional "book of business" and the associated goodwill that generates income are not without a determinable value. The Form 700 does not require a precise fair market value; it is only necessary to check a box indicating the broad range within which the value falls.
- Q. I own stock in IBM and must report this investment on Schedule A-1. I initially purchased this stock in the early 1990s; however, I am constantly buying and selling shares. Must I note these dates in the "Acquired" and "Disposed" fields?
- A. No. You must only report dates in the "Acquired" or "Disposed" fields when, during the reporting period, you initially purchase a reportable investment worth \$2,000 or more or when you dispose of the entire investment. You are not required to track the partial trading of an investment.
- Q. On last year's filing I reported stock in Encoe valued at \$2,000 \$10,000. Late last year the value of this stock fell below and remains at less than \$2,000. How should this be reported on this year's statement?
- A. You are not required to report an investment if the value was less than \$2,000 during the **entire** reporting period. However, because a disposed date is not required for stocks that fall below \$2,000, you may want to report the stock and note in the "comments" section that the value fell below \$2,000. This would be for informational purposes only; it is not a requirement.

- Q. We have a Section 529 account set up to save money for our son's college education. Is this reportable?
- A. If the Section 529 account contains reportable interests (e.g., common stock valued at \$2,000 or more), those interests are reportable (not the actual Section 529 account). If the account contains solely mutual funds, then nothing is reported.

#### **Income Disclosure**

- Q. I reported a business entity on Schedule A-2. Clients of my business are located in several states. Must I report all clients from whom my pro rata share of income is \$10,000 or more on Schedule A-2, Part 3?
- A. No, only the clients located in or doing business on a regular basis in your jurisdiction must be disclosed.
- Q. I believe I am not required to disclose the names of clients from whom my pro rata share of income is \$10,000 or more on Schedule A-2 because of their right to privacy. Is there an exception for reporting clients' names?
- A. Regulation 18740 provides a procedure for requesting an exemption to allow a client's name not to be disclosed if disclosure of the name would violate a legally recognized privilege under California or Federal law. This regulation may be obtained from our website at www.fppc.ca.gov. (See Reference Pamphlet, page 14.)
- Q. I am sole owner of a private law practice that is not reportable based on my limited disclosure category. However, some of the sources of income to my law practice are from reportable sources. Do I have to disclose this income?
- A. Yes, even though the law practice is not reportable, reportable sources of income to the law practice of \$10,000 or more must be disclosed. This information would be disclosed on Schedule C with a note in the "comments" section indicating that the business entity is not a reportable investment. The note would be for informational purposes only; it is not a requirement.

## Questions and Answers Continued

- Q. I am the sole owner of my business. Where do I disclose my income on Schedule A-2 or Schedule C?
- A. Sources of income to a business in which you have an ownership interest of 10% or greater are disclosed on Schedule A-2. (See Reference Pamphlet, page 8.)
- Q. My husband is a partner in a four-person firm where all of his business is based on his own billings and collections from various clients. How do I report my community property interest in this business and the income generated in this manner?
- A. If your husband's investment in the firm is 10% or greater, disclose 100% of his share of the business on Schedule A-2, Part 1 and 50% of his income on Schedule A-2, Parts 2 and 3. For example, a client of your husband's must be a source of at least \$20,000 during the reporting period before the client's name is reported.
- Q. How do I disclose my spouse's or registered domestic partner's salary?
- A. Report the name of the employer as a source of income on Schedule C.
- Q. I am a doctor. For purposes of reporting \$10,000 sources of income on Schedule A-2, Part 3, are the patients or their insurance carriers considered sources of income?
- A. If your patients exercise sufficient control by selecting you instead of other doctors, then your patients, rather than their insurance carriers, are sources of income to you. (See Reference Pamphlet, page 14.)
- Q. I received a loan from my grandfather to purchase my home. Is this loan reportable?
- A. No. Loans received from family members are not reportable.
- Q. Many years ago, I loaned my parents several thousand dollars, which they paid back this year. Do I need to report this loan repayment on my Form 700?
- A. No. Payments received on a loan made to a family member are not reportable.

#### **Real Property Disclosure**

- Q. During this reporting period we switched our principal place of residence into a rental. I have full disclosure and the property is located in my agency's jurisdiction, so it is now reportable. Because I have not reported this property before, do I need to show an "acquired" date?
- A. No, you are not required to show an "acquired" date because you previously owned the property. However, you may want to note in the "comments" section that the property was not previously reported because it was used exclusively as your residence. This would be for informational purposes only; it is not a requirement.
- Q. I am a city manager, and I own a rental property located in an adjacent city, but one mile from the city limit. Do I need to report this property interest?
- A. Yes. You are required to report this property because it is located within 2 miles of the boundaries of the city you manage.
- Q. Must I report a home that I own as a personal residence for my daughter?
- A. You are not required to disclose a home used as a personal residence for a family member unless you receive income from it, such as rental income.
- Q. I am a co-signer on a loan for a rental property owned by a friend. Since I am listed on the deed of trust, do I need to report my friend's property as an interest in real property on my Form 700?
- A. No. Simply being a co-signer on a loan for property does not create a reportable interest in real property for you.

#### **Gift Disclosure**

- Q. If I received a reportable gift of two tickets to a concert valued at \$100 each, but gave the tickets to a friend because I could not attend the concert, do I have any reporting obligations?
- A. Yes. Since you accepted the gift and exercised discretion and control of the use of the tickets, you must disclose the gift on Schedule D.

## Questions and Answers Continued

- Q. Julia and Jared Benson, a married couple, want to give a piece of artwork to a county supervisor. Is each spouse considered a separate source for purposes of the gift limit and disclosure?
- A. Yes, each spouse may make a gift valued at the gift limit during a calendar year. For example, during 2020 the gift limit was \$500, so the Bensons may have given the supervisor artwork valued at no more than \$1,000. The supervisor must identify Jared and Julia Benson as the sources of the gift.
- Q. I am a Form 700 filer with full disclosure. Our agency holds a holiday raffle to raise funds for a local charity. I bought \$10 worth of raffle tickets and won a gift basket valued at \$120. The gift basket was donated by Doug Brewer, a citizen in our city. At the same event, I bought raffle tickets for, and won a quilt valued at \$70. The quilt was donated by a coworker. Are these reportable gifts?
- A. Because the gift basket was donated by an outside source (not an agency employee), you have received a reportable gift valued at \$110 (the value of the basket less the consideration paid). The source of the gift is Doug Brewer and the agency is disclosed as the intermediary. Because the quilt was donated by an employee of your agency, it is not a reportable gift.
- Q. My agency is responsible for disbursing grants. An applicant (501(c)(3) organization) met with agency employees to present its application. At this meeting, the applicant provided food and beverages. Would the food and beverages be considered gifts to the employees? These employees are designated in our agency's conflict of interest code and the applicant is a reportable source of income under the code.
- A. Yes. If the value of the food and beverages consumed by any one filer, plus any other gifts received from the same source during the reporting period total \$50 or more, the food and beverages would be reported using the fair market value and would be subject to the gift limit.

- Q. I received free admission to an educational conference related to my official duties. Part of the conference fees included a round of golf. Is the value of the golf considered informational material?
- A. No. The value of personal benefits, such as golf, attendance at a concert, or sporting event, are gifts subject to reporting and limits.

#### THE ACADEMIES

A Charter Management Organization (nonprofit that manages multiple public charter schools)

#### **CONFLICT-OF-INTEREST CODE**

This code is designed to ensure that board members of The Academies and employees of the public charter schools within The Academies do not engage in government decision-making in which the officer or employee may have a personal financial interest. In addition, board members and decision-making employees designated in the public charter school's conflict-of-interest code<sup>1</sup> are required to file periodic public statements disclosing their personal economic interests (Form 700).<sup>2</sup>

The Fair Political Practices Commission has adopted a regulation that contains the terms of a model conflict-of-interest code. Therefore, the terms of 2 Cal. Code of Regs., Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by this reference and, together with the attached APPENDIX A – DESIGNATED FILERS, and APPENDIX B – DISCLOSURE CATEGORIES, constitutes the conflict-of-interest code of this public charter school.

Persons serving in designated positions (APPENDIX A) shall file periodic disclosure statements (Form 700) with this charter management organization, as required by law, and pursuant to notice from this organization's filing officer. The disclosure statements shall be retained by the charter management organization for no less than seven (7) years, and shall be made available for public inspection and reproduction upon request.

First adopted by Board of Directors: Revised for Corporate Restructure:	Date: May 25, 2011 Date: August 1, 2016
Approved by Tulare County Board of Supervisors:	Date:

Government Code section 82019

<sup>&</sup>lt;sup>2</sup> Government Code section 87302(b)

# APPENDIX A (DESIGNATED FILERS)

DESIGNATED POSITIONS	DISCLOSURE CATEGORIES
Directors in Board of Directors	1, 4A, 5
Superintendent	1, 4A, 5
Principal	1, 4A, 5
Vice-Principal	1, 4A, 5
Auditor	2, 4A
General Legal Counsel	1, 4A, 5

## APPENDIX B (DISCLOSURE CATEGORIES)

Designated persons in the following categories must disclose:

#### 1. Full Disclosure:

All interests in real property located entirely or partly within this public charter school's jurisdiction or boundaries, or within two miles of this public charter school's jurisdiction or boundaries or of any land owned or used by this public charter school. Such interests include any leasehold, ownership interest or option to acquire such interest in real property.

All investments, business positions, ownership and sources of income, including gifts, loans and travel payments.

#### 2. Full Disclosure (excluding interests in real property):

All investments, business positions, ownership and sources of income, including gifts, loans and travel payments.

#### 3. Interests in Real Property (only):

All interests in real property located entirely or partly within this public charter school's jurisdiction or boundaries, or within two miles of this public charter school's jurisdiction or boundaries or of any land owned or used by this public charter school. Such interests include any leasehold, ownership interest or option to acquire such interest in real property.

### 4. **General Contracting (two options):**

A. All investments, business positions, ownership and sources of income, including gifts, loans and travel payments, from sources that provide, or have provided in the last two years, leased facilities, goods, supplies, materials, equipment, vehicles, machinery, services, or the like, including training or consulting services, of the type utilized by the public charter school.

(Intended for employees whose duties and decisions involve contracting and purchasing for the entire public charter school.)

B. All investments, business positions, ownership and sources of income, including gifts, loans and travel payments, from sources that provide, or have provided in the last two years, leased facilities, goods, supplies, materials, equipment, vehicles, machinery, services, or the like, including training or consulting services, of the type utilized by the employee's department or area of authority.

(Intended for employees whose duties and decisions involve contracting and purchasing for a specific department or area of authority.)

#### 5. Grant/Service Providers that Oversee Programs (two options):

A. All investments, business positions, ownership and sources of income, including gifts, loans and travel payments, or income from a nonprofit organization, if the source is of the type to receive grants or other monies from or through this public charter school.

(Intended for employees whose duties and decisions involve awards of monies or grants to organizations or individuals.)

B. All investments, business positions, ownership and sources of income, including gifts, loans and travel payments, or income from a nonprofit organization, if the source is of the type to offer or provide consulting, rehabilitative or educational services concerning the prevention, treatment or rehabilitation of persons.

(Intended for employees who also approve programs for rehabilitative services.)

# The Academies CMO Board Financial Update

AMITA PARIKH FEB. 2021





# **FY2020-21 Forecast Summary**



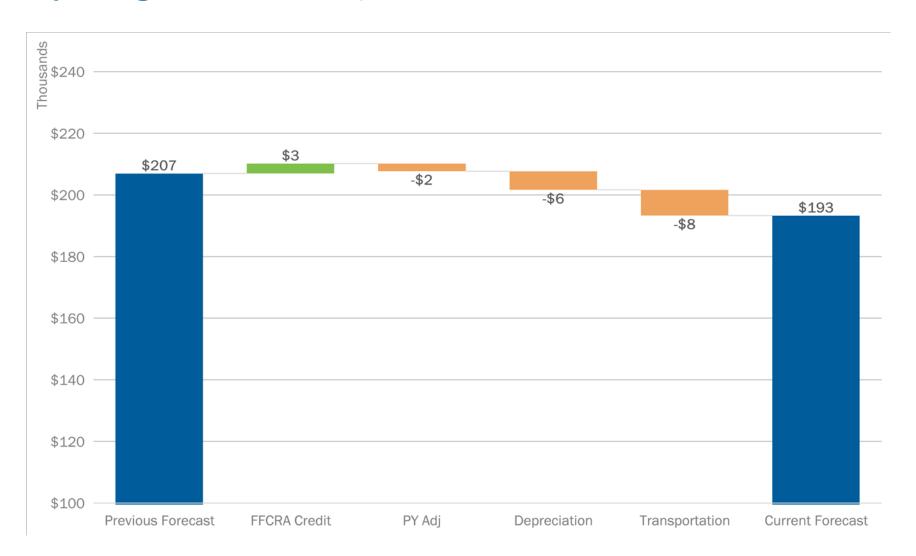
## **Total Operating Income forecasted \$550k more than Budget**

		SVA	BOA	Total	СМО
	Approved Budget	3,513,875	2,588,699	6,102,574	834,115
Total Revenue	Current Forecast	3,895,243	2,841,131	6,736,374	856,610
	Increase (decrease)	381,368	252,432	633,800	22,495
	Approved Budget	3,621,994	2,667,446	6,289,440	834,115
Expenses	Current Forecast	3,702,215	2,671,283	6,373,498	856,610
	Decrease (Increase)	(80,221)	(3,837)	(84,058)	(22,495)
	,				
	Approved Budget	(108,119)	(78,747)	(186,866)	(0)
Operating Income	Current Forecast	193,028	169,848	362,876	0
	Increase (decrease)	301,147	248,595	549,742	0
	Beg. Balance (Unaudited)	1,111,406	245,802	1,357,208	0
	Operating Income	193,028	169,848	362,876	0
Fund Balance	(Loss)				
Ending Fund Balance (C	Current Forecast)	1,304,434	415,650	1,720,084	0
Ending Fund Balance as	s % of Expenses	35%	16%	27%	

## FY2020-21 Forecast Update - SVA



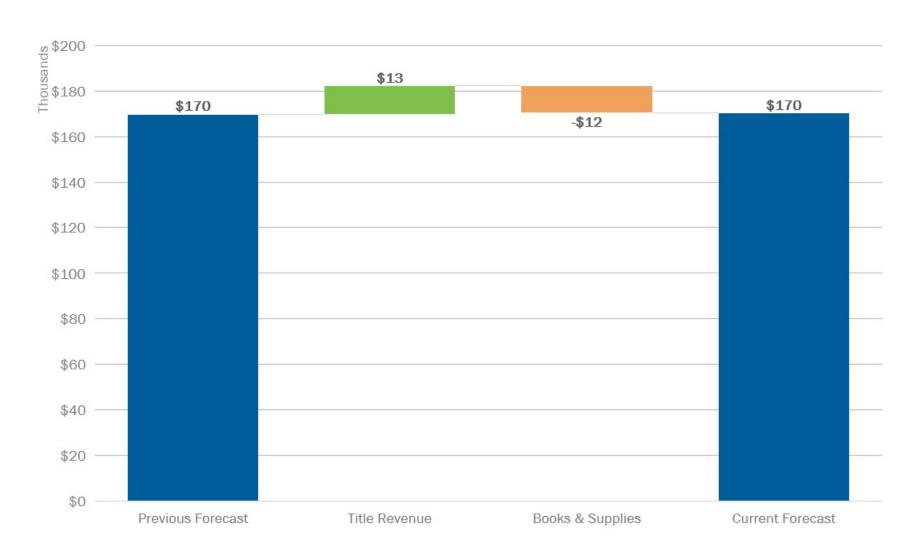
## Operating Income at \$193k, \$14k lower than Previous Forecast



# FY2020-21 Forecast Update - BOA



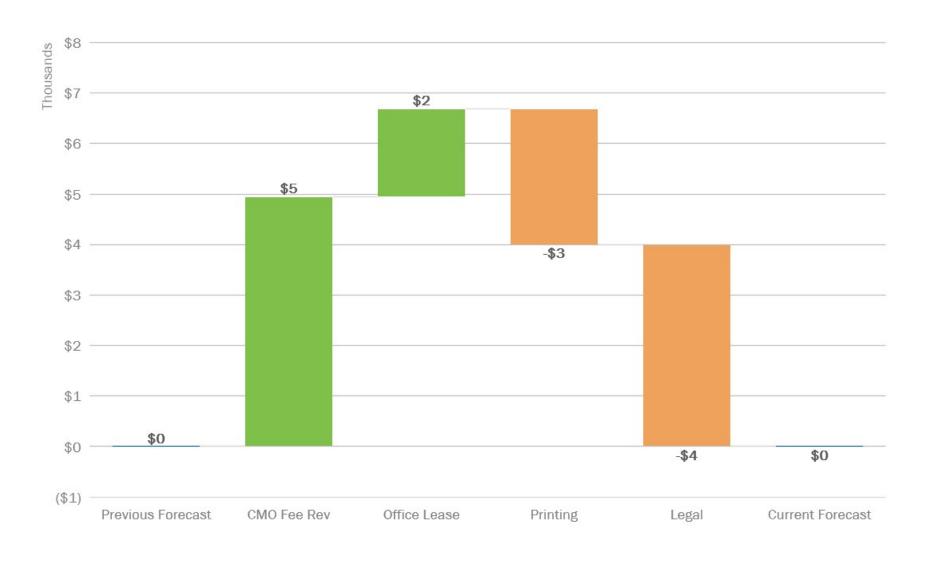
## **Operating Income at \$170k, same as Previous Forecast**



# FY2020-21 Forecast Update - CMO



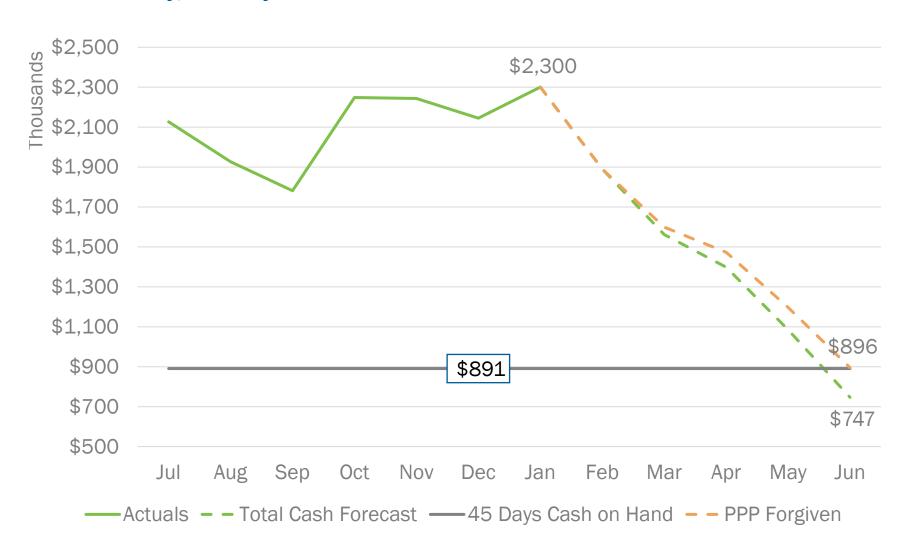
## **No Operating Income change from Previous Forecast**



## FY2020-21 Monthly Cash Balance



## As of January, 116 days cash on hand



# **Accounts Payable Aging**



As of 1/31/21, TACMO ha	\$0 \$0			
\$0	\$0	\$0		
30 Days	31-60 Days	61+ Days		

# **Exhibits**

## **January Financials**





BOA Income Statement As of Jan FY2021

Dec  164,018 163 388 164,569	Jan  174,308 14,620 24,415 163 145 213,651	862,182 144,439 49,947 1,403 1,116 <b>1,059,086</b>	Approved Budget v1 2,294,258 117,392 96,462 63,586 17,000 2,588,699	Previous Forecast 2,408,854 208,182 136,925 63,636 11,000 2,828,597	Current Forecast 2,408,854 220,716 136,925 63,636 11,000 2,841,131	Previous Forecast vs. Current Forecast  - 12,534 12,534	Approved Budget v1 vs. Current Forecast 114,596 103,324 40,463 50 (6,000) 252,433	Current Forecast Remaining 1,546,673 76,277 86,978 62,234 9,884 1,782,045	% Current Forecast Spent 36% 65% 36% 2% 10% 37%
163 388 <b>164,569</b>	14,620 24,415 163 145 <b>213,651</b>	144,439 49,947 1,403 1,116 <b>1,059,086</b>	117,392 96,462 63,586 17,000 <b>2,588,699</b>	208,182 136,925 63,636 11,000 <b>2,828,597</b>	220,716 136,925 63,636 11,000	12,534 - - -	103,324 40,463 50 (6,000)	76,277 86,978 62,234 9,884	65% 36% 2% 10%
163 388 <b>164,569</b>	14,620 24,415 163 145 <b>213,651</b>	144,439 49,947 1,403 1,116 <b>1,059,086</b>	117,392 96,462 63,586 17,000 <b>2,588,699</b>	208,182 136,925 63,636 11,000 <b>2,828,597</b>	220,716 136,925 63,636 11,000	12,534 - - -	103,324 40,463 50 (6,000)	76,277 86,978 62,234 9,884	65% 36% 2% 10%
163 388 <b>164,569</b>	14,620 24,415 163 145 <b>213,651</b>	144,439 49,947 1,403 1,116 <b>1,059,086</b>	117,392 96,462 63,586 17,000 <b>2,588,699</b>	208,182 136,925 63,636 11,000 <b>2,828,597</b>	220,716 136,925 63,636 11,000	12,534 - - -	103,324 40,463 50 (6,000)	76,277 86,978 62,234 9,884	65% 36% 2% 10%
163 388 <b>164,569</b> 160,719	24,415 163 145 <b>213,651</b>	49,947 1,403 1,116 <b>1,059,086</b>	96,462 63,586 17,000 <b>2,588,699</b>	136,925 63,636 11,000 <b>2,828,597</b>	136,925 63,636 11,000	-	40,463 50 (6,000)	86,978 62,234 9,884	36% 2% 10%
163 388 <b>164,569</b> 160,719	163 145 <b>213,651</b>	1,403 1,116 <b>1,059,086</b>	63,586 17,000 <b>2,588,699</b>	63,636 11,000 <b>2,828,597</b>	63,636 11,000	-	50 (6,000)	62,234 9,884	2% 10%
388 <b>164,569</b> 160,719	145 <b>213,651</b>	1,116 <b>1,059,086</b>	17,000 <b>2,588,699</b>	11,000 <b>2,828,597</b>	11,000	-	(6,000)	9,884	10%
<b>164,569</b> 160,719	213,651	1,059,086	2,588,699	2,828,597					
160,719	,	, ,	, ,		2,841,131	12,534	252,433	1,782,045	37%
,	178,928	1 013 205	4 000 400						
,	178,928	1 013 205	4 000 400						
			1,896,129	1,843,090	1,843,466	(376)	52,663	830,261	55%
1,282	3,459	50,459	54,288	87,163	99,106	(11,943)	(44,819)	48,647	51%
30,649	27,370	208,044	715,623	727,123	727,304	(181)	(11,681)	519,260	29%
-	-	-	-	-	-	-	-	-	
	115	1,133	1,407	1,407	1,407	-	-		81%
192,753	209,872	1,272,841	2,667,446	2,658,783	2,671,283	(12,499)	(3,837)	1,398,442	48%
(28,184)	3,780	(213,755)	(78,747)	169,814	169,849	35	248,596	383,604	
			184 157	245 802	245 802				
			(78,747)	169,814	169,849				
			105.410	415,616	415,651				
	103 192,753 (28,184)	192,753 209,872	192,753 209,872 1,272,841	103 115 1,133 1,407 192,753 209,872 1,272,841 2,667,446 (28,184) 3,780 (213,755) (78,747)	103 115 1,133 1,407 1,407 192,753 209,872 1,272,841 2,667,446 2,658,783 (28,184) 3,780 (213,755) (78,747) 169,814 184,157 245,802 (78,747) 169,814 105,410 415,616	103 115 1,133 1,407 1,407 1,407 192,753 209,872 1,272,841 2,667,446 2,658,783 2,671,283 (28,184) 3,780 (213,755) (78,747) 169,814 169,849 184,157 245,802 (78,747) 169,814 169,849 105,410 415,616 415,651	103 115 1,133 1,407 1,407 1,407 1,272,841 2,667,446 2,658,783 2,671,283 (12,499)  (28,184) 3,780 (213,755) (78,747) 169,814 169,849 35  184,157 245,802 245,802 (78,747) 169,814 169,849  105,410 415,616 415,651	103 115 1,133 1,407 1,407 1,407 1,407 1,2753 209,872 1,272,841 2,667,446 2,658,783 2,671,283 (12,499) (3,837)  (28,184) 3,780 (213,755) (78,747) 169,814 169,849 35 248,596  184,157 245,802 (78,747) 169,814 169,849  105,410 415,616 415,651	103 115 1,133 1,407 1,407 1,407 1,407 1,272,841 2,667,446 2,658,783 2,671,283 (12,499) (3,837) 1,398,442 (28,184) 3,780 (213,755) (78,747) 169,814 169,849 35 248,596 383,604 184,157 245,802 (78,747) 169,814 169,849 105,410 415,616 415,651

#### BOA Income Statement As of Jan FY2021

KEY ASSUM	PTIONS	
Enrollment S	ummary	
K-3		
4-6		
Total E	Enrolled	
ADA %		
K-3		
4-6		
Averag	ge ADA %	
ADA		
K-3		
4-6		
Total A	ADA	

	Actual		YTD			Bud	lget			
Nov	Dec	Jan	Actual YTD	Approved Budget v1	Previous Forecast	Current Forecast	Previous Forecast vs. Current Forecast	Approved Budget v1 vs. Current Forecast	Current Forecast Remaining	% Current Forecast Spent
				190 94 <b>284</b> 96.0% 96.0%	187 90 <b>277</b> 95.5% 95.5%	187 90 <b>277</b> 95.5% 95.5%	0.0%	-0.5%		
				182.21 90.24 <b>272.45</b>	178.59 85.95 <b>264.54</b>	178.59 85.95 <b>264.54</b>	- - -	(3.62) (4.29) <b>(7.91)</b>		

BOA Income Statement As of Jan FY2021

		Actual		YTD	Budget						
					Approved	Previous	Current	Previous Forecast vs. Current	Approved Budget v1 vs. Current	Current Forecast	% Current Forecast
DEVENUE	Nov	Dec	Jan	Actual YTD	Budget v1	Forecast	Forecast	Forecast	Forecast	Remaining	Spent
REVENUE											
LCFF Entitlement											
8011 Charter Schools General Purpose Entitlement - State Aid	140,342	140,342	140,342	717,304	1,852,099	1,975,538	1,975,538	_	123,438	1,258,234	36%
8012 Education Protection Account Entitlemen	-	-	10,290	20,580	54,490	52,907	52,907	-	(1,583)	32,327	39%
8096 Charter Schools in Lieu of Property Taxes	23,676	23,676	23,676	124,298	387,669	380,409	380,409	-	(7,260)	256,112	33%
SUBTOTAL - LCFF Entitlement	164,018	164,018	174,308	862,182	2,294,258	2,408,854	2,408,854	-	114,596	1,546,673	36%
Federal Revenue											
8181 Special Education - Entitlement	_		_		32.189	32,189	32,189	_	_	32,189	0%
8291 Title I	8,796	-	12,435	21,231	29,823	35,185	45,597	10,412		24,366	47%
8292 Title II	1.497		-	1.497	5.143	6.000	8.122	2,122		6.625	18%
8294 Title IV	2,500	_	_	2,500	10,000	10,000	10,000		2,515	7,500	25%
8296 SRSA Grant	-	_	_	17,998	15,677	17,998	17,998	_	2,321	- ,000	100%
8299 CARES Act	_	_	2.185	101,213	24.560	106.810	106.810	_	82.250	5.597	95%
SUBTOTAL - Federal Revenue	12,793	-	14,620	144,439	117,392	208,182	220,716	12,534		76,277	65%
						•			-		
Other State Revenue											
8319 Other State Apportionments - Prior Years	-	-	-	82	-	-	-	-	-	(82)	
8381 Special Education - Entitlement (State	5,970	-	9,394	18,681	37,033	62,959	62,959	-	25,926	44,278	30%
8550 Mandated Cost Reimbursements	-	-	3,470	3,470	3,470	3,470	3,470	-	-	(0)	100%
8560 State Lottery Revenue	-	-	11,551	11,551	55,959	54,334	54,334	-	(1,625)	42,782	21%
8590 All Other State Revenue		-		16,162		16,162	16,162	-	16,162		100%
SUBTOTAL - Other State Revenue	5,970	-	24,415	49,947	96,462	136,925	136,925	-	40,463	86,978	36%
Local Revenue											
8660 Interest	326	-	-	326	1,003	1,003	1,003	-	-	677	32%
8689 FUA Reimbursement	-	-	-	-	60,382	60,382	60,382	-	-	60,382	0%
8693 Field Trips	-	-	-	50	-	50	50	-	50	(0)	100%
8699 All Other Local Revenuε	163	163	163	1,027	2,201	2,201	2,201	-	-	1,174	47%
SUBTOTAL - Local Revenue	489	163	163	1,403	63,586	63,636	63,636	-	50	62,234	2%
Fundraising and Grants											
8801 Donations - Parents	_	_	_	_	6,000	6.000	6,000	_	_	6,000	0%
8802 Donations - Private		388		388	6,000	2,500	2,500		(3,500)	2,112	16%
8803 Fundraising	558	-	145	703	5,000	2,475	2,475	_	(2,525)	1,772	28%
8804 Fundraising - Fund Development	25	-	-	25	-	25	25	_	25	- 1,772	100%
SUBTOTAL - Fundraising and Grants	583	388	145	1,116	17,000	11,000	11,000	-	(6,000)	9,884	10%
-											
TOTAL REVENUE	183,853	164,569	213,651	1,059,086	2,588,699	2,828,597	2,841,131	12,534	252,433	1,782,045	37%
				l							

BOA Income Statement As of Jan FY2021

			Actual		YTD	Budget						
			Actual		טוז			Бий		A		
									Previous Forecast vs.	Approved Budget v1 vs.	Current	% Current
						Approved	Previous	Current	Current	Current	Forecast	Forecast
		Nov	Dec	Jan	Actual YTD	Budget v1	Forecast	Forecast	Forecast	Forecast	Remaining	Spent
EXPENSE	ES	-				J						<u> </u>
Compens	sation & Benefits											
Cortificat	ted Salaries											
	eachers Salaries	72,519	64,093	79,547	419,916	757,208	763,739	763,739		(6,531)	343,823	55%
	eacher - Stipends	72,515	04,000	75,547	413,310	7,000	15,000	15,000	_	(8,000)	15,000	0%
	eacher - Substitute Pay	210	60	_	1.470	10,980	10,980	10,980	_	-	9,510	13%
	eacher - Specialist	3,282	3,128	1,802	16,904	49,310	29,277	29,277	-	20,034	12,373	58%
1148 Te	eacher - Special Ed	9,279	8,757	10,201	56,076	102,074	99,858	99,858	-	2,216	43,782	56%
1150 Te	eacher - Interventior	5,025	6,150	5,855	32,107	55,280	56,109	56,109	-	(829)	24,002	57%
	ertificated Supervisor & Administrator Salaries	17,489	17,489	20,637	126,570	209,867	213,015	213,015	-	(3,148)	86,445	59%
SL	JBTOTAL - Certificated Salaries	107,805	99,677	118,042	653,043	1,191,719	1,187,978	1,187,978	-	3,741	534,936	55%
Classifion	d Salaries											
	assified Instructional Aide Salaries	14,279	15.381	8,896	62,729	138.540	135,575	135,575	_	2.965	72.846	46%
	assified - Special Education	2,140	1,331	546	8,058	50,274	31,107	31,107	_	19,167	23,049	26%
	assified Clerical & Office Salaries	5,383	4,942	4,612	31,972	56,146	57,085	57,085	-	(939)	25,113	56%
2905 Ot	ther Classified - After School	91	(182)	-	(0)	· -	· -	´-	-	-	0	
2930 Ot	ther Classified - Maintenance/grounds	2,960	3,101	3,781	22,609	35,945	36,484	36,484	-	(539)	13,875	62%
	ther Classified - Substitute	-	-	-	-	1,991	1,991	1,991	-	-	1,991	0%
SL	JBTOTAL - Classified Salaries	24,853	24,574	17,835	125,368	282,895	262,242	262,242	-	20,654	136,874	48%
Employee	e Benefits											
	TRS	17,260	18.006	18,986	106.948	189,803	190.753	190.753	_	(950)	83,805	56%
	ASDI-Medicare-Alternative	4,043	4,084	3,527	22,286	39,943	37,712	37,712	_	2,231	15,425	59%
	ealth & Welfare Benefits	14,574	13,497	15,349	92,789	167,625	141,457	141,457	_	26,168	48,668	66%
	nemployment Insurance	133	183	3,019	3,952	10,989	10,006	10,381	(376)		6,429	38%
3600 W	orkers Comp Insurance	1,385	689	2,166	8,781	12,801	12,590	12,590	-	212	3,809	70%
	03b contribution	8	8	4	38	353	353	353	-	-	315	11%
SL	JBTOTAL - Employee Benefits	37,404	36,468	43,051	234,794	421,514	392,870	393,245	(376)	28,269	158,451	60%
Books &	Sunnlies											
	oproved Textbooks & Core Curricula Materials	6,883	_	2,698	19,903	9,596	35,322	40,322	(5,000	(30,726)	20,419	49%
	ooks & Other Reference Materials	1,847	-	42	7,104	7,620	7,560	14,360	(6,800		7,256	49%
4300 Ma	aterials & Supplies	-	-	325	368	2,300	2,300	2,300	-	-	1,932	16%
4320 Ed	ducational Software	495	-	143	7,753	400	7,610	7,753	(143)	(7,353)	(0)	100%
	structional Materials & Supplies	882	-	-	3,523	5,600	5,600	5,600	-	-	2,077	63%
4326 Ar		-	-	-	-	400	400	400	-	-	400	0%
	ffice Supplies	410	453	40	1,871	7,339	7,339	7,339	-	-	5,468	25%
	E Supplies	- 469	- 377	205	2,762	400 5,200	400	400	-	-	400	0% 53%
	eacher Supplies cience	469	3//	205	2,762	5,200 400	5,200 400	5,200 400	-	-	2,438 400	0%
	ecess Supplies	_	-	-	_	1,200	1,200	1,200	-	-	1,200	0%
	assroom Furniture, Equipment & Supplies	-	-	_	1,539	3.000	3,000	3,000	_	_	1,461	51%
	omputers: individual items less than \$5k	_	432	_	4,136	6,000	6.000	6,000	_	0	1,864	69%
	on Classroom Related Furniture, Equipment & Supplies	38	20	6	1,470	2,000	2,000	2,000	-	(0)	531	73%
4710 St	udent Food Services	-	-	-	-	2,027	2,027	2,027	-		2,027	0%
	ther Food	31	-	-	31	806	806	806	-	(0)	775	4%
SL	JBTOTAL - Books and Supplies	11,055	1,282	3,459	50,459	54,288	87,163	99,106	(11,943)	(44,819)	48,647	51%
Services	& Other Operating Expenses											
	avel - Mileage, Parking, Tolls	-	_	_	_	600	_	_	_	600	_	
	avel and Lodging	-	-	-	-	2,500	-	-	-	2,500	-	
	avel - Meals & Entertainmen	-	-	-	-	370	-	-	-	370	-	

BOA Income Statement As of Jan FY2021

			Actual		YTD			Bud	lget			
									Previous	Approved		
									Forecast vs.	Budget v1 vs.	Current	% Current
						Approved	Previous	Current	Current	Current	Forecast	Forecast
		Nov	Dec	Jan	Actual YTD	Budget v1	Forecast	Forecast	Forecast	Forecast	Remaining	Spent
5515	Janitorial, Gardening Services & Supplies	785	61	1,199	3,127	3,326	3,326	3,326	-	-	199	94%
5525	Utilities - Waste	-	-	-	-	3,313	3,313	3,313	-	-	3,313	0%
5610	Rent	22,168	22,168	22,168	155,176	274,015	274,015	274,015	-	-	118,840	57%
5615	Repairs and Maintenance - Building	-	-	-	180	5,000	5,000	5,000	-	-	4,820	4%
5824	District Oversight Fees	-	-	-	-	22,943	24,089	24,089	-	(1,146)	24,089	0%
5830	Field Trips Expenses	-	-	-	-	6,000	-	-	-	6,000	-	
5836	Fingerprinting	-	-	-	-	372	372	372	-	(0)	372	0%
5839	Fundraising Expenses	486	-	25	511	3,565	3,565	3,565	-	-	3,054	14%
5845	Legal Fees	-	-	-	-	3,060	3,060	1,060	2,000	2,000	1,060	0%
5848	Licenses and Other Fees	-	-	-	-	30	30	30	-	(0)	30	0%
5851	Marketing and Student Recruiting	12	-	-	71	1,872	1,872	1,872	-	-	1,802	4%
5854	Consultants - CALPADS	425	425	425	2,975	5,100	5,100	5,100	-	-	2,125	58%
5857	Payroll Fees	347	352	346	2,336	4,299	4,299	4,299	-	(0)	1,963	54%
5858	CMO Services	-	-	-	-	310,647	316,039	318,109	(2,070)	(7,462)	318,109	0%
5860	Printing and Reproduction	317	495	(717)	2,522	9,440	9,440	8,300	1,140	1,140	5,778	30%
5861	Prior Yr Exp (not accrued	-	-	-	2,140	500	2,140	2,140	-	(1,640)	-	100%
5863	Professional Development	387	783	-	11,657	13,000	20,713	20,713	-	(7,713)	9,056	56%
5869	Special Education Contract Instructors	2,048	5,925	1,729	13,030	21,090	24,090	24,090	-	(3,000)	11,061	54%
5875	Staff Recruiting	-	-	-	-	571	571	571	-	(0)	571	0%
5877	Student Activities	1,658	-	835	2,493	3,260	4,260	4,260	-	(1,000)	1,768	59%
5878	Student Assessment	-	-	-	7,737	3,072	7,737	7,737	-	(4,665)	0	100%
5880	Student Health Services	-	420	16	763	1,842	10,842	10,842	-	(9,000)	10,079	7%
5881	Student Information System	-	-	-	19	-	19	19	-	(19)	-	100%
5893	Transportation - Student	-	-	-	-	412	412	412	-		412	0%
5898	Bad Debt Expense	-	-	1,251	1,251	-	-	1,251	(1,251)	) (1,251)	(0)	100%
5910	Communications - Internet / Website Fees	21	21	61	1,825	11,165	1,722	1,951	(229)	9,215	126	94%
5915	Postage and Delivery	-	-	32	233	1,096	1,096	867	229	229	634	27%
5920	Communications - Telephone & Fax	-	-	-	-	3,160	-	-	-	3,160	-	
	SUBTOTAL - Services & Other Operating Exp.	28,654	30,649	27,370	208,044	715,623	727,123	727,304	(181)	(11,681)	519,260	29%
	10.4-10.											
Capit	al Outlay & Depreciation											
	SUBTOTAL - Capital Outlay & Depreciation	-	-	-	-	-			-			
Othe	r Outflows											
	Long term debt - Interest	130	103	115	1,133	1,407	1,407	1,407	_	_	274	81%
50	SUBTOTAL - Other Outflows	130	103	115	1,133	1,407	1,407	1,407	-	-	274	81%
			-		-		_		_			
TOTA	AL EXPENSES	209,901	192,753	209,872	1,272,841	2,667,446	2,658,783	2,671,283	(12,499)	) (3,837)	1,398,442	48%

CMO Income Statement As of Jan FY2021

		Actual		YTD			Bud	Budget			
	Nov	Dec	Jan	Actual YTD	Approved Budget v1	Previous Forecast	Current Forecast	Previous Forecast vs. Current Forecast	Approved Budget v1 vs. Current Forecast	Current Forecast Remaining	% Current Forecast Spent
SUMMARY											
Revenue											
LCFF Entitlement	-	-	-	-	-	-	-	-	-	-	
Federal Revenue	-	-	-	-	-	-	-	-	-	-	
Other State Revenues	-	-	-	-	-	-	-	-	-	-	
Local Revenues	16,394	10,083	8,379	56,535	833,115	850,663	855,610	4,947	22,495	799,075	7%
Fundraising and Grants	-	-	-	150	1,000	1,000	1,000	-	-	850	15%
Total Revenue	16,394	10,083	8,379	56,685	834,115	851,663	856,610	4,947	22,495	799,925	7%
Expenses											
Compensation and Benefits	54,362	54,260	50,102	346,286	549,894	585,168	585,361	(193	) (35,467)	239,075	59%
Books and Supplies	153	-	55	2,689	14,860	15,160	15,160	-	(300)	12,472	18%
Services and Other Operating Expenditures	20,525	18,289	24,014	155,916	269,361	251,335	256,089	(4,754	) 13,272	100,173	61%
Depreciation	-	-	-	-	-	-	-	-	-	-	
Other Outflows	-	-	-	-	-	-	-	-	-	-	
Total Expenses	75,040	72,549	74,171	504,891	834,115	851,663	856,610	(4,947	) (22,495)	351,720	59%
Operating Income	(58,646)	(62,466)	(65,792)	(448,206)				-		448,206	
Fund Balance											
Beginning Balance (Unaudited)					0	0	0				
Operating balance (orlaudited)					-	0	-				
Ending Fund Balance					0	0	0		•		
Fund Balance as a % of Expenses					0%	0%	0%				

#### CMO Income Statement As of Jan FY2021

KEY ASSUMPTIONS
Enrollment Summary
Total Enrolled

ADA %
Average ADA %

ADA
Total ADA

	Actual		YTD			Bud	dget			
Nov Dec Jan		Actual YTD	Approved Budget v1	Previous Forecast	Current Forecast	Previous Forecast vs. Current Forecast	Approved Budget v1 vs. Current Forecast	Current Forecast Remaining	% Current Forecast Spent	
				_	_	_	_	_		
				-	•	-	-	-		
				-	-	-	-	-		

#### CMO Income Statement As of Jan FY2021

REVENUE
LCFF Entitlement SUBTOTAL - LCFF Entitlement
Federal Revenue SUBTOTAL - Federal Revenue
Other State Revenue SUBTOTAL - Other State Revenue
Local Revenue
8676 After School Program Revenue
8699 All Other Local Revenue
8721 CMO Fees Revenue
SUBTOTAL - Local Revenue
Fundraising and Grants
8802 Donations - Private
SUBTOTAL - Fundraising and Grants
TOTAL REVENUE

	Actual		YTD			Bud	lget			
Nov	Dec	Jan	Actual YTD	Approved Budget v1	Previous Forecast	Current Forecast	Previous Forecast vs. Current Forecast	Approved Budget v1 vs. Current Forecast	Current Forecast Remaining	% Current Forecast Spent
			-		_		_			
-	-		-		-			-	-	
-	•	-	-	-	-	-	-	-	-	
14,618	10,083	8,379	51,982	90,811	90,811	90,811	_	-	38,829	57'
1,776	10,063	0,379	4,553	90,611	4,553	4,553	-	4,553	36,629	1009
-	-	_	,000	742,304	755,299	760,246	4,947	17.942	760,246	09
16,394	10,083	8,379	56,535	833,115	850,663	855,610	4,947	22,495	799,075	79
_	_	_	150	1,000	1,000	1,000	-	-	850	15'
-		-	150	1,000	1,000	1,000	-	-	850	159
16,394	10,083	8,379	56,685	834,115	851,663	856,610	4,947	22,495	799,925	7%

CMO Income Statement As of Jan FY2021

		Actual		YTD	Budget						
	-	Actual		לוו			Бис	•	A		
								Previous	Approved Budget v1 vs.	Current	% Current
					Approved	Previous	Current	Current	Current	Forecast	Forecast
	Nov	Dec	Jan	Actual YTD	Budget v1	Forecast	Forecast	Forecast	Forecast	Remaining	Spent
EXPENSES				71010001112							
Compensation & Benefits											
Certificated Salaries											
1100 Teachers Salaries	-	-	-	970	-	-	-	-	-	(970)	
1150 Teacher - Interventior	1,675	2,050	1,952	10,702	18,427	18,703	18,703	-	(276)	8,001	57%
1300 Certificated Supervisor & Administrator Salaries SUBTOTAL - Certificated Salaries	11,588	11,588	13,673	84,198	141,050	143,136	143,136	-	(2,086)	58,938	59% <b>59%</b>
SUBTUTAL - Certificated Salaries	13,263	13,638	15,625	95,870	159,477	161,839	161,839	-	(2,362)	65,969	39 /0
Classified Salaries											
2100 Classified Instructional Aide Salaries			12	187				-	-	(187)	
2400 Classified Clerical & Office Salaries 2905 Other Classified - After School	13,656	13,171 18.015	15,129 10.099	95,422 98,944	161,799	164,226	164,226	-	(2,427)	68,805 58.711	58% 63%
2905 Other Classified - After School SUBTOTAL - Classified Salaries	19,220 <b>32,877</b>	31,186	25,241	194,552	118,821 <b>280,621</b>	157,655 <b>321,881</b>	157,655 <b>321,881</b>		(38,833) ( <b>41,260</b> )	127,329	60%
SOBTOTAL SIGNING CUIDING	02,011	01,100	20,241	104,002	200,021	021,001	021,001		(41,200)	127,020	0070
Employee Benefits		0.000	0 =0-			c= c=-			(00::	40.00-	222
3100 STRS	2,142	2,202	2,523	15,652	25,594	25,975	25,975	-	(381)	10,323	60%
3300 OASDI-Medicare-Alternative 3400 Health & Welfare Benefits	1,406 4,210	1,376 3,723	1,061 3,781	8,507 25,630	23,842 48,400	27,033 35,364	27,033 35,364		(3,191) 13,036	18,525 9,734	31% 72%
3500 Unemployment Insurance	4,210	5,723 59	907	1,251	4,410	5,147	5,340	(193	,	4,089	23%
3600 Workers Comp Insurance	412	205	644	2,611	3,821	4,199	4,199	(133)	(379)	1,589	62%
3900 403b contribution	6	1,871	320	2,213	3,730	3,730	3,730	-	-	1,517	59%
SUBTOTAL - Employee Benefits	8,222	9,436	9,236	55,864	109,797	101,448	101,641	(193	8,156	45,777	55%
Books & Supplies											
4330 Office Supplies	153	_	42	748	1,500	1,250	1,250	_	250	502	60%
4352 After School Program	-	-	14	1,486	1,704	2,004	2,004	-	(300)	518	74%
4420 Computers: individual items less than \$5k	-	-	-	250	-	250	250	-	(250)	0	100%
4430 Non Classroom Related Furniture, Equipment & Supplies	-	-	-	-	906	906	906	-	-	906	0%
4710 Student Food Services	-	-	-	-	10,369	10,369	10,369	-	-	10,369	0%
4720 Other Food	153		 55	205 <b>2,689</b>	381	381	381	-	(300)	177 <b>12,472</b>	54% 18%
SUBTOTAL - Books and Supplies	153	<u> </u>	55	2,689	14,860	15,160	15,160		(300)	12,472	18%
Services & Other Operating Expenses											
5215 Travel - Mileage, Parking, Tolls	-	-	-	-	900	-	-	-	900	-	
5220 Travel and Lodging	-	-	-	-	4,162	-	-	-	4,162	-	
5225 Travel - Meals & Entertainment 5305 Dues & Membership - Professional	423	- 448	448	3,159	474 5,400	5,400	5,400	-	474	- 2,241	59%
5400 Insurance	1,667	-	3,334	19,943	23,637	26,701	26,701		(3,064)	6,758	75%
5515 Janitorial, Gardening Services & Supplies	-	_	-	-	20,007	460	460	_	(440)	460	0%
5535 Utilities - All Utilities	-	-	-	-	-	756	756	-	(756)	756	0%
5610 Rent	-	-	-	-	-	5,336	3,600	1,736	(3,600)	3,600	0%
5803 Accounting Fees	4,200	-	1,050	6,313	12,915	12,915	12,915			6,602	49%
5809 Banking Fees	301	191	520	1,612	1,326	1,326	1,326	(0)	) (0)	(286)	122%
5812 Business Services	13,750	13,750	13,750	96,250	165,000	165,000	165,000	-	4 207	68,750	58% 41%
5820 Consultants - Non Instructional - Custom 1 5833 Fines and Penalties	-	180	-	1,695	8,500 17	4,103 17	4,103 17	-	4,397	2,408 17	41% 0%
5836 Fingerprinting	-	-	-		536	536	536		-	536	0%
5845 Legal Fees	-	3,409	2,253	6,749	5,100	5,100	9,100	(4,000	(4,000)	2,351	74%
5851 Marketing and Student Recruiting	-		-	71	763	817	817	- ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	(54)	747	9%
5857 Payroll Fees	129	212	191	9,125	9,466	9,466	9,466	-	-	341	96%
5860 Printing and Reproduction	-	-	1,117	1,117	1,049	1,049	3,500	(2,451	, , ,	2,383	32%
5861 Prior Yr Exp (not accrued	-	-	-	(47)	7	(47)	(47)	-	54	0	100%
5863 Professional Development	-	100	325	2,786	6,000	2,915	2,915	-	3,085	129	96%

CMO Income Statement As of Jan FY2021

	0. 50
5875	g
5880	Student Health Services
5899	Miscellaneous Operating Expenses
5910	Communications - Internet / Website Fees
5915	Postage and Delivery
	SUBTOTAL - Services & Other Operating Exp.
0:4	ol Outland Barranciation
Capita	al Outlay & Depreciation
	SUBTOTAL - Capital Outlay & Depreciation
Other	Outflows
	SUBTOTAL - Other Outflows
TOTA	L EXPENSES

•	Actual	•	YTD	•		Buc	lget		•	
Nov	Dec	Jan	Actual YTD	Approved Budget v1	Previous Forecast	Current Forecast	Previous Forecast vs. Current Forecast	Approved Budget v1 vs. Current Forecast	Current Forecast Remaining	% Current Forecast Spent
-	-	750	1,899	2,000	2,000	2,000	-	-	101	95%
-	-	-		19,544	544	44	500	19,500	44	0%
-	-	-	20	191	191	191	-	-	171	10%
-	-	-	4,647	1,815	6,211	6,211	-	(4,397)	1,565	75%
55	-	277	577	538	538	1,076	(538)	(538)	500	54%
20,525	18,289	24,014	155,916	269,361	251,335	256,089	(4,754)	13,272	100,173	61%
_			-	-	-		_			
-	-	-	-	-	-	-	-	-	-	
75.040	72.549	74,171	504.891	834.115	851.663	856.610	(4.947)	(22,495)	351.720	59%

SVA Income Statement As of Jan FY2021

		Actual		YTD		Budget					
	Nov	Dec	Jan	Actual YTD	Approved Budget v1	Previous Forecast	Current Forecast	Previous Forecast vs. Current Forecast	Approved Budget v1 vs. Current Forecast	Current Forecast Remaining	% Current Forecast Spent
SUMMARY											,
Revenue											
LCFF Entitlement	219,943	219,943	389,984	1,469,998	3,083,255	3,232,368	3,232,368	-	149,113	1,762,370	45%
Federal Revenue	16,615	-	20,903	233,621	196,827	369,548	369,627	79	172,800	136,006	63%
Other State Revenues	12,652	-	43,717	90,687	139,770	196,532	196,532	-	56,762	105,845	46%
Local Revenues	2,120	298	3,516	10,998	73,523	78,498	81,716	3,218	8,193	70,718	13%
Fundraising and Grants	246	4,438	460	6,350	20,500	15,000	15,000	-	(5,500)	8,650	42%
Total Revenue	251,576	224,678	458,580	1,811,654	3,513,875	3,891,946	3,895,243	3,297	381,368	2,083,589	47%
_											
Expenses	=							(=00)	(00.044)		= 40/
Compensation and Benefits	230,780	233,344	249,842	1,445,278	2,661,047	2,688,788	2,689,288	(500)		1,244,010	54%
Books and Supplies	9,639	1,977	3,618	37,607	45,421	74,680	74,680	(40.075)	( - , )	37,073	50%
Services and Other Operating Expenditures	30,505	22,579	51,509	195,317	905,467	911,457	922,132	(10,675)		726,815	21%
Depreciation Other Outflows	-	5,030	838	5,868	10,059	10,059	16,115	(6,056)	(6,056)	10,247	36%
Total Expenses	270,924	262,930	305,807	1,684,070	3,621,994	3,684,985	3,702,215	(17,230)	(80,221)	2,018,145	45%
Operating Income	(19,348)	(38,251)	152,772	127,584	(108,119)	206,961	193,028	(13,933)	301,147	65,445	
Operating Income	(19,346)	(30,251)	152,772	121,504	(106,119)	206,961	193,020	(13,933)	301,147	65,445	
Fund Balance											
Beginning Balance (Unaudited)					1,058,464	1,111,406	1,111,406				
Operating Income					(108,119)	206,961	193,028				
Ending Fund Balance					950,345	1,318,367	1,304,434				
Fund Balance as a % of Expenses					26%	36%	35%				

SVA Income Statement As of Jan FY2021

KEY ASSUMPTIONS
RET ACCOUNT FIGHT
Enrollment Summary
K-3
4-6
7-8
Total Enrolled
ADA %
K-3
4-6
7-8
Average ADA %
ADA
K-3
4-6
7-8
Total ADA
TOTAL ADA

	Actual		YTD	Budget									
Nov	Dec	Jan	Actual YTD	Approved Budget v1	Previous Forecast	Current Forecast	Previous Forecast vs. Current Forecast	Approved Budget v1 vs. Current Forecast	Current Forecast Remaining	% Current Forecast Spent			
				185	179	179	-	(6) (9)					
				140 72	131 75	131 75	-	(9)					
				397	385	385	-	(12)					
								,					
				05.50/	05.50/	05.5%	0.00/	0.00/					
				95.5% 95.3%	95.5% 95.5%	95.5% 95.5%							
				94.5%	95.5%	95.5%							
				95.3%	95.5%	95.5%							
				177.06	170.95	170.95	_	(6.11)					
				133.48	125.11	125.11	-	(8.38)					
				68.04	71.63	71.63	-	3.58					
				378.58	367.68	367.68	-	(10.90)					
			!	[									

SVA Income Statement As of Jan FY2021

		Actual		YTD	Budget						
	Nov	Dec	Jan	Actual YTD	Approved Budget v1	Previous Forecast	Current Forecast	Previous	Approved Budget v1 vs. Current Forecast	Current Forecast Remaining	% Current Forecast Spent
REVENUE	1101	500	oun	Actual 112	_uugut t :	. 0.00001	. 0.0000	. 0.0000	. 0.0000		opo
LOFF F. CH											
LCFF Entitlement 8011 Charter Schools General Purpose Entitlement - State Aid	178,428	178,428	178,428	911,967	2,077,385	2,010,634	2,010,634		(66,751)	1,098,667	45%
8012 Education Protection Account Entitlemen	170,420	170,420	170,420	340,081	2,077,365 467,189	693,007	693,007	-	225,818	352,926	45% 49%
8096 Charter Schools in Lieu of Property Taxes	41,514	41,514	41,514	217,950	538,681	528,728	528,728	_	(9,954)	310,778	41%
SUBTOTAL - LCFF Entitlement	219,943	219,943	389,984	1,469,998	3,083,255	3,232,368	3,232,368	-	149,113	1,762,370	45%
Federal Revenue											
					EC 440	EC 440	EC 440		_	56.442	0%
8181 Special Education - Entitlement 8291 Title I	- 11,943	-	16,073	28,016	56,442 50,555	56,442 47,771	56,442 47,537	(234		19,521	59%
8292 Title II	2,172	-	10,073	2,172	8,913	8,687	9,000	313		6.828	24%
8294 Title IV	2,500	-	-	2,172	10,000	10.000	10,000	-	-	7.500	25%
8296 SRSA Grant	2,300			33,620	29,284	33,620	33,620	_	4.336	7,500	100%
8299 CARES Act	_	_	4,830	167.313	41.633	213,028	213,028	_	171.395	45.715	79%
SUBTOTAL - Federal Revenue	16,615		20,903	233,621	196,827	369,548	369,627	79		136,006	63%
Other State Revenue											
8319 Other State Apportionments - Prior Years				174		174	174		174	(0)	100%
8381 Special Education - Entitlement (State	12,652	-	17,378	37,059	51,836	87,507	87,507	_	35,671	50,448	42%
8550 Mandated Cost Reimbursements	12,002	_	6,084	6.084	6.084	6.084	6,084		-	0	100%
8560 State Lottery Revenue	-	_	20,255	20,255	81,850	75,652	75,652	_	(6,197)	55,397	27%
8590 All Other State Revenue	_	_		27.115	-	27,115	27,115	_	27.115	-	100%
SUBTOTAL - Other State Revenue	12,652	-	43,717	90,687	139,770	196,532	196,532	-	56,762	105,845	46%
Local Revenue											
8634 Food Service Sales	_	_	_	_	36	_	_	_	(36)	_	
8660 Interest	729	42	42	983	1,298	1,298	1,298	_	-	315	76%
8689 FUA Reimbursement	-		-	-	69,124	69,124	69,124	_	_	69,124	0%
8693 Field Trips	-	-	-	100	-	100	100	-	100	0	100%
8699 All Other Local Revenue	1,361	255	3,473	9,885	3,065	7,946	11,164	3,218	8,099	1,278	89%
8702 School Library	30	-	-	30	-	30	30	-	30		100%
SUBTOTAL - Local Revenue	2,120	298	3,516	10,998	73,523	78,498	81,716	3,218	8,193	70,718	13%
Fundraising and Grants											
8801 Donations - Parents	-	3.500	100	3.600	10,000	10,000	10,000	_	_	6.400	36%
8802 Donations - Private	-	888	360	1,668	3,500	1,500	1,500	-	(2,000)	(168)	111%
8803 Fundraising	246	50	-	1,082	7,000	3,500	3,500	-	(3,500)	2,418	31%
SUBTOTAL - Fundraising and Grants	246	4,438	460	6,350	20,500	15,000	15,000	-	(5,500)	8,650	42%
TOTAL REVENUE	251,576	224.678	458.580	1,811,654	3.513.875	3.891.946	3.895.243	3.297	381.368	2.083.589	47%
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SVA Income Statement As of Jan FY2021

		Actual		YTD	Budget						
		Actual		110			Duc	Previous	Approved		
									Budget v1 vs.	Current	% Current
					Approved	Previous	Current	Current	Current	Forecast	Forecast
	Nov	Dec	Jan	Actual YTD	Budget v1	Forecast	Forecast	Forecast	Forecast	Remaining	Spent
EXPENSES											
Compensation & Benefits											
Certificated Salaries											
1100 Teachers Salaries	100,563	110,484	122,035	646,445	1,150,394	1,159,476	1,159,476	-	(9,082)	513,031	56%
1101 Teacher - Stipends	-	-	-	-	11,625	11,625	11,625	-	-	11,625	0%
1103 Teacher - Substitute Pay	1,290	2,689	960	7,195	20,690	20,690	20,690	-	- (00.4)	13,495	35%
1111 Teacher - Specialist	14,034	13,060	9,578	73,583	139,917	140,850	140,850	-	(934)	67,268	52% 58%
1148 Teacher - Special Ed 1150 Teacher - Interventior	11,189 6,051	10,666 5,666	12,425 3,350	70,345 30,280	123,074 46,632	121,173 47,471	121,173 47,471	-	1,901 (838)	50,828 17,191	58% 64%
1300 Certificated Supervisor & Administrator Salaries	17,489	18,989	20,637	127,070	209,867	213,015	213,015	_	(3,148)	85.945	60%
SUBTOTAL - Certificated Salaries	150,616	161,553	168,985	954,918	1,702,199	1,714,300	1,714,300	-	(12,101)	759,382	56%
		•								-	
Classified Salaries	47.540	47.000	40.077	04.000	400.077	100.000	100.000		0	440.070	400/
2100 Classified Instructional Aide Salaries	17,542	17,993	10,077	81,898 8.949	192,877	192,869	192,869	-	8	110,972 39.093	42% 19%
2103 Classified - Special Education 2400 Classified Clerical & Office Salaries	2,634 7,524	1,426 6,623	1,107 5,682	8,949 46,040	71,602 78,205	48,042 79,378	48,042 79,378	-	23,560 (1,173)	39,093	19% 58%
2930 Other Classified - Maintenance/grounds	3,110	3,258	3,528	23,364	37,760	38,327	38,327	-	(566)	14,963	61%
2935 Other Classified - Substitute	-	-	330	330	595	595	595	_	(300)	265	55%
SUBTOTAL - Classified Salaries	30,811	29,299	20,724	160,581	381,040	359,211	359,211	-	21,828	198,630	45%
Employee Benefits											
3100 STRS	21,693	21,585	25,717	138,902	255,278	257,878	257,878	-	(2,600)	118,976	54%
3300 OASDI-Medicare-Alternative 3400 Health & Welfare Benefits	5,514	2,732	7,534	30,968	61,366	59,624	59,624	-	1,742	28,656	52% 54%
3500 Unemployment Insurance	20,001 181	16,949 239	19,622 4,195	141,974 5,497	228,448 13,409	265,232 13,320	265,232 13,820	(500	(36,784) (412)	123,257 8,324	40%
3600 Workers Comp Insurance	1,947	969	3,044	12,341	18,085	18,000	18,000	(500)	84	5,660	69%
3900 403b contribution	18	18	21	96	1,222	1,222	1.222	_	-	1.126	8%
SUBTOTAL - Employee Benefits	49,353	42,492	60,133	329,779	577,808	615,277	615,777	(500)	(37,969)	285,998	54%
Books & Supplies											
4100 Approved Textbooks & Core Curricula Materials	1,208	_	_	2,771	1,000	10,000	7,167	2,833	(6,167)	4,396	39%
4200 Books & Other Reference Materials	4.112	295	_	4,428	5,038	5,038	5,038	-,000	0	610	88%
4300 Materials & Supplies	842	374	-	1,535	665	4,665	4,665	-	(4,000)	3,130	33%
4320 Educational Software	50	-	2,045	8,139	1,423	6,629	9,139	(2,510	(7,716)	1,000	89%
4325 Instructional Materials & Supplies	340	-	-	1,306	6,500	6,500	6,500	-	-	5,194	20%
4326 Art	203		_ 4	1,827	2,000	2,000	2,000	-	-	173	91%
4330 Office Supplies	1,088	521	551	4,024	12,322	12,322	12,322	- (000	- (000)	8,298	33%
4335 PE Supplies 4346 Teacher Supplies	788 616	214 574	322 305	1,323 6,925	1,000 8,200	1,000 15,000	1,323 15,000	(323)	) (323) (6,800)	0 8,075	100% 46%
4410 Classroom Furniture, Equipment & Supplies	-	574	391	3,625	1.000	4,235	4,235	-	(3,235)	609	86%
4420 Computers: individual items less than \$5k	-		-	92	5,000	5,000	5,000		(3,233)	4,908	2%
4430 Non Classroom Related Furniture, Equipment & Supplies	350	_	-	1,570	550	1,570	1,570	_	(1,020)	0	100%
4720 Other Food	43	-	-	43	723	723	723	-		680	6%
SUBTOTAL - Books and Supplies	9,639	1,977	3,618	37,607	45,421	74,680	74,680	0	(29,259)	37,073	50%
Services & Other Operating Expenses											
5210 Conference Fees	-	_	_	_	179	179	179	_	_	179	0%
5215 Travel - Mileage, Parking, Tolls	-	-	-	_	1,000	-	-	-	1,000	-	370
5220 Travel and Lodging	-	-	-	_	1,000	-	-	-	1,000	-	
5225 Travel - Meals & Entertainment	-	-	-	-	400	-	-	-	400	-	
5515 Janitorial, Gardening Services & Supplies	2,025	-	543	3,493	4,101	4,101	4,101	-	0	608	85%
5525 Utilities - Waste	306	469	384	1,869	11,016	11,016	11,016	-	-	9,147	17%
5610 Rent	16,748	16,748	16,748	117,238	208,979	208,979	208,979	-	-	91,741	56%

SVA Income Statement As of Jan FY2021

			Actual		YTD	Budget						
						Approved	Previous	Current	Current	Approved Budget v1 vs. Current	Current Forecast	% Current Forecast
	-	Nov	Dec	Jan	Actual YTD	Budget v1	Forecast	Forecast	Forecast	Forecast	Remaining	Spent
5615	Repairs and Maintenance - Building	-	-	-	-	5,000	5,000	5,000	-	-	5,000	0%
5809	Banking Fees	-	-	-	-	677	677	677	-	-	677	0%
5824	District Oversight Fees	-	-	-	-	30,833	32,324	32,324	-	(1,491)	32,324	0%
5830	Field Trips Expenses	-	-	-	-	6,462	-	-	-	6,462	-	
5833	Fines and Penalties	-	-	-	-	149	149	149	-	-	149	0%
5836	Fingerprinting	-	-	-	-	273	273	273	-	-	273	0%
5839	Fundraising Expenses	567	-	35	602	6,447	6,447	6,447	-	-	5,845	9%
5845	Legal Fees	-	-	-	-	3,060	3,060	1,060	2,000	2,000	1,060	0%
5848	Licenses and Other Fees	-	-	-	-	3,515	-	-	-	3,515	-	
5851	Marketing and Student Recruiting	17	-	-	98	1,791	1,791	1,791	-	-	1,693	5%
5854	Consultants - CALPADS	425	425	425	2,975	5,100	5,100	5,100	-	-	2,125	58%
5857	Payroll Fees	458	541	392	3,060	6,514	6,514	6,514	-		3,453	47%
5858	CMO Services	-	- <del>-</del>		<del>-</del>	431,657	439,260	442,137	(2,877)		442,137	0%
5860	Printing and Reproduction	352	3,638	568	6,941	16,523	16,523	15,496	1,027	1,027	8,556	45%
5861	Prior Yr Exp (not accrued	-	-	-	38	-	38	38	-	(38)	0	100%
5863	Professional Development	259	-	179	1,313	15,820	15,820	15,820	-		14,507	8%
5869	Special Education Contract Instructors	5,918	-	2,388	12,901	20,100	23,100	23,100	-	(3,000)	10,199	56%
5875	Staff Recruiting	-	-	-	-	918	918	918	-	-	918	0%
5877	Student Activities	-	-	-		5,000	5,000	5,000	-		5,000	0%
5878	Student Assessment				7,492	4,536	7,492	7,492	-	(2,956)	(0)	100%
5880	Student Health Services	467	453	65	1,851	3,927	13,927	13,927	-	(10,000)	12,077	13%
5881	Student Information System	-	-	-	19	-	19	19	-	(19)	-	100%
5887	Technology Services	-	-			510	510	510	-		510	0%
5893	Transportation - Student	-	-	27,192	27,192	93,848	93,848	102,192	(8,344		75,000	27%
5898	Bad Debt Expense	-	-	2,480	2,481	-	-	2,480	(2,480)		(0)	100%
5910	Communications - Internet / Website Fees	2,908	29	69	4,928	12,985	6,246	6,246	-	6,740	1,318	79%
5915	Postage and Delivery	55	275	40	827	1,148	1,148	1,148	-	-	321	72%
5920	Communications - Telephone & Fax				-	2,000	2,000	2,000			2,000	0%
	SUBTOTAL - Services & Other Operating Exp.	30,505	22,579	51,509	195,317	905,467	911,457	922,132	(10,675	(16,665)	726,815	21%
Canit	al Outlay & Depreciation											
	Depreciation	_	5,030	838	5,868	10,059	10,059	16,115	(6,056	(6,056)	10,247	36%
0900	SUBTOTAL - Capital Outlay & Depreciation		5.030	838	5.868	10,059	10,059	16,115	(6,056)		10,247	36%
	Japital Outlay & Depreciation		3,000	000	0,000	10,000	10,033	10,113	(0,000)	(0,000)	10,247	33 /8
Other	Outflows											
	SUBTOTAL - Other Outflows	-	-	-	-	-	-	-	-	-	-	
TOTA	L EXPENSES	270,924	262,930	305,807	1,684,070	3,621,994	3,684,985	3,702,215	(17,230	(80,221)	2,018,145	45%
IUIA	L EAFENGES	210,924	202,930	305,607	1,004,070	3,021,994	3,004,965	3,702,215	(17,230)	(00,221)	2,010,145	45%

The Academies CMO Monthly Cash Forecast As of Jan FY2021

	2020-21													
	Actuals & Forecast  Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr Mav Jun Forecast Remainin								D					
	<b>Jul</b> Actuals	Aug Actuals	Sep Actuals	Actuals	Nov Actuals	<b>Dec</b> Actuals	<b>Jan</b> Actuals	Feb Forecast	Mar Forecast	Apr Forecast	<b>May</b> Forecast	<b>Jun</b> Forecast	Forecast	Remaining Balance
	Hotadio	riotadio	riotadio	7 totaalo	7 totaalo	7 totadio	7 totadio	1 0100001	1 0100001	TOTOGGG	1 Orougat	1 0100001		Bulance
Beginning Cash	2,165,031	2,126,437	1,926,596	1,781,730	2,248,382	2,243,514	2,144,940	2,300,387	1,889,989	1,562,155	1,398,592	1,085,329		
REVENUE														
LCFF Entitlement	-	177,095	225,987	596,885	383,960	383,960	564,291	383,960	256,774	417,651	146,124	146,124	5,641,222	1,958,409
Federal Revenue	-	-	51,618	261,511	29,408	-	35,523	31,566	16,784	-	32,564	12,243	590,343	119,127
Other State Revenue	256	-	-	53,623	18,622	-	68,132	22,600	-	-	55,105	-	333,457	115,118
Other Local Revenue	6,108	690	5,282	15,250	19,003	10,544	12,058	69,968	72,269	72,269	141,393	576,128	1,000,963	-
Fundraising & Grants	10	579	15	752	829	4,826	605	4,296	3,707	3,707	3,968	3,707	27,000	-
TOTAL REVENUE	6,375	178,363	282,902	928,021	451,823	399,330	680,610	512,389	349,534	493,626	379,154	738,202	7,592,985	2,192,654
EXPENSES														
Certificated Salaries	48,964	265,560	270,229	269,877	271,683	274,867	302,652	258,897	270,989	268,393	270,989	291,018	3,064,117	-
Classified Salaries	26,252	39,388	87,097	90,365	88,540	85,059	63,800	94,730	94,953	89,098	94,953	89,098	943,334	-
Employee Benefits	51,388	86,727	90,592	95,934	94,980	88,396	112,420	117,628	94,773	91,988	92,902	92,935	1,110,663	-
Books & Supplies	14,645	12,715	15,245	16,911	20,848	3,259	7,132	23,566	15,873	15,471	15,393	17,520	188,946	10,369
Services & Other Operating Expenses	75,115	70,428	69,855	89,784	79,684	71,518	102,893	385,574	153,903	153,873	152,564	423,585	1,905,525	76,749
Capital Outlay & Depreciation	· -	· -	-	· -		5,030	838	1,343	1,343	1,343	1,343	4,875	16,115	-
Other Outflows	-	-	-	785	130	103	115	97	177	-	-	-	1,407	-
TOTAL EXPENSES	216,362	474,818	533,017	563,656	555,865	528,232	589,850	881,835	632,012	620,166	628,144	919,032	7,230,108	87,118
Operating Cash Inflow (Outflow)	(209,988)	(296,455)	(250,115)	364,365	(104,042)	(128,901)	90,760	(369,446)	(282,478)	(126,539)	(248,990)	(180,830)	362,877	2,105,536
Revenues - Prior Year Accruals	779,585	10.146	52,136	67,575	34,948	2,500	79,849	19,378	_	_	_	_	_	
Other Assets	15.358	-	-	-	(421)	-	(8)	-	_	_	_	-	_	
Fixed Assets	-	_	_	_	- '	5.030	838	1,343	(25,907)	(25,907)	(53,157)	4.875	_	
Expenses - Prior Year Accruals	(132,126)	18.462	(28,851)	21.671	21,670	21,670	21,670	220	-	-	-	(151,692)	-	
Accounts Payable - Current Year	(394,903)	38,272	52,960	(7,614)	23,718	(19,808)	(60,244)	(71,516)	_	_	_	-	-	
Summerholdback for Teachers	(113,347)	12,907	12,178	12,160	10,765	12,441	14,087	10,462	10.462	10.462	10.462	10.462	-	
Loans Payable (Current)	-	-	-	-,	-	-	-	-	(37,239)	(37,239)	(37,239)	(37,239)	-	
Loans Payable (Long Term)	-	-	-	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	-	-	-	-	
Other Liabilites	16,827	16,827	16,827	16,827	16,827	16,827	16,827	7,494	15,661	15,661	15,661	15,661	-	
Ending Cash	2,126,437	1,926,596	1,781,730	2,248,382	2,243,514	2,144,940	2,300,387	1,889,989	1,562,155	1,398,592	1,085,329	746,567		

#### The Academies CMO Balance Sheet As of Jan FY2021

	SVA	воа	СМО	Total	SVA	воа	СМО	Total
	Jun FY2020	Jun FY2020	Jun FY2020	Jun FY2020	Jan FY2021	Jan FY2021	Jan FY2021	Jan FY2021
ASSETS								
Cash Balance	976,880	503,985	684,165	2,165,031	1,534,884	537,566	227,936	2,300,387
Accounts Receivable	760,560	292,557	-	1,053,117	7,000	19,378	-	26,378
Prepaids	3,325	10,400	1,634	15,358	271	158	-	429
Fixed Assets, Net	108,977	-	-	108,977	103,109	-	-	103,109
TOTAL ASSETS	1,849,742	806,942	685,799	3,342,483	1,645,264	557,102	227,936	2,430,302
LIABILITIES & EQUITY								
Accounts Payable	394,472	126,762	3,174	524,408	83,367	69,943	(1,838)	151,472
Due to Others	62,551	-	-	62,551	62,551	-	-	62,551
Current Loans and Other Payables	281,313	284,375	12,325	578,013	260,357	338,440	7,680	606,477
Long-Term Loans and Other Liabilities	-	150,004	670,300	820,304	-	116,672	670,300	786,972
Beginning Net Assets	1,042,750	335,932	(0)	1,378,682	1,111,406	245,802	0	1,357,208
Net Income (Loss) to Date	68,656	(90,130)	`-	(21,474)	127,584	(213,755)	(448,206)	(534,377)
TOTAL LIABILITIES & EQUITY	1,849,742	806,942	685,799	3,342,483	1,645,264	557,102	227,937	2,430,303



PO Box 1189

Visalia, CA, 93279 Phone: 559-622-3236 Fax: 559-622-3237



The following number must appear on all related correspondence, shipping papers, and invoices.

**P.O. Number:** 30163

Vendor Ship to

Miracle PlaySystems

PO Box 263 The Academies CMO Alamo, CA 94507 PO Box 1189

info@miracleplayroup.com/510-893-2163 Visalia, CA, 93279

P.O. DATE REQUISITIONER		TERMS		
1/28/21	Donya Ball	Net 30 days		

Item #	Description	Qty	Unit Price	Total Price
Equipment	30' x 30' x 10' 4 Post HIP Canopy	1	16,549.00	16,549.00
Equipment	25' x 25' x 10' 4 POST HIP Canopy	1	11,765.00	11,765.00
Install	Installation of both shades listed on quote. Includes prevailing wage.	1	48,620.00	48,620.00

1. Please send one copy of your invoice.

2. Enter this order in accordance with the prices, terms, delivery method, and specifications listed above.

3.Please notify us immediately if you are unable to ship as specified.

 $\hbox{4.Send all correspondence to: The Academies CMO, PO Box $1189$, Visalia, CA, $93279 } \\$ 

Phone (559) 622-3236 Fax (559) 622-3237 Email office@theacademiescharters.org

Subtotal	\$ 76,934.00
Shipping & handling	\$ -
Other	\$ -
Sales tax	\$ 2,406.70
Total	\$ 79,340.70

Authorized by	(Superintendent)	Date	1/28/21
Authorized by	(2nd signature required for PO's \$7500 and over.)	Date	1/28/21

PO BOX 263 ALAMO, CA 94507 **Phone** (800) 879-7730 **Fax** (510) 893-2163

Email info@miracleplaygroup.com CSL# 981433 (Exp Date 03/2021)

**DIR#** 1000015853



Job: P21 0010 Sycamore End User To: Bill To: The Academies -Sub Total \$76,934.00 Valley Academy - Shade The Academies - Charter Charter Management Freight \$0.00 Name: Management Organization Organization Tax \$2,406.70 P21 0010 Sycamore Visalia, CA P.O. BOX 1189 Total \$79,340.70 Valley Academy - Shade Visalia, CA 93279 Number: 00008617 End User Email: Bill To Email: Terms: 50% Deposit Delivery Contact: Customer PO: Delivery Phone: Customer Project #: Delivery Address: Visalia CA Site Address: Item Type Qty Rate Total 30' x 30' x 10' 4 Post HIP Canopy Equipment 1 \$16,549.00 \$16,549.00 25' x 25' x 10' 4 POST HIP Canopy; Equipment 1 \$11,765.00 \$11,765.00 Installation of both shades listed on Install 1 \$48,620.00 \$48,620.00 quote. Includes prevailing wage. Prices exclude: Architectural drawings,

Submittal fees The school district is responsible for additional fees

Prices include: Pre-approved engineering drawings. California Fire

site/plot plan Shop welding inspection fees On-site inspection fees. DSA

Marshal Fabric and Footing rebar cages Freight (CA Only)

Sub Total \$76,934.00 Total Freight \$0.00 Total Tax \$2,406.70 Grand Total \$79,340.70

Company: _	
Signature:	
Name:	
Date:	

#### INDEMNITY

Client/Owner shall defend, indemnify and hold harmless Miracle Playsystems, Inc., its officers, directors, board of trustees, agents, or employees and each of them, from any and all claims, demands, causes of action in law or in equity, damages, penalties, costs, expenses, reasonable attorneys' fees, reasonable experts' fees, reasonable consultants' fees, judgments, losses or liabilities, of every kind and nature whatsoever arising out of or in any way connected with or incidental to, the performance of the services under this Agreement or any of the obligations contained in this Agreement ("Claims"). Without limitation, "damages" include personal injury, including, but not limited to bodily injury, emotional injury, sickness or disease, or death to persons, including, but not limited to, any employees or agents of Miracle Playsystems, Inc., or any other person; or other damages of any kind to anyone including, without limitation, economic loss, property damage and loss of use thereof. It is expressly acknowledged and agreed that each of the foregoing indemnities is independent, that each shall be given effect, and that each shall apply despite any acts or omissions, misconduct or negligent conduct, whether active or passive, on the part of, or other contractor(s); provided, however, Miracle Playsystems, Inc. duty to indemnify shall be limited to the percentage or the degree Miracle Playsystems, Inc. comparative negligence caused any damages.

#### STANDARD NOTES

- Price quotation is good for 90 days. Accurate color selections must be made in writing prior to equipment going into production. Colors to be confirmed
  with your local sales representative.
- PLEASE MAKE PURCHASE ORDER TO MIRACLE PLAYSYSTEMS, INC at PO Box 263 Alamo, CA 94507
- PLEASE REMIT CHECKS TO: MIRACLE PLAYSYSTEMS INC., 1276 S MAIN ST, SALINAS, CA 93901
- Please email/fax quotation with your signature to accept this quote and place order. Fax 510-893-2163 or email Info@MiraclePlayGroup.com
- Unless otherwise specified, Miracle Playsystems, Inc DOES NOT include the following in this proposal:
  - Engineered drawings
  - Installation of equipment or other site amenities
  - · Specialty trades, equipment, power supply required to install equipment
- Any insurance requiring in excess of \$1M/\$2M per occurrence, special insurance coverage or wording, Prevailing/Certified wage rates, local permitting, bid/performance bonds, temp fencing, geo tech surveys, playground safety inspection, equipment offload, and testing services.
- · Inspect equipment upon delivery. Color discrepancy must be reported at time of delivery. Installation constitutes acceptance of colors.
- · Warranty does not cover labor for reinstallation.

#### **TERMS & CONDITIONS**

- Purchase contract terms & conditions of sale: The client/customer's acceptance and understanding of these terms & conditions and all other supporting
  documentation provided as part of this package is evidenced by signing of this estimate/quote.
- Payment terms: Standard terms (on approved credit), unless otherwise noted are 50% with order and balance to ship equipment (no retention). Should
  any changes be required to the products after order is placed, modifications or changes will be at client/customers expense. Miracle Playsystems, Inc
  maintains a no return policy and asks all clients to determine feature, layout and color selection prior to ordering. Should any order be cancelled after
  production has started a 30% restocking fee will be charged to client. Credit card convenience fee is 3.5% which will be added to all credit card charges.
   Lead times: Estimated lead times for the time the order is released into production until it is delivered will vary and are as follows:
- 5-8 weeks for standard (non-custom) play features for US based manufacturers
- 12-20 weeks standard play features (non-custom) from European & Canadian manufacturers. Expedited Air Freight is available for additional cost (calculated on case by case basis) \*\*
- \*\* Lead times may be extended due to COVID-19 related supply chain delays.
- Custom play feature lead times are determined on a case by case basis.

#### **CONSTRUCTION SERVICES (if applicable)**

Unless otherwise noted, we exclude responsibility for material delivery & offloading equipment, removal & disposal of packaging accumulated by equipment packaging, project security, landscape & hardscape repair based on access route to site, delays or returns due to layout conflicts or delay of other trades, removal of spoils from job site, locating underground: utilities, pipes, obstructions in work area, conditions unforeseen and/or not disclosed at time of estimate, permits, engineering, material testing, soil samples, CPSI. Conditions: Grades; stable, compacted & workable with 95% compaction and less than 1% grade, adequate access to site for labor, materials, tools and equipment. Estimate good for 90 days from quote or Dec. 31 of current calendar year, whichever comes first. Terms: Upon completion.

#### **GENERAL TERMS**

- THIS QUOTE IS LIMITED TO AND GOVERNED BY THE TERMS CONTAINED HEREIN: Miracle Playsystems, Inc. objects to any other terms proposed by client, in writing or otherwise, as material alterations, and all such proposed terms shall be void. Client authorizes Miracle Playsystems, Inc. to ship equipment and agrees to pay the total specified. Shipping terms are FOB the place of shipment via common carrier.
- Client and owner/operator agree to indemnify and hold Miracle Playsystems, Inc. harmless from and against all liabilities, losses, penalties, damages and
  expenses, including costs and attorney fees, resulting from any and all claims, liens, damages, actions, suits, judgments or settlements, injuries arising or
  alleged to arise out of their failure, or failure of architect, contractors, subcontractors, installers, employees, agents and assigns to assemble, install, inspect
  and/or maintain the play equipment and impact absorbing surfacing in full compliance with each manufacturers installation instructions and safety
  requirements and their misuse and/or alteration of the play equipment.

Company: .	
Signature:	
Name:	
Date:	





NEW GUIDANCE (January 2021)	PREVIOUS GUIDANCE		
SCHOOL REOPENING PROCESS:			
<ul> <li>Schools in a local health jurisdiction in a Tier other than Purple under the Blueprint for a Safer Economy Framework can reopen 5 days after the LEA completes and post the CSP publicly on its website homepage.</li> <li>Elementary Schools: Grades K-6 may reopen when local health jurisdiction is in Purple Tier only if:         <ul> <li>the case rate is below 25/100,000 (CR&lt;25); and</li> <li>CSP posted publicly and submitted concurrently to LHD and State Safe Schools for All Team and a 7 day review period has passed without any feedback from reviewers.</li> <li>(for more details: pg 9-12)</li> </ul> </li> </ul>	<ul> <li>Schools can reopen when their local health jurisdiction has been in the Red Tier (or below) under the Blueprint for a Safer Economy for at least two weeks.</li> <li>Elementary Schools located within local health jurisdiction that were in the Purple Tier could apply for a waiver from the local health officer (LHO) to open an grades K-6 for in-person learning. (CDPH 7/17/20, pg 1)</li> </ul>		
COVID-19 SAFETY PLAN (CSP):			
All schools must complete and post to their website homepages a COVID-19 Safety Plan prior to reopening for in-person instruction. The CSP consists of two parts: 1) the Cal/OSHA COVID-19 Prevention Program (CPP) and 2) the COVID-19 School Guidance Checklist. (pg 10)	COVID-19 School Site-Specific Protection Plan (SSPP)		
SYMPTOM AND EXPOSURE SCREENING:			
<ul> <li>Implement symptom and exposure screening for all staff and students at home each day before leaving for school. (pg 27)</li> <li>Schools do not need to monitor compliance with home screening. (pg 28)</li> </ul>	Implement health screenings of students and staff upon arrival at school ( <u>CA For All 8/3/2020</u> , pg 12)		





NEW GUIDANCE (January 2021)	PREVIOUS GUIDANCE
FACE COVE	RINGS:
Teach and reinforce use of face coverings, or in limited instances, <u>face</u> <u>shields with drapes</u> . ( <u>pg 16</u> )	Teach and reinforce use of face coverings, or in limited instances, face shields. ( <u>CA For All 8/3/2020</u> , pg 7)
CLASSROOM	SPACE:
Distance student chairs at least 6 feet from one another, except where not possible after good-faith effort. <i>Under no circumstance should distance between student chairs be less than 4 feet</i> (pg 21)	Consider ways to establish separation of students through other means if practicable, such as, six feet between desks, where practicable ( <u>CA For All 8/3/2020</u> , pg 12)
WHAT TO DO IF THERE IS A CONFIRMED	OR SUSPECTED CASE IN A SCHOOL:
<ul> <li>Close contact with a confirmed case:</li> <li>Exclude from school for 10 days from last exposure</li> <li>School community notification of a known case. No communication needed if exposure did not happen in school setting</li> <li>Confirmed case:</li> <li>Identify school contacts, inform the LHD of identified contacts, and exclude contacts (possibly the entire stable group) from school for 10 days after the last date the case was present at school while infectious.</li> <li>New: Notification of persons with potential exposure if case was present in school while infectious</li> <li>Symptomatic person tests negative or a healthcare provider has provided documentation that the symptoms are typical of their underlying chronic condition:</li> <li>May return to school after 24 hours have passed without fever and symptoms have started improving. (pg 31-32)</li> <li>New guidance outlines the collaboration between Local Health Departments and Schools in more detail (pg 33-37)</li> </ul>	<ul> <li>Close contact with a confirmed case:         <ul> <li>Quarantine for 14 days from last exposure</li> <li>School community notification of a known case</li> </ul> </li> <li>Confirmed case:         <ul> <li>Identify contacts, quarantine &amp; exclude exposed contacts (likely entire cohort) for 14 days after the last date the case was present at school while infectious.</li> </ul> </li> <li>Tests negative after symptoms:         <ul> <li>May return to school 3 days after symptoms resolve.</li> </ul> </li> <li>(CDPH 7/17/20, pg 3)</li> </ul>





NEW GUIDANCE (January 2021)	PREVIOUS GUIDANCE		
REPORTING POSITIVE CASES:			
<ul> <li>Effective immediately, every local educational agency and private school in California shall notify its local health officer of any known case of COVID19 among any student or employee who was present on a K-12 public or private school campus within the 10 days preceding a positive test for COVID-19. (pg 47)</li> <li>This information shall be reported to the local health officer by telephone within twenty-four hours from the time an individual within the local educational agency or private school is first made aware of a new case. (pg 47)</li> </ul>	Employers must notify the LHD in the jurisdiction where the workplace is located if there is a known or suspected outbreak in the workplace. (CDPH 9/18/2020)		
TESTING:			
<ul> <li>Any school currently open is subject to the minimum testing requirement standards established by Cal/OSHA. These standards include response testing for exposed cases and outbreak testing for everyone weekly until no longer considered an outbreak. Please refer to Cal/OSHA guidance for complete details. (pg 40)</li> <li>The state of California has put into place support for a testing cadence through supplemental testing supplies, shipment, laboratory capacity, enrollment and reporting technology, training, and assistance with insurance reimbursement. (pg 39)</li> </ul>	• School districts and schools shall test staff periodically, as testing capacity permits and as practicable. (CDPH 7/17/20, pg 2)		
OUTBREAKS:			
• Definition: 3 or more confirmed or probable cases of staff or students occurring within a 14-day period who are epidemiologically linked in the school, are from different households and are not contacts of each other in any other investigation cases (e.g., transmission likely occurred in the school setting) (pg 35)	Outbreak definition present at a CDPH web document did not explicitly name students. ( <u>CDPH 9/18/2020</u> )		



NEW GUIDANCE (January 2021)	PREVIOUS GUIDANCE	
SCHOOL CLOSURE DE	TERMINATIONS:	
<ul> <li>Within a 14-day period, an outbreak has occurred in 25% or more stable groups in the school.</li> <li>Within a 14-day period, at least three outbreaks have occurred in the school AND more than 5% of the school population is infected.</li> <li>The LHO may also determine school closure is warranted for other reasons, including results from public health investigation or other local epidemiological data. (pg 37)</li> </ul>	<ul> <li>Individual school closure may be appropriate when there are multiple cases in multiple cohorts at a school.</li> <li>At least 5 percent of the total number of teachers/students/staff are cases within a 14-day period, depending on the size and physical layout of the school.</li> <li>The Local Health Officer may also determine school closure is warranted for other reasons, including results from public health investigation or other local epidemiological data.</li> <li>(CDPH 7/17/20, pg 4)</li> </ul>	
CLEANING AND DISINFECTION:		
<ul> <li>Frequent disinfection, which was thought at the beginning of the pandemic to be a key safety component, can pose a health risk to children and students due to the chemicals used and has proven to have limited to no impact on COVID19 transmission. Disinfection with specified products () is recommended for schools after a case has been identified in the school, in the spaces where the case spent a large proportion of their time. (pg 15)</li> <li>Desks or chairs do not need daily cleaning if only used by one individual during the day (pg 26)</li> </ul>	<ul> <li>Staff should clean and disinfect frequently-touched surfaces at school and on school buses at least daily and, as practicable, these surfaces should be cleaned and disinfected frequently throughout the day by trained custodial staff. (CA For All 8/3/2020, pg 9)</li> <li>N/A</li> </ul>	
TRANSPORTATION:		
Maximize space between students and between students and the driver on school buses and open windows to the greatest extent practicable. Two windows on a bus should be opened fully at a minimum. (pg 21)	Maximize space between students and between students and the driver on school buses and open windows to the greatest extent practicable. ( <u>CA For All 8/3/2020</u> , pg 11)	



NEW GUIDANCE (January 2021)	PREVIOUS GUIDANCE		
BAND AND CHOIR PRACTICE:			
Outdoor singing and band practice are permitted, provided that precautions such as physical distancing and mask wearing are implemented to the maximum extent possible. (pg 23)	Activities where there is increased likelihood for transmission from contaminated exhaled droplets such as band and choir practice and performances are not permitted. ( <u>CA For All 8/3/2020</u> , pg 14)		
SCHOOL ATHLETIC ACTIVITIES:			
School athletic activities and sports should follow the <u>CDPH Outdoor</u> and Indoor Youth and Adult Recreational Guidance. (pg 23)	<ul> <li>Outdoor and indoor sporting events () and other activities that require close contact or that would promote congregating are not permitted at this time.</li> <li>Youth sports and physical education are permitted only when the following can be maintained: (1) physical distancing of at least six feet; and (2) a stable cohort, such as a class, that limits the risks of transmission () (<u>CA For All 8/3/2020</u>, pg 13-14)</li> </ul>		
PLAYGROUND EQUIPMENT:			
If used, outdoor playgrounds/natural play areas only need routine maintenance. () When hand hygiene is emphasized, cleaning of outdoor structures play is not required between cohorts. (pg 26)	Limit use and sharing of () playground equipment to the extent practicable. When shared use is allowed, clean and disinfect between uses. ( <u>CA For All 8/3/2020</u> , pg 10)		





NEW GUIDANCE (January 2021)	PREVIOUS GUIDANCE
REPORTING IN-PERSO	N INSTRUCTION:
<ul> <li>Beginning January 25, 2021, every local educational agency and private school in California shall notify the California Department of Public Health whether it is serving students in-person.</li> <li>This reporting shall continue every other Monday (or the Tuesday immediately following, if the Monday is a state holiday) until this directive is modified or rescinded. (pg 50)</li> </ul>	• N/A
VACCINAT	<u>rion:</u>
<ul> <li>CDPH strongly recommends that all persons eligible to receive COVID-19 vaccines receive them at the first opportunity. Currently, people under 16 are not eligible for the vaccine since trials for that group are still underway.</li> <li>Upcoming vaccine guidance document that will be available on the Safe Schools for All Hub. (pg 40)</li> </ul>	No mention of COVID-19 vaccination guidance.

COVID-19 and
Reopening In-Person
Instruction Framework
& Public Health
Guidance for K-12
Schools in California,
2020-2021 School Year

**January 14, 2021** 





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## **Overview**

The California Department of Public Health (CDPH) developed the following framework to support school communities as they decide when and how to implement in-person instruction for the 2020-2021 school year. This document is rooted in the <u>scientific evidence</u> available to date and supports twin goals: **safe** and **successful** in-person instruction.

Understanding and evidence about the transmission and epidemiology of SARS-CoV-2, the virus that causes COVID-19, has evolved significantly over the course of the pandemic. Schools throughout the state are now in various stages of instruction including fully distance learning, fully in-person learning, and hybrid instruction based on local conditions.

Key mitigation strategies, studied in multiple settings and used successfully in schools nationally and internationally, allow for safe in-person instruction. The thoughtful implementation of mitigation strategies, specific to school context, provides a careful and effective pathway forward as community transmission rates fluctuate.

Information about the latest science of COVID-19 transmissions, including evidence regarding the lower risk of transmission for elementary aged students compared to middle and high-school aged students, is available <a href="here">here</a> as an evidence summary. However, new evidence and data about COVID-19 transmission, including variations by age, and the effectiveness of disease control and mitigation strategies continues to emerge regularly.

Recommendations regarding in-person school reopening and closure should be based on the latest available evidence as well as state and local disease trends and we will update this guidance as needed to reflect new evidence.

This document is intended to provide an update to the COVID-19 and Reopening In-Person Learning Framework for K-12 Schools in California, 2020-2021 School Year (July 17, 2020) guidance. This document also provides a consolidation of content from other CDPH COVID-19 and school-related guidance and supersedes previous CDPH COVID-19 and Cal/OSHA school guidance.

#### **AUTHORITY**

This guidance is a public health directive that applies to all public and private schools operating in California. Under operative <u>executive orders</u> and provisions of the California Health and Safety Code, schools must comply with orders and guidance issued by the California Department of Public Health and relevant

local health departments (LHDs) to limit the spread of COVID-19 and protect public health.

Governmental and non-governmental entities at all levels have issued guidance and directives relating to the safe reopening of schools for in-person instruction. Schools may comply with guidance from other federal, state, local, and non-governmental sources, to the extent those guidelines are not weaker than or inconsistent with state and local public health directives.

This updated directive also incorporates two other public health directives issued January 14, 2021, related to: (1) reporting details of any positive case of a person who has been on campus to LHDs and (2) reporting to CDPH whether and to what degree all public and private schools have reopened to serve students in-person on campus. These directives are attached as Appendices 3 and 4.

#### SUMMARY OF CHANGES AND ADDITIONS

CDPH developed this comprehensive framework to support school communities as they determine how to implement in-person instruction for the remainder of the 2020-2021 school year.

This document is intended to consolidate and update prior state public health guidance and orders related to schools. Specifically, this document supersedes the following guidance, orders, and frequently asked questions:

- COVID-19 Industry Guidance: Schools and School-Based Programs (first published in May 2020; last updated August 3, 2020).
- The COVID-19 and Reopening In-Person Learning Framework for K-12 Schools in California, 2020-2021 School Year (July 17, 2020).
- The Elementary Education Waiver process and the associated School Waiver Letter and Cover Form and Local Health Officer Waiver Notice Form (all issued on August 3, 2020).
- CDPH Schools Frequently Asked Questions (first issued August 3, 2020; last updated October 20, 2020).

This update provides both K-12 schools and LHDs additional guidance for providing in-person instruction, including:

- 1. Criteria and processes for school reopenings under the <u>Blueprint for a Safer Economy</u> framework.
- 2. Considerations intended to help school community leaders plan for and prepare to resume in-person instruction including steps to take when a

- student or staff member is found to have COVID-19 symptoms during the school day and while participating in before and after school programs.
- 3. Response to confirmed COVID-19 infections when:
  - a. a case of COVID-19 is confirmed in a student or staff member; and
  - b. a cluster or outbreak of COVID-19 at a school is being investigated.
- 4. Physical distancing in classrooms.
- 5. Implementation of stable groups of students and staff.

This document does <u>not</u> modify or supersede the <u>Guidance Related to Cohorts</u> <u>for Children and Youth</u> (first issued on August 25, 2020; last updated September 4, 2020), which applies to groups of children and youth in controlled, supervised, and indoor environments. The Cohort Guidance continues to allow schools that are not permitted to reopen under state or local public health directives and schools (and any grades at schools) that have not yet reopened if permitted to do so to serve students in-person in small, stable cohorts, as specified in the Cohort Guidance.

#### **DEFINITIONS**

**Schools and Local Educational Agencies (LEAs):** As used throughout this document, refer to county offices of education or their equivalent, school districts, charter schools, and the governing authorities of private schools (including nonpublic nonsectarian schools).

**Transitional Kindergarten**: Means the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. As used throughout this document, "kindergarten" is inclusive of transitional kindergarten.

**Cohorts:** In this document, "cohorts" has a specific meaning, which are groups of students who are meeting for targeted supports and intervention services, under the direction of an LEA, while the school is closed to in-person instruction and in addition to distance learning. Sometimes these groups are also called "learning hubs" or "pods." Regardless of the name, all of the provisions in the <a href="Cohorting Guidance">Cohorting Guidance</a> must be followed for such cohorts to meet, whether they are operated by LEAs, non-profits, or other providers, as a maximum of 16 individuals (students and staff). In this document, "cohort" does not refer to the more general "stable groups" that are described in the Stable Group Guidance section below.

#### Reopen for in-person instruction:

What does it mean to be "open" or "reopened"? The term "open" or "reopen" refers to operations for at least one grade at the school that are permitted only

if the county satisfies the eligibility requirements for schools to "open" or "reopen." Specifically, the school must have given all students in at least one grade the option to return for in-person instruction for at least part of the school-week to be considered to "open" or "reopen." This includes a school that has offered all students in at least one grade the option of receiving in-person instruction for only certain days during the week (commonly referred to as a "hybrid" model). Schools that were operating only in the manner permitted under the Cohorting Guidance are therefore not "open" or "reopened."

In addition, if only some students were being served in-person in a school in a county in the Red Tier or lower (e.g., only students with disabilities) and all students in at least one grade did **not** have the option to return in-person as described above, the school has not "opened" or "reopened." In such circumstances, if the school is located in a county that shifts to the Purple Tier, the school may continue serving the students in-person as it did while in the Red Tier, but it may <u>not</u> bring additional students back for in-person instruction and services, unless it adheres to the Cohort Guidance for the students newly brought back in-person.

Is a school "reopened" if it was previously permitted to reopen but became ineligible to reopen before actually reopening? No. Schools must have actually reopened for in-person instruction (using the definition above) while the county was in the Red Tier in order to remain open if the county moves back to Purple Tier. If the county is in the Purple Tier on the day the school plans to reopen for in-person instruction, the school must wait until it is eligible again.

If a school was implementing a phased reopening (e.g., only opened grades 9-10 for in-person instruction with set plans to phase in grades 11 and 12) while the county was in the Red Tier, the <u>school site</u> may continue their phased reopening if the county reverts back to the Purple Tier, if authorized by local health officer (LHO). This is only applicable to individual school sites. If a school district has a phased reopening of their schools, the schools in that district that did not open for in-person instruction may not re-open until the county meets the reopening criteria.

This also applies to schools subject to the updated Elementary Reopening Process (see below) applicable to the Purple Tier. Even if the school previously received a waiver under the former Elementary Education Waiver Process or meets the conditions to reopen under the updated Elementary Reopening Process, if it has not yet reopened and the county case rate (CR) exceeds the criteria described below, the school must delay reopening until the county case rate drops below the threshold.

# In-Person School Reopening

The two subsections below describe the requirements for all schools, including those that have already reopened and those that have not. The Blueprint for a Safer Economy continues to inform the school reopening process. The Blueprint for a Safer Economy is based on Tiers, defined using the CR, the 7-day average of daily COVID-19 cases per 100,000 population, and the test positivity in a county. This Schools Framework uses the adjusted case rate, as described in the Blueprint.

Under this updated guidance, all schools must complete and post to their website homepages a COVID-19 Safety Plan (CSP), described below in COVID-19 Safety Plan for In-person Instruction section (page 10) prior to reopening for in-person instruction. Schools that have already reopened are required to post their CSPs by February 1, 2021. The CSP is intended to consolidate requirements to develop written plans pursuant to CDPH guidance first issued in May 2020 and the Cal/OSHA Emergency Temporary Standards finalized in November 2020.

Of note, the Cal/OSHA Emergency Temporary Standards require a written plan called the Cal/OSHA COVID-19 Prevention Program (CPP) (see the COVID-19 Safety Plan for In-person Instruction for more information); therefore, schools are expected to have already created this written plan. In order to align with Cal/OSHA standards and minimize burden to schools, the CPP for the school is the first component of the CSP.

As described below, under the updated Elementary Reopening Process, schools must also submit a copy of the CSP to the LHD and the State Safe Schools for All Team before they reopen elementary schools if they are operating within a jurisdiction or county that is in the Purple Tier.

# REQUIREMENTS FOR SCHOOLS THAT HAVE ALREADY REOPENED

The COVID-19 and Reopening In-Person Learning Framework for K-12 Schools in California, 2020-2021 School Year (July 17, 2020 Framework) permitted schools to reopen for in-person instruction at all grades if they are located in counties in the Red, Orange, or Yellow Tiers under the Blueprint for a Safer Economy. Operations for schools that are already open must adhere to the School Reopening Guidance section below.

Schools that have already reopened for in-person instruction must, by February 1, 2021, complete and post a COVID-19 Safety Plan (CSP) to their website homepage or, in the case of schools that do not maintain websites, in another

publicly accessible manner, to continue operating in-person instruction, as described in the Covid-19 Safety Plan for In-Person Instruction section.

Schools that have reopened are not required to close if the county moves to the Purple Tier or goes over a CR of 25 per 100,000 population. See School Closure Determinations below for more information.

#### CRITERIA TO REOPEN FOR IN-PERSON INSTRUCTION

**Red, Orange, and Yellow Tiers.** Consistent with the July 17 Framework, schools may reopen at all grades if they are located in counties in the Red, Orange or Yellow Tiers under the Blueprint for a Safer Economy. Operations once reopened must adhere to the updated Sector Guidance for School and School-Based Program reflected in this document (see below). Schools that reopen under this paragraph must complete and post a CSP to their website homepage before reopening for in-person instruction, as described in the CSP Posting and Submission Requirements for In-Person Instruction section.

**Purple Tier.** Schools may not reopen for grades 7-12 if the county is in Purple Tier. Subject to the limitation in the bullet immediately below, schools serving grades K-6 may reopen for in-person instruction in the Purple Tier, including during a State of California Regional Stay at Home Order, if they complete and post a CSP to their website homepage and submit the CSP to their local health officer (LHO) and the State Safe Schools for All Team and there are no identified deficiencies, as described in the Covid-19 Safety Plan (CSP) Posting and Submission Requirements for In-Person Instruction section below.

• K-6 schools in counties in Purple Tier with CR>25: Schools serving students in grades K-6 may not reopen for in-person instruction in counties with adjusted CR above 25 cases per 100,000 population per day. They may post and submit a CSP, but they are not permitted to resume in-person instruction until the adjusted CR has been less than 25 per 100,000 population per day for at least 5 consecutive days. This case rate reflects recommendations from the Harvard Global Health Institute analysis of safe school reopening policy. Please find additional information on how the adjusted CR is calculated <u>here</u>. Recognizing that re-opening for in-person instruction takes time to routinize and improve safety, and that some schools may have already been conducting in-person learning successfully and had time to optimize all their policies and procedures to support minimal disease transmission on-site and detect new cases, schools who have already opened, as defined above, with minimal or no in-school transmission, may remain open and may consider increasina testing per CDPH supported testing framework.

These new criteria and the requirements below replace the Elementary Education Waiver (issued August 3) that allowed LHOs to grant a waiver to school applicants for grades K-6 if specific criteria were satisfied. All waivers approved prior to this date remain valid.

# COVID-19 SAFETY PLAN (CSP) FOR IN-PERSON INSTRUCTION

The COVID-19 Safety plan (CSP) consists of two parts: (1) the Cal/OSHA COVID-19 Prevention Program (CPP) and (2) the COVID-19 School Guidance Checklist.

## Cal/OSHA Prevention Program (CPP)

On December 1, 2020, Cal/OSHA's Emergency Temporary Standards requiring employers to protect workers from hazards related to COVID-19 went into effect. The regulations require that employers, including schools, establish and implement a written CPP to address COVID-19 health hazards, correct unsafe or unhealthy conditions, and provide face coverings. Employers can also create a written CPP by incorporating elements of this program into their existing Injury and Illness Prevention Program (IIPP), if desired. Cal/OSHA has posted FAQs and a one-page fact sheet on the regulation, as well as a model COVID-19 prevention program.

- Cal/OSHA <u>Frequently Asked Questions</u>
- Cal/OSHA <u>Fact Sheet</u>
- Cal/OSHA Prevention Program Template Example

#### **COVID-19 School Guidance Checklist**

In addition to the CPP, a COVID-19 School Guidance Checklist must be included and be posted online and submitted as outlined below.

# COVID-19 SAFETY PLAN (CSP) POSTING AND SUBMISSION REQUIREMENTS FOR IN-PERSON INSTRUCTION

The Tiers from the Blueprint for a Safer Economy Framework inform the process needed for submission of CSPs for maintaining and/or resuming in-person instruction as described below and in Table 1.

Yellow (Tier 4/Minimal), Orange (Tier 3/Moderate), and Red (Tier 2/Substantial):

- For schools that have already reopened and are located in a county that is in the Yellow, Orange, or Red Tier, the LEA must post the CSP publicly on its website homepage by February 1, 2021.
- For those schools that have not reopened, and the county has been in the Purple Tier, the county must be in the Red Tier for 5 consecutive days before the school may reopen.
- For schools that have not reopened, the LEA must complete and post the CSP publicly on its website homepage at least 5 days prior to providing inperson instruction.
- While developing and prior to posting a CSP, it is strongly recommended that the LEA (or equivalent) consult with labor, parent, and community organizations. Examples of community organizations include school-based non-profit organizations and local organizations that support student enrichment, recreation, after-school programs, health services, early childhood services, or provide family support.

#### Purple (Tier 1/Widespread):

- For schools that have already reopened and are located in a county or LHD that is in the Purple Tier, the LEA must post the CSP publicly on its website homepage by February 1, 2021.
- Schools serving grades K-6 not already open, may reopen for in-person instruction if the LEA completes and posts a CSP to its website homepage and submits the CSP to their LHD and the State Safe Schools for All Team and does not receive notification of a finding that the CSP is deficient within 7 business days of submission. Under these circumstances, schools serving grades K-6 may only reopen for their K-6 grade students, even if their school serves non-K-6 grade students (e.g., a 6-8 school).
  - While developing and prior to submitting a CSP, the LEA must consult with labor, parent, and community organizations. Examples of community organizations include school-based non-profit organizations and local organizations that support student enrichment, recreation, after-school programs, health services, early childhood services or provide family support.
  - The COVID-19 School Guidance Checklist requires that the LEA provide evidence of consultation with labor, parent, and community organizations.
    - The LEA must sign an attestation confirming the names and dates that the organizations were consulted. If school staff are not represented by a labor organization, then the applicant must describe the process by which it consulted with school staff.

- The LEA must confirm publication of the CSP on the website of the LEA.
- The LEA must submit the CSP on behalf of all schools within their direct administrative authority, with site-specific precautions noted within the CSP to address considerations unique to specific school sites, as applicable. For example, a school district must submit a consolidated CSP for every school under its direct administrative authority, and must outline site-specific precautions insofar as there are features unique to the site that raise greater risks of COVID-19 transmission.
- o If a group of private, faith-based, or charter schools within a single county are subject to the same governing authority (e.g., an archdiocese, charter management organization, etc.), the governing authority may submit the CSP on behalf of those schools, but must address site-specific considerations consistent with the bullet above. Otherwise, independent, private, faith-based, or charter schools that are affiliated with a broader network should post and submit the CSP for each school.
- LHDs and the State Safe Schools for All Team have 7 business days to provide feedback to the LEA regarding deficiencies in the CSP.
- The school may reopen on the eighth business day after submitting the CSP if the LHD and/or State Safe Schools for All Team do not provide notification that the CSP is unsafe within 7 business days of submission.
- o If the LHD and/or State Safe Schools for All Team identify any deficiencies during the 7-business-day review period, the LEA will receive feedback on what they need to improve in order to be able to reopen for in-person instruction.
- After the LEA responds to feedback and re-submits the plan, the entity that identified the deficiency will have 7 business days to review revisions.
- If the LHD has noted a deficiency in a submitted CSP and has required a response prior to opening for in-person instruction, the LHD must notify the State Safe Schools for All Team.
- The school may reopen on eighth business day after submitting the revisions if the LHD and the State Safe Schools for All Team do not provide additional feedback.
- As noted above, schools serving grades K-6 may not reopen for in-person instruction in jurisdictions with CR above 25 cases per 100,000 population per day.

Table 1. School reopening actions for in-person instruction, by Tier			
Yellow	Orange	Red	Purple
CR <1.0* TP<2%	CR 1-3.9* TP 2-4.9%	CR 4-7* TP 5-8%	CR>7* TP >8%
- CSP posted publicly for K-12 <sup>th</sup> grades 5 days prior to in-person instruction.	- CSP posted publicly for K-12 <sup>th</sup> grades 5 days prior to in-person instruction.	- CSP posted publicly for K-12 <sup>th</sup> grades 5 days prior to in-person instruction Must be in Red 5 days prior to reopening.	- Already reopened: CSP posted publicly by 02/01/21.  Not previously open: - CSP posted publicly for K-6, and submitted concurrently to LHD and State Safe Schools for All Team 7 business days for review 7 <sup>th</sup> -12 <sup>th</sup> grade reopening not permitted if CR>7* K-6 <sup>th</sup> grade reopening not permitted if CR>25*, though CSP can be posted and submitted for review Note: Targeted in-person instruction may be offered pursuant to the Cohorting Guidance.

<sup>\*</sup>Adjusted case rate.

While not required, LEAs are strongly encouraged to post on their website, along with the CSP, the detailed plans describing how they will meet the requirements outlined in the CSP elements. This can provide transparency to school community members making decisions about participation in in-person learning.

The email address for submission of the CSP to the State Safe Schools for All Team is: <u>K12csp@cdph.ca.gov</u>.

## **Cohorting Guidance for Specialized Services**

This updated guidance does not modify or supersede the applicability of the <u>Cohorting Guidance</u> to school settings. More information regarding the minimum health and safety guidelines that must be followed to provide inperson services and supervision to children and youth in cohorts is set forth in the Cohorting Guidance, which applies across multiple sectors serving youth, including childcare and schools that are not reopened for in-person instruction.

The stable groups described in the Cohorting Guidance, and described below in the Stable Group Guidance decreases opportunities for exposure to or transmission of the virus; reduces the numbers of exposed individuals if COVID-19

is introduced into the cohort; facilitates more efficient contact tracing in the event of a positive case; and allows for targeted testing and quarantine of a single cohort instead of potential schoolwide closures in the event of a positive case or cluster of cases.

The Cohorting Guidance provides a way for schools not yet permitted to reopen under state and local public health directives or that have not yet reopened even though permitted to reopen to provide in-person supervision, instruction, targeted support services, and facilitation of distance learning for some students, especially high-need student groups and students who may not be able to benefit fully from distance learning offerings.

Existing state law requires public schools to provide in-person instruction to the greatest extent possible (Education Code section 45304(b)). State law further requires that distance learning ensure access to connectivity and devices that allow students to participate in the educational program and complete assigned work. In addition, state law requires that students with disabilities and English learners receive educational and related services to which they are entitled under the law, among other requirements (Education Code section 45303(b) (1), (4) & (5)). The Cohorting Guidance therefore provides an important avenue for schools that have not yet reopened under this guidance to provide supervision, instruction and support to small cohorts of students to ensure students receive necessary services even while students are generally participating in distance learning.

## ADDITIONAL REOPENING CONSIDERATIONS

**Availability of Distance Learning for Students Who Request It.** Schools should continue to offer distance learning for students who request it.

**Thoughtful, Phased Implementation.** K-12 school sites should employ a phased-in model as a part of their reopening plan. Phased reopening plans for in-person instruction may include, but are not limited to:

- Shifting from a full distance learning model to hybrid.
- Gradually allowing for specified grades and/or a percentage of each grade to resume in-person learning, beginning with the youngest and most disproportionately impacted students.
- Allowing for a gradual number of students, at a specified capacity, per grade or school site.

If a school with a phased-in model has opened for in-person instruction, and the county changes to the Purple Tier or to a CR>25, the school may continue the phased reopening.

**Staff Access to Campus if Not Reopened for In-Person Instruction.** Teachers, school and support staff, and administrators may return to work physically without students on site while counties are not open for in-person instruction, provided that those on site follow the school's COVID-19 Safety Plan consistent with Cal/OSHA regulations.

**Boarding Schools.** Residential components of boarding schools are to remain closed (with the exception of residential components of boarding schools that are currently operating with the permission of local health authorities, and those serving wards or dependents of the juvenile courts) regardless of the Tier status of their county until further guidance is issued. The non-residential components of boarding schools (e.g., in-person instruction for day students) are governed by the same guidelines as other K-12 schools.

# **School Reopening Guidance**

All guidance, as schools plan and prepare to resume in-person instruction, should be implemented as outlined in the In-Person School Reopening section, including the development of a CSP.

## LAYERS OF SAFETY: INFECTION MITIGATION STRATEGIES

A key goal for safe schools is to reduce or eliminate in-school transmission. A helpful conceptual framing as schools plan for and implement safety measures for in-person instruction, is the layering of mitigation strategies. Each strategy (face coverings, stable groups, distancing, etc.) decreases the risk of in-school transmission; but no one layer is 100% effective. It is the combination of layers that are most effective and have been shown to decrease transmissions.

As schools plan for reopening for in-person instruction and as they continue to work on operations once open, it may be helpful to understand the mitigation strategies with stronger evidence supporting their use. We have ordered the list below such that the interventions known at this time to be more effective in reducing the risk of transmission appear before the ones that are helpful but may have a potentially smaller effect or have less evidence of efficacy. Of note, though scientific comparative assessments are limited, the top three items are likely of similar importance:

- 1. Face coverings.
- Stable groups.
- 3. Physical distancing.
- 4. Adequate ventilation.
- 5. Hand hygiene.

- 6. Symptom and close contact exposure screening, with exclusion from school for staff or students with symptoms or with confirmed close contact.
- 7. Surveillance or screening testing.

Frequent disinfection, which was thought at the beginning of the pandemic to be a key safety component, can pose a health risk to children and students due to the chemicals used and has proven to have limited to no impact on COVID-19 transmission. Disinfection with specified products (see Cleaning and <u>Disinfection section</u>), is recommended for schools after a case has been identified in the school, in the spaces where the case spent a large proportion of their time (e.g., classroom, or administrator's office if an administrator). Please see Cleaning and Disinfection section for additional details.

Of note, adults (>18 years old) appear to be more infectious overall than children, making staff-to-staff transmission an important focus for safety efforts. A specific situation that has resulted in exposure and transmission among staff in multiple schools is eating and drinking indoors without being physically distant (for instance, in break rooms or common areas). Specific messaging and support to staff to prevent this scenario are strongly recommended.

The following sections outline specific actions school sites should take to keep students and staff safe.

#### **GENERAL MEASURES**

Establish and continue communication with local and state authorities to determine current disease levels and control measures in your community. For example:

- Consult with your LHO, or designated public health staff, who are best
  positioned to monitor and provide advice on local conditions. A directory
  can be found <a href="here">here</a>.
- Collaborate with other schools and school partners in your region, including the county office of education.
- Access State Technical Assistance resources available for schools and for LHDs to support safe and successful in-person instruction, available on the <u>Safe Schools for All Hub</u>.
- Regularly review updated guidance from state agencies, including <u>CDPH</u> and <u>California Department of Education</u>.

Per Cal/OSHA requirements noted above, establish a written CPP at every facility, perform a comprehensive risk assessment of all work areas and work tasks, and designate a person at each school to implement the plan.

#### **FACE COVERINGS**

Face coverings must be used in accordance with <u>CDPH guidelines</u> unless a person is exempt as explained in the guidelines.

- Information contained in the <u>CDPH Guidance for the Use of Face</u>
   <u>Coverings</u> should be provided to staff and families of students. The face
   covering guidance applies to all settings, including schools. The guidance
   discusses the circumstances in which face coverings must be worn and
   the exemptions, as well as any policies, work rules, and practices
   employers have adopted to ensure the use of face coverings.
- Teach and reinforce use of <u>face coverings</u>, or in limited instances, <u>face shields with drapes.</u>
- Students and staff should be frequently reminded not to touch the face covering and to wash their hands frequently.
- Information should be provided to all staff and families in the school community on proper use, removal, and washing of cloth face coverings.
- Training should also include policies on how people who are exempted from wearing a face covering will be addressed.
- Students in all grade levels K-12 are required to wear face coverings at all times, while at school, unless <u>exempted</u>.
  - A cloth face covering or face shield should be removed for meals, snacks, naptime, or when it needs to be replaced. When a cloth face covering is temporarily removed, it should be placed in a clean, safe area, clearly marked with the student's name and date, until it needs to be put on again.
- Participants in youth and adult sports should wear face coverings when
  participating in the activity, even with heavy exertion as tolerated, both
  indoors and outdoors.
- The face covering guidance recognizes that there are some people who cannot wear a face covering for a number of different reasons. People are exempted from the requirement if they are under age 2, have a medical or mental health condition or disability that would impede them from properly wearing or handling a face covering, those with a communication disability, or when it would inhibit communication with a person who is hearing impaired. Those with communication disabilities or caregivers of those with communication disabilities can consider wearing a clear mask or cloth mask with a clear panel when appropriate.
- Persons exempted from wearing a face covering due to a medical condition, as confirmed by school district health team and therapists, must wear a non-restrictive alternative, such as a face shield with a drape on the bottom edge, as long as their condition permits it.

- Schools must develop protocols to provide a face covering to students who inadvertently fail to bring a face covering to school to prevent unnecessary exclusions.
- Schools should offer alternative educational opportunities for students who are excluded from campus because they will not wear a face covering.
- In order to comply with this guidance, schools must exclude students from campus if they are not exempt from wearing a face covering under <u>CDPH guidelines</u> and refuse to wear one provided by the school.
- Employers must provide and ensure staff use face coverings and all other required personal protective equipment in accordance with CDPH guidelines.
- The California Governor's Office of Emergency Services (CalOES) and CDPH are and will be working to support procurement and distribution of face coverings and needed personal protective equipment to schools.
   Additional information can be found here.
- The Department of General Services negotiated statewide master contracts, which LEAs may leverage to reduce costs and secure supply chains. Additional information can be found <a href="here">here</a>.
- Face covering policies apply on school buses and any vehicle affiliated with the LEA used to transport students, staff, or teachers to and/or from a school site.
- Classrooms, school buses, and shared school office spaces used by persons who cannot tolerate face coverings are less safe for others who share that environment. Schools may want to consider notifying others who share spaces with unmasked or sub-optimally masked individuals about the environment. Also consider employing several additional mitigation strategies (or fortifying existing mitigation strategies) to optimize safety. These may include increasing the frequency of asymptomatic tests offered to unmasked or sub-optimally masked individuals, employing longer social distances, installing clear physical barriers, reducing duration of time in shared environments, and opting for either outdoor or highly-ventilated indoor educational spaces, as possible.

#### Staff

- All staff must use face coverings in accordance with <u>CDPH guidelines</u> unless Cal/OSHA standards require respiratory protection.
- For staff who come into routine contact with others, CDPH recommends the use of disposable 3-ply surgical masks, which are more effective than cloth face coverings.

- In limited situations where a face covering cannot be used for pedagogical or developmental reasons, (e.g., communicating or assisting young children or those with special needs) a face shield with a drape (per <u>CDPH guidelines</u>) can be used instead of a face covering while in the classroom as long as the wearer maintains physical distance from others. Staff must return to wearing a face covering outside of the classroom.
- Workers or other persons handling or serving food must use gloves in addition to face coverings.
- Employers should consider where disposable glove use may be helpful to supplement frequent handwashing or use of hand sanitizer; examples are for workers who are screening others for symptoms or handling commonly touched items.

# STABLE GROUP GUIDANCE CONSIDERATIONS BY GRADE LEVEL

Stable groups provide a key mitigation layer in schools. A stable group is a group with fixed membership that stays together without mixing with any other groups for any activities.

Guidance from other agencies, including the federal Centers for Disease Control and Prevention (CDC), sometimes refers to them as "cohorts" or "pods."

Implementing stable groups of students and staff reduces the numbers of exposed individuals if COVID-19 is introduced into the group, decreases opportunities for exposure to or transmission of the virus; facilitates more efficient contact tracing in the event of a positive case; and allows for targeted testing and quarantine of a small group instead of potential schoolwide closures in the event of a positive case or cluster of cases.

#### How can an elementary school create stable groups?

• Students can be placed into stable groups that stay together all day with their core teacher (and any aide or student teacher who is present). If there are counselors or teachers of electives, they should ideally be assigned to only one group or conduct their classes / counseling virtually.

<sup>&</sup>lt;sup>1</sup> The CDC's use of the term is different from the use of "cohort" within California's guidance. "Cohort" is specifically defined in the Cohort Guidance as a group no larger than 16 individuals. To avoid any confusion, this guidance uses "stable group" instead of "cohort" for this concept.

- Students should eat lunch and go to recess with their group at times that are staggered and separated from other groups.
- There are different approaches to organizing stable groups. Students can be divided into smaller groups that attend school in person on a rotating schedule. Here are a few examples:
  - A group of students comes to school for in-person instruction on Monday and Tuesday. Another attends on Thursday and Friday.
  - o On the alternating days, they learn remotely.
  - Some LEAs or schools have students attend school in-person during alternating weeks.
  - Other LEAs or schools have one group of students attend school in person in the morning and another group attend school in person in the afternoon.

These approaches create even smaller groups that stay together and do not mix with one another. Electives or counseling can be conducted virtually to limit the number of staff in direct contact with any given stable group.

#### How can a middle or high schools school create stable groups?

- Students can be placed into groups that remain together all day during
  in-person instruction. Middle or high school groups are often larger than
  elementary school groups. Because middle and high school curricula
  differ from elementary school curricula, teachers are not usually assigned
  to one stable group of students, creating an opportunity for mixing across
  stable groups or students. The following guidance provides examples of
  approaches to minimizing crossover of staff across stable groups of
  students.
- The CDC guidance notes that schools may keep a single group together in one classroom and have educators rotate between groups, or have smaller groups move together in staggered passing schedules to other rooms they need to use (e.g., science labs) without allowing students or staff to mix with others from distinctive groups.
- Teachers and supports staff from different content areas can work in teams that share students, preferably in a dedicated space, separate from others. For example: math, science, English, and history teachers might work as a team with a set group of students they share.
- When combined with block schedules that reduce the number of courses students take in any one day, the number of educators and students who interact can be minimized further.
- It is also possible to keep students in one stable group that stays together with one or two instructors who teach them directly part of the day and

- support their instruction from others who teach them virtually during other parts of the day.
- Electives can be offered virtually or organized so that no group of students takes more than one elective in a term and the elective teachers do not work with more than one or two groups.
- Stable groups could switch schedules or even membership after a break at the quarter, trimester, or semester in ways that support students being able to take additional classes without substantial group mixing.
- The school year can be divided into even smaller time units 4 to 8 weeks for example in which students study one or two subjects intensively, completing all of the work they might normally have completed in a semester or a year. They stay in stable groups with only 1 or 2 teachers during this time. At the end of unit, they switch schedules and groups to take 1 or 2 other courses, and so on throughout the year.
- Additional examples of approaches to creating stable groups of students that limit the risk of transmission across large groups of students are available <a href="here">here</a>.

#### OTHER CONSIDERATIONS:

- Schedule for Access and Inclusion: The construction of stable groups can
  increase or decrease equity or segregation across the school campus, so
  consider how to support inclusion and access for all student populations
  as you organize students for learning.
- Schedules as Tools for Physical Distancing: To the extent possible, schools should think about how to reconfigure the use of bell schedules to streamline foot traffic and maintain practicable physical distancing during passing times and at the beginning and end of the school day. Create staggered passing times when students must move between rooms minimize congregated movement through hallways as much as is practicable.
- **Restructure Electives:** Elective teachers who move in and out of stable groups can become points of exposure for themselves and the students they work with. Some models have made elective teachers part of middle and high school stable groups, while others have used them only for remote instruction. Other options include ensuring elective teachers maintain longer distance from students (e.g., 12 feet).

# IMPLEMENTING DISTANCING INSIDE AND OUTSIDE THE CLASSROOM

# **Arrival and Departure**

- Maximize space between students and between students and the driver on school buses and open windows to the greatest extent practicable.
   Two windows on a bus should be opened fully at a minimum.
- Minimize contact at school between students, staff, families and the community at the beginning and end of the school day. Prioritize minimizing contact between adults at all times.
- Stagger arrival and drop off-times and locations as consistently as practicable to minimize scheduling challenges for families.
- Designate routes for entry and exit, using as many entrances as feasible.
   Put in place other protocols to limit direct contact between people as much as practicable.
- Ensure each school bus is equipped with extra unused face coverings for students who may have inadvertently failed to bring one.

## **Classroom Space**

• Maximize space between seating and desks. Distance teacher and other staff desks at least 6 feet away from student and other staff desks.



Figure 1. Classroom with adequate spacing between students

Distance student chairs at least 6 feet away from one another, except where 6 feet of distance is not possible after a good-faith effort has been made. Upon request by the local health department and/or State Safe Schools Team, the superintendent should be prepared to demonstrate that good-faith effort, including an effort to consider all outdoor/indoor space options and hybrid learning models. Please reference Figures 1 and 2 for examples of adequate and inadequate spacing. Under no circumstances should distance between student chairs be less than 4 feet. If 6 feet of distance is not possible, it is recommended to optimize ventilation and consider using other separation techniques such as



Figure 2. Classroom without adequate spacing between students

partitions between students or desks, or arranging desks in a way that minimizes face-to-face contact.

- Short-term exposures of less than 6 feet between students and staff are permitted (e.g., a teacher assisting a student one-on-one), but the duration should be minimized and masks must be worn.
- Consider redesigning activities for smaller groups and rearranging

furniture and play spaces to maintain separation.

- Staff should develop instructions for maximizing spacing and ways to minimize movement in both indoor and outdoor spaces that are easy for students to understand and are developmentally appropriate.
- Prioritize the use and maximization of outdoor space for activities where possible.
- Activities where there is increased likelihood for transmission from contaminated exhaled aerosols such as band and choir practice and performances are permitted outdoors only, provided that precautions such as physical distancing and use of face coverings are implemented to the maximum extent (see below in Non-classroom spaces).
- Consider using cleanable privacy boards or clear screens to increase and enforce separation between staff and students.

# **Non-Classroom Spaces**

- Limit nonessential visitors, volunteers and activities involving other groups at the same time. School tours are considered a non-essential activity and increase the risk of in-school transmission.
- Limit communal activities. Alternatively, stagger use, properly space occupants and clean in between uses.
- Consider use of non-classroom space for instruction, including regular use of outdoor space, weather permitting. For example, consider part-day instruction outside.
- Minimize congregate movement through hallways as much as practicable. For example, establish more ways to enter and exit a campus, create staggered passing times when necessary or when students cannot stay in one room and use visual reminders on the floor

- that students can follow to enable physical distancing while passing and waiting in line. In addition, schools can consider eliminating the use of lockers, which can become congregating areas.
- Serve meals outdoors or in classrooms instead of cafeterias or group dining rooms where practicable. Where cafeterias or group dining rooms must be used, keep students together in their stable groups, ensure physical distancing, hand hygiene before and after eating, and consider assigned seating. If indoor meal times are paired with recess or outdoor time, consider having half of a stable group of students eat while the other half is outdoors and then switch. Serve individually plated or bagged meals. Avoid sharing of foods and utensils and buffet or family-style meals.
- Consider holding recess activities in separated areas designated by group.
- School athletic activities and sports should follow the <u>CDPH Outdoor and Indoor Youth and Adult Recreational Guidance</u>. Note that risk of infection transmission increases for indoor activities; indoor sports are higher risk than outdoor sports due to reduced ventilation. And transmission risk increases with greater exertion levels; greater exertion increases the rate of breathing and the quantity of air that is inhaled and exhaled with every breath.
- Outdoor singing and band practice are permitted, provided that
  precautions such as physical distancing and mask wearing are
  implemented to the maximum extent possible. Playing of wind instruments
  (any instrument played by the mouth, such as a trumpet or clarinet) is
  strongly discouraged. School officials, staff, parents, and students should
  be aware of the increased likelihood for transmission from exhaled
  aerosols during singing and band practice, and physical distancing
  beyond 6 feet is strongly recommended for any of these activities.

## **VENTILATION**

- Ensure sufficient ventilation in all school classrooms and shared workspaces per American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) <u>guidance</u> on ventilation.
  - Contact a mechanical engineer, heating, ventilation, and air conditioning (HVAC) design professional, or mechanical contractor in order to evaluate your ventilation system in regards to the ASHRAE guidance.
  - o If opening windows poses a safety or health risk (e.g., by allowing pollen in or exacerbating asthma symptoms) to persons in the

- facility, consider alternatives. For example, maximize central air filtration for HVAC systems by using filters with a minimum efficiency reporting value (MERV) of at least 13.
- Consider installing portable high-efficiency air cleaners, upgrading the building's air filters to the highest efficiency possible, and making other modifications to increase the quantity of outside air and ventilation in classrooms, offices and other spaces.
- o If not able to properly ventilate indoor instructional spaces, outdoor instruction is preferred (use caution in poor air quality conditions).
- Ventilation considerations are also important on school buses; use open windows as much as possible to improve airflow.
- Specific practices to avoid:
  - Classrooms or buses with no ventilation.
  - Classrooms or buses with increased airflow across occupants (e.g., air conditioners or fans blowing into the classroom or overhead fans creating air currents across occupants).

#### PROMOTE HEALTHY HAND HYGIENE PRACTICES

- Teach and reinforce <u>washing hands</u>, avoiding <u>contact with one's eyes</u>, <u>nose</u>, <u>and mouth</u>, and <u>covering coughs and sneezes</u> among students and staff.
  - o Teach students and remind staff to use tissue to wipe their nose and to cough/sneeze into a tissue or their elbow.
  - Students and staff should wash their hands frequently throughout the day, including before and after eating; after coughing or sneezing; after classes where they handle shared items, such as outside recreation, art, or shop; and before and after using the restroom.
  - Students and staff should wash their hands for 20 seconds with soap, rubbing thoroughly after application. Soap products marketed as "antimicrobial" are not necessary or recommended.
  - Staff should model and practice handwashing. For example, use bathroom time in lower grade levels as an opportunity to reinforce healthy habits and monitor proper handwashing.
  - Students and staff should use fragrance-free hand sanitizer when handwashing is not practicable. Sanitizer must be rubbed into

- hands until completely dry. Note: frequent handwashing is more effective than the use of hand sanitizers.
- Ethyl alcohol-based hand sanitizers are preferred and should be used when there is the potential of unsupervised use by children.
- Isopropyl alcohol-based hand sanitizers are more toxic when ingested or absorbed into skin.
- Do not use hand sanitizers that may contain methanol which can be hazardous when ingested or absorbed.
  - o Children under age 9 should only use hand sanitizer under adult supervision. Call Poison Control if consumed: 1-800-222-1222.
- Consider portable handwashing stations throughout the school site and near classrooms to minimize movement and congregating in bathrooms to the extent practicable.
- Develop routines enabling students and staff to regularly wash their hands at staggered intervals.
- Ensure adequate supplies to support healthy hygiene behaviors, including soap, tissues, no-touch trashcans, face coverings, and hand sanitizers with at least 60 percent ethyl alcohol for staff and children who can safely use hand sanitizer.

#### **CLEANING AND DISINFECTION**

The section below provides recommendations for cleaning and disinfection. "Cleaning" involves water and soap or a detergent, does not use disinfecting agents, and significantly decreases germs on surfaces and decreases infectious risks. "Disinfection" kills germs on surfaces using specific agents (see below for those approved for use). If a case has been identified, the spaces where the case spent a large proportion of their time (e.g., classroom, or administrator's office if an administrator) should be disinfected. Frequent disinfection can pose a health risk to children and students due to the strong chemicals often used and so is not recommended in the school setting unless a case has been identified.

- Staff should clean frequently-touched surfaces at school and on school buses daily.
- Buses should be thoroughly cleaned daily and after transporting any individual who is exhibiting symptoms of COVID-19. Drivers should be provided cleaning materials, including but not limited to wipes and disposable gloves, to support cleaning of frequently touched surfaces during the day.
- Frequently touched surfaces in the school include, but are not limited to:
  - Sink handles.

- Shared tables, desks, or chairs.
  - If a school has morning and afternoon stable groups, the desks and tables are considered shared and should be cleaned before the next group arrives.
  - Desks or chairs do not need daily cleaning if only used by one individual during the day.
- o Door handles.
- Shared technology and supplies.
- If used, outdoor playgrounds/natural play areas only need routine maintenance. Make sure that children wash or sanitize their hands before and after using these spaces. When hand hygiene is emphasized, cleaning of outdoor structures play is not required between cohorts.
- When choosing disinfection products after an in-school COVID-19 case
  has been identified (see "What to do if there is a case of COVID-19 in a
  School"), use those approved for use against COVID-19 on the
  Environmental Protection Agency (EPA)- approved list "N" and follow
  product instructions.
  - To <u>reduce the risk of asthma</u> and other health effects related to disinfection, programs should select disinfectant products on list N with asthma-safer ingredients (hydrogen peroxide, citric acid or lactic acid) as recommended by the US EPA Design for Environment program.
  - Avoid products that contain peroxyacetic (peracetic) acid, sodium hypochlorite (bleach) or quaternary ammonium compounds, which can cause asthmatic attacks.
  - o Follow label directions for appropriate dilution rates and contact times. Provide workers training on the chemical hazards, manufacturer's directions, Cal/OSHA requirements for safe use, and as applicable and as required by the Healthy Schools Act.
  - Custodial staff and any other workers who clean and disinfect the school site must be equipped with proper personal protective equipment, including gloves, eye protection, respiratory protection, and other appropriate protective equipment as required by the product instructions. All products must be kept out of the reach of children and stored in a space with restricted access.
  - Establish a cleaning schedule in order to avoid both under- and over-use of cleaning products.
- Ensure safe and correct application of disinfectant and keep products away from students.

- Ensure proper ventilation during cleaning and disinfecting. Introduce fresh outdoor air as much as possible for example by opening windows where practicable. When disinfecting, air out the space before students arrive; disinfection should be done when students are not present.
- <u>Take steps</u> to ensure that all water systems and features (for example, drinking fountains and decorative fountains) are safe to use after a prolonged facility shutdown to minimize the risk of <u>Legionnaires' disease</u> and other diseases associated with water.

# **CHECK FOR SIGNS, SYMPTOMS AND EXPOSURES**

- Actively encourage staff and students who are sick or who have recently
  had <u>close contact</u> with a person with COVID-19 to stay home. Develop
  policies that encourage sick staff and students to stay at home without fear
  of reprisal, and ensure staff, students and students' families are aware of
  these policies.
- Implement symptom and exposure screening for all staff and students at home each day before leaving for school.
- Students or staff exhibiting symptoms of COVID-19 at school (fever of 100.4 degrees or higher, cough, difficulty breathing, or other <u>COVID-19 symptoms</u>) must be immediately isolated in a private area until they can leave school or be picked up by a parent or guardian. Ill students and staff should be recommended to be tested for COVID-19 as soon as possible.
- Policies should not penalize students for missing class.

## Symptom and Exposure Screening

Daily screening for COVID-19 symptoms and for exposure to someone with COVID-19 prior to leaving for school can prevent some people with COVID-19 from coming to school while infectious, thus preventing in-school transmission. Screening does not prevent asymptomatic cases from being at school and spreading SARS-CoV2, the virus that causes COVID-19.

#### CDPH recommends that:

- Parents be provided with the list of <u>COVID-19 symptoms</u> and instructed to keep their child at home if the child is feeling ill or has symptoms of COVID-19, even if symptoms are very mild, and to get their ill child tested for SARS-CoV2.
- 2. Staff members be provided with the list of COVID-19 symptoms and be instructed to call in sick and stay home if having symptoms of COVID-19 and to get tested for SARS-CoV2.

Note: If a student or staff member has chronic allergic or asthmatic

symptoms (e.g., cough or runny nose), then a change in their symptoms from baseline would be considered a positive symptom.

#### Implementation of home symptom and exposure screening

• There are several implementation options, each with benefits and challenges. Implementing a daily reminder system for home screening, such as a text message or through an online screening application, can support families and staff to review the symptom list each day before leaving for school and confirm that they do not have symptoms of COVID-19 and have not had close contact with a known case. This is likely the easiest and most effective approach, but families or staff may not all have technology access to support this. For those who do not, a list of screening questions on paper can be provided for daily review at home. Schools do not need to monitor compliance with home screening.

#### Symptoms at School

- Identify an isolation room or area to separate anyone who exhibits 1 or more symptoms of COVID-19 while at school.
- Staff and students should self-monitor throughout the day for signs of illness; staff should observe students for signs or symptoms of illness to support students who are less able to self-monitor or less likely to selfreport.
- Any students or staff exhibiting 1 or more symptoms should be required to
  wait in the previously identified isolation area until they can be
  transported home or to a healthcare facility, as soon as practicable.
- If a student is exhibiting 1 or more symptoms of COVID-19, staff should communicate with the parent/caregiver and refer to the student's health history form and/or emergency card.
- Unless the LHD recommends otherwise, there is no need to exclude asymptomatic contacts (students or staff) of the symptomatic individual from school until test results for the symptomatic individual are known.

#### Return to school after exclusion for symptoms at home or in school:

- Ensure that students, including students with disabilities, have access to instruction when out of class, as required by federal and state law.
- Testing of symptomatic students and staff can be conducted through local health care delivery systems or other testing resources, as fits the context of the local health jurisdiction. Advise staff members and students with symptoms of COVID-19 infection not to return for in-person instruction until they have met <u>CDPH criteria</u> to discontinue home isolation for those with symptoms:

- At least 24 hours have passed since resolution of fever without the use of fever-reducing medications; and
- Other symptoms have improved; and
- o They have a negative test for SARS-CoV-2, OR a healthcare provider has provided documentation that the symptoms are typical of their underlying chronic condition (e.g., allergies or asthma) OR a healthcare provider has confirmed an alternative named diagnosis (e.g., Streptococcal pharyngitis, Coxsackie virus), OR at least 10 days have passed since symptom onset.

#### STAFF-TO-STAFF INTERACTIONS

- Ensuring staff maintain physical distancing of six feet from each other is critical to reducing transmission between adults.
- Ensure that all staff use face coverings in accordance with <u>CDPH</u> <u>auidelines</u> and Cal/OSHA standards.
- Support staff who are at higher risk for severe illness or who cannot safely
  distance from household contacts at higher risk, by providing options such
  as telework, where appropriate, or teaching in a distance learning
  context.
- Conduct all staff meetings, professional development training and education, and other activities involving staff with physical distancing measures in place, outside, or virtually, where physical distancing is a challenge.
- Minimize the use of and congregation of adults in staff rooms, break rooms, and other settings. Try to provide space outside whenever possible.

#### **LIMIT SHARING**

- Consider suspending or modifying use of site resources that necessitate sharing or touching items. For example, consider suspending use of drinking fountains and instead encourage the use of reusable water bottles.
- Limit use and sharing of objects and equipment, items such as electronic devices, clothing, toys, games, and art supplies to the extent practicable, or limit use of supplies and equipment to one group of children at a time and clean between uses.
  - Cleaning shared objects between uses (for example with microfiber cloths or baby wipes) can help to physically remove germs on surfaces.
  - Ensure adequate supplies to minimize sharing of high-touch materials.

• Keep each student's individual belongings separated and in individually labeled storage containers, cubbies or areas.

#### TRAIN ALL STAFF AND EDUCATE FAMILIES

- Train all staff and provide educational materials to families in the following safety actions:
  - o <u>Proper use, removal, and washing of face coverings</u>.
  - o Physical distancing guidelines and their importance.
  - Symptoms screening practices.
  - o COVID-19 specific <u>symptom</u> identification.
  - o How COVID-19 is spread.
  - o Enhanced sanitation practices.
  - The importance of staff and students not coming to work they have symptoms, or if they or someone they live with or they have had close contact with has been diagnosed with COVID- 19.
  - For staff, COVID-19 specific <u>symptom</u> identification and when to seek medical attention.
  - The employer's plan and procedures to follow when staff or students become sick at school.
  - The employer's plan and procedures to protect staff from COVID-19 illness.

Consider conducting the training and education virtually, or, if in-person, outdoors, and ensure a minimum of six-foot distancing is maintained.

#### MAINTAIN HEALTHY OPERATIONS

- Monitor staff absenteeism and have a roster of trained back-up staff where available.
- Monitor symptoms among your students and staff on school site to help isolate people with symptoms as soon as possible.
- Designate a staff liaison or liaisons to be responsible for responding to COVID-19 concerns. Other staff should know who the liaisons are and how to contact them. The liaison should be trained to coordinate the documentation and tracking of possible exposures, in order to notify local health officials, staff and families in a prompt and responsible manner. This will support local health department contact tracing efforts.
- Maintain communication systems that allow staff and families to selfreport symptoms and receive prompt notifications of exposures, exclusions, and closures, while maintaining confidentiality, as required by

- FERPA and state law related to privacy of educational records. Additional guidance can be found <u>here.</u>
- Consult with <u>CDPH K-12 School Testing Guidance</u> if routine testing is being considered by a LEA.
- Support students who are at higher risk for severe illness or who cannot safely distance from household contacts at higher risk, by providing options such as distance learning.

# What to do if there is a Confirmed or Suspected Case of COVID-19 in a School

What measures should be taken when a student, teacher or staff member has symptoms, is a contact of someone infected, or is diagnosed with COVID-19?

Tabl	Table 2. Actions to take if there is a confirmed or suspected case of COVID-19 in a school				
	Student or Staff with:	Action	Communication with school community		
1.	COVID-19 symptoms (e.g., fever, cough, loss of taste or smell, difficulty breathing) Symptom screening: per CDC Symptom of COVID-19.	<ul> <li>Send home if at school.</li> <li>Recommend testing (If positive, see #3, if negative, see #4).</li> <li>School/classroom remain open.</li> </ul>	No action needed.		
2.	Close contact <b>(†)</b> with a confirmed COVID-19 case.	<ul> <li>Send home if at school.</li> <li>Exclude from school for 10 days from last exposure, per <u>CDPH quarantine</u> recommendations.</li> <li>Recommend testing 5-7 days from last exposure (but will not shorten 10-day exclusion if negative).</li> <li>School/classroom remain open.</li> </ul>	Consider school community notification of a known exposure. No action needed if exposure did not happen in school setting.		
3.	Confirmed COVID- 19 case infection.	<ul> <li>Notify the LHD.</li> <li>Exclude from school for 10 days from symptom onset date or, if asymptomatic, for 10 days from specimen collection date.</li> <li>Identify school contacts (†), inform the LHD of identified contacts, and exclude</li> </ul>	<ul> <li>School         community         notification of a         known case.</li> <li>Notification of         persons with</li> </ul>		

		•	contacts (possibly the entire stable group (††)) from school for 10 days after the last date the case was present at school while infectious.  Recommend testing asymptomatic contacts 5-7 days from last exposure and immediate testing of symptomatic contacts (negative test results will not shorten 10-day exclusion).  Disinfection and cleaning of classroom and primary spaces where case spent significant time.  School remains open.		potential exposure if case was present in school while infectious
4.	Symptomatic person tests negative or a healthcare provider has provided documentation that the symptoms are typical of their underlying chronic condition.	•	May return to school after 24 hours have passed without fever and symptoms have started improving. School/classroom remain open.	•	Consider school community notification if prior awareness of testing.

(†) A contact is defined as a person who is within 6 feet from a case for more than 15 minutes cumulative within a 24-hour period, regardless of face coverings. In some school situations, it may be difficult to determine whether individuals have met this criterion and an entire stable group, classroom, or other group may need to be considered exposed, particularly if people have spent time together indoors.

(††) See Stable Group Guidance for definition of a stable group. In some situations, (e.g., when seating charts are used, face covering is well adhered to, and teachers or staff have observed students adequately throughout the day), contact tracing and investigation may be able to determine more precisely whether each stable group member has been exposed. In this situation, those who were not close contacts could continue with in-person instruction.

#### **CONFIRMED COVID-19 CASE**

Although the LHD may know of a confirmed or probable case of COVID-19 in a student or staff member before the school does, it is possible that the school may be made aware of a case before the LHD via a parent or staff member report.

The following are the interim COVID-19 case definitions from the Council of State and Territorial Epidemiologists'.

**Confirmed case:** Meets confirmatory laboratory evidence (detection of SARS-CoV-2 RNA in a clinical or autopsy specimen using a molecular amplification test).

**Probable case:** Meets clinical criteria AND epidemiologic linkage (‡) with no confirmatory lab testing performed for SARS-CoV-2; OR meets presumptive laboratory evidence (detection of SARS-CoV-2 by antigen test in a respiratory specimen); OR meets vital records criteria with no confirmatory laboratory evidence for SARS-CoV-2.

(‡) Epidemiologically-linked cases include persons with close contact with a confirmed or probable case of COVID-19 disease; OR a member of a risk stable group as defined by public health authorities during an outbreak. This includes persons with identifiable connections to each other such as sharing a defined physical space e.g., in an office, facility section or gathering, indicating a higher likelihood of linked spread of disease than sporadic community incidence.

#### **Local Health Department Actions**

- 1. Interview the case to identify the infectious period and whether case was infections while at school; identify household and community close contacts, particularly any close contacts at school.
- 2. It may be necessary to consider the entire class or members of the case's stable group exposed, as it can be challenging to determine who may have had contact with the case within 6 feet for at least 15 cumulative minutes in a 24-hour period. In some situations, case investigations may be able to determine individual members of a stable group are close contacts, and allow those who are not identified as close contacts to continue in-person instruction.
- 3. Notify the school COVID-19 coordinator or point person at the school that a case of COVID-19 in a student or staff member has been reported and provide guidance to identify and generate a line list of close contacts at the school.
- Notify all close contacts at the school and instruct them to follow <u>CDPH</u> <u>COVID-19 Quarantine Guidance</u>. (or follow LHO orders, if relevant and/or more stringent).
- 5. Recommend that all close contacts be tested; symptomatic contacts should be prioritized for immediate testing, and asymptomatic contacts should be recommended to be tested 5-7 days from last exposure.
- 6. Contacts who test negative must still complete the required quarantine as defined in the <u>CDPH guidance</u>.
- 7. Contacts who test positive are required to isolate until at least 10 days

- have passed since symptom onset; and at least 24 hours have passed since resolution of fever without the use of fever-reducing medications; and other symptoms have improved. If asymptomatic, cases should be isolated for 10 days after the specimen collection date of their positive test.
- 8. Investigate COVID-19 cases in school students and staff to determine if inschool transmission likely occurred and whether any school-related factors could have contributed to risk of infection. Assist schools to update protocols as needed to prevent additional cases.

#### **School Actions**

- 1. Schools must adhere to required reporting requirements and notify, as indicated, the LHD of any newly reported case of COVID-19 in a student or staff member if the LHD has not yet contacted them about the case.
- 2. If the case is present at school at the time the school is notified, the case must go home and be excluded from school for at least 10 days from symptom onset date or, if asymptomatic, 10 days from the date the specimen was collected for the positive test.
- 3. Send a notice, developed in collaboration with the LHD, to parents and staff to inform them that a case of COVID-19 in a student or staff member has been reported and that the school will work with the LHD to notify exposed people. (see sample notification #1 in Appendix 2).
- 4. Arrange for cleaning and disinfection of the classroom and primary spaces where case spent significant time (see Cleaning and Disinfection above for recommendations). This does not need to be done until students and staff in the area have left for the day.
- 5. Implement online/distance learning for student cases if they are well enough to participate.

School closure determinations should be made in consultation with the LHO according to the section "School Closure Determinations." A school with confirmed cases and even a small cluster of COVID-19 cases can remain open for in-person education as long as contact tracing identifies all school contacts for exclusion and testing in a timely manner, any small cluster is investigated and controlled rapidly, and the LHO agrees that the school can remain open.

## MEASURES FOR WHEN A CLUSTER OR OUTBREAK IS BEING INVESTIGATED AT A SCHOOL

When either a school or LHD is aware that an <u>outbreak</u> may be underway, the LHD should investigate, in collaboration with the school, to determine whether

these cases had a common exposure at school (e.g., a common class or staff member, bus ride, or other common exposures outside of school).

CDPH defines a school <u>outbreak</u> as 3 or more confirmed or probable cases of staff or students occurring within a 14-day period who are epidemiologically-linked in the school, are from different households and are not contacts of each other in any other investigation cases (e.g., transmission likely occurred in the school setting).

The objectives of a school outbreak investigation are to identify and isolate all cases and to identify, quarantine, and test contacts to prevent further transmission of COVID-19 at the school. In addition, the investigation will attempt to ascertain whether the cases had a common exposure at school (e.g., a common class or teacher, bus ride, or other common exposures in the school setting). The investigation may also reveal common exposures outside of the school setting.

As noted above, an outbreak investigation is also an opportunity to understand the circumstances that may have allowed for transmission in the school setting. It is recommended that investigations determine whether there is adherence to key mitigation strategies to prevent school transmission. If gaps are identified, schools should take steps to strengthen strategies to prevent future outbreaks.

#### **Local Health Department Actions**

- 1. Review interviews (or re-interview as needed) of clustered cases to identify common exposures and determine whether the cluster suggests an outbreak with transmission at the school. If data suggest an outbreak, then notify the school about starting an investigation.
- 2. Provide the school with guidance on identifying and creating a line list of all school cases and contacts, including illness onset date, symptoms, date tested, test results, etc. (see sample data collection notification in Appendix 2).
- 3. Consult with CDPH as needed for technical assistance, testing, and other resources.
- 4. Form an outbreak investigation team with a lead investigator and including one or more school staff members to assist with the investigation.
- 5. Identify all potential exposures and close contacts and implement testing of contacts, prioritizing symptomatic contacts for testing.
- 6. Testing may be recommended for those who were not identified as close contacts but could potentially have been exposed; the fastest pathway to get test results rapidly should be used.
- 7. All symptomatic contacts should be considered probable cases and be

- interviewed to identify prioritized close contacts and exposures while awaiting their test results.
- 8. Implement isolation of all cases and symptomatic contacts and quarantine of all asymptomatic contacts of confirmed and probable cases.
- 9. Investigate to determine if in-school transmission likely occurred and whether any school-related factors could have contributed to risk of transmission. Assist schools to update and strengthen protocols as needed to prevent additional cases.
- 10. Determine, in collaboration with the school, whether the school meets closure criteria. See School Closure Determinations (page 36).
- 11. Determine, in collaboration with the school, when the school should be closed for 14 days even if the conditions outlined in School Closure Determinations below have not been reached. This may be when: 1) the investigation shows that cases or symptomatic students or staff members continue to be identified and school-based transmission of SARS-CoV2 is likely ongoing despite implementation of prevention and control measures; or 2) other local epidemiologic data support school closure.

#### **School Actions**

- Notify parents/guardians and school staff of a cluster/outbreak investigation related to the school and encourage them to follow public health recommendations (see sample notification #2 in Appendix 3).
- 2. Identify, as part of the CSP, one or more school staff member who can liaise with the LHD regarding the cluster/outbreak investigation by confirming which classes and stable groups included confirmed cases or symptomatic students and staff members, and if recent events or gatherings involved any cases or symptomatic persons.
- Identify absenteeism among those in affected classes or stable groups, and coordinate with the LHD to contact these absentees to screen for symptoms of COVID-19 if they were exposed to a case during the cases infectious period.
- 4. Coordinate with the LHD to share a line list of cases and contacts with dates present at or absent from school.
- 5. Arrange for cleaning and disinfection of classrooms or other areas where cases or symptomatic students or staff members spend significant time.
- 6. Coordinate with the LHD on notifications to the school community, including specific notifications of stable groups or classrooms regarding their exclusion status and instructions.
- 7. Coordinate with the LHD on whether and when the school should be

- closed and reopened.
- 8. Notify the school community if the school is to be closed for 14 days due to widespread and/or ongoing transmission of SARS-CoV2 at the school or in the general community, and repeat recommendations for prevention and control measures (see sample notification #3 in Appendix 2).
- 9. Implement online/distance teaching and learning during school closure.
- 10. Arrange for cleaning and disinfection of entire school before reopening in the case of closure.

### **School Closure Determinations**

#### What are the criteria for closing a school to in-person learning?

Individual school closure, in which all students and staff are not on campus, is recommended based on the number of cases and stable groups impacted, which suggest that active in-school transmission is occurring. Closure should be done in consultation with the LHO. Situations that may indicate the need for school closure:

- Within a 14-day period, an <u>outbreak</u> has occurred in 25% or more stable groups in the school.
- Within a 14-day period, at least three <u>outbreaks</u> have occurred in the school AND more than 5% of the school population is infected.
- The LHO may also determine school closure is warranted for other reasons, including results from public health investigation or other local epidemiological data.

**Length of closure:** 14 days, or according to a decision made in consultation with the LHO.

The State Safe Schools for All Technical Assistance teams (TA teams), comprised of experts across multiple state agencies, will be available to assist schools with disease investigation for those with outbreaks that cannot find resources to investigate the outbreaks. The TA teams will also be available to help schools that close in order to identify and address any remediable safety issues.

#### If a school is closed, when may it reopen?

Schools may typically reopen after 14 days and if the following have occurred:

- Cleaning and disinfection
- Public health investigation
- Consultation with the LHD

#### What are the criteria for closing a LEA?

A school district should close if 25% or more of schools in a district have closed due to COVID-19 within a 14-day period and in consultation with the LHD. If a LEA is closed, when may it reopen?

LEAs may typically reopen after 14 days, in consultation with the LHD.

### K-12 School Testing

#### **OVERVIEW**

Used in conjunction with other mitigation strategies, testing for SARS-CoV-2 provides an additional tool to support safe and successful K-12 in-person instruction. Testing can allow for early identification of cases and exclusion from school to prevent transmission. However, it should not be used as a stand-alone approach to prevent in-school transmission. A negative test provides information only for the moment in time when the sample is collected. Individuals can become infectious shortly after having a negative test, so it is important to maintain all other mitigation strategies even if a recent negative test has been documented.

There are several circumstances under which a student or staff member might undergo testing. Below, we outline these circumstances and considerations for testing implementation in K-12 schools.

#### **DEFINITIONS**

**Symptomatic testing**: This testing is used for individuals with symptoms of COVID-19, either at home or at school. In this situation, the school guidance requires that these individuals stay home and isolate in case they are infectious. The Guidance includes the possibility of return to school in the case of a negative test for SARS-CoV-2 and 24 hours after fever is resolved and symptoms are improving.

**Response testing:** This testing is used to identify positive individuals once a case has been identified in a given stable group. Response-based testing can be provided for symptomatic individuals or for asymptomatic individuals with known or suspected exposure to an individual infected with SARS-CoV-2.

**Asymptomatic testing**: This testing can be used for <u>surveillance</u>, usually at a cadence of every 2 weeks or less frequently, to understand whether schools have higher or lower rates of COVID19 rates than the community, to guide decisions about safety for schools and school administrators, and to inform LHDs about district level in-school rates. Asymptomatic testing can also be used for <u>screening</u>, usually at a higher cadence (weekly or twice weekly) than

surveillance testing, to identify asymptomatic or pre-symptomatic cases, in order to exclude cases that might otherwise contribute to in-school transmission. Screening testing is indicated for situations associated with higher risk (higher community transmission, individuals at higher risk of transmission (e.g., adults and high school students transmit more effectively than elementary aged students).

#### **TESTING STRATEGY APPROACH**

#### **Asymptomatic testing considerations**

The science regarding the extent to which asymptomatic testing will achieve the goal of safe and successful schools is still under development. Empirically, schools that have successfully implemented the core mitigation strategies outlined in the School Guidance are operating safely, with limited or no inschool transmission, under a range of asymptomatic testing approaches. The approaches range from no additional asymptomatic testing, to testing a sample of staff and students monthly, to testing all students and staff every other week. Modeling studies show that masking alone and cohorting alone can decrease symptomatic infections more than weekly testing of students and school staff. Taken together, these data suggest that a range of potential testing approaches can be considered for implementation as part of a comprehensive safety strategy.

The state of California has put into place support for the testing cadences in Table 3, through supplemental testing supplies, shipment, laboratory capacity, enrollment and reporting technology, training, and assistance with insurance reimbursement.

The increased levels of testing in the higher Tiers in Table 3 reflect the higher likelihood that someone in the school community might be infected due to higher levels of circulating virus in the surrounding community. For the purposes of the testing cadence differences, the Deep Purple Tier begins at a CR of >14.

**Table 3**. Testing Cadences with Support from the State of California for K-12 schools

	Yellow CR <1.0* TP<2%	Orange CR 1-3.9* TP 2-4.9%	Red CR 4-7* TP 5-8%	Purple CR >7-13.9* TP >8%	Deep Purple CR >14*
Staff	Symptomatic and response testing.	Symptomatic and response testing.	Symptomatic and response testing +	Symptomatic and response testing +	Symptomatic and response testing +

			Every 2 weeks asymptomatic testing.	Every 2 weeks asymptomatic testing.	Weekly asymptomatic (PCR or twice weekly antigen testing)**.
Students K-12	Symptomatic and response testing.	Symptomatic and response testing.	Symptomatic and response testing + Every 2 weeks asymptomatic testing.	Symptomatic and response testing + Every 2 weeks asymptomatic testing.	Symptomatic and response testing + Weekly asymptomatic (PCR or twice weekly antigen testing)**.

TP = test positivity

Students or staff who have tested positive for active infection with SARS-CoV-2 virus within the last 90 days are exempt from asymptomatic testing.

Any school currently open is subject to the minimum testing requirement standards established by <u>Cal/OSHA</u>. These standards include response testing for exposed cases and outbreak testing for everyone weekly until no longer considered an outbreak. Please refer to Cal/OSHA <u>guidance</u> for complete details.

#### Vaccines for K-12 Schools

CDPH strongly recommends that all persons eligible to receive COVID-19 vaccines receive them at the first opportunity. Currently, people under 16 are not eligible for the vaccine since trials for that group are still underway.

In addition to vaccines required for school entry, CDPH strongly recommends that all students and staff be immunized each autumn against influenza unless contraindicated by personal medical conditions, to help:

- Protect the school community.
- Reduce demands on health care facilities.

<sup>\*</sup> The case rates above are adjusted case rates.

<sup>\*\*</sup> Weekly asymptomatic testing assumes the use of a PCR test. If antigen testing is used, testing should be at a twice weekly cadence.

 Decrease illnesses that cannot be readily distinguished from COVID- 19 and would therefore trigger extensive measures from the school and public health authorities.

Because vaccine implementation for schools is rapidly evolving, we are providing a separate vaccine guidance document that will be available on the Safe Schools for All Hub here.

### **Appendix 1: Resources**

#### **SCHOOL RESOURCE LINKS**

- <u>Safe Schools for All Hub</u>
- Testing Guidance

## **Appendix 2: Sample Notifications**

## SCHOOL EXPOSURE TO A CASE OF COVID-19 NOTIFICATION

#### K-12 SCHOOL NAME/LETTERHEAD

From School Principal (or Designee)

Date

Dear Parents/Guardians.

We would like to inform you that we have been notified about a confirmed case of COVID-19 (Coronavirus Disease 2019) in a member of our school community. The individual who tested positive (the "case") was last on school premises on [DATE]. All school areas where the case spent time will be cleaned and disinfected before they are in use again.

Our school is working with the [LOCAL HEALTH DEPARTMENT] to follow up with the case and will reach out to all persons who are identified as having had close contact with the case to recommend home quarantine and COVID-19 testing. If you or your child are not contacted, it means that you or your child were not identified as exposed to the case.

Please remind your child to use their face covering, stay at least 6 feet from other people, and wash their hands often with soap and water for at least 20 seconds.

Symptoms of COVID-19 may appear 2-14 days after exposure to the virus and include:

- Fever or chills
- Cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

Anyone with COVID-19 symptoms should be tested. However, many infected people do not develop symptoms, which is why it is recommended that exposed people be tested whether they have symptoms or not.

Ensuring the health and safety of our students, teachers, and staff members is of the utmost importance to us. If you have any questions or concerns, please contact [CONTACT NAME] at XXX-XXX.

Sincerely,

#### **COVID-19 SCHOOL OUTBREAK NOTIFICATION**

TK-12 SCHOOL NAME/LETTERHEAD

From School Principal (or Designee)

Date

Dear Parents/Guardians, Teachers, and Staff Members,

We would like to inform you that we are working with the [LOCAL HEALTH DEPARTMENT] on their investigation of a COVID-19 outbreak in our school community. Our school is working with the [LOCAL HEALTH DEPARTMENT] to follow up with all cases and symptomatic contacts to identify all exposed persons and recommend home quarantine and testing. If you or your child are not contacted, it means that you or your child were not exposed to either a case or a symptomatic contact.

If you are a parent/guardian, please remind your child to use their face covering, stay at least 6 feet from other people, and wash their hands often with soap and water for at least 20 seconds.

Symptoms of COVID-19 may appear 2-14 days after exposure to the virus and include:

- Fever or chills
- Cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

Anyone with COVID-19 symptoms should be tested. However, many infected people do not develop symptoms, which is why it is recommended that exposed people be tested whether they have symptoms or not.

Ensuring the health and safety of our students, teachers, and staff members is of the utmost importance to us. If you have any questions or concerns, please contact [CONTACT NAME] at XXX-XXXX.

Sincerely,

#### SCHOOL CLOSURE DUE TO COVID-19 NOTIFICATION

TK-12 SCHOOL NAME/LETTERHEAD

From School Principal (or Designee)

Date

Dear Parents/Guardians, Teachers, and Staff Members,

We are informing you that we are closing our school, starting on [DATE] due to the ongoing COVID-19 outbreak and likely continuing transmission at our school. In consultation with the [LOCAL HEALTH OFFICER], we have been advised that the school should be closed for 14 days to prevent further transmission of COVID-19 and to clean and disinfect the school before reopening on [DATE].

During school closure, the school will switch to online teaching to continue our classes; please see attached information sheet on how students can sign in to continue their schoolwork online. The [LOCAL HEALTH DEPARTMENT] will also continue to follow-up with cases and contacts during school closure to ensure isolation and quarantine and testing.

If upon school reopening, your child is feeling ill or having a fever or symptoms of COVID-19, even if symptoms are very minor, please do not send your child to school and consider getting your ill child tested for COVID-19. If your child is well without any symptoms, please remind your child before going back to school to use their face covering, stay at least 6 feet from other people, and wash their hands often with soap and water for at least 20 seconds. School staff should call in sick and stay home if having a fever or symptoms of COVID-19 and consider getting tested.

Symptoms of COVID-19 may appear 2-14 days after exposure to the virus and include:

- Fever or chills
- Cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

Ensuring the health and safety of our students, teachers, and staff members is of the utmost importance to us. If you have any questions or concerns, please contact [CONTACT NAME] at XXX-XXX.

Sincerely,



### **Appendix 3: Public Health Directive**

#### REPORTING DETAILS OF POSITIVE CASES

## Required COVID-19 Case Reporting By Schools January 14, 2021

Following school closures that occurred in spring 2020 in response to the COVID-19 pandemic, the California Department of Public Health ("CDPH") developed the "COVID-19 and Reopening In-Person Learning Framework for K-12 Schools in California, 2020-2021 School Year" (July 17, 2020) to support school communities as they decided when and how to implement in-person instruction for the 2020-2021 school year. Public and private K-12 schools throughout the state are currently in various stages of instruction including distance learning, in-person learning, and hybrid instruction based on local conditions.

New evidence and data about COVID-19 transmission coupled with the experiences of schools both nationally and internationally demonstrates that schools, particularly elementary schools, can operate in-person instruction safely with the correct safety protocols in place. Concurrently with this directive, CDPH issued updated, consolidated guidance for K-12 schools (including public, private, and charter) to support school re-openings and safe implementation of in-person instruction for students and staff.

Under current guidance, schools that have already reopened are permitted to continue offering in-person instruction, and additional schools are expected to reopen under the forthcoming K-12 school guidance. To be equipped to prevent and mitigate ongoing community COVID-19 transmission, a comprehensive and coordinated approach for the secure sharing of vital data and information regarding COVID-19 infections among school employees and students is necessary, especially in light of current epidemiological conditions.

The sharing of identified case information data with public health professionals is therefore necessary to ensure that state and local public health experts can respond to confirmed cases of COVID-19 who have been present at a school site, to track and understand the extent of disease transmission within the state, and to support communities with appropriate prevention strategies and support. Accordingly, to monitor and prevent the spread of COVID-19, it is necessary for CDPH and local health jurisdictions to have accurate information about COVID-19 infections among school employees and students. Specifically, the prompt, secure, and confidential sharing of information about individuals within the school community who have tested positive for COVID-19 is critical to ensure that public health authorities can rapidly respond by:

- 1. Instituting necessary case investigation and contact tracing;
- 2. Focusing public health resources to effectively provide comprehensive support to the affected schools related to further investigation, mitigation strategies, and operational plans;
- 3. Assessing and monitoring the practices and activities that may have led to the infection or transmission of COVID-19;
- 4. Taking appropriate measures to protect the health of both the school community and population-at-large; and
- 5. Ensuring that CDPH and local health jurisdictions have the information necessary to accurately assess the impact of school reopening on COVID-19 transmission and case rates to effectively update operative public health guidance and directives as necessary.

Schools are authorized under the Family Educational Rights and Privacy Act (FERPA) to disclose personally identifiable information without parental consent to local health departments regarding COVID-19 testing and cases. (20 USC § 1232g(b)(1)(1).) In response to the COVID-19 pandemic, California has been under a State of Emergency since March 4, 2020. California continues to see the dire effects of this pandemic through limited ICU capacities and new cases and deaths each day. The COVID-19 pandemic poses an extreme threat to the health and safety of all Californians. Even with protocols in place to mitigate the transmission of COVID-19, the presence of an individual who has tested positive of COVID-19 on a K-12 public or private school campus is an emergency that poses a risk to health or safety of students and employees present on the campus. Reporting to the local health officer the presence of a positive case of COVID-19 in an individual who is or has been present on a K-12 public or private school campus is necessary to protect the health and safety of students and

employees present on the campus. California law (17 C.C.R. section 2508) also requires anyone in charge of a K-12 public or private school kindergarten to report at once to the local health officer the presence or suspected presence of any of the communicable disease, which includes COVID-19.

#### Accordingly:

- Effective immediately, every local educational agency (school district, county office of education, and charter school) and private school in California shall notify its local health officer of any known case of COVID-19 among any student or employee who was present on a K-12 public or private school campus within the 10 days preceding a positive test for COVID-19. Specifically, the local educational agency or private school shall report the following information:
  - The full name, address, telephone number, and date of birth of the individual who tested positive;
  - The date the individual tested positive, the school(s) at which the individual was present on-site within the 10 days preceding the positive test, and the date the individual was last on-site at any relevant school(s); and
  - The full name, address, and telephone number of the person making the report.
- This information shall be reported to the local health officer by telephone
  within twenty-four hours from the time an individual within the local
  educational agency or private school is first made aware of a new case.
- This reporting shall continue until this directive is modified or rescinded.

Information reported to the local health officer pursuant to this directive shall not be disclosed except to (1) the California Department of Public Health; (2) to the extent deemed necessary by the local health officer for an investigation to determine the source of infection and to prevent the spread of COVID-19, including with health officers in other jurisdictions as necessary to monitor, investigate, prevent, and/or control the spread of COVID-19; (3) if required by state or federal law; or (4) with the written consent of the individual to whom the information pertains or the legal representative of the individual.

This reporting does not replace or supersede any other statutory or regulatory requirements that require reporting of COVID-19 cases and/or outbreaks to other entities or institutions, such as Cal/OSHA.



## **Appendix 4: Public Health Directive**

#### REPORTING DETAILS OF IN-PERSON INSTRUCTION

## COVID-19 School Reopening Status Reporting January 14, 2021

Following school closures that occurred in spring 2020 in response to the COVID-19 pandemic, the California Department of Public Health (CDPH) developed the "COVID-19 and Reopening In-Person Learning Framework for K-12 Schools in California, 2020-2021 School Year" (July 17, 2020) to support school communities as they decided when and how to implement in-person instruction for the 2020-2021 school year. Schools throughout the state are currently in various stages of instruction including distance learning, in-person learning, and hybrid instruction based on local conditions.

New evidence and data about COVID-19 transmission and experience nationally and internationally demonstrate that schools, particularly elementary schools, can operate safely for in-person instruction with the correct safety protocols in place. Concurrently with this directive, CDPH issued updated, consolidated guidance for public and private K-12 schools to support school reopenings and safe implementation of in-person instruction for students and staff.

Under the guidance, schools that have already reopened are permitted to continue offering in-person instruction, and additional schools will reopen through the early spring. To be equipped to prevent and mitigate ongoing community COVID-19 transmission, it is necessary for CDPH and local health jurisdictions to have accurate information about which school sites are serving students in-person and to which degree such in-person services are being provided, especially in light of evolving epidemiological conditions.

This information will assist public health authorities maintain awareness of possible locations where case transmission may occur and can rapidly respond

to any confirmed positive cases of individuals who have been on-site at schools offering in-person instruction and services. It is also necessary to focus public health resources to support schools, including COVID-19 testing support, contact tracing, and technical assistance related to mitigation strategies and operational plans, to make the most efficient and effective use of those resources. Finally, this information will assist CDPH and local health jurisdictions to accurately assess the impact of school reopening on COVID-19 and update operative public health guidance and directives as necessary.

#### Accordingly:

- Beginning January 25, 2021, every local educational agency (school district, county office of education, and charter school) and private school in California shall notify the California Department of Public Health whether it is serving students in-person. Specifically, the local educational agency or private school shall report the following information:
  - In-person instruction is provided full-time, including whether provided for all grades served by the local educational agency or private school or only certain grade spans.
  - In-person instruction is provided only part-time (hybrid model), including whether provided for all grades served by the local educational agency or private school or only certain grade spans.
  - o In-person instruction and services are provided only pursuant to the Guidance Related to Cohorts issued by the California Department of Public Health.
  - No in-person instruction and services are provided (distance learning only).
- This reporting shall continue every other Monday (or the Tuesday immediately following, if the Monday is a state holiday) until this directive is modified or rescinded.
- This information shall be reported via a web form that will be made available by the California Department of Public Health.
- The California Department of Public Health will provide this information to local health officers and, once the information is processed, will make this information publicly available on the Safe Schools For All Hub website.

#### **COMMERCIAL LEASE**

This Lease is made by **Richard Nash** of **Nash Limited Partnership**, Lessor and **The Academies Charter Management Organization**, Lessee.

Rent per month (4/1/2021 thru 3/31/2026)	 \$	900.00 for years 1-3
	\$ 100	0.00 for years 4-5
Security deposit (not applicable toward last month)	 .\$	1000.00

Lessee hereby offers to lease from Lessor the premises situated in the City of **Visalia**, County of **Tulare**, State of California, described **1616 W. Mineral King Ave.**, **Suite D.**, upon the following TERMS and CONDITIONS:

- 1. TERM: The term here of shall commence on April 1, 2021 and expire March 31, 2026.
- 2. RENT: The total rent shall be \$56,400.00 as follows: \$900.00 per month due and payable on the first day of each month for the first thru 3 years and \$1000.00 for years 4-5. All rents shall be paid to Owner or his authorized agent, at the following address: Richard Nash, 4647 W. Allen Ave. Visalia, CA 93291 or at such other places as may be designated by Owner. In the event rent is not paid within 10 days after due date, Tenant agrees to pay a late charge of \$100.00 plus interest at 1.5% per month on the delinquent amount. Tenant further agrees to pay \$50 for each dishonored bank check. The late charge period is not a grace period, and Owner is entitled to make a written demand for any rent if not paid when due. Any unpaid balances remaining after termination of occupancy are subject to 1 ½% interest per month of the maximum rate allowed by law.
- **3. USE:** The premises are to be used for a general office for small school district and for no other purpose, without prior written consent of Lessor.
- **4. USES PROHIBITED:** Lessee shall not use any portion of the premises for purposes other than those specified herein above and no use shall be made or permitted to be made upon the premises, nor acts done, which will increase the existing rate of insurance upon the property, or cause cancellation of insurance policies covering said property. Lessee shall not conduct or permit any sale by auction on the premises.
- **5. ASSIGNMENT AND SUBLETTING:** Lessee shall not assign this lease or sublet any portion of the premises without prior written consent of the Lessor, which shall not be unreasonably withheld. Any such assignment or subletting without consent shall be void and, at the option of the Lessor, may terminate this lease. Assignment of a majority interest in Tenant shall not be considered a transfer.
- 6. ORDINANCES AND STATUTES: Lessee shall comply with all statutes, ordinances and requirements of all municipal, state and federal authorities now in force or which may hereafter be in force, pertaining to the premises, occasioned by or affecting the use thereof by Lessee. The commencement or pendency of any state or federal court abatement proceeding affecting the use of the premises shall, at the option of the Lessor, be deemed a breach hereof.

7. MAINTENANCE, REPAIRS, ALTERATIONS: Lessee acknowledges that the premises are in good order and repair, unless otherwise indicated herein. Lessee shall, at his own expense and at all times, maintain the premises in good and safe condition, including plate glass, electrical wiring, plumbing and heating installations and any other system or equipment upon the premises and shall surrender the same, at termination hereof, in as good condition as received, normal wear and tear excepted. Lessee shall be responsible for all repairs required excepting Lessor shall be responsible for the roof, exterior walls, structural foundation, HVAC, plumbing and electrical systems. In addition, Lessor will extend interior office wall heights to ceiling to create private offices, including proper relocation of lighting and HVAC ventilation and paint interior of office a neutral color.

No improvement or alteration of the premises shall be made without the prior written consent of the Lessor. Prior to the commencement of any substantial repair, improvement, or alteration. Lessee shall give Lessor at least **two (2) days written notice** in order that Lessor may post appropriate notices to avoid any liability for liens.

Lessee shall not commit any waste upon the premises, or any nuisance or act which may disturb the quiet enjoyment of any tenant in the building.

- **8. ENTRY AND INSPECTION:** Lessee shall permit Lessor or Lessor's agents to enter upon the premises at reasonable times and upon reasonable notice, for the purpose of inspecting the same, and will permit Lessor at any time **within sixty (60) days** prior to the expiration of this lease, to place upon the premises any usage "To Let" or "For Lease" signs, and permit persons desiring to lease the same to inspect the premises thereafter.
- **9. INDEMNIFICATION OF LESSOR:** Lessor shall not be liable for any damage or injury to Lessee, or any other person or to any property, occurring on the demised premises or any part thereof, and Lessee agrees to hold Lessor harmless from any claims for damages, no matter how caused.
- **10. POSSESSION:** If Lessor is unable to deliver possession of the premises at the commencement hereof, Lessor shall not be liable for any damage caused thereby, nor shall this lease be void or voidable, but Lessee shall not be liable for any rent until possession is delivered. Lessee may terminate this lease if possession is not delivered within 10 days of the commencement of the term hereof.
- 11. LESSEE'S INSURANCE: Lessee, at his expense, shall maintain plate glass and public liability insurance including bodily injury and property damage insuring Lessee and Lessor with minimum coverage as follows: \$1,000,000 combined single limit personal injury or death of any person. In any one accident or occurrence, including property damage. The limit of any such insurance shall not, however, limit the liability of the Lessee hereunder.

Lessee shall provide Lessor with a Certificate of Insurance showing Lessor as additional insured. The policy shall require thirty (30) days written notice to Lessor prior to cancellation or material change of coverage.

**12. LESSOR'S INSURANCE:** Lessor shall maintain hazard insurance covering one hundred percent replacement cost of the improvements throughout the lease term. Lessor's insurance will not insure Lessee's personal property or leasehold improvements.

- **13. SUBROGATION:** To the maximum extent permitted by insurance policies which may be owned by Lessor or Lessee. Lessee and Lessor, for the benefit of each other, waive any and all rights of subrogation which might otherwise exist.
- **14. UTILITIES:** Lessee agrees that he shall be responsible for the payment of utilities, including gas, electricity, water/sewer/trash and other services delivered to the premises.
- **15. SIGNS:** Lessee is responsible for maintenance and liabilities associated with building signage. All signage must follow Lessor sign criteria and be preapproved by Lessor in writing.
- **16. ABANDONMENT OF PREMISES:** Lessee shall not vacate or abandon the premises at any time during the term hereof, and if Lessee shall abandon or vacate the premises, or be dispossessed by process of law, or otherwise, any personal property belonging to Lessee left upon the premises shall be deemed to be abandoned, at the option of Lessor.
- 17. CONDEMNATION: If any part of the premises shall be taken or condemned for public use, and a part thereof remains which is susceptible of occupation hereunder, this lease shall, as to the part taken, terminate as of the date the condemnor acquires possession, and thereafter Lessee shall be required to pay such proportion of the rent for the remaining term as the value of the premises remaining bears to the total value of the premises at the date of condemnation; provided however, that Lessor may at his option, terminate this lease as of the date the condemnor acquires possession. In the event that the demised premises are condemned in whole, or that such portion is condemned that the remainder is not susceptible for use hereunder, this lease shall terminate upon the date upon which the condemnor acquires possession. All sums which may be payable on account of any condemnation shall belong to the Lessor, and Lessee shall not be entitled to any part thereof, provided however, that Lessee shall be entitled to retain any amount awarded to him for his trade fixtures or moving expenses.
- **18. TRADE FIXTURES:** Any and all improvements made to the premises during the term hereof shall belong to the Lessor, except trade fixtures of the Lessee. Lessee may, upon termination hereof, remove all his trade fixtures, but shall repair or pay for all repairs necessary for damages to the premises occasioned by removal.
- 19. DESTRUCTION OF PREMISES: In the event of a partial destruction of the premises during the term hereof, from any cause, Lessor shall forthwith repair the same, provided that such repairs can be made within sixty (60) days under existing governmental laws and regulations, but such partial destruction shall not terminate this lease, except that Lessee shall be entitled to a proportionate reduction of rent while such repairs are being made, based upon the extent to which the making of such repairs shall interfere with the business of Lessee on the premises. If such repairs cannot be made within said sixty (60) days, Lessor, at his option, may make the same within a reasonable time, this lease continuing in effect with the rent proportionately abated as aforesaid, and in the event that Lessor shall not elect to make such repairs which cannot be made within sixty (60) days, this lease may be terminated at the option of either party.

In the event the building in which the demised premises may be situated is destroyed to an extent of not less than one-third of the replacement costs thereof, Lessor may elect to terminate this lease whether the demised premises be injured of not. A total destruction of the building in which the premises may be situated shall terminate this lease.

- **20. HAZARDOUS MATERIALS:** Lessee shall not use, store, or dispose of any hazardous substances upon the premises, except use and storage of such substances if they are customarily used in lessee's business, and such use and storage complies with all environmental laws. Hazardous substances means any hazardous waste, substance or toxic materials regulated under any environmental laws or regulations applicable to the property.
- **21. INSOLVENCY:** In the event a receiver is appointed to take over the business of Lessee, or in the event Lessee makes a general assignment for the benefit of creditors, or, Lessee takes or suffers any action under any insolvency or bankruptcy act, the same shall constitute breach of this lease by Lessee.
- 22. REMEDIES OF OWNER ON DEFAULT: In the event of any breach of this lease by Lessee, Lessor may, at his option, terminate the lease and recover from Lessee: (a) the worth at the time of award of the unpaid rent which was earned at the time of termination; (b) the worth at the time of award of the amount by which the unpaid rent which would have been earned after the termination until the time of the award exceeds the amount of such rental loss that the Lessee proves could have been reasonably avoided; (c) the worth at the time of award of the amount by which the unpaid rent for the balance of the term after the time of award exceeds the amount of such rental loss that Lessee proves could be reasonably avoided; and (d) any other amount necessary to compensate Lessor for all detriment proximately caused by Lessee's failure to perform his obligations under the lease or which in the ordinary course of things would be likely to result therefrom. Lessor may, in the alternative, continue this lease in effect, as long as Lessor does not terminate Lessee's right to possession, and Lessor may enforce all his rights and remedies under the lease, including the right to recover the rent as it becomes due under the lease. If said breach of lease continues, Lessor may, at any time thereafter, elect to terminate the lease. Nothing contained herein shall be deemed to limit any other rights or remedies which Lessor may have.
- **23. SECURITY:** The security deposit set forth above, if any, shall secure the performance of the Lessee's obligations hereunder. Lessor may, but shall not be obligated to apply all or portions of said deposit on account of Lessee's obligations hereunder. Any balance remaining upon termination shall be returned to Lessee. Lessee shall not have the right to apply the Security Deposit in payment of the last month's rent.
- **24. DEPOSIT REFUNDS:** The balance of all deposits shall be refunded within two weeks from date possession is delivered to Owner or his authorized Agent, together with a statement showing any charges made against such deposits by Owner.
- 25. WAIVER OF RIGHT TO JURY TRIAL: In the event there shall be a dispute between Lessor and Lessee and either party shall file an action against the other party to enforce their rights under this lease, to interpret the Lease terms, or arising out of the relationship as Lessee and Lessor, the parties agree that the matter shall be tried by the court without a jury and each party specifically waives the right to a jury trial in any such action.
- **26. ATTORNEY'S FEE AND COSTS:** In any action or proceeding involving a dispute between Lessor and Lessee arising out of the execution of this lease, or to enforce the terms and conditions of this lease, or to recover possession of the premises from Lessee, the prevailing party shall be entitled to receive from the other party a reasonable attorney's fee, expert fees, appraisal fees and all other costs incurred in connection with such action or proceedings, to be determined by the court or arbitrator(s).
- **27. WAIVER:** No failure of Lessor to enforce any term hereof shall be deemed to be a waiver.

- **28. NOTICES:** Any notice which either party may or is required to give, shall be given by mailing the same, postage prepaid, to Lessee at the premises, or Lessor at the address shown below, or at such other places as may be designated by the parties from time to time.
- **29. HOLDING OVER:** Any holding over after the expiration of this lease, with the consent of Lessor, shall be construed as a month-to-month tenancy at a rental of **\$1000.00 per month**, otherwise in accordance with the terms hereof, as applicable.
- **30. TIME:** Time is of the essence of this lease.
- **31. HEIRS, ASSIGNS, SUCCESSORS:** This lease is binding upon and inures to the benefit of the heirs, assigns and successors in interest to the parties.
- **32. OPTION TO RENEW:** Provided that Lessee is not in default in the performance of this lease, Lessee shall have the option to renew the lease for an additional term of One (1) Five year option to renew with 3% annual increases to rent, commencing at the expiration of the initial lease term. All of the terms and conditions of the lease shall apply during the renewal term except that the monthly rent **shall reflect current market rents**. The option shall be exercised by written notice given to Lessor not less than **90 days** prior to the expiration of the initial lease term. If notice is not given in the manner provided herein within the time specified, this option shall expire.
- **33. LESSOR'S LIABILITY:** The term "Lessor," as used in this paragraph, shall mean only the owner of the real property or a Lessee's interest in a ground lease of the premises. In the event of any transfer of such title or interest, the lessor named herein (or grantor in case of any subsequent transfers) shall be relieved of all liability related to Lessor's obligations to be performed after such transfer. Provided, however, that any funds in the hands of Lessor or Grantor at the time of such transfer shall be delivered to Grantee. Lessor's obligations hereunder shall be binding upon Lessor's successors and assigns only during their respective periods of ownership.
- **34. ESTOPPEL CERTIFICATE:** (a) Lessee shall at any time upon not less than ten (10) days' prior written notice from Lessor execute, acknowledge and deliver to Lessor a statement in writing [1] certifying that this Lease is unmodified and in full force and effect (or, if modified, stating the nature of such modification and certifying that this Lease, as so modified, is in full force and effect), the amount of any security deposit, and the dated to which the rent and other charges are paid in advance, if any and [2] acknowledging that there are not, to Lessee's knowledge, any uncured defaults on the part of Lessor hereunder, or specifying such defaults if any are claimed. Any such statement may be conclusively relied upon by any prospective buyer or encumbrancer to the Premises. (b) At Lessor' option, Lessee's failure to deliver such statement within such time shall be material breach of this Lease and shall be conclusive upon the Lessee [1] that this Lease is in full force and effect, without modification except as may be represented by Lessor, [2] that there are no uncured defaults in lessor's performance, and [3] that not more than one month's rent has been paid in advance or such failure may be considered by Lessor as a default by Lessee under this Lease. (c) If Lessor desires to finance, refinance, or sell the Premises, or any part thereof, Lessee hereby agrees to deliver to any lender or buyer designated by Lessor such financial statements of Lessee as may be reasonably required by such lender of buyer. Such statements shall include the past three years' financial statements of Lessee. All such financial statements shall be received by Lessor and such lender or buyer in confidence and shall be used only for the purposes herein set.

- **35. RIGHT TO TERMINATE:** Lessor further agrees to give tenant an option to "opt-out" of the lease agreement after 24 months of the lease period. Tenant must give 60 days' written notice to Lessor and pay 4 months of base rental income as a termination fee. If tenant has notified the lessor in specified time and made payment in the amount of (4 months base rent), the tenant is released from the lease agreement with no further obligation.
- **36. BROKERAGE:** Lessor agrees to pay Zeeb Commercial Real Estate a leasing commission equal to 3% of the lease value.
- **37. ACCEPTANCE:** LESSOR AND LESSEE HAVE CAREFULLY READ AND REVIEWED THIS LEASE AND EACH TERM AND PROVISION CONTAINED HEREIN AND BY THE EXECUTION OF THIS LEASE SHOW THEIR INFORMED AND VOLUNTARY CONSENT THERETO. THE PARTIES HEREBY AGREE THAT, AT THE TIME THIS LEASE IS EXECUTED, THE TERMS OF THIS LEASE ARE COMMERCIALLY REASONABLE AND EFFECTUATE THE INTENT AND PURPOSE OF LESSOR AND LESSEE WITH RESPECT TO THE PREMISES.

**ENTIRE AGREEMENT:** the foregoing constitutes the entire agreement between the parties and may be modified only by a writing signed by both parties. The following Exhibits, if any have been made a part of this lease before the parties' execution hereof:

The undersigned Lessee hereby accepts the Terms and Conditions of this lease and acknowledges receipt of a copy hereof.

The Academies Charter Management Organiza	tion	
Donya Ball	 Date	
Superintendent		
The undersigned Lessor hereby agrees to least the stated Terms and Conditions.	e 1616 Mineral King Ave., Suite D., Visalia, CA 93291 to Lessee ui	nder
Nash Partnership Inc.		
Richard Nash	 Date	
4647 W. Allen Ave., Visalia, CA 93291		